

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
WEDNESDAY, NOVEMBER 17, 2021

Present:

Trustees: Steve Hatfield (via Zoom), Diane Lehouiller, Will Jennison, BJ Putvain, Ken Tourangeau

Others: Rosemary Audibert, Meredith Dolan (via Zoom), Troy Dolan (via Zoom), Tom [last name unknown] (via Zoom), Scott Meyer

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Will called the meeting to order at 6:00.

2. Review of Agenda and Any Adjustments, Changes, Additions

No changes to the agenda were needed.

3. December 2021 Vt Transco Equity Offer

Meredith said usually once a year, sometimes more often, there is the ability for utilities throughout the state to purchase Transco equity – interest in the state’s transmission system. In her time with the village we have always chosen to assign our units to VPPSA so they finance the purchase. There is a financing fee but we get a return on our investment. She sent out information on the number of units available for the December 2021 offer. Do we want to purchase those units and do we want to assign them to VPPSA? Stowe and the Village of Hyde Park have elected not to purchase the units available to them, so other utilities have the ability to buy additional units. Our share of the additional units available would cost under \$5K. We expected a return of 12.5%, minus the financing fee. We have always found purchasing the equity to be a good deal. Stowe and Hyde Park are not VPPSA members so they would have to pay cash or take on debt to purchase the equity. We would be able to assign ours to VPPSA and get the benefit without a cash outlay. Our total cost with the additional shares available would be less than \$100K.

Diane asked why Stowe and Hyde Park would choose not to purchase equity. Meredith said her guess would be that it is because they do not have our ability to finance through VPPSA and would have to put up the money themselves. It might not be the right time for them to pay out cash or take on debt. Ken asked, they are not members of VPPSA, right? Meredith said that is right.

Ken moved to allow VPPSA to purchase on the village’s behalf the \$94K of Transco equity shares originally available and up to \$5K of the extra shares that have become available, BJ seconded and the motion was passed.

4. Garage Assessment Report

Meredith said what she takes away from the garage assessment report is that the ability to reuse the structure is not completely off the table but it would require a lot more engineering and investigation to determine what is going on under the slab and how to prevent issues in the future. There is a very high likelihood that the slab would have to be torn out. We could investigate that site further or try to find another location where conditions may be better.

Tom, the consultant who did the assessment, said if the village wants to reuse the building as occupied space, then engineering and further investigation would be needed. Less work would be needed to reuse the structure for a different use where it was not occupied. Meredith said the metal structure and pad are usable. The issue is just moisture contributing to mold.

Will said the building was not intended to be heated. That creates an issue to begin with. Is there indication that moisture is coming up through the slab? Tom said that is his belief, based on experience and observation, not on any specific testing.

Will asked if it is possible to put a barrier on top of the existing slab and pour another slab on top. Tom said he thinks that is a question for an engineer. His gut feeling is that even if it might be possible it is probably very expensive and probably dicey. He doesn't know that it would be something that is done very often. He would guess that it would be more experimental.

Will asked if the way the interior was insulated without any moisture exchange in the building is a major source of moisture remaining in the building. Tom said he thinks heat and insulation would help trap moisture and air handling (an air-to-air heat exchanger or heat recovery ventilator) could help. He thinks there are a lot of things that could help. But the question he would advise the board to ask is, do you want to do this as a science experiment or have it planned out? That is why he is recommending engineering to evaluate any possible solutions the board can think of.

Meredith said she and Troy have been trying to figure out if we can just make a few small changes and remediate it and feel confident that was a wise use of money. Based on the report, that seems to her like it is off the table. It seems like we have to spend more money to understand what has to be done to prevent this happening again. It was helpful to hear that if we intend to reuse the building for its current purpose we need to spend more with an engineer. If we are willing to repurpose the building, maybe we should pick two sites to evaluate for a new location.

Tom agreed. He doesn't think there is a small fix. Will agreed. He said he doesn't think this will be a \$10K fix. But metal buildings are put up every day in Vermont and don't have this problem. We have to find out why we have a problem. He thinks our next step is to hire an engineer to find out why the building is not performing as a metal building should.

Steve said the report confirmed his gut suspicion that we are better off starting from scratch on a new site. If water is coming up from the ledge and ledge extends way behind the building, it could be expensive and maybe futile to try to dry out the site.

Tom said he agrees that metal buildings are put up all over and some are perfectly healthy, but this building wasn't designed to be a conditioned, dry healthy, occupied building. It was designed to be basically a covered pole barn.

Will asked about the condition of the concrete and the hydraulic conditions under the building. Tom said the surface of the slab that he could see was in excellent shape. He didn't see significant spalling, major cracks, heaving or gaps.

