

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, JUNE 19, 2023

Present: Selectboard members: Beth Foy, Eben Patch, Shayne Spence, Mark Woodward
Others: Carl Rogers, Rosemary Audibert, Jason Whitehill, Lois Frey, Noel Dodge, Casey Romero, Kyle Nuse, Adrienne Stevson, Doug Molde, Linda Molde, Michael Stanley, Allison Kratzat, Eric Osgood, Jodi Horner, Gordon Horner, Spencer Leggett (remote)
Absent: Duncan Hastings

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Beth called the meeting to order at 6:30.

2. Additions or Adjustments to the Agenda

It was agreed to add review and signature of the form to appoint members to the regional rail trail committee and also discussion of a request from the village about setting COLA adjustments.

3. Review Invoices and Orders

Eben noted that some safety equipment for employees was charged to the town's account but according to the union agreement employees are supposed to purchase the equipment themselves and be reimbursed. (*Mark arrived at 6:33.*) Beth said we should inform Jason and ask him to let the employee know how the process is supposed to work.

4. Review and Approve Minutes

Eben moved to approve the minutes of June 5, 2023 as presented, Shayne seconded and the motion was passed.

Eben said in the June 14 minutes the names of the people making and seconding the executive session motions need to be corrected. The first motion was made by Duncan and seconded by Mark and the second one was made by Shayne and seconded by Mark. **Eben moved to approve the minutes of June 14, 2023 with the recommended corrections, Shayne seconded and the motion was passed.**

5. Selectboard Issues/Concerns

Shayne said he thinks at some point soon it might be good to have a conversation about setting up a cannabis control commission. Beth said currently the selectboard serves as the cannabis control commission. Shayne said a lot of communities have decided to set up a commission to handle cannabis issues. That is something to look into. Rosemary said we have gotten several calls about the sign that went up in a store window on Route 15. Shayne said he has had some calls about its location. Other board member said they had as well.

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

Rosemary said expenditures to date are 79% of budget. We haven't received the paving bill yet. That should be around \$700,000. We probably will have a shortfall of about \$2-3K in clerk's office fees. Property sales have dropped considerably and people are not refinancing. (*Jason arrived at 6:39.*)

Mark asked if Rosemary has a sense of how our real estate sales are compared to appraisals. Rosemary said sales that are happening are over the appraised amount.

Rosemary said delinquent taxes are 98.4% collected. There is a total of \$88K uncollected at this point.

Rosemary said when Susan was cleaning off Brian Story's desk she found the fire contract, which she believes the board approved, but we don't have a signed copy. The village also does not have a signed copy. Beth said she will confirm the date that it was approved.

The board agreed to set a tax abatement hearing for July 17 at 5:30.

Rosemary said a draft audit report was included in the packet. *(Allison Kratzat, Doug Molde and Linda Molde arrived at 6:44.)*

7. Public Works Supervisor/Highway Foreman Report

Jason said the spring paving project is finished. All the remedies that were implemented seem to have solved everyone's problem so far. Eben asked about the apron that was put in on River Road West. Jason said there was no charge to us for that. Mark said in the future he thinks we should post on Front Porch Forum a few days before a paving project starts. Some people on Sinclair Road were surprised when paving started.

Jason said he has purchased all the ditch stone that was approved at the last meeting. Gravel is half hauled. The crew has been doing ditching on Plot Road. The crew recently had excavator/backhoe/loader training and training on lines, levels and layouts. A workplace safety training is coming up. The boom mower came today. There is a problem with it and Pete's is coming to address it. The SANY excavator the crew wants to demo was not available today but should arrive tomorrow. The crew cleaned up some old wood that has been by the lower cold storage building for years and made a parking spot for the public. People were parking along Lendway Lane while walking their dogs.

Jason said some of the MSHA rules have changed. Now there needs to be a bathroom on the gravel pit site. The cost for outhouse rental will be about \$135 a month. There are also new signage requirements. The cost of the signs and posts will be a little under \$1,000.

