

JOHNSON SELECTBOARD MEETING MINUTES  
ALL PARTICIPATION BY ZOOM TELECONFERENCING  
MONDAY, MAY 17, 2021

**Present:**

Selectboard Members: Mike Dunham, Beth Foy, Nat Kinney, Eric Osgood, Eben Patch  
Others: Brian Story, Rosemary Audibert, Hugh Albright, Eric Hutchins, Beth Foy, Ken Tourangeau, Dewey, BJ Putvain, Kirsten Owen, Shayne Spence, Dave, Diane Lehouiller, Jackie Stanton, Barbara Backus, Kim Dunkley, Alli Cusson, Kyle Nuse. Jasmine Yuris, Jessica Bickford, Peter Danforth, Joie Lehouillier, Lois Frey, Louise Cross, Margo Warden, Marla Emery, Nadeau, Neil Shepard, Rob Rodriguez, Sheila, Sophia Berard, Duncan Hastings, Jeanne Engel, Noel Dodge, Chad Letourneau, Chris, Floyd Nease

**Note: All votes taken are unanimous unless otherwise noted.**

**1. Call to Order**

Eric called the meeting to order at 7:00.

**2. Additions, Changes to Agenda**

Brian added approval to spend money on the welcome center and action on a noise ordinance waiver request.

Eric reminded the board that the arboretum ribbon cutting is May 22 and it would be good for selectboard members to be there if they are able.

**3. Review and Approve Minutes of Meetings Past**

**Beth moved to approve the minutes of May 3, 2021, Eben seconded and the motion was passed.**

**4. Treasurer's Report / Review and Approve Bills, Warrants, Licenses / Any Action Items**

Rosemary said the amount of delinquent taxes is the largest it has been for a long time. Eric suggested an update on delinquent taxes might be helpful for the next meeting.

Rosemary said the state sent final school figures. They do a true-up in April.

Eric noted that expenses well under budget for the year. Rosemary said the main reasons for that are that we haven't made transfers to the reserve fund or done the paving project.

**5. Racial Justice Committee Report**

Eric Hutchins said the chair of the Racial Justice Committee resigned. The last committee meeting was fairly contentious. The committee called a special meeting for May 20 to elect a new chair and potentially a vice chair and to put some new procedures in place. The committee was formed with good intentions. Eric volunteered to join because he saw a lot of potential for this issue to be very divisive and he didn't want to see that happen. He joined with the idea of getting everyone on the same page. The committee has failed at that. They haven't succeeded in making this issue something everyone can get behind in the same way. The board might be able to help them out. He thanked Nat for coming to the last meeting and providing good suggestions. He admires selectboard members' commitment to the public good and would like to appeal to that spirit. He would like to hear more from the board about what the committee can do that everyone in the community can get behind. Board members

represent their constituents but also sometimes need to be leaders and educate people. He would love to have conversations with each board member about what the committee can do that the whole town can get behind. A lot of the divisiveness on this issue is the fault of politicians and news outlets that use the issue divisively. We need to talk to each other and talk to experts. He would like for the committee to reset over the summer. He would like to hear from each board member and relay what he hears to the committee.

Nat said he attended the last meeting and was very upset about how it went. He is happy to hear Eric's opening remarks. He suggests that the committee talk about responsibilities and expectations for the chair and for committee members at the next meeting to ensure that when people show up to participate the voices are respected. Raven Pfaff spoke at the village trustee board meeting about positive and productive conversations. The committee has a responsibility to set that tone.

Beth said she is encouraged by everything she is hearing. She appreciates the committee resetting and reprioritizing.

Eric Osgood said this is the second time Eric Hutchins has challenged the selectboard with providing direction for the committee. He thinks the selectboard owes the committee that. After the committee is reorganized the selectboard will dedicate 15 or 20 minutes to that at a selectboard meeting with the Racial Justice Committee participating.

**6. *Public Works Supervisor/Highway Foreman Report***

Hugh said the public works crew spent the last 3 weeks or so doing ditching on the south end of town. After ditching they hydroseeded the newly disturbed areas to avoid erosion problems. There is no shortage of people offering to take fill. He feels like we should charge for it. The roads are all in great shape. The crew started grading pretty aggressively. This year he changed how they operate so they heavily chlorided early.

