

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
TUESDAY, NOVEMBER 15, 2021

Present:

Selectboard members: Mike Dunham (via Zoom), Beth Foy, Nat Kinney, Eben Patch

Others: Brian Story, Rosemary Audibert, Jason Whitehill, Jeff Bickford, Greg Tatro, Kyle Nuse, Shayne Spence, Athena Parke, Margo Warden, Lois Frey (via Zoom)

Selectboard members absent: Eric Osgood

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Nat called the meeting to order at 6:46.

2. Additions, Changes to Agenda

No changes to the agenda were needed.

3. Review Invoices and Orders

The board reviewed and discussed invoices and orders.

4. Review and Approve Minutes of Meetings Past

Eben moved to approve the minutes of November 1, 2021, Beth seconded and the motion was passed with Mike abstaining.

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

Rosemary said we should receive state PILOT money any day now. Current use and ANR payments were more than budgeted. Overall expenditures are 35% of budget.

Beth said our gravel expenditure spend was high. We will be reimbursed for some of that, right? Brian said yes, but might not receive the FEMA reimbursement until next year. Jason said we have to buy all our gravel now since we are not using the pit, so next year gravel expense could be more.

Rosemary said delinquent taxes from last year are down to a little over \$41K. Taxes for the current year are 58.32% collected, slightly higher than the past two years.

6. Review Planned Purchases

Brian said there are no planned purchases before the next meeting but there are a couple of things he wants to bring to the board's attention. The Rec Committee will be making some playground purchases. He hopes to have a presentation on that at the next meeting. They are working with a donation and some additional grant funds and plan to make about \$50K in purchases. The library has asked for guidance on some of their purchases. They sometimes might have a few invoices that total to over \$1000 but no one purchase in excess of \$1000. It was brought previously as a point of concern that someone might intentionally do that to fly under the radar, but that is not the library's intention. It is their regular practice. It could happen that the library could make multiple purchases from the same vendor in a single month that total over \$1000.

Beth said we should follow our policy. If we need to modify it to account for specific exceptions we should. Until we do that, we should follow the policy. Brian thinks this would

be allowed under the policy because they are not making a purchase in excess of \$1000. Nat said it could be exploited as a loophole. Brian agreed. But the library is not doing that; it just always has been their practice. Beth said when we talk about purchases we are talking about the total invoice amount. Brian said no total invoice is over \$1000. He told the library he thinks it is okay but that he would make sure the board knows what is going on.

Brian said we got a quote from Compass Minerals, the company out of Quebec that he mentioned at the last meeting we were interested in working with to purchase salt. Their quote was almost \$5 less per ton than Cargill's. Hyde Park is using them and they are quite satisfied.

Beth said Brian had mentioned he was wary because he was concerned about being able to connect with them. Brian said he believes we had trouble connecting with them because we didn't have a good phone number. The answering machine message was in French so it was hard to tell if it was the right number.

Rosemary asked if the amount quoted is in US or Canadian funds. Brian said US. He recommends using them. Hyde Park has had good experience with them. Jason said Hyde Park has found they tend to come sooner after being called than Cargill.

Greg Tatro said the town will want to be aware of whether their price is tied to movement in the Canadian dollar or the price of oil. Brian said that is a good thing to review. Eben said their quote says their price is good through the end of August 2022, but he can't believe they can quote out 9 months. Brian said a typical salt contract has a unit price for our quantity that remains unchanged for that year. We are getting 610 tons for the quoted price, but we are not going to buy it all at once. If we were to purchase more we might not get the same price.

7. *Public Works Supervisor Report*

Jason asked if we are talking all trash cans out of Old Mill Park for the season. Brian said we were talking about leaving one or two. Jason said last year we picked them all up. Nat asked if there was any problem last year. Jason said no. Nat said it seems reasonable to require carry in, carry out for the snowmobile club and the trash cans are another thing to plow around. He is fine with taking them all out for winter. Eben suggested trying it for a year with them all removed.

Jason said he was thinking of getting new covers for the trash cans to better prevent water from getting in. He has seen a price of around \$570 for a pack of 10 or 12.

Jason said the trucks are ready for winter. There is a little maintenance work to do and a couple of outside project the crew will tackle before there is snow.