Will said his intuition is telling him it won't be a major engineering feat to divert water moving underneath if the slab is in good condition. Ken said he thinks we should take Tom's opinion on getting an engineer for that purpose. He feels a lot of the issue is due to the building not being intended to be heated and being retrofitted without proper engineering. BJ asked if someone would be able to tell us if the building is worth gutting and redoing. Ken said an engineer could tell us what we could do or might say it would cost just as much as putting up a new building. But putting up a new building would take longer because of Act 250, wastewater and runoff regulations, etc. If we can keep the same footprint we will get out of the situation faster. We should definitely get an engineer involved to check under the slab. He believes there is an easy solution with vapor barrier and another slab on top.

Will asked how much money we are talking about to hire an engineer to look at the site and decide if it is worth moving forward or give us a plan for moving forward – \$5K? 50K? Meredith said not \$5K. It could be \$50K. The risk is that we can put a lot of money into hiring an engineer to investigate and the answer could be that it's not feasible or very expensive to rebuild on that site and we would be better off moving somewhere else. She thinks \$30K would not be a crazy number. Tom said he thinks it could be less than that. It depends on what their initial assessment is and what testing they recommend. If he were in the engineer's shoes he would want to do a core of the slab, drill down to the substrate under the slab and possibly even drill into the earth in that core sample and see where the water table is under the building. The cost depends on how much testing they recommend. The work could probably be done in an iterative fashion with some initial testing for a fixed fee and then discussion of the results and a decision about whether to go forward with more testing. (*Scott Meyer arrived at 6:32.*)

Will said if we find a new site on that land, it is already owned by the taxpayers. We would still have all the other expenses that go with a new building. He suggested a figure of \$600K. Ken said he thought it would be at least that much. Meredith said that doesn't sound unreasonable. Tom said if the building were the same size as the existing building a price of \$600K would equate to \$125 per sq ft. He thinks \$200/sq. ft. is a safer bet.

Will about the grant or loan Meredith was looking at. Is that only for new construction or also for remediation? Meredith said her sense is that it could be used for reconstruction or a new building. She had a follow-up conversation with the local rep for that program. She doesn't think it is realistic that we would know enough about what we want to do or about costs by mid-December. There is another opportunity in April. That might be a more realistic target. She got some information back on Act 250. At minimum we would need an administrative amendment. Depending on what we do it could be a minor or major event for the existing permit. She reached out to the people who oversee environmental research for that property. If we start digging in other parts of the parcel there would be some process required. April would be a more realistic timeframe to figure this out. If we applied in April

then we probably wouldn't hear for a few months. That could push construction past summer.

Will asked Scott Meyer what kind of process would be required to get rid of the contaminated materials inside the building. Ken said he believes mold related products are kept in state. Scott said he doesn't even think it would be considered special waste, just ordinary waste.

Will asked Scott if he had anything he wanted to add. Scott said if we have ledge close to the surface, redoing the building is fruitless. We will have the same problem unless we can divert the water coming down the slope. Gutting out the building but not taking care of the dampness getting in would be a waste of money. What he is seeing in the report is that there is water coming downhill on ledge to the slab. There are probably certain things we could do to slow it down but for him that would be a concern. We could probably use spray foam, which wouldn't grow mold, but that is not supposed to be exposed so we would need some type of building material inside the building. We couldn't use sheetrock. We could use transit board. We need someone schooled in hydrology to figure out if there is a good way to get the water away from the building. Is the steel structure okay? Tom said what was exposed looked fine but a lot of the structure is covered. Scott said we should get a good qualified PE to look at the water discharge toward the building. If there is not a good way to mitigate that, the taxpayers will foot the cost to redo the building and it might end up with the same issues.

Meredith said Troy noted that in spring there are times when water comes through the walls onto the slab during snow melt. Scott said there may be ways to mitigate that. There has been a lot of chatter about using the industrial park. But his concern is that this has been going on for a while. We were given notice in the VOSHA report that this could create an immune response in some workers. The amount of exposure triggering an immune response that is not reversible varies from person to person. The industrial park site is years out. That is a pipe dream. There is no infrastructure there. The trustees need to figure this out quickly.

Will asked about the third building on that property. Is it used by both village and town? Rosemary and Meredith said yes.

Meredith said Scott is making an important point. Troy's strategy has been to keep employees out of the building as much as possible. They will try to work out of the lower building as much as possible in the winter.