Eric asked if the village has requested fill. Hugh said yes, Will Jennison contacted him about fill to be used for an old reservoir. The two of them will get together and figure out how much is needed.

**7. *Request for Funding of Essay Writing Contest***

Brian said the Racial Justice Committee would like to have an essay writing contest and be able to offer prize money to winners. Eric Hutchins said the committee didn't flush out the whole thing. They wanted to get approval and/or funding first. Rutland NAACP has done something similar. They have good prompts and ideas. A lot of summer programming is going on in schools this year and this is another activity that could be offered to students. The idea was proposed by Shayne Spence in the committee thought it was good.

Eric Osgood asked if the committee will provide guidance about what they are looking for in essays. Eric Hutchins said yes, but they haven't gotten that far. They thought they would find out if the boards wanted to do the contest first. There has also been talk in the committee about a Juneteenth event. That day could be used to kick off publicity for the essay contest. He has talked to people at the Lamoille Restorative Center who might be willing to support the contest.

Mike said he would like to know the subject matter first. Eric H. read an example prompt from the Rutland NAACP: *A 150-500 word speech to other young people expressing your commitment to anti-racism and encouraging peers to be anti-racist.* That would be typical of what the committee would be asking for.

Beth asked where the essays are going. Is there a plan for publishing them? Eric H. said there are no plans at this time. If the idea gets support the committee will plan out the details. Kids will write about anti-racism, the committee will judge the essays and award prizes.

Beth asked if the committee has talked to kids about their interest. Eric H. said no. They reached out for prize money to incentivize participation. One goal of the contest is to get people talking.

Beth said she is fully supportive of the essay contest and would also support the board providing money but she thinks the committee could easily get donations. She would happily donate toward activities like this.

Eric H. said the committee was thinking it would be good to have the village and town fund this. It would show commitment to this idea. Eric O. asked how many people would get prizes. Eric H. said the committee was thinking of offering first, second and third prizes.

Sophia said when the idea was proposed the committee decided to see first if the boards would support it. If there is support then there are things to finalize like the prompt, the prize amounts, etc. The committee plans on knowing all those things. The committee can get donations and fundraise but if money comes from the village and the town it shows it is a priority for them. Margo Warden made the point at the last trustee board meeting that if something is in the board's budget then it is a priority because the budget is a priority list. The committee thinks the small amount of money it is requesting shows a commitment made by the Town of Johnson. This contest furthers the conversation.

Nat said he thinks that is a good point about showing that it is a priority for the municipality. There are important assets in this community that we got because volunteers fundraised for them – the Beard parcel, Journey's End, the bread oven and the arboretum. And the community cared enough to give money. He is in favor of contributing the \$200 but he wants to hear from the Racial Justice Committee that the committee is willing to do fundraising and that some of the money they want to spend is going to come from fundraising. It is not fair for the selectboard to give money to the Racial Justice Committee and tell other volunteer groups like the Conservation Commission or the Rec Committee that they aren't giving them money. The town gives some money to the Rec Committee but the Rec Committee also does fundraising.

Eric O. said the selectboard is very generous to a lot of different boards, commissions and committees in the town but by and large they do a lot of fundraising. They write grants and get donations. The selectboard steps in when they need help to fund gaps.

Eric H. said he thinks there is good will on the committee's part to do fundraising for necessary things but they are wondering about support and they thought this small amount would be a symbol of support. The Town of Hardwick also started a racial justice group and gave them a budget of \$5K. There is precedent for supporting these things.

Mike said Hardwick calls their committee the equity committee and they actually budgeted \$2,500 for that committee for 2021-22, not \$5,000.

Mike said the agenda for the next Racial Justice meeting implies to him that if the selectboard gives \$200 tonight the committee will try to come back for another \$200 another time. Eric H said no. If they only get \$200 they will fundraise or give smaller prizes. If the selectboard wants to kick in the whole \$400 the committee originally wanted from village and town they can do that.

Mike said if he was assured that subjects like white fragility, critical race theory or the 1619 Project would not be discussed as part of this essay contest he might support it.

Eric H. said the content of the essays would be up to individual students. He imagines they would be wide-ranging and would probably touch on multiple perspectives. The committee wouldn't coach kids on what to write. This is an example of what he was talking about earlier. All the things Mike talked about are being used as lightning rods to divide people. They are examples of how people are being misled and misinformed. He encourages people to tune out a lot of that because it is not relevant. He doesn't think any prompt will directly mention any of those three things but he wouldn't be shocked if some responses incorporated aspects of some of those things.