8. *Racial Justice Committee Report*

Jeff Bickford said the Racial Justice Committee got a \$1000 grant from the Vermont Humanities Council to fund 2 workshops with the Human Rights Commission – one on implicit bias and one on bystander intervention – tentatively scheduled for February. A grant report is due December 1 so the committee may need to get invoices before then. They are also hoping to do an anti-racist story time in spring and they want to create a Racial Justice Committee banner to display at events and gatherings. They are hoping over time to

incorporate more events. The committee thanks Jackie Stanton for bringing the grant to their attention.

The Racial Justice Committee's unanimous preference is that the committee size remain at 6 members. The committee has a pretty ambitious amount of things they are hoping to offer and they want to gradually increase that over the years. A bigger committee allows for more people to do that work. People other than voting members also contribute, but voting members have a little more responsibility. Some committees in town have an even number of members and some have an odd number. It is not necessarily standard that all have an odd number. The RJC does not think an odd number is necessary. They don't vote on many things other than approving minutes, adjourning, etc. If something comes up and there is a 3-3 vote, that just means that motion won't carry. They don't want to shrink the committee. As time goes on they want to think about expanding it so there are more hands to continue the work.

Kyle Nuse said the inclusivity statement got put up in the foyer and it looks awesome. She thanked the Racial Justice Committee for making that happen.

9. *Speed Limit Ordinance*

Brian said he had a copy ready for board signatures that had a few changes from the one that had been sent out. He changed "Board of selectmen" to "selectboard," fixed some grammar and corrected a misspelling. This update to the speed limit ordinance categorizes the speed limits we have set in town in a more uniform and easy to understand way. The update would change part of Sinclair Road to 25 mph, which is supported by the speed study we did. Any further changes would have to be justified by a speed study. He spoke to Sheriff Marcoux and Sgt. Watson. They like the updates. They think this is easier to read and easier for them to enforce. They gave guidance about how often to put up speed limit signs. We can compare the inventory of all our speed limit signs to that guidance and make improvements as needed.

Nat asked if this update alters the Hogback Road speed limit. Brian said no. The speed study we did doesn't support the speed limit we would like to set there. He also got a request for a change to the speed limit on another road. We will have to do a speed study to justify any change there.

Brian said if the board approves the revised ordinance tonight it will be recorded with the minutes and published in 5 locations – inside and outside the municipal building and at the grocery store, the library and the university bulletin board. During the 45 days after it is adopted the voters can petition for a special meeting to vote on it. If we don't get a petition it will go into effect 60 days from day it is approved.

Beth suggested also publishing it on Front Porch Forum. Brian said we can do that and also put it on Facebook.

Beth said some places in town have far too many signs. In identifying where more signs are needed, let's not make those places more busy or make other places too busy.

Kyle said she has noticed several signs leaning. Maybe that can be something to look at when new signs are going up. Brian said he will take a look at that. With this ordinance getting passed, stop signs are next for review.

Shayne said if there are any extra signs that tell people their speed Railroad Street could always use one.

Beth moved to adopt the revised speed limit ordinance with the changes identified by Brian, Mike seconded and the motion was passed in a roll call vote with Mike, Beth and Eben voting in favor. [See attached policy.]

10. Record Retention Policy

Brian said last time questions came up about what we will do the next time there is a new record type and about integrating with the village. He clarified in Section 6 of the draft policy that annually in July we will process our records that no longer need to be kept and at that time also process all the records that are uncategorized. We will review the guidance documents the state provides and line up records with state guidelines. That also would be a good time to coordinate with the village.

Beth asked if Brian has received feedback from the people in the office who will be doing this work. Brian said some. He has gotten feedback from a number of people in the office that they would like to dispose of things more often. He talked to Rosemary briefly about what time of year it would be good for us to have the record purge. Trying to have ongoing purging is not likely to be successful.

Eben said if we are going to incorporate payroll records in this policy the village should be on board with it. Brian agreed.

Eben said he would like this policy to be reviewed by the village trustees. He is thinking it would be a joint policy. Nat said he would rather pass it now and amend it if they want to make it a joint policy. Eben agreed to that.

Eben moved to adopt the Record Retention Policy as presented, Mike seconded and the motion was passed.

11. Discussion on the Appropriate Number of Racial Justice Committee Seats

Brian said a lot of our committees have an odd number of members but due to its history the RJC never has been in that category. Jeff is right that is not universally true that they all have odd numbers. Jeff said some of that is because there are openings on some committees. Brian said some committees had openings that we couldn't fill and we stopped advertising and left the committee at an even number.

Mike asked what Eric said about the number of members at the last meeting. Beth said we talked about it being easier to vote if there is an odd number and we also talked about asking the committee their preference. She recalls that Eric didn't have a preference either way. He suggested it might be cleaner with 5 but left it open.