Will asked if we need an okay from the selectboard to let the village use the space in the lower building until the issue is resolved. Meredith said if we were going to try to take over the half of the building the town uses, yes. If we just stay within our half she doesn't think so. BJ asked if we have enough room there to keep our crew in our half. Ken said we could keep equipment in the other building. Troy joined the meeting at 6:50. Will asked, the village crew has access to one bay and the town is using the other, correct? Troy said yes. Will asked how the office upstairs is being used. Troy said the whole upstairs is being used by the rec department. Diane asked, what about the office in the food shelf building that used to be Troy's office? BJ said we have Meredith's old office. Troy said there isn't enough room in

the lower building to set up a permanent shop but there is enough room to work on a vehicle. Will asked if it would make sense to move tools down there for maintenance. Troy said transitioning to using that space more is a work in progress. He thinks it will work for doing maintenance. His approach has been try to minimize the amount of time employees are in that building and have people do what they can in the trucks. Ken asked if Troy will be able to make this work until we can figure it out. Troy said he thinks he can.

Will asked if there is a space where the crew can have meetings. Troy said they can use his office. It isn't the greatest space but it is better than the village garage. Will asked, is that at the food shelf building? Troy said yes. Will asked, there are no issues with the environment there? Troy said not to his knowledge.

Scott said when he was dealing with issues like this professionally he would tell people to keep a diary of issues, and if they have issues when they go into the building that is a red flag and they shouldn't go into the building anymore.

Will asked what Scott thinks would be reasonable precautions for people who have to go into the building. Scott said if the employer tells employees to wear N95 masks then testing and review from a medical professional is needed for each person. It opens up a can of worms. N95 masks are the most minimal type of mask protection that should be used. He recommends having employees keep a diary where they note any issue as soon as it occurs and let Troy, the village manager and the board know about it and then do not go into the building anymore.

BJ asked if we would have the same issues if we turned off the heat in the building. Scott said mold is usually an issue when the heat is turned on or it is warm outside. Mold spores usually release based on heat and moisture. Will asked, in winter temperatures mold is not as much of an issue? Scott said he would say heat is a trigger based on his experience.

Ken said we got some prices for remediation in 2020 that he believes ranged from \$35K to \$80K. Scott asked if the prices included mold testing. Meredith said no. Scott said mold testing is a waste of money.

Scott asked Tom if in his experience there is a way to mitigate the ledge pouring water onto the slab so the village can still use the building. Tom said he believes the village can still use the building but not necessarily as a conditioned, heated, occupied space. The water doesn't seem to be causing structural problems.

Ken said he thinks we need to at least start with an engineer. Will said it is a risk we run. It will cost at least \$1 million for a new building. We could spend \$30K to find out we still have to build a \$1 million building. BJ said we could also find out that we can spend much less. Will agreed. He said he is inclined to try to find an engineer and get a price for their work. He thinks it is worth the money to try to save \$500K. He thinks Ken and BJ agree with finding an engineer to find out if the building is worth rehabbing. He asked if Steve still feels it is better to move onto a new site. Steve said yes.

Diane asked, even if we keep the same footprint do we still have to do Act 250? Meredith said the person she talked to indicated that some things we might do could just require an administrative amendment but if we are digging at least a minor amendment is needed and maybe even a major one. As soon as we find out from an engineer what testing is recommended she can check with the Act 250 and environmental people to make sure we are doing what we need to do.

Meredith said her thought would be to put out a request for engineers to give us proposals. We will want multiple proposals to review.

Diane asked if Ken, BJ and Will are not in favor of ever rebuilding that whole area so it is an area people will walk to and recreate in because of the rail trail and the vision we have for that area in the brownfield report. Ken asked if that is the only reason Diane doesn't want to build there. Diane said she thinks it is a valuable site. Ken said it's a lot of taxpayer money. Diane said she understands but she thinks we have to invest in our village. She doesn't think we have done that. If we can make it a place where people will come and businesses will build, that is really valuable. When Ken was running for the trustee board he was talking about having the village be a place that people want to come to and work. That is what this will do. Ken said he thinks that can happen with the existing buildings. Will showed Diane a map with the town/village property. There is a lot of acreage where we can look at doing something to enhance people's experience without moving that building. Ken said it may come down to moving the building but he doesn't understand how we can ask taxpayers to spend that much and take 5-7 years to move the building to the industrial park. Diane said we might be doing that anyway.

Scott said if we could move to the industrial park now and wanted to get rid of the current town and village property we would be trying to sell bad buildings. If we put money into the building and bring it up to code and make it safe then if we can find a different place for the garages we will be putting on the market a piece of property that has a good building on it. Having an anchor building there makes the property more desirable.

Will said with either path we have to remove the moldy material that is there.