**Beth moved to provide \$200 to the Racial Justice Committee to allow for an essay contest. Nat seconded and offered the friendly amendment that the contest be eligible only to Johnson resident. Beth agreed to that amendment.**

Kyle Nuse said she is not sure how that would work if we have a union high school. Nat said his preference is for Johnson tax money to go to a Johnson resident but he doesn't feel strongly about it. Brian said it is not that unusual for a school district to have something that not all students are eligible for. It is okay for us to have something that is just for Johnson residents. The school is not running the contest, the Racial Justice Committee is.

Eric H. said leaving it flexible might give more funding options. He doesn't know if the Lamoille Restorative Center would be interested in helping to fund it if it is just for Johnson residents.

**Nat suggested removing the residency requirement from the motion and Beth agreed.**

Kim Dunkley said she thinks it is nice to involve more people. Possibly the prizes could just go to Johnson residents but it can still be an open contest for everyone.

**The motion was passed.**

### **8. *Stormwater Master Plan***

Brian said Peter Danforth of the Lamoille County Conservation District has been assisting us in cooperation with the village in working on the Johnson Stormwater Master Plan. Three sites that were identified as high priority project areas have had 30% engineering done. The three sites are the town library, college apartments at NVU and Sterling Market.

Peter Danforth said Watershed Consulting was hired to work on the stormwater master plan. Ten priority sites were identified and the 3 highest priority were chosen for 30% design. The money for this is coming to us in order to mitigate phosphorus and sediment loading in the river. At the library site the existing infrastructure would be retrofitted to lead to a subsurface infiltration chamber. At Sterling Market it would be similar. Runoff would be narrowed down to an underground chamber where the gray water can be treated before it enters the Lamoille River. At NVU water would be led to a drainage basin to be treated and there would be overflow as well.

Beth said she has questions about how to kick the projects off and where the funding comes from. Peter said he is waiting for an announcement that the funding has come through, then he will submit an implementation grant proposal. The money is coming from the Vermont Association of Conservation Districts via DEC. We will attempt to do at least one or two of these projects this year and more in the future. Next year the DEC will delegate doling out the money to regional planning commissions.

Eric said the town does not have much to do with the NVU and Sterling Market sites. There would have to be a partnership between the town and village to do the library area work. Peter said he talked to the village about it and they are on board. That could be a 2022 project. The project would be completely funded by the block grant. Currently the state does not require a match. They usually work with the town or village to identify any resources they can offer – time spent coordinating, etc.

Nat said there are drainage problems on Railroad Street. In a heavy rain a lot of water sits on the street. Will this project help with that? Peter said yes, that would be the intent as well, to make the water go into the system more easily. The intent of the project was for clean water but it seems like it would provide some at least some flood mitigation for the library structure.

Mike said most of us realize that phosphorus is not a municipal problem. The main producers are agriculture and forests and municipalities produce less. Peter agreed. His agency also works with agricultural interests and private landowners. This design is important because of the amount of acreage it would treat.

Jessica Bickford said this sounds like a great project. She asked if Peter has any idea how implementation might impact library operations. Peter said the majority of the project will take place behind the library and he thinks the library can remain open during most of it, but he is not an engineer. He will talk to the library and the village about how to coordinate the work. He is hoping implementation will take no more than a week. A similar project in Morrisville took about a week.

**9. Letter of Support for Lamoille Family Center/Jenna's Promise/Lamoille Health Partners**

Brian said we got a request for a letter of support for a cooperative project between the Lamoille Family Center, Jenna's Promise and Lamoille Health Partners. They want to renovate a building in Johnson with the idea that a private physician and other healthcare providers would be able to use it. A letter of support from the town will help them with fundraising and grant writing.

**Mike moved and Eben seconded to send the requested letter of support for the efforts of the Lamoille Family Center, Jenna's Promise and Lamoille Health Partners to develop a new Health and Human Services Hub and Therapeutic Child Care Center in Johnson**

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Beth asked what services will be provided. Will there be a clinic distributing drugs like Suboxone or Methadone? Brian said we don't have that level of detail yet. He knows they want this to provide more than just addiction treatment services but he imagines there would be an addiction component.

