Selectboard Agenda Johnson Municipal Offices

Date: Monday, December 6th, 2021

Agenda:

CALL TO ORDER

REVIEW OF AGENDA AND ANY ADJUSTMENTS, CHANGES AND ADDITIONS

6:45 p.m. Review Invoices and Orders

7:00 p.m. Review and approve minutes of meetings past November 15, 22, and 29, 2021

7:05 p.m. Treasurer's Report and review and approve bills, warrants, licenses and any action items.

7:15 p.m. Review Planned Purchases

7:25 p.m. Administrators Report

Members of the Public:

None Scheduled

ADMINISTRATOR'S REPORT: (D) Discussion (I) Information (A) Action

- 1. (D, A) Review Better Roads Applications (15 minutes)
- 2. (D, A) Library Budget Presentation (20 minutes)
- 3. (D, A) Tree Board Budget Presentation (15 minutes)
- 4. (D, A) Welcome Center Update and Next Steps (20 minutes)
- 5. (D, A) Opioid Settlement Information (10 minutes)
- 6. (D, A) Compensation and Benefits Adjustment for Town Employees (10 minutes)
- 7. (D, I) Whistleblower Protection Policy (10 minutes)

Selectboard issues/concerns, Executive Session (if needed) Adjourn

Town Administrator's Report

Date: Monday, December 20, 2021

Agenda:

CALL TO ORDER

REVIEW OF AGENDA AND ANY ADJUSTMENTS, CHANGES AND ADDITIONS

6:45 p.m. Review Invoices and Orders

7:00 p.m. Review and approve minutes of meetings past November 1st, and 9th 2021

7:05 p.m. Treasurer's Report and review and approve bills, warrants, licenses, and any action items.

7:10 p.m. Review Planned Purchases

7:15 p.m. Public Works Supervisor/Highway Foreman Report

7:25 p.m. Racial Justice Committee Report

7:35 p.m. Administrator's Report, Action items, signature required items.

Members of the Public:

None

ADMINISTRATOR'S REPORT: (D) Discussion (I) Information (A) Action

1. (D, A) Review Better Roads Applications (15 minutes)

The Better Roads Grant Applications are due on December 17th. We are planning on submitting grant applications for stormwater improvements to parts of Grow, Ben Ober, Lendway Lane, and Railroad Street.

2. (D, A) Library Budget Presentation (20 minutes)

The draft library budget is available for review. Additional insurance accounts for a significant amount of the increase.

3. (D, A) Tree Board Budget Presentation (15 minutes)

The Tree Board's budget is available for review. The proposed budget is \$2,500 and increase from the previous year's \$1,400. The change is to support maintenance at the Arboretum and future fundraising starting costs.

4. (D, A) Welcome Center Update and Next Steps (20 minutes)

The modified scope of work for the Welcome Center has been completed. The proposed next step of the project is to complete the artwork. Additional future proposals include landscaping and electrification.

5. (D, A) Opioid Settlement Information (10 minutes)

We've received an overview of the National Opioids Settlement from the State of Vermont Attorney General's Office. The State of Vermont has decided to join the settlements and we may decide to participate in the settlement. Our participation will provide a small share of local funds to abate the opioid crisis and will support the State's effort to secure as large of a share as possible.

6. (D, A) Compensation and Benefits Adjustment for Town Employees (10 minutes)

At a joint meeting the Town and Village voted to grant an annual cost of living adjustment to eligible joint employees of 6% and to keep insurance contributions at their same rate. At this time we may determine the appropriate compensation for eligible Town employees.

7. (D, I) Whistleblower Protection Policy (10 minutes)

An updated draft of the Town's Whistleblower Protection Policy is available for review.

GENERAL INFORMATION ITEMS

Information Items:

- 1.Lamoille Courthouse: 2022-2023 Budget Meeting
- 2. Newport Ambulance Service: 2022 Budget
- 3. VCIL: services provided
- 4. Lamoille County Conservation: request for support
- 5. Lamoille Patrol Budget
- 6. Zoll re AEDs

Budget Items:

- 1. LCPC request for \$1,877
- 2. Lamoille Home Health request for \$10,338
- 3. Meals on Wheels request for \$4,000
- 4. Salvation Farms request for \$700
- 5. Lamoille Family Center request for \$2,000

Legal Issues:

VLCT: PACIF

State/Federal Issues:

Administrator's Correspondence:

Workshops:

Newsletters: VLCT News November-December 2021

Brochures & Ads: American Rescue Plan Act

Selectboard issues/concerns:

Executive Session:

Other Business:

Adjourn

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Howard Romero Design Studio 71 Sinclair Rd, Johnson, VT 05656 802-730-2943 hr@howardromero.com

November 22, 2021

Proposal for the trompe l'oeil mural for the Ted Alexander Welcome Center would consist of:

8 panels, each 24" x 36"
Printed with color-fast exterior inks
Protective clear coat on the panels
Mounted to the long wall facing the trail
Carpentry and painting as necessary

Each panel (or pair of panels) would be of people in the 'window' reacting to each other or the scene they might be seeing outside of the coach. Each subject (model) would be posed in front of a background of the field beyond, looking through the coach. I plan to mix the costumery and poses to various time periods of the people that would have been passengers on the LVRR. Each window will be affixed with tamper resistant screws and will have a varnish layer to allow for graffiti removal without needing to replace the panel (hopefully...). It is also my plan to use locals for the models.

Enclosed are two samples. One is a sample of the print quality and the panel type I would use, courtesy of Great Big Graphics in Morrisville. The other is a single photo of 2 brothers to give a sense of the scene. (This photograph was taken using available light in a single pose. It is not meant to be representative of the final product in any meaningful way.)

Care will be taken to get the visual elements (perspective, lighting, color, etc) as close to real life as possible although there may end up being some artistic license in the end.

Materials and labor:

\$2,000.00

8 Panels printed (GBG)

\$987.30 (If billed direct to town for the 10% disc.)

Total this proposal:

\$2,987.30

Submitted November 22, 2021

Howard Romero

National Opioids Settlement
 P.O. Box 43196
 Providence, RI 02940-3196

NPD

333



122810011938

Postal Service: Please do not mark barcode

NPD AS-264-727

Brian Story Town Administrator

PO Box 383

Johnson, VT 05656



TO LOCAL POLITICAL SUBDIVISIONS: IMPORTANT INFORMATION ABOUT THE NATIONAL OPIOID SETTLEMENT. SUBDIVISIONS MUST SUBMIT SIGNED DOCUMENTATION TO PARTICIPATE. THE DEADLINE FOR PARTICIPATION TO MAXIMIZE SETTLEMENT BENEFITS IS JANUARY 2, 2022.

If your subdivision is represented by an attorney with respect to opioid claims, please immediately contact them.

SETTLEMENT OVERVIEW

After years of negotiations, two proposed nationwide settlement agreements ("Settlements") have been reached that would resolve all opioid litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen ("Distributors"), and one manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson (collectively, "Janssen").

The proposed Settlements require the Distributors and Janssen to pay billions of dollars to abate the opioid epidemic. Specifically, the Settlements require the Distributors to pay up to \$21 billion over 18 years and Janssen to pay up to \$5 billion over no more than 9 years, for a total of \$26 billion (the "Settlement Amount"). Of the Settlement Amount, approximately \$22.7 billion is earmarked for use by participating states and subdivisions to remediate and abate the impacts of the opioid crisis.

The Settlements also contain injunctive relief provisions governing the opioid marketing, sale and distribution practices at the heart of the states' and subdivisions' lawsuits and further require the Distributors to implement additional safeguards to prevent diversion of prescription opioids.

Each of the proposed Settlements has two key participation steps. First, each state decides whether to participate in the Settlements. Vermont has joined both Settlements. Second, the subdivisions within each participating state must then decide whether to participate in the Settlements. Generally, the more subdivisions that participate, the greater the amount of funds that flow to that state and its participating subdivisions. Any subdivision that does <u>not</u> participate cannot directly share in any of the settlement funds, even if the subdivision's state is settling and other participating subdivisions are sharing in settlement funds. However, if the individual subdivision does not participate, the allocated sums will go to the Abatement Fund.

This letter is part of the formal notice required by the Settlements.

WHY IS YOUR SUBDIVISION RECEIVING THIS NOTICE?

You are receiving this letter because Vermont has elected to participate in both of the national Settlements against (1) the Distributors, and (2) Janssen, and your subdivision may participate in the Settlements. This notice is being sent directly to subdivisions and also to attorneys for subdivisions that we understand are litigating against these companies. If you are represented by an attorney with respect to opioid claims, please immediately contact them. Please note that there is no need for subdivisions to be represented by an attorney or to have filed a lawsuit to participate in the Settlements.

WHERE CAN YOU FIND MORE INFORMATION?

