

JOHNSON SELECTBOARD MEETING MINUTES
ALL PARTICIPATION BY ZOOM TELECONFERENCING
MONDAY, FEBRUARY 23, 2021

Present:

Selectboard Members: Mike Dunham, Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood
Others: Brian Story, Rosemary Audibert, David Williams, Beth Foy, Lynda Hill, Casey Romero, Jessica Bickford, Lois Frey, Neil Shepard, Theresa Snow, Athena Parke, Shayne Spence, Joanne Edwards, Kirsten Owen, Loran and Jo Marsan, Steve Hatfield, Margo Warden, Ken Tourangeau, Eben Patch, Diane Lehouiller, Sophia Berard, Kyle Hill

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Eric called the meeting to order at 7:01.

2. Additions, Changes to Agenda

No changes to the agenda we're suggested

3. Review 2021 Town Ballot

Moderator David Williams explained that the purpose of the meeting is to solicit and answer questions on the Australian ballot articles. He described how participants could ask to be recognized. He explained that this is an informational meeting only. Articles cannot be changed at this meeting.

Eric gave an overview of the budget proposed in Article 3. He said the selectboard knew that some people were struggling due to Covid and they tried to keep budget increases as low as possible. The goal was level funding. The amount to be raised by taxes is most people's biggest concern. A year ago in column we budgeted for \$1,859,935 to be raised by taxes. The estimated year end amount is higher than that. One reason for that is that last year the town voted to increase the budget by \$37,500. So the total year-end estimated amount to be raised by taxes is \$1,901,659. The amount to be raised by taxes in this proposed budget is about a \$6,000 increase over the previous year's actual amount – virtually no increase. The total budget number is a slight decrease over the actual number for the prior year. The amount to be raised by taxes is \$1,907,420, which is about 82.5 cents on the grand list, very close to what we had last year.

Eric pointed out that state and federal revenues have a large impact on our budget. They total a little over \$600K. Possible change in those revenues is one reason the board was cautious in what it proposed for a budget.

This budget includes bringing in \$194,100 from the highway restricted fund for scheduled replacement of a large tandem axle dump truck and a smaller dump truck. The money is brought in and then spent so it doesn't impact the bottom line.

The budget includes \$35K brought in from the bridge reserve fund for work on the Scribner Bridge. If the work costs more than that we would pull additional money from reserve and spend it out, so it would still not impact the bottom line.

We did not plan to take any money out of the reappraisal fund. This is a reserve fund that we have been pulling out of annually for the last few years. We had thought the assessors would be doing rolling reappraisals and we wouldn't have to have a townwide reappraisal done all at once, so we could spend some money out of the reappraisal fund. But the fund is pretty depleted and our contract with the current assessors will end June 1. They expressed interest in not renewing with us. If whoever we get next does not do rolling reappraisals, at some point we will have the cost of doing a townwide reappraisal. Last time that was done, about 15 years ago, it cost just over \$100K. Eric would guess it would cost \$200K or more now. We will have to start contributing back into that reserve fund.

This budget brings in \$100K in cash on hand to help reduce taxes.

Total revenue is \$3,072,354.

Typically board salaries are voted on at town meeting. There is normally an article asking whether the voters will decide to compensate the board members and if so how much. We can't have a question like that on the Australian ballot so we just budgeted to continue the rate of pay approved last year. The total is \$6,300.

Last year we budgeted \$32K for listers contracted services. This year we bumped it up to \$50,000 because the company we had a 6-year contract with is not interested in renewing and we expect we will have to pay a higher price.

The highway budget includes \$35K for bridges contracted services. That is the same as the amount coming in as revenue for the Scribner Bridge.

The budget shows \$37,500 going into the bridge and culvert reserve fund. The voters increased the budget by that amount last year and we didn't spend it in the current year so we are showing it going into the reserve fund. It will be pulled out when we need it. The board is proposing that the next \$37,500 received from the Historical Society also go into that reserve fund.

The highway budget includes \$181K for the two new trucks previously mentioned.