Eric said previously Jenna's Promise was in talks with Copley trying to get a clinic in Johnson. This effort has been ongoing for a few years. Now they have a new partner, the Lamoille Family Center.

Mike said it would be nice if someone from one of the three groups was here. Eric Osgood said he thinks the Family Center is driving it.

Kyle Nuse asked what building they are talking about. Eric said they can't release that information because of ongoing negotiations. Kyle asked, the board is being asked to sign off when they don't even know what building it is? Or maybe the board does know and the public doesn't? Brian said he doesn't believe the board knows. He doesn't.

Kyle asked which organization will actually buy the property. Brian said we don't have that level of detail. They are asking if we support this in concept. The letter of support does not bind us to anything too strict and we can soften it if we want. We can say we are supportive of a healthcare facility.

Beth said based on the information we have it sounds like great services would be provided. They are talking about a therapeutic child care center, which she thinks is desperately needed in Johnson, other services for parents and parent education, consultation with other providers and mental health programs. She didn't see anything about other services, which is why she asked her previous question.

Floyd Nease, executive director of the Lamoille Family Center, joined the meeting. Beth asked if the intent is for other services like drug therapy services to be provided in addition to the services mentioned in the letter. Floyd said right now negotiations with a certified addiction specialist are underway. The Family Center screens families for substance misuse, domestic violence, and fragile housing and children are screened for learning disabilities. All of that won't necessarily be provided in the building but the intent is to get families

connected to whoever they need to be connected to. Lamoille Health Partners intends to set up a health hub and primary care office, which can be separate from the childcare facility. Negotiations are underway with other providers.

Kyle asked what building we are talking about. Floyd said because there is a federal bond that shadows on the title he can't talk about that. Kyle asked who is purchasing the building. Floyd said when the money comes in, that will be decided. It will be whoever is best equipped to be a landlord.

Kyle asked, didn't the Family Center try to do a daycare or childcare center in the past? Floyd said they had an infant and toddler program housed at the Family Center for many years. There was no way to make it covid safe so they closed it with the intention of finding a way to open another center. This would emphasize infants and toddlers. There would be about 40 kids with four different rooms going up to preschool. Kyle asked if it would be open to anyone that needed care. Floyd said yes, and it would be a resource for other childcare providers. They will accept referrals from childcare providers, help families and childcare providers deal with difficult behaviors and get the child back to their original childcare provider if they can. Kyle asked, this is all facilitated by the Family Center? Floyd said the childcare is. This facility will allow a childcare provider having trouble with a child to call up the Family Center and ask for help with the challenges.

Duncan Hastings said it sounds like there are a lot of details left to work out but it sounds like something the board should be supporting in concept.

**The motion was passed.**

***10. Procurement Policy Updates***

Brian said he talked to public works and the library about the proposed procurement policy. Hugh has some concerns that the limit is going to be a little tough for him to meet and a lot of purchases will require selectboard approval. But the policy allows for emergency purchases such as immediate repair and maintenance of town equipment or property if the delay in such repair or maintenance would endanger persons or property or result in substantial impairment of the delivery of important town services. If a truck breaks down, Hugh doesn't have to wait for approval. He can make an emergency purchase.

Eric said his impression was that Hugh or Brian could make a purchase from a pre-approved supplier without needing to go to the selectboard. Brian said under this policy that can be done if the amount is under \$1,000. It is less about where the item comes from and more about the cost. If it is under \$1,000 it does not matter where it comes from. If it is \$1,000 to \$2,000 the board should be informed first but it does not necessarily need to go out to bid. We don't know when truck repairs will come up and they are time sensitive but his feeling is that this policy allows them to be done. Hugh has permission under the policy to make purchases that are time sensitive if there is a need.

Brian said the library would like to know if we might set a particular amount such as less than \$2,000 to be approved by the library trustees if it is within the library's budget. They would like the head librarian and youth services librarian added as agents of the selectboard. Jessica said they would like the youth services librarian added as an agent because often all

the supplies for the summer reading program are purchased at once and it makes sense that the person running the program is able to buy them.