This letter is intended to provide a brief overview of the Settlements. Detailed information about the Settlements may be found at: https://nationalopioidsettlement.com/. This national settlement website also includes links to information about how the Settlements are being implemented in your state and how settlement funds will be allocated within your state. This website will be supplemented as additional documents are created. The Vermont Attorney General's Office web site also contains information about the Settlements at: https://ago.vermont.gov/opioid-settlement/. Questions can also be directed to the Vermont Attorney General's Office at ago.opiodsettlement@vermont.gov.

HOW DO YOU PARTICIPATE IN THE SETTLEMENTS?

You must go to the national settlement website to register to receive in the coming weeks and months the documentation your subdivision will need to participate in the Settlements (if your subdivision is eligible). All required documentation must be executed and submitted electronically through the website and must be executed using the "DocuSign" service. As part of the registration process, your subdivision will need to identify, and provide the email address for, the individual who will be authorized to sign formal and binding documents on behalf of your subdivision.

Your unique Subdivision Identification Number to use to register is: AD7EMZ

HOW WILL SETTLEMENT FUNDS BE ALLOCATED IN EACH STATE?

The settlement funds are first divided among the participating states according to a formula developed by the Attorneys General that considers population and the severity of harm caused by the opioid epidemic in each participating state. Each state's share of the abatement funds is then further allocated within each state according to the default provisions in the agreements. Within the State of Vermont, the settlement funds are allocated into three (3) buckets. They are:

- 15% to state subdivisions to be used to abate the opioid crisis (the "Subdivision Fund");
- 15% to states to remediate for past expenses of the opioid crisis or for future abatement (the "State Fund"); and
- 70% to a statewide abatement fund (the "Abatement Fund").

Exhibit G of the Settlement Agreements provides the calculation of the relative allocation of funds available to the respective subdivision as a portion of the 15% subdivision settlement bucket. Further information is available from at the Vermont Attorney General's web site: https://ago.vermont.gov/opioid-settlement/.

You may be contacted by the Attorney General's Office with additional information regarding the allocation of settlement funds in the State of Vermont. Subdivisions with representation can expect information from their attorneys as well. We encourage you to review all materials and to follow up with any questions. The terms of these Settlements are complex, and we want to be sure you have all the information you need to make your participation decision.

WHY YOU SHOULD PARTICIPATE

A vast majority of states have joined the Settlements, and attorneys for many subdivisions have already announced support for them. For example, the Plaintiffs' Executive Committee, charged with leading the litigation on behalf of more than 3,000 cities, counties and others against the opioid industry, and consolidated in the national multi-district litigation ("MDL") pending before Judge Dan Aaron Polster in the Northern District of Ohio, recommends participation in these Settlements. It is noted that Vermont cities and towns who did not participate in the MDL have the same opportunity to receive settlement proceeds as those jurisdictions that filed a lawsuit.

Subdivision participation is strongly encouraged, for the following reasons:

First, the amounts to be paid under the Settlements, while insufficient to abate the epidemic fully, will allow state and local governments access to funds designed to curb opioid addiction, overdose and death;

Second, time is of the essence. The opioid epidemic continues to devastate communities around the country. These settlement processes will provide funds to address the epidemic in our communities;

Third, if there is not sufficient subdivision participation in these proposed Settlements, the Settlements will not be finalized, the important business practice changes will not be implemented, the billions of dollars in abatement funds will not flow to communities, and more than 3,000 cases may be sent back to their home courts for trial, which will take many years;

Fourth, the extent of participation by subdivisions litigating in Vermont and those whose populations exceed 10,000, also will determine how much money each state and its local subdivisions will receive because approximately half of the abatement funds are in the form of "incentive payments," *i.e.*, the higher the participation of subdivisions in a state, the greater the amount of settlement funds that flow into that state;

Fifth, you know first-hand the effects of the opioid epidemic on your community. Funds from these Settlements will be used to help abate the crisis and provide relief in the State of Vermont while litigation and settlement discussions proceed against other defendants in the opioid industry;

Sixth, because pills do not respect boundaries, the opioid epidemic is a national crisis that needs a national solution.

NEXT STEPS

These Settlements require that you take affirmative steps to "opt in" to the Settlements. If you do not act, you will not receive any settlement funds. If litigating subdivisions and those in excess of 10,000 citizens do not "opt in," we will not be able to achieve the participation thresholds necessary to maximize the amount of available abatement funds to our state.

First, register your subdivision on the national settlement website so that information and documents required to participate can be sent to you. You will need the email address of the person who will be authorized to sign on behalf of your subdivision. This is the only action item needed at this time.