BJ moved and Ken seconded to authorize Meredith to solicit bids from engineers to do an evaluation of what would be needed to remediate the village garage.

Ken said he is for bringing business into town. It might be different if the industrial park were further along. But just the engineering for the industrial park site will be an astronomical amount.

Diane asked Meredith if she thinks it is smart to get an engineer to further evaluate the current site. Meredith said it is a tough question. She understands going in that direction because there is some potential that it won't be a big deal to divert the water and solve the problem. But she tends to think it is going to be a big deal. Act 250 and stormwater regulations apply any time you start moving water around. She is very skeptical that will be a realistic option. But she has a hard time saying we should not do it because we can't say for

sure there isn't a reasonable solution. She is worried it won't be fruitful but she could be wrong. If we are going to rebuild the current building, on top of building costs we will also have to move all the operations that are housed there now to somewhere else while the building is rebuilt vs. maybe being able to use the old building as storage while a new one is being built.

Tom said he could help put together a request for proposals for engineering. He has ideas about what the village might want to include in that. Meredith said she thinks that would be helpful.

Will said this motion is just to put the engineering work out to bid and find out what it would cost to hire an engineer.

The motion was passed.

BJ asked if we are going to talk to the selectboard about taking over more of the space in the lower building. Will suggested that he and BJ should talk to Troy about what is needed for space in that building. If 3 board members meet it has to be a meeting. The other board members agreed to that. Steve said he will send a couple of questions he has.

5. *Brownfields Funding Needs*

Meredith said she wanted to follow up on Diane's question about the concrete left on the powerhouse building site. It has low levels of PCBs. It has been allowed to remain on the site because the site is fenced off and not being used but it can't stay like that indefinitely. The next step in the process is to develop a corrective action plan for the site. LCPC ran out of brownfields funds so there were no funds for developing a plan and higher priority projects came up. It sounds like LCPC is going to start having brownfields funding again. Her understanding is that to develop a corrective action plan we have to say what the site will be used for. What has to be done depends on that. She doesn't think we can get funds for cleanup but she thinks we can get funds for developing a plan. She thinks remediation will be less expensive if we plan more limited access.

Will asked Scott about PCBs. In his experience, what typically is required to make that safe? Scott said he believes there is not only rubble that needs to be removed but also contamination on the foundation wall. Maybe we can scarify the wall rather than remove it. He believes we were going to have a structural engineer look at the pillar in the river. Will asked if the rubble has to go to a special site. Scott said he believes so.

Diane asked why the rubble didn't get taken away with the rest of it. Meredith said she thinks there is the potential that it could be used as fill if we are going to be capping the area, with clean topsoil and dirt put over it. The main reason it was left was because of that potential and the \$10K cost to remove it. We did not want to pay to remove it if we possibly could reuse it. She thinks there was inability to test some of the concrete wall remaining. We need to figure out additional testing as well.

Scott said he recalls that the reason the rubble pile was left was that the building was in such disrepair that it couldn't safely be tested so the EPA said we should assume we had to ship it

to Michigan. But now that there is only a rubble pile it can safely be tested. The contamination is low enough that we could do a land burial. It would have been very expensive to dispose of it otherwise.

Meredith said if we just want to have that site be a place to pull off and look at the river and bridge we could plan around that use. Will said he thinks that is a good use – an overlook close to the covered bridge with a picnic table. Diane said she thinks we need steps to go down because the spot is not level with the road.

Will said Meredith should keep her ear to the ground and see if money is available and hopefully we can use the concrete there as a base and get a plan. Diane asked, don't we have to give the plan? Meredith suggested that the December meeting should have an action item on the agenda to determine whether board members are all in agreement on the concept of making the site an overlook of the river. That would be something we would want to warn so people could offer different ideas. Then the board could pass a motion on a general plan for that site. There could be a separate motion to seek funding from LCPC for a corrective action plan. She can talk to LCPC to make sure that makes sense to them.

Diane moved to authorize Meredith to seek funding from LCPC to develop a plan for the powerhouse bridge site and the motion was seconded and passed.

6. *Update of Village Manager Search*

Will said the candidate recently contacted said he didn't want the job. Rosemary said she has advertised in several more places and has received no applications. Ken asked about advertising with VPPSA. Meredith said she sent the job ad to VPPSA and she knows they put it on their website. She doesn't know if they have done any push of it. Will said we have reached out to 4 applicants and all have declined an interview. Ken asked, Meredith hasn't reconsidered yet? Meredith said no.

7. *Adjourn*

BJ moved to adjourn at 7:45, Diane seconded and the motion was passed.