Duncan Hastings said he is wondering how the procurement policy might affect entities like the Historical Society that have a budget within the selectboard budget. Brian said the Historical Society sends invoices to us but the invoices are approved by him or Rosemary so they are being processed by a designated purchasing agent. Duncan said the Historical Society recently approved up to \$6,000 for conservation of historic items by a conservator the town uses. That would be something the board could vote on and approve without getting bids? Brian said that amount would have to go before the selectboard. Though it is a professional service. It may or may not qualify for an exemption.

Duncan said before the town adopts this policy he would like the Historical Society to be able to see it and have a chance to comment if they are going to be affected by it. Eric said he thinks more discussion will be needed for this. He suggested returning to it in at a future meeting. Beth asked if the draft policy can be sent to the Skate Park Committee, the Historical Society, the Tuesday Night Live Committee and the Rec Committee. Eric said he thinks that is a good suggestion.

**11. Discussion and Adoption of Memorandum of Understanding with Johnson Public Library**

Brian said the library submitted a draft MOU. He got a suggestion on changing the reference to expenditures in the MOU to say “as described in the procurement policy” so there is less potential for documents to contradict each other. Other than that it is largely what we sent to the library trustees. Beth said she thinks if the MOU is going to refer to the procurement policy we need to adopt them together. The board agreed in principle with approving the MOU but will wait to approve it until approving the procurement policy.

**12. Historical Society Requests**

Brian said the Historical Society building has a roof leak. They will secure a contractor to make repairs. There is no cost estimate yet. The Historical Society is interested in taking over the second floor of the main building. He thinks the apartment in back will remain a caretaker’s apartment. The lease for the second floor of the main building is up for renewal but the Historical Society is not ready to take over that space yet so they would like us to add an amendment to the lease allowing for the lease to be terminated on reasonable notice. We could say 30 or 60 days.

Mike asked what date the lease is up. Eric asked how soon the Historical Society will be ready to use the upstairs. Duncan said he would say it is not imminent. The Historical Society fully recognizes it will be a process and to that end they voted to establish a committee. They don't see this is something happening right away but it could take place within the term of the lease.

Nat said we have budgeted for \$16,925 of income from rent for that building. The majority of that is for the upstairs apartment. If we were to give it over to the Historical Society, what happens with the income we budgeted for? And what has been the cost to the town for owning this building? He would like to get a sense of costs and income for the building.



Duncan said that income is entirely from the apartment. Brian said the Historical Society makes a contribution in lieu of rent for their portion. Presumably they would offer the town additional compensation in lieu of rent for the part they take over.

Nat said he would like enough information to determine whether the amount they offer is responsible. Duncan said that is a major reason the Historical Society thought it would be important to have a committee. The kinds of questions Nat is asking are ones they would like answers to. It would be wonderful if a member of the selectboard would be interested in participating at some level. The town is currently getting revenue from rent but also paying all utility costs. They will be a reduction in utilities cost after the Historical Society takes over the space.

Brian said the current lease ends at the end of June. Mike asked if it would be cleaner to end the lease now. Duncan said the Historical Society is not ready and the revenue from rent is revenue the town budgeted for. The offset from lower utility costs won't be even. The town will lose more income than expense. He would encourage a representative from the town to do an inspection of the apartment to ensure that the current lease agreement terms are being adhered to. If the selectboard terminates the lease now they are not in a financial position to make up the lost revenue. Mike said it might be easier on the tenant to make them move now rather than at another time. Duncan said if the board wants to terminate the lease at the end of June he doubts the Historical Society would have an issue. It is more of a selectboard issue and it is the selectboard's decision. Mike said he would like to see the lease come to an end but there is no way to make up for the income so probably we need to put a stipulation in the lease as recommended, reserving the option to break it.

Mike moved to add language to the lease for the apartment on the second floor of the main section of the Historical Society building allowing the town to terminate the lease upon reasonable notice. The motion was not seconded.

Beth said she would like to see what the profit and loss looks like and what the proposal means to us in the next 3 years. We should make sure to do our due diligence when talking about money. Eben said he would agree. He asked, at the end of the lease does Brian or someone from the town review how the apartment looks? Brian said he or Donnie will typically go in.

Brian said adding a contingency allowing us to get out of the lease doesn't obligate us to any decision. Eric said if the Historical Society was ready to move in next spring we would only be talking about 2 months lost revenue. The impact in the current year would be minimal but when building the budget in the fall we would want to have that in mind when budgeting revenue.