Second, have your authorizing person(s) or body begin to review the materials on the websites concerning the settlement agreement terms, allocation and other matters. Develop a list of questions for your counsel or the Attorney General's Office. In the very near future, your subdivision will need to begin the process of deciding whether to participate in the proposed Settlements, and subdivisions are encouraged to work through this process well before the January 2, 2022, deadline to be an initial participating subdivision. Again, the Attorney General's Office, your counsel, and other contacts within the state are available to discuss the specifics of the Settlements within your state, and we encourage you to discuss the terms and benefits of the Settlements with them.

Third, monitor your email for further communications, which will include a Participation Agreement, Release, (where applicable) a model Resolution, and instructions on executing using DocuSign.

We urge you to view the national settlement website and the Vermont Attorney General's web page at https://ago.vermont.gov/opioid-settlement/ at your earliest convenience. These web sites contain information and documents regarding the national Settlements. Questions about the settlements can also be directed to the Vermont Attorney General's Office at ago.opiodsettlement@vermont.gov.

Town of Johnson Whistleblower Protection Policy

1. PURPOSE.

The purpose of this policy is to provide a mechanism for employees, contractors, elected officials, Town committee members and officers ("Individuals") to bring to the attention of the Town of Johnson representatives any concerns regarding potential misconduct of employees, contractors, elected and appointed Town officials. The misconduct may be related to unsafe practices, discrimination, criminal activity, the integrity of the Town's internal financial controls, the accuracy or completeness of financial statements and reports, or misuse of public resources. Town employees and officials shall not be discharged, demoted, suspended, threatened, harassed, or discriminated against in any manner for raising reasonable questions concerning the fair presentation of town financial statements or wrongdoing in accordance with this policy.

2. DEFINITIONS.

"Individual" or "Individuals" references employees, contractors, elected officials, Town committee members or officers.

"Financial(s)" includes financial procedures and controls or the accuracy or completeness of financial or other information used in or related to the Town's financial statements and reports.

3. REPORTS OF IRREGULARITY.

Any Individual who has a complaint regarding the integrity of the Town's financials, or who observes any questionable financial practices, should report such complaint to the Town Administrator, the Town Treasurer, or any elected official.

The report should include a description of the matter or irregularity, any person or persons thought to be involved in the matter, the period-of-time during which the Individual observed the matter or irregularity, and any steps that the Individual has taken (if any) to investigate the matter or irregularity, including reporting it to a supervisor or others and the supervisor's or other other's reaction. The report may include, at the Individual's discretion, the Individual's contact information to allow for follow up as needed. However, a report shall not be deemed insufficient or to lack credibility because the Individual did not include contact information.

Examples of reportable actions include any indication of fraud, misappropriation or misuse of Town resources, criminal conduct, unsafe practices, substantial adjustments to prior financial practices, relaxing financial practices, or from generally accepted accounting principles, and the falsification, concealment, or inappropriate destruction of Town records or property.

4. INVESTIGATION.

If a report is received that implicates the selectboard, the Town Administrator, or the Town Treasurer, are designated represent the interests of the Town of Johnson and to conduct the investigation directly.

Upon receiving such a report, the selectboard or its designee shall investigate the issues identified in the report. The selectboard or its designee may consult with the town auditors, town administrator, treasurer, any other Town employee, officer, legal counsel, independent auditors, or any other person or entity as part of their investigation. At the conclusion of the investigation, the selectboard or its designee shall prepare a written response to the report, which shall be a public document.

At no time during an investigation will the identity of the reporting individual(s), or details that can lead of the identification of the reporting Individual, be disclosed to the subject(s) of the investigation.

Complete cooperation with the investigation is expected from all municipal employees, contractors, and officials. Individuals shall not be discharged, demoted, suspended, threatened, harassed, or discriminated against in any manner for participating in the investigation. Failure to cooperate may result in disciplinary action.

In accordance with 24 V.S.A. § 1686(c), any town officer who willfully refuses or neglects to submit his or her books, accounts, vouchers, or tax bills to the auditors after five business days following his or her receipt by certified mail of a written request by the auditors or public accountant that is approved and signed by the selectboard, or to furnish all necessary information in relation thereto, shall be ineligible for reelection for the year ensuing and be subject to the penalties otherwise prescribed by law.

5. RESULT OF AN INVESTIGATION.

After completing an investigation and releasing its response, the selectboard will hold a meeting to determine a course of action. If there is evidence of wrongdoing the selectboard will pursue appropriate remediation.

The foregoing Policy is	hereby adopted by the selectboard of the Town of Johnson, Vermont, this
day of	and is effective as of this date until amended or repealed.
Selectboard Members	