Beth said we rent a lot of portable toilets. Maybe we should get them all from the same source for a discount. She wonders if someone could negotiate pricing. Mark said it has been his experience that the portable toilet world is divided by areas and each company handles a certain area. Jason said some of the companies he talked to did say that our area is not in their jurisdiction. Beth said it is still worth asking.

Jason said an MSHA inspector will be coming around July 1 for a preliminary walkthrough to give recommendations and go over paperwork. Someone needs to be listed on the form as head safety compliance officer. It used to be Brian Story. Beth asked, it can't be someone who is working the site? Jason said his name is on the form also. Mark asked Carl if he was head safety compliance officer when he was town administrator in Barre. Carl said no, the public works supervisor was. Jason said he could put his name as head safety officer and put Ryan as the second. Ryan has MSHA training. The board agreed he should do that. *(Eric Osgood arrived at 6:54.)*

Jason asked if he should wait until the next fiscal year to buy signs. He will go over budget if he buys them now. It will not hurt not to have them when the preliminary MSHA inspection is done because we won't be fined for anything at that point. Beth said she would rather have Jason get

them before the inspection so we can find out if there is anything wrong with the signs or their placement before the final inspection. (*Adrienne Stevson arrived at 6:55.*)

Shayne said on July 15 the governor will be coming through on the rail trail and he wants to see if mowing can be scheduled around that. Jason said the public works crew started mowing the trail. They have about a day and a half worth of work left but there was talk that the state was going to be mowing it themselves two times. Carl said we got an email today saying the state will have a crew of two people mowing in our area starting next week. (*Kyle Nuse arrived at 6:58.*)

The meeting packet included information from Jason about the cost of producing our own sand and gravel vs. the cost of purchasing it. Beth said the cost of replacing the screener is \$150,000. The current value of the screener is \$15-20K. We have an interested buyer if we want to sell it. The Nadeaus have first right of refusal. Jason said that is null and void now that the Nadeaus have sold their pit. Beth said it is valuable to hear Jason's opinion about using the crew for summer maintenance work vs. working in the pit.

Carl asked if it would be worthwhile to spend money to verify the understanding that the town cannot have a crusher in the pit. Maybe that also went away when the Nadeau pit was sold. Jason said one person told him that restriction was in the Act 250 permit. Carl asked if it is worthwhile to check on that. Would it affect the board's thinking? Jason agreed. Beth said we should look up the Act 250 permit and see if there are any restrictions. Mark asked if the restriction about having a crusher could also be a lien on the property. Carl said it could be on the deed. His understanding is that the town acquired it from someone in the same line of work, so they could have put that restriction in to limit competition.

Beth asked where we are with emerald ash borer mitigation. Has the crew been taking trees down? Jason said when they do a project they take down ash trees or take pictures and consult with Noel Dodge. They take down any they can handle safely. (*Casey Romero arrived at 7:07.*) They had a professional tree service take down some that were near power lines. Noel said Jason is doing a great job taking out ash trees that present a risk.

Beth asked if the emerald ash borer has been seen in Johnson. Noel said Belvidere is the closest place where it has been reported but that does not mean it is not here.

Beth asked if Noel if any mailings are going out to Lamoille County residents about emerald ash borer. Noel said he does not know about any mailings but the state has a website with a lot of information.

Jason mentioned a dead maple that is outside the right of way but presents a hazard. The public works crew does not have the equipment to take it down. He talked to Nate Brigham about the possibility of the village helping. Hopefully this year we can talk about creating putting money in the budget for tree crews for dangerous ash trees or other problem trees that are unsafe for the town crew to cut.

Eben said during the budgeting process there was interest from the board in having a timesheet that would allow public works employees to categorize their time to show time spent on committees, the gravel pit, etc. Is the board still interested in that? Jason said he would love to have the

timesheet changed for tracking. Rosemary said adding new categories could be difficult. Beth said we need to talk at a future meeting about how to do this.

8. Review Planned Purchases

No planned purchases needed to be approved.