Mike said he doubts the Historical Society would have the apartment vacated without having some way to make up the difference in revenue. Duncan said that would be the purpose of the committee. They recognize there is money on the table that needs to be dealt with. He appreciates the selectboard's concern about impact on the budget. The Historical Society also hopes that the town would support an organization like theirs to some degree, as it has done

in the past. If the board decides not to amend the lease this year he thinks the Historical Society can work around that. They will still want to actively pursue the process and keep the board fully informed.

Mike said his motion gives the board the option to end the lease early but does not require it. Duncan said the board won't choose to break the lease unless they determine the Historical Society proposal is good. Eric said he thinks before the board took action to break the lease they would have discussions with the Historical Society. We will lose both revenue and expense and will have a payment in lieu of rent from the Historical Society so our net loss could be very minimal.

Mike made the same motion again and again it was not seconded.

Duncan said the Historical Society has asked the board several years running to have the public works department do some excavation and grading around the building to help reduce water damage. He would appreciate it if the board could ask Hugh if he can work that into his schedule. Eric asked if Brian can do that. Nat said he supports that, but the first priority for Hugh's crew is the Ted Alexander Welcome Center. We are under deadline for that project and we have made a commitment. Duncan said the Historical Society has been promised this work by the town crew for about 3 years and it hasn't gotten done. It would be great if it could be done before winter.

Duncan said the Historical Society voted to ask the selectboard to determine the boundaries of Grow Cemetery and place a fence around it. It is a significant historical resource for the town and deserves support. And a fence is required by state statute. Eric asked if Duncan has a feel for how hard it would be to find the boundary. Duncan said it was originally part of the township of Sterling. He doesn't believe any of the land records from Sterling made their way to Johnson. He thinks they are in Morristown. He would be willing to volunteer to check with Morristown for any documentation. Short of that, there are remnants of existing fences and we could talk with the neighbors and see if they concur on the boundary or we could hire a surveyor. Eric suggested that the Historical Society see if they can establish the boundary and then we will discuss it.

Kyle said she noticed the American flag in front of the Historical Society building is tattered. She doesn't know if it is the responsibility of the Historical Society or the town to replace it. It would be nice if it were replaced before Memorial Day. Lois Frey said she thinks Tom Carney has replaced it in the past. She can talk to him and see if he can do it. Kyle said she is willing to help with that too. Mike also offered to contribute.

Eben agreed to participate with the Historical Society's committee.

### ***13. Evergreen Ledge Cemetery Plot Sale***

Brian said Jackie Longley is interested in purchasing 4 plots in Evergreen Ledge Cemetery. Duncan has staked out where they are. They are in the older portion but well clear of existing plots. **Mike moved to authorize the sale of 4 Evergreen Ledge Cemetery plots to Jackie Longley, Eben seconded and the motion was passed.**

Duncan said a couple of years ago he volunteered to cut back brush along the property lines of Evergreen Ledge Cemetery and the town agreed to pay for rental of a brush hog. He would volunteer to do it again if the town would rent the brush hog again. Brian said the cost is well within the cemetery maintenance budget. Eric said if it can be taken out of the cemetery budget we should go ahead and do it.

Duncan said he has been working in Whiting Hill Cemetery and he thinks it would be a great idea to try to do some stone cleaning in Plot Cemetery and Grove Cemetery. He has been using a product called Wet and Forget which is relatively cheap. Results have been good. He doesn't need action on buying that tonight but maybe the board can think about it.

**14. Retirement of Longtime Employee Anne Mullings**

Eric showed the board a proclamation he wrote proclaiming June 19 to be Anne Mullings Day. **Nat moved and Beth seconded to approve the proclamation proclaiming June 19 to be Anne Mullings Day.** Beth noted that that date is also Juneteenth so there may be other activities happening that day. **The motion was passed.**

**Nat moved to authorize Rosemary to spend up to \$500 on a gift for Anne and the motion was seconded and passed.**

**15. Reopening Information**

Brian said the board packet included the current guidelines recommended by the emergency management team for those who want to use the upstairs space in the municipal building. He is working with the village to make changes to the employee health guidelines, which is the first step before reopening the building to the public.