The amount of money going into the capital reserve fund is slightly increasing by about \$7K. We put some money into capital reserve every year to avoid fluctuations to taxpayers. The amount will be increasing over the next few years due to the increased cost of equipment.

The total budget is \$3,072,354.

The estimated tax rate is .8257. It is estimated because April 1 is when the assessors start the grand list and they don't set it until June. That is when we will have a finalized tax number. But Eric is not aware of any significant development or removals from the grand list so he does not expect the number to move much.

Brian said Articles 4, 5 and 6 are increases requested by charities we already work with and Articles 7 and 8 are requests from new charities we haven't worked with in the past. He invited Theresa Snow to speak about the Salvation Farms request.

Theresa Snow said she is the founder and executive director of Salvation Farms, a non-profit based in Morrisville. For this coming fiscal year, Salvation Farms has approached several towns seeking support. They are asking Johnson for \$700 to support their Lamoille Valley gleaning program, which collects high quality surplus produce from Lamoille Valley farms and moves it to community based programs that feed people. For example, the Johnson food shelf received more than 1500 lbs. of produce farmers couldn't sell. Last year Salvation Farms engaged 142 volunteers. Other places that get produce from Salvation Farms include Laraway, Teen Challenge, the Cambridge food shelf, Lamoille County Food Share, and Meals on Wheels. They serve about 39 different organizations and some senior sites in the Northeast Kingdom. This is the first time they have approached any town in the Lamoille Valley to support their work. They deliver their services at no cost to their partners.

Article 9 has to do with how taxes are collected. Eric said the selectboard has not taken an official position on any of the articles except their own budget, Article 3. It has been recommended to warn Article 9 every year. Articles 9 and 10 are binding. When the legislature created the opt-in option for cannabis sales they gave the power only to the voters. The selectboard has no authority to make this happen. It is totally up to the voters. The last 3 articles on the warning are non-binding.

David Williamson invited Jessica Bickford to speak on Articles 10 and 11. Jessica said these are both related to Act 164, which was passed in the fall without the governor's signature. It gave towns the opportunity to opt into retail cannabis sales. Article 10 is not talking about growing, packaging, or distributing, just retail. Throughout this next year the state is going to put into place a Cannabis Control Board. They are running about 2 months behind schedule. The Cannabis Control Board will put into place rules that retail markets need to abide by. Currently we don't know what those rules are. There is also additional legislation coming to clarify gray areas of Act 164. It is important to note that if we vote no on these articles now we can put the question on the ballot again next year when we have more information. It doesn't close the door forever. Under Act 164 general retail licenses will not be issued until October 2022, so there is time on this.

Article 11 is related to integrated licenses. Currently under Act 164, 5 integrated licenses are allowed for current medical cannabis dispensaries to have retail sales as well. It currently doesn't apply to us. It would only apply if the state expands integrated licensing in the future. An integrated license means someone could grow, package, distribute, and do their own testing.

Shayne Spence said Jessica did a great job of explaining Act 164 and the split between the two questions. He brought this forward not really knowing that things were a couple of months behind schedule and thinking we should probably get ahead of this. The only way we will have local control over how cannabis comes to our town is if we take proactive steps. He thought getting these questions on the ballot would be one way to do that. Even if we don't

have all the answers it is a good conversation to have. It is not the end of the world to vote no on these articles, but even if we vote yes it doesn't kickstart a process that will create a lot of work. It just starts a conversation the town will need to have in the next few years.

Nat said he is speaking only for himself. The selectboard is not taking a position on these articles. As Jessica said, the Cannabis Control Board is running behind. The best case scenario is that final adoption of the rules will not be until March of 2022. His preference would be to know what the rules are before opting in, not to opt in and then find out what the rules are. Regardless of the vote, the selectboard should probably set up a local cannabis control commission. His preference is to get that going and to have this vote at the next town meeting. Delaying the vote will not delay the licensing of any potential establishment because licenses won't even start to be given out until October 2022.