12. Racial Justice Committee Appointments

Brian said both Shayne Spence and Jackie Stanton have sent letters of interest.

Mike moved to appoint Shayne Spence to the Racial Justice Committee and Eben seconded.

Jeff said he has no objection to Shayne. He does a lot of work on the RJC already. He is helping to raise funds and is part of the conversation. But Jeff is disappointed that the committee does not have an opportunity to review candidates and make a recommendation. His understanding is that that is the standard process for committees.

Kyle said she doesn't recall ever seeing a Front Porch Forum post about this vacancy. The selectboard accepted the resignations of Eric and Portia on November 1. She didn't see anything about the vacancies until a Facebook post made at 11:00 am Friday. Then there was a 4:30 pm post the same day with a vote on filling a vacancy on the agenda and a note that Shayne had affirmed he was still interested. She doesn't feel 4 or 5 hours of notice is fair or inclusive.

Nat said Eric told Brian to post the vacancy. Brian said it didn't get posted immediately. It was delayed until the post Kyle saw. But we had been soliciting people to join the committee for several weeks prior to that. Offie and Shayne applied. Shayne had already submitted a request and was not chosen so Brian asked if he was still interested. He did not expect to get any new letters of interest because we had just advertised.

Mike said given Kyle's concern he has no problem withdrawing his motion so the position can be advertised again and the board can make a decision at a future meeting. Mike and Eben agreed to withdraw the motion.

Nat asked Brian to get the advertisement out this week. The board agreed Shayne does not need to submit another letter of interest.

Kyle asked if we can go over what the procedure is. Nat said there is a policy. He thinks it is on the website. Brian said we will look up the policy and follow it.

13. Discussion of Topics Planned for Town and Village Joint Meeting

Brian said a joint meeting is tentatively scheduled for November 24. We haven't discussed the time of day. The village suggested that the agenda include brownfield projects, joint town-village property, and a potential economic development position. We suggested updating terms in the joint personnel policy like "board of selectmen." He met with the town public works crew and affirmed that the contract we signed with union references the joint personnel policy that was in effect on the date of signing so any changes after that would not apply, though they could choose to adopt them. We also suggested the agenda should include discussion about health insurance rates and rates of compensation for joint employees Rosemary and Susan.

Nat encouraged anyone who has not been in the old mill house recently to have a tour of it. It is in a really bad state of decay. (Margo Warden left at 8:04.) He would like to see some

attention given to that and we will send an email to the village trustees with the same recommendation.

Brian said we should have a discussion about the village garage. It is jointly owned and the village is investing money in the building. We should have an understanding about what that means. Beth has she strongly feels we should talk about the unwalled building. Something needs to happen with that structure soon. Brian said he would like to talk about that whole property.

Mike asked, we are not going to discuss the merger until the committee has done its work, right? Beth clarified that the committee is working on the agenda and structure for the first meeting, not doing any merger work. Eben suggested maybe at the joint meeting the boards should pick a date for the first joint meeting about the merger. Mike said we need to get going on this. Nat said we will recommend that be on the agenda.

Athena Parke asked when the joint meeting is. Brian said it is currently planned for November 24. November 26 and December 1 are also options.

14. Lamoille County Sheriff's Department Report

Eben said he hasn't seen the monthly LCSD report. Nat said we will ask Susan for it. Brian said a past board requested an agenda item to discuss the monthly sheriff's report if anyone wants to talk about it. Beth said she would like to talk about sheriff's department data but she doesn't think this report has the data she is interested in. Nat said what kind of data we want to see on a monthly basis is something we can discuss under this item.

Shayne asked what kind of data is in this report. Nat said it shows the number and type of incidents by town. Shayne asked if there is any demographic information. Board members said it is just counts. Shayne suggested it would be helpful to have demographic info – what type of people are being pulled over and what type of incidents escalate to arrest.

15. Executive Session to Discuss Ongoing Negotiations for Possible Future Gravel Pit
Eben moved to find that that premature public knowledge about the negotiations to acquire a new gravel pit would cause the town to suffer a substantial disadvantage because confidential discussion of the town's position would be revealed, Beth seconded and the motion was passed.

Eben moved to enter executive session to discuss ongoing negotiations for a possible future gravel pit as allowed by 1 V.S.A. § 313(a)(1), inviting Jason, Rosemary and Brian to remain, Beth seconded and the motion was passed at 8:15. The board came out of executive session at 8:42.