Eric said he thinks within a month or so we will be able to have in-person board meetings. Brian said it is currently permissible under the guidelines for a board or committee to meet in person and broadcast the meeting for a wider audience. That will be more complicated than having a meeting where everyone is remote and we are likely to have to give technical assistance to committees that want to do that. As long as there are limits on how many people can gather it will probably be a requirement to have an electronic venue to participate.

Beth asked how we are communicating this information. Brian said it will be on the front page of the website and he will send it to all our boards and commissions and people who have expressed interest in using the municipal building and probably put it on Facebook too.

Beth said while our infection rate is going down, covid is still prevalent. She is not suggesting we highly encourage a lot of people to use our common space. She needs we she thinks we need to keep our practice in place of disinfecting often.

**16. ATV Committee Discussion**

Brian said the vote on ATV's made it pretty clear that eliminating ATV use was not on the table. But we have heard people with different ideas about what form ATV use in town should take. If we are going to make ATV access to Main Street permanent we will have to amend our ATV ordinance. That would give us an opportunity to look at the ATV ordinance as a whole and there is a lot of community interest in doing that. He suggests two separate steps – first looking at what we want ATV use to look like, regardless of location, and then making decisions about which roads we want to include for ATV use. We don't have the data

yet for roads we gave provisional permission for. We need more time to see what effect use of those roads will have. He suggests letting people know we are considering the VLCT model ATV policy and soliciting comments on it.

Mike asked how many people are actually interested in reopening this. Brian said he has heard from two people since the town vote but at a couple of informational meetings we had people saying that they were going to vote against the language on the ballot but wanted to talk about ATVs. Mike said there are 538 people who don't want to talk about it, who want to leave things the way they are. Sixty-two percent voted no. That's not even close. He doesn't even think we should be talking about it. He thinks the voters told us what they wanted to do.

Nat asked if Mike is saying he wouldn't support any changes to the ATV ordinance at all. Mike said if ATV use in the village gets an okay from the state, the board agreed to that last year. Nat said the board agreed to a one year trial. Mike said that would mean amending the ordinance. Eric said if we were going to make the access permanent we need to amend the ordinance. Mike said we are talking about a trial and it hasn't started yet. It hasn't been approved by the state yet. Nat said he anticipates that the ATV club is going to come back and ask for permanent access. He thinks we should get ahead of that instead of reacting.

Eben said when he and Beth were running for the selectboard they were asked if they would respect the wishes of the voters regarding ATVs. The voters' wish was to leave the ATV ordinance alone. He wants to do that. Beth said she agrees. She respects the vote, which was not to repeal the ordinance. But if this is about a one-season trial and the season has not yet occurred, how do we know if the trial is successful or not? We don't know the impact since we haven't had the trial. She doesn't think we should put the cart before the horse.

Eric said he is sensing there is not much interest in starting the process yet. If we decide we want to change the ordinance to permanently allow access to Main Street then we will have to start looking at our ordinance in the fall. If we adopt a change to the ordinance there probably will be a petition raised, which will require a townwide vote.

Beth said she thinks there are a lot of things to consider. She thinks there is some validity in trying to resurrect some of the information from the ATV committee that existed in the past if we want to change the ordinance eventually.

Kim Dunkley asked if there are things citizens can do if the enforcement the ordinance talks about has not been carried out. Eric said if there are violations of the ordinance people should call the sheriff's office.

Eric Hutchins noted the zeal the board has for abiding by this non-binding vote. Is the board going to attack the non-binding merger vote with the same zeal? Eric Osgood said the selectboard already took the position that it will be starting merger discussions when the trustees feel ready.

Neil Shepard said he thinks the selectboard should not only allow ATVs on roads but also create rules and regulations for them. There were 300+ people who were opposed to keeping

the ATV ordinance. That is a considerable number of people. They have concerns about ATVs on roads. They are probably directly affected by things like safety issues, speed limits and enforcement issues. The sheriff has said many times that he is not interested in trying to enforce ATV ordinances and doesn't have the capacity to enforce ATV speed limits, etc. The sheriff's department doesn't even have ATVs. He thinks there are unanswered questions regarding ATVs. He remembers Ken Tourangeau asking about how to put up signs if the ATV club wants to reduce speed limits. If the selectboard can't make rules and regulations an ATV committee could be appointed. He was on the previous one in 2006. They had people from all sides of the spectrum. It was a pretty good group with fruitful discussions. They presented suggested rules and regulations. The selectboard at the time didn't pay much attention to it. But a different board presents a different opportunity. An ATV committee could try to talk about some difficulties and maybe arrive at a compromise on the most pressing issues and present it to the selectboard. He thinks the selectboard should represent the whole town and there were 300 people voting against the ATV ordinance. A committee would be a great opportunity for both sides to come together and have a discussion. He sees unresolved issues like how to deal with speed complaints and noise issues when there are a large amount of riders together.