Casey Romero said she believes Shayne's petitions were behind these articles. Shayne said yes, it was his initiative. There were no petitions required this year due to Covid but he brought these questions to the board. Casey said before town meeting it would be good to hear again why it makes sense to postpone this and vote no. It would be particularly valuable coming from Shayne since he is the force behind getting these articles on the warning. She believes he wanted to withdraw them. That is valuable information.

Kyle asked, when Jessica says the Cannabis Control Commission is two months behind, the legislators have only been in session about 2 months. Does that mean they haven't talked about it yet? A few months ago it was her understanding that opting in would not require a townwide vote but that at any point the selectboard could vote on it as a board. Is that still the case?

Jessica said some names were put forth for the Cannabis Control Board to the governor. It was supposed to convene in January and that process is what is behind. Members have not been named and it has not been convened. There is a separate legislative process in the works to clarify Act 164. That began after the legislative session started. According to Act 164, opting in has to be done by a town vote. It could be at town meeting or a special vote but it is not up to the selectboard to vote yes or no. It is specifically in statute that it has to go before the full voting body.

Article 12 asks if the selectboard and trustees should enter into discussions regarding a possible merger. Eric said at the back of the town report there is a consultant's report. It was the request of the town and village voters a couple of years ago that the boards hire a consultant and get a study done. The study is now before the voters. The selectboard is not taking a position on this. The board encourages voters to review the report and vote their conscience.

Lynda Hill asked if the village voters have the same question coming up at their village meeting. Brian said they expect to have a similar question. He is not sure if it will be the exact same wording. Lynda asked, if either the village or the town says no, is it dead? Eric said basically yes. If one doesn't want to dance there is no dance.

Athena Parke said the trustees do have this question on the ballot. The language might be slightly different but their intention is to keep it the same. The trustees take no official position on it.

Articles 13 and 14 relate to ATVs. Brian said we reviewed 4 requested questions on this topic and we found that for 2 of them it was a little too much of a stretch to adapt them for well-formed questions appropriate for an Australian ballot, so we are left with these 2. These are advisory. One is asking us to repeal the ATV ordinance and one is asking for a study of environmental impact of ATVs.

Kirsten Owen said she wanted to explain the backstory for Article 14. At the July 20 selectboard meeting Brian Story announced that the town is going to have greater requirements for improvements to Class 4 roads, specifically with regard to hydrologically connected segments. All studies on ATVs point to increased runoff and soil erosion, devegetation and habitat destruction. ATV ridership has greatly increased. One community member on a back road counted 70 ATVs in one day. Why not include impacts of ATVs in the already required surveys? She thinks there is the possibility of getting a grant and she thinks it could be a good way to be protective of hydrologically connected segments

Neil Shepard said in 2006 the town was wrestling with whether to allow ATVs on town roads. There was a close vote with over 100 people on either side of the issue. The pro-ATV side won the vote, the selectboard passed an ordinance and ATV riders have been on town roads since then. It has been a 15 year experiment. People have seen an uptick in the number of ATVs. They are bigger and make more noise. People worry about safety, noise and other issues. He feels it is time to revisit the ordinance. If there is a large majority in favor of these articles he hopes the selectboard will consider repealing the ordinance and keeping ATVs off roads. If there is a close vote he hopes the board, by themselves or with an advisory committee, will look at the issue afresh. He suggests having people from both sides on an advisory committee of 10 or 12 people. He hopes they can create a new ordinance that finds a palatable compromise.

Casey Romero said she believes this problem may be bigger than Johnson. Looking at a map of ATV trails she sees that Johnson is a pinch point that people have to go through to go beyond their town. She wonders if that is part of what is increasing traffic and noise and problems for peaceful enjoyment of one's home. She strongly favors creating some committee or advisory group. Johnson alone shouldn't be burdened with the solution. We don't have power to do things like require ATVs to have better mufflers. She is sure there will be a compromise that will let riders continue riding while things are being looked at. Maybe the town can work in conjunction with VASA. She feels we need to work in conjunction with entities outside of Johnson.