16. Executive Session to Discuss Candidates for Public Works Operator Position
Beth moved and Eben seconded to enter executive session to discuss candidates for public works operator as allowed by VSA 313(a)(3). The motion was passed at 8:43. The board came out of executive session at 9:02

17. Adjourn

The meeting was adjourned at 9:02.

Minutes submitted by Donna Griffiths

Town of Johnson Speed Limit Ordinance

1. Authority

Pursuant to the provisions of Title 23, Vermont Statutes Annotated, Section 1007 and 1008, and Title 24, Vermont Statutes Annotated Sections 1971 and 2291(1)(4) and (5), and such other general enactments as may be material hereto, it is hereby ordained by the Selectboard of the Town of Johnson that the following Traffic Ordinance is adopted for the Town of Johnson, Vermont.

2. Definitions

The definitions of Title 23, Vermont Statutes Annotated, Section 4 are incorporated by reference.

3. Scope

The ordinance establishes special traffic regulations on public highways within the Town of Johnson, Vermont.

4. Speed Regulations

On the basis of engineering and traffic studies, the following speed limits are hereby established.

Plot Road – 35 miles per hour for the length of the road.

School Street – 25 miles per hour for the length of the road.

Mine Road – 35 miles per hour for the length of the road.

Wilson Road – 35 miles per hour for the length of the road.

Foote Brook – 35 miles per hour for the length of the road.

Upper French Hill – 25 miles per hour for 1,320 feet from intersection with Railroad Street. 35 miles per hour for remainder of the length of the road.

Codding Hollow Road – 35 miles per hour for the length of the road.

Cemetery Road – 35 miles per hour for the length of the road.

Swamp Road – 35 miles per hour for the length of the road.

Clay Hill Road – 25 miles per hour for 600 feet from intersection with

School Street. 30 miles per hour until intersection with Gould Hill. 35 miles per hour from intersection with Gould Hill for remainder of the road.

Ben Ober Hill Road – 35 miles per hour for the length of the road.

Fox Lot Road – 35 miles per hour for the length of the road.

Tree Farm Road – 25 miles per hour for the length of the road.

Ober Hill Road – 35 miles per hour for the length of the road.

Mudgett Hill Road – 35 miles per hour for the length of the road.

Spitzer Hill – 35 miles per hour for the length of the road.

Whitcomb Island Road – 35 miles per hour for the length of the road.

Hoag Road – 35 miles per hour for the length of the road.

Rocky Road – 35 miles per hour for the length of the road.

Hunter Road – 35 miles per hour for the length of the road.

Sinclair Road – 25 miles per hour from intersection with Vermont Route 100C to Rocky Road.

Gould Hill – 25 miles per hour for 3,960 feet from intersection with Vermont Route 15. 35 miles per hour for the remainder of the road.

Prospect Rock – 35 miles per hour for the length of the road.

West Settlement – 35 miles per hour for the length of the road.

RR St./Lendway Lane – 25 miles per hour for the length of the road.

River Road East – 25 miles per hour from intersection with Railroad Street for 2,200 feet. 35 miles per hour for the remainder of the road.

Grow Road – 35 miles per hour for the length of the road.

Collins Hill – 25 miles per hour for 1,320 feet from intersection with

Lower Main East. 35 miles per hour for the remainder of the road.

Wescom Rd – 25 miles per hour from intersection with Vermont Route 15 for 1,500 feet. 35 miles per hour for the remainder of the road.

Duke's Road – 35 miles per hour for the length of the road.

5. General Provisions

A. Separate Offenses:

Each violation of a provision of this ordinance shall be deemed a separate offense.

B. Penalties:

The provisions of this ordinance shall be cumulative to the fullest extent permitted by law with respect to all other statutes or ordinances now or hereafter adopted regardless of their order of passage or enactment.

C. Severability:

The provisions of this ordinance are declared to be severable and if any provisions hereof be adjudged invalid such judgment shall not affect the validity of any other provisions.

D. Designation:

This ordinance may be referred to as the Traffic Ordinance and in a prosecution hereunder a copy of such ordinance, certified by the Town Clerk shall be prima facie evidence thereof. An allegation that the act constituting the offense charged is contrary to a specified provision of this ordinance shall be a sufficient reference hereto.

E. Repeal of Prior Ordinances:

Any other ordinance or traffic regulation heretofore adopted by the Town of is hereby repealed.