Kirsten Owen said she was experiencing a lot of riders riding after 10:00 p.m. last summer. She did call the sheriff's department but nothing happened. This sheriff said there was really nothing they could do. What are people supposed to do when they have problems? It would be great if there was a group to discuss issues as Neil suggested. There are issues like the question of who yields if an ATV meets pedestrians or cyclists on a narrow Class 4 road. Is that in the ordinance? She doesn't think so. Regardless of the trial in the village, what about everything going on on the back roads? Who do people turn to if there are issues?

Kyle said she thinks some good points have been made. She wants to reiterate the importance of municipal government encouraging healthy conversation, bringing people together to have hard conversations and get to the other side, hopefully with some resolution. She thinks this is an opportunity to bring the community together and have conversations. Regardless of how the vote went she thinks it would be an important exercise for the community and the selectboard. Before the vote Nat was very in favor of this idea and said several times that he expected this discussion would happen. She still thinks it is a great idea.

Mike said when the selectboard approved access to Main Street on a trial basis it was a unanimous decision. Kyle voted for it.

Beth said she has done a little research on ATVs. There are a lot of laws that are clearly defined in state statute. They are required to yield to pedestrians and motor vehicles and there are civil violations clearly defined. If people are calling the sheriff's department and they are not acting, we contract with them for law enforcement and it is our job to hold them accountable. She hears the frustration around the violations. She thinks there are obligations to report them to the local club and we should be able to call law enforcement. We should encourage law enforcement to give penalties.

Eric noted that the meeting was behind schedule and asked if the board wanted to continue this discussion or move on. Board members indicated they would like to move on.

**17. Welcome Center Spending Authorization**

Brian said we have obtained the administrative amendment permit for the welcome center. That is still in an appeal period. We haven't received the first segment of money yet. We also received permission from the VTrans railway department for work in their right of way. We have all permits in order that will grant us the first segment of money. We will get \$15K and it will all be spent quickly to secure the services of Brian Raulinaitis as contractor and buy materials. **Nat moved to approve Howard Romero and Brian Story spending up to \$15,000 on contractor fees and building materials for the welcome center project, Eben seconded and the motion was passed.**

**18. Noise Ordinance Waiver Request**

Field Days requested a noise ordinance waiver for the Field Days event. The request is the same as in previous years. **Eben moved to approve the noise ordinance waiver for Field Days, Beth seconded and the motion was passed.**

**19. Executive Session to Discuss Employee Evaluation**

**Eben moved to enter executive session to discuss employee evaluation as allowed by 1 V.S.A. § 313(a)(1), inviting Brian Story and Hugh Albright to join the board, Beth seconded, the motion was passed and the board entered executive session at 9:54.** The board came out of executive session at 10:03.

**20. Adjust Compensation for Employee Completing 6-Month Probation**

**Mike moved to recognize that Mark Lehouillier has completed his probationary period and increase his pay by two steps in recognition of two certifications earned, Beth seconded and the motion was passed.**

**21. Update on Public Works Contract Negotiations**

Mike moved to go into executive session to discuss employee contract negotiations as allowed by 1 V.S.A. § 313(a)(1), Beth seconded, the motion was passed and the board entered executive session at 10:04. The board came out of executive session at 10:19.

**22. Executive Session to Discuss Purchase of New Gravel Pit**

Eben moved to enter executive session for discussion on the gravel pit as allowed by 1 V.S.A. § 313(a)(1), inviting Brian Story and Hugh Albright to participate, Beth seconded, the motion was passed and the board entered executive session at 10:20. The board came out of executive session at 10:32.

**23. Adjourn**

The meeting was adjourned at 10:33.

*Minutes submitted by Donna Griffiths*