

JOHNSON SELECTBOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, SEPTEMBER 6, 2022

**Present:** Selectboard members: Beth Foy, Duncan Hastings, Eric Osgood, Eben Patch, Mark Woodward

Others: Brian Story, Rosemary Audibert, Kyle Nuse, Sue Lovering, Lois Frey, Casey Romero

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

**1. Call to Order**

Beth called the meeting to order at 6:30.

**2. Additions, Changes to Agenda**

Brian added a resignation from the Racial Justice and Social Equity Committee. He said he could present the revised review forms for the highway operator position tonight if the board is willing. Duncan said he did not get a chance to review the revised forms and he thinks it would be good if Eric were here for this discussion just in case anything related to union negotiations comes up. Beth said we can put review of the forms on a future agenda.

**3. Review Invoices and Orders**

The board reviewed and discussed invoices and orders. There was an invoice from Howard Romero for the \$500 the board had agreed to pay him for phase 1 as well as his electrical work and the work he did assisting the electrician. Beth said it seems like a conflict of interest if Howard is approving spending and also charging spending. Eben asked if Howard's labor cost was part of the electrical cost. Brian said yes; all Howard's costs were included in his original estimate and he did not go over that estimate. Beth said she has the same comment for any future activity, no matter who it is. We should have checks and balances. Duncan said Nat Kinney has reviewed the invoices from Howard as well. Brian said he has also.

When the board was reviewing invoices for testing at the old landfill site, Duncan suggested it would be worth Brian's time to ask the state if we will ever be able to stop that testing.

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

**Duncan moved to approve the minutes of August 15, 2022. Eben seconded, offering the friendly amendment, which was accepted, that the header for item #19 should be changed to show that was an executive session for an update on litigation. The motion to approve the minutes with that change was passed.**

**5. Selectboard Issues/Concerns**

Duncan said he drew a map to scale showing what he believes to be vacant potential plots at Evergreen Ledge Cemetery. He suggested that everyone review the map and that it be a future agenda item. If the board adopts this map, then Brian could draft a cemetery deed based on these available lots and probably would not have to bring plot sales to the board for approval. If board members are good with the basic layout he would like the board to approve the map. Or if anyone is uncomfortable with that layout he could adjust it.

Duncan said he was approached this morning by a person concerned by the condition of some stones in Plot Cemetery. If he has time he was thinking of going up there and trying to

reset a stone that has fallen over. The Vermont Old Cemetery Association has volunteer days in town cemeteries and he would be interested in trying to organize a work day through them. **Eben moved to give Duncan permission to reset a fallen stone in Plot Cemetery and to organize a cemetery volunteer work day, Mark seconded and the motion was passed.** Duncan suggested that a volunteer day could also be organized to put up the fence around Grow Cemetery if the town bought fence materials.

Duncan said he was thinking of putting plexiglass over the Historical Society panels at the rail trail building. That would cost about \$140. If there is money left in the rail trail building budget we could use that. If not, would the board authorize an expenditure of \$140? Board members agreed we should wait until the project is done and we see what the budget looks like.

Brian said on town social media he plans on posting a notice about the Pride event the Racial Justice and Social Equity Committee is hosting on the village green on Thursday.

6. ***Treasurer's Report / Review and Approve Bills, Warrants, , Licenses / Any Action Items***  
Rosemary said there is an errors and omissions report for the grand list. One person's tax bill changed when it was realized that the lot they had purchased was contiguous with property they already owned. One another person's bill was reduced when the age of their trailer was corrected. **Duncan moved to approve the grand list errors and omissions is presented, Mark seconded and the motion was passed with Eben abstaining.**

Beth asked if we closed the previous year. Rosemary said not yet. Beth said we had some discussion about which budgets paving expenses would fall into and whether we could pay for the work that will be starting soon. Rosemary said whatever balance was left at the end of the year she put into a paving reserve. Duncan asked if at the next meeting Rosemary and Brian can tell the board with the surplus is and present a proposal on how to spend it. Beth said we should not forget about the reserve fund for heavy equipment. Brian said we heard from Jason that they are not making parts for our mower deck anymore.

Beth said we got some correspondence about tobacco licensing from Healthy Lamoille Valley. Rosemary said the state opened a new online portal last week. We have not approved tobacco licenses in many years. If a business had a liquor license they did not need to get a tobacco license. Beth asked if that is still true. Rosemary said she doesn't know. Beth asked her to look into it.

7. ***Review Planned Purchases***

Brian said the only planned purchase is pallets of hydroseed supplies – lime, seed, fertilizer. We save money by buying those things in bulk. The public works department would like to spend up to \$2,500 to restock our supply. Duncan asked if that amount covers a year. Brian said it depends on the projects but he would expect it to cover at least a year. The last time we bought this quantity he thinks it lasted us about 2 1/2 years but that was during COVID when there was reduced usage. **Eben moved to approve the planned expenditure of \$2,500 for hydroseed supplies, Mark seconded and the motion was passed.**

8. ***VT Recreational Facilities Grant for Skatepark Upgrades***

Brian said the skatepark committee would like to apply for a Recreational Facilities Grant. Casey Romero said the committee wants to extend the concrete feature with a bowl at the end

that is 3 or 4 feet high, surrounded by a grass berm. It would have multiple recreational advantages for riders. The skatepark committee is asking the selectboard to provide a letter of support for the grant application. The other thing the grantor likes to know is what the town can offer for the project. We are able to ask for a little over \$15,000 in grant funds. It is a 100% matching grant. It would help if the public works department could help with fill material for the berm. Jason had said they might be able to hydroseed and that the public works department has enough scavenged ditch material for the berm. A question was raised about whether we might need to use the screener to screen out large stones for the top part of the berm where stones should not be larger than one and a half inches. She is not sure yet if it will be needed.

Brian summarized what the skatepark committee needs: a letter of support from the selectboard and general consensus that the town can provide some support for the project, such as earthmoving to make things more convenient for the main contractor (not shaping or anything time-consuming.) The material we would send over for the project would be material generated from cleaning ditches this past summer. Beth asked where it is going now. Brian said to our staging area but we can start diverting it to the skatepark.

Casey explained that the skatepark committee is hoping to use up to \$8,000 of their reserve funds toward the \$15,000 in matching funds that are needed. They are also doing some fundraising. They have raised about \$4,000 and they have more to come. They can also use money from their regular budget. They should have enough to pay the match.

Eben said he is a little hesitant to support the project with the town public works crew. If they can divert material to the skatepark now he supports that and he might support hydroseeding. Spring is a busy time of year. If the material dumped there now needs to be moved in the spring it may be hard for the crew to do that. Duncan asked what will happen if a grant does not come through. Will the skatepark still have a use for the dirt? Casey said that is a good point. They are really committed to getting the money for this project.

Eben moved to direct Brian to sign a letter of support from the town and to give conceptual approval to the public works department providing fill material pending grant approval. He noted that the crew ditches every summer. Mark said grant approval might not happen until next year. Eben said we will be ditching then. Casey said the skatepark committee can't say in their grant application that they have a commitment of support from the town if the motion says "pending grant approval." The motion died for lack of a second.

**Mark moved to direct Brian to sign a letter of support for the skatepark committee's application for a VT Recreational Facilities Grant and to authorize Brian and Casey to work on the details of having the public works crew deliver fill material to the skatepark. Duncan seconded. The motion was passed with Eben opposed.**

***9. Updates to Jenna's Promise Community Development Block Grant***

Brian said there has been an update to the Community Development Block Grant agreement between the state and Jenna's Promise that will require us to re-sign some of the documents we signed to show support for working with Jenna's Promise. The update is a change from Jenna's House to Jenna's Promise. The amount, the timeline and the scope of work remain

the same. The board agreed that Beth should sign the updated grant agreement after it is brought to the next meeting.

**10. Beautification Committee Appointment**

Brian said Lauren Philie has expressed interest in serving on the Johnson Beautification Committee and the committee recommends her appointment. **Mark moved to appoint Lauren Philie to the Beautification Committee, Duncan seconded and the motion was passed.** Duncan asked if the appointment is the result of someone leaving. Kyle Nuse said yes. The committee has had a vacancy for some time but no one applied until now. Duncan said the town should send a thank you note to the person who left.

**11. Oven Committee Appointment**

Brian said Trent McArver has volunteered to serve on the Oven Committee and the Oven Committee supports his appointment. He has not received notice of anyone resigning from the committee. He doesn't know if there was a resignation or if the committee is expanding. He doesn't believe we dictated to the committee how many seats they have. **Duncan moved to appoint Trent McArver to the Oven Committee, Eben seconded and the motion was passed.**

**12. Resignation from Racial Justice and Social Equity Committee**

Brian said Raven Pfaff has submitted her resignation from the Racial Justice and Social Equity committee because she has moved. **Duncan moved to accept Raven Pfaff's resignation from the Racial Justice and Social Equity Committee and to request that a thank you letter be sent for her service, Eben seconded and the motion was passed.**

**13. Economic Development Services Update**

Brian said we have received a few applications to provide economic development services. Duncan asked if we set a timeline for applications to be received. Brian said we originally had one but when the deadline was near and we had not received any applications, he told Beth he would take the deadline off when he reposted some notices. Duncan asked, is it now listed as open until filled? Brian said yes. Beth said this will probably be on the agenda for the next meeting. Duncan asked if the board can get information on the applications received before discussion of the applications is put on the agenda.

**14. Resignation from Recreation Committee**

**Eben moved to accept Kyle Senesac's resignation from the Recreation Committee.** Lisa Crews said a letter of thanks for his service has already been sent. **Duncan seconded and the motion was passed.**

Duncan asked, if we do another Front Porch Forum post about committee vacancies, can we add the Historical Society vacancies? He would suggest posting it on Front Porch Forum multiple times. Brian said he will post all the vacancies.

**15. Review American Rescue Plan Act Survey**

Beth said her intent for this meeting was not to review results of the ARPA survey in detail but to update the board on the survey and discuss the approach to survey results. She asked Paul Warden if he would be interested in having a jointly warned meeting of the selectboard and the Planning Commission on September 19 and talking about our approach to ARPA at that meeting, including potentially getting a task force together to keep us driving forward. Paul was very interested and open. Beth wanted to get the selectboard's take on it.

Mark said he supports having the Planning Commission come and meet with the selectboard. Duncan agreed. He said his only caveat is that the final determination of how to spend ARPA funds is the selectboard's. He doesn't want to set up expectations that will not be met. Mark said it would be nice for the selectboard to have a lot of input before making a decision. Eben agreed. He said we can meet with the Planning Commission but the expectation needs to be set. Beth said she thinks we need a solid plan for whittling down the list of possible uses for ARPA funds. She suggests that board members spend some time evaluating the things mentioned on the survey against each other. She will probably ask that the Planning Commission do the same. She will invite the Planning Commission to the next meeting.

**16. Fire Department Service Contract Review**

Brian said he had sent out the last fire department service contract because when the board last signed the contract we had discussed some wish list items we might like to see in a revised version of the contract. If we can submit request to the village in October, maybe at the joint meeting in October, we might be able to get some changes made. Beth said hopefully we can get into a rhythm of getting contracts in front of us well in advance of when we need to sign them.

Eben suggested seeing if the village would agree to a renewal date earlier in the year. Because the village is on a calendar year and we are on a fiscal year, we end up carrying costs for 6 months of the year that were not budgeted for. Beth said if anyone has feedback on the contract they should send it to her and she will compile what she receives. Duncan asked if we are reviewing the actual contract or the dollar amount. Beth said whichever board members want to talk about. Last year the contract came really late and the board did not have time to consider the dollar amount. She thinks we should give specific dates when we would like to receive it. We should look back at last year and see what happened.

**17. Proposed Municipal Landscape/Maintenance Employee**

Brian said we got a suggestion about hiring a landscaper or maintenance employee to assist with support for our parks and public buildings. Beth said we have Beautification Committee members volunteering a lot of hours to maintain gardens, etc. around town. Brian said office employees contribute their time as well. Marla Emery in particular volunteers a lot of time for the gardens at the municipal building. Mark said any landscaper position should be shared with the village. Brian said he thinks it probably would be. A lot of shared or village properties would likely be included in this person's duties. He doesn't know if it would be a shared employee or if one entity would employ the person and request a donation from the other entity.

Duncan asked if we should talk about possibly adding a part-time seasonal employee during budget season. Beth said we could also consider grant opportunities. Eben said we could consider contracted services as well. He doesn't think we have money in the budget for another employee, even if it is a seasonal part-time employee. Beth suggested the possibility that other organizations in the community might be able to help fund the position.

Kyle said the Beautification Committee has done an inventory of all the public and private spaces they think can be beautified. They were thinking about the possibility that other stakeholders who have real estate on Main Street could contribute to paying a shared landscaper with gardener helpers. Most municipalities hire someone full-time May through

October, with one or two assistants. She has researched what other communities do. Cambridge just has a few hanging baskets and planters on the ground. Newport and St. Albans both have gorgeous flower displays everywhere. She thinks Johnson could be somewhere in the middle. She thinks it is nice for everyone and it is economic development.

Beth asked if the Beautification Committee is thinking of bringing together different organizations that could partner on this into a single conversation. Kyle said yes. She sent out an email to try to get that started but no one responded. If she gets support from the selectboard she will definitely try to get people around the table for discussion. It is not sustainable for committee volunteers to keep doing all the work.

Mark said it would be a good idea to have a sense of the person-hours spent on this work. Kyle said the Beautification Committee can manage the flower boxes. Volunteers need to water them every day. She can give the board hours spent on all the gardens the Beautification Committee was trying to maintain this summer. They have done three weeding at the cold spring and they have taken hours, but people notice the results. She has seen more people sitting on benches there. It makes a difference to the feel of the town. But next year the Beautification Committee will not be able to do everything it did this year. Beth said it would be good to see information on the hours that have been spent.

Casey Romero said she was just talking to someone on the Tree Board. The Tree Board is overwhelmed and can't keep up with the things they want to do. There probably is more landscaping-related need out there than any one board is aware of.

Lisa said there is work like field maintenance, emptying public garbage cans, tree trimming, weed whacking, etc. that often gets put on the back burner because the public works crew is so busy. If we hired people to do that work it could serve as a feeder system for the public works department. People could start working for the town as a summer job when they were young.

Sue Lovering said she agrees with what Lisa said, except that she would not say the Tree Board is overwhelmed. As the arboretum grows there is more work there. In the future it would be overwhelming. She agrees with what was said about a good impression when people first come into town. The more flowers and greenery there are, the better.

Duncan said he thinks this is an important discussion but if we are talking about a significant dollar figure he would be more comfortable asking the voters to approve it as an article rather than rolling it into the budget.

Beth said she agrees with Sue that as things get bigger more maintenance is required. There are a number of groups who play a role in all these pieces now. She wonders if it would be prudent to have a long-term management plan. If there is a plan for growth then there could be a plan for maintenance along with it and then maybe an article at town meeting to back it.

Duncan said he thinks this would need to be either contracted services or a seasonal part-time employee. He thinks that if a person was hired there would still be a great need for volunteers and coordinating volunteers would be part of the person's job.

Kyle said it is still important to have the community be involved. If we do hire a part-time person she thinks the Beautification Committee would still love to do things like a community spring garden cleanup day.

Eben said if there were a long-term plan for growth then maybe growth would have been kept at a maintainable level. We can plan for maintenance at the arboretum or we can keep it at a size that is appropriate for the maintenance we do. Kyle said the Beautification Committee is just trying to bring back spaces that already existed before the committee did.

Beth said if Kyle can provide the number of hours spent by the Beautification Committee this summer that would be a good first step. We can consider what maintenance without growth over the next few years looks like and what it would look like with growth. It would be good for the Beautification Community to connect to other committees.

Eben said it seems like all the work the Beautification Committee does is within the village limits. Kyle said yes and about half of it is on village property.

Lois Frey suggested that Johnson Works should be part of the discussion.

Brian said the university has all the equipment and staff to do this work. Working closely with them might be a good idea. They used to contribute money to the town for the town to employ an economic development specialist. Maybe we could contribute money to them to employ an additional landscaper and then they could increase the scope of what they do.

Sue Lovering suggested someone from the Hardy Plant Club might be interested.

**18. *Hugh Albright Plea Deal and Victim Impact***

Brian said Hugh Albright has an upcoming court appearance to change his plea. It is likely to be his last court appearance. If the town wants to be present or submit a victim impact statement, this is likely to be the last opportunity. The board agreed there is no need for a town presence or a statement from the town.

**19. *Update on Sheriff's Department Meeting with Contract Town Representatives***

Beth said she recently met with the sheriff's department and representatives from the other towns that contract with the sheriff's department. A lot of the discussion was about arrest numbers, which have increased pretty significantly in Johnson this year compared to prior years. But the previous years were during COVID. She wants to get a comparison to the years before COVID and when she gets it she will share that. The other thing that came up was that retirement costs are going up 12% and health insurance is expected to go up by 11%. When the slides from the meeting are available she will share them with the board. The group has another meeting coming up on September 29. They will start discussing contract needs and expected increases for the next fiscal year. We are no longer in the period where 3% annual increases were agreed upon. Our arrests were pretty high compared to surrounding towns but there was not as a big a difference for things like traffic stops and

calls. Evan asked if arrest rate is the metric they want to use to split up billing. Beth said no. Billing is based on population. They talked about the fact that some arrests take much more time than others and they described some cases that did take extended periods of time. The intent for the next meeting is to start to get into budget numbers.

Mark asked how much our grand list is going up. Brian said he doesn't remember the exact number but we had pretty good growth numbers this year. The grand list has grown faster than the budget for the last few years in a row but he doesn't think we will be able to hold to that trend this year.

**20. Discuss Employee Review**

**Eben moved to enter executive session to discuss employee performance as allowed by 1 V.S.A. § 313(a)(3), Mark seconded, the motion was passed and the board entered executive session at 8:28.** The board consented out of executive session at 8:47.

**21. Adjourn**

The meeting was adjourned at 8:47.

*Minutes submitted by Donna Griffiths*

UNAPPROVED