Lois Frey said she was on the committee in 2006. They worked very hard and in the end they decided to not put forward an ATV ordinance. One reason was that there was no developed trail system at that time. There was no way for anyone to ride on public or private land. They turned over their findings to the selectboard. But a selectboard member had written an ordinance and it passed. She thinks knowledge about the trail system is still missing. She

tried to find out where ATV trails are and found out that she had to be a member to see that information. People may not know where to go. It is important to have the opportunity for people to ride ATVs. The ATV association has been wonderful, pitching in on Coddington Hollow Road, working with the Conservation Commission and the selectboard. We just need to pull the pieces together so there is a balance between peace and quiet and good riding time.

Joanne Edwards said she has worked at the college for many years. She got the impression at the candidates night meeting that many people are not fully aware of how poorly funded the colleges are. When Vermont combined the state colleges into one system in 1961 statute said the system would be supported in whole or substantial part with state funds. The state funded about 50% at first but starting in the early 1970s they chose to start lowering funding to state colleges. In the 23 years she has worked at the college the Vermont state colleges have always been struggling for funds. They are always either at the bottom or second from the bottom in state funding nationwide. Only 17 or 18% of their budget is funded by the state. Because of that, tuition is the highest in the country. She is not sure all townspeople are aware of that. It is important to know if thoughts of closing the college arise again.

David Williams said probably for the first time since the early 1970s the legislature has begun to show signs of interest in this issue. He thinks a lot of that interest is in response to the groundswell of support for NVU after the suggestion to close three colleges. This is a time when the legislature is seriously thinking about the state college system and those who have interest might want to keep in touch with their representatives to make sure they are aware of the community's interest.

Casey Romero said she was delighted to see the town report dedicated to Eric. Eric said a lot of people may not realize that the town report is actually the auditor's report. It humbled him to have the report dedicated to him. It is an honor and he truly appreciates it.

Margo asked if voting yes on the ATV articles lays the table for what was discussed in terms of conversation and compromise, trying to work things out so ATVs can ride roads and trails and residents can feel good about it in terms of noise, and if a vote of no might not set the table as well to bring the community together for that conversation. Is she correct in that assumption?

Nat said he thinks either way the vote goes on these two questions the community is going to have to have those conversations anyway. If the town decides not to repeal the ordinance, he anticipates the ATV group will approach the selectboard sometime in the next 6 to 10 months and ask if the town will extend the exemption they have gotten allowing them to use village roads or permanently amend the ordinance to allow it. That would require a larger community conversation. Even if we repeal these ordinances ATVs aren't going to go away. Before 2006 he thinks there was a fair amount of illegal ridership. He thinks with either result we should have community conversations around these questions.

Eric agreed with Nat. No matter what action the selectboard takes following this vote, whether the board expands or repeals the ATV ordinance, he believes there are enough

people on each side to reach the threshold to submit a petition to require a special town meeting and town vote and then the voters will decide. Ultimately it will come to the voters and they will decide.

Nat said it sounds like the previous ATV committee was composed of people with different views and had a proposal for the selectboard but at that time their work was not honored by the selectboard. He thinks that was a mistake back then. He thinks what needs to be different this time is that the board needs to listen to that committee.

Lynda Hill asked if ATVs can go down Clay Hill Road. Eric said no. They currently use part of Gould Hill Road to get to Drag Lot Road, which is a Class 4 road. The board authorized them to continue down Gould Hill Road to Route 15 and then they would have to get state permission to use Route 15 to get to Railroad Street or Maplefields. We did authorize use of Railroad Street. Those are the only two streets that were opened up. Nat said they were opened up for the current year only as a trial. Lynda asked if they got permission from the state to go down Main Street. Eric said he doesn't know. It seems the state has been very open to allowing ATVs on state highways so he doesn't foresee they will have a problem, but that is just a guess. Ken Tourangeau said they don't have permission from the state yet. Everything is running slowly due to Covid.

4. Adjourn

The meeting was adjourned at 8:25.

Minutes submitted by Donna Griffiths