9. Committees, Volunteers and Community Support

Beth said we received an email from Sabrina Rossi recommending that Krystal Woodward be appointed to the library board. **Shayne moved and Eben seconded to appoint Krystal Woodward to the library trustee board.** Beth said the library board recommends that Mark not continue as liaison if a relative of his is on the board. Eben said it would be difficult for him to attend their meetings but he could be liaison if email communication would be sufficient. Beth said she would like to know what the library board's specific request for the liaison is. She wants to follow up on that. **The motion was passed with Mark abstaining.**

Eben moved to appoint Liz Faracini to the Community Oven Committee as recommended by the Community Oven Committee, Shayne seconded and the motion was passed.

10. Discussion with Rail Trail Committee

Allison Kratzat said the rail trail committee is charged with coming up with recommendations. We all benefit from bringing people from the trail into town and vice versa. There is no bike lane on Railroad Street now, but there is grant money available for a feasibility study and potentially for construction. The committee recommends that either the committee or the town look into that. Yva Rose of Lamoille Valley Bike Tours did research and found that communities that benefited the most economically from rail trails were ones that established a dedicated bike lane into town. It is not that far to town from the rail trail but if someone looks down the road and sees no bike lane and can't see the sidewalk and there is fast traffic they just keep going. Railroad Street is not necessarily inviting now. The committee thinks the town should consider looking into a dedicated bike lane. In this middle section of the rail trail people are going to be making decisions about which community to stop in. We would like them to stop here. A really good way to get them off the trail is to have a bike lane.

The committee also recommends that the town look into getting cohesive signage for the rail trail. We are somewhat limited about what we can put in the rail trail right of way but we can get creative with signage outside the right of way and throughout town. Adrienne Stevson and her partner Blake have offered to donate their services to create a design but we would need funding for construction and installation. Adrienne said without proper signage people will not know how to get to certain areas. She noticed that it is somewhat confusing finding parking for the rail trail. Parking for the trail could be a draw to town. Currently signs in town don't match in appearance. She recommends creating new signage for the rail trail and also other town areas like Beard Park or Legion Field. She thinks they should all match. Johnson would need to update its branding, which would mean its website, logo and signage. She and her partner Blake are both graphic designers and would love to donate their time to design a logo, website and signs.

Mark asked, do you think there should be uniform signage the full length of the rail trail? Shayne said the state is putting uniform signage on the rail trail right of way.

Mark said besides signage he assumes most people are using cell phones and the internet to look for access. It is crucial that we have a strong presence there. He thinks we have relatively good parking compared to other towns nearby. It is a big project to think about our online presence. We

want people coming to Johnson in order to use the rail trail as much as we want people using the trail to come into Johnson.

Beth said the state will be putting up their own signs in the state right of way. Carl said his understanding is that they are putting them along the rail trail and along state highways. They offered to put signs on Railroad Street that match theirs and offered to replace some of the blue signs the town put up with brown ones to match their directional signs.

Jason suggested having a sign that is not too expensive to replace. A lot of signs get vandalized or taken.

Beth asked if the committee has talked to LCPC's regional rail trail committee. Is the regional committee doing anything on the signage front? Doug said there is a clear idea that things should be uniform. We need to know what the regional committee wants and cooperate but we have a lot of other assets in Johnson that we want to direct people to, like the arboretum, Journey's End, etc. The regional committee knows signage is important but we will have to do a lot of it ourselves because there will be competition between different communities on the trail for economic benefits.

Beth said there are different categories of signage we are talking about. She likes the idea of consistent parking and rail trail signs, but those are being produced by the state. How does that play into this design work and what other signs is the committee suggesting? Doug said that is a work in progress. We will have to figure out where we need to go our own way and if the benefits are enough to do that.

Beth asked what the request tonight is with regard to signs. Doug said he thinks something will be developed at the regional level. The regional committee is going slowly. The information isn't out from the state yet.

Allie said the Johnson rail trail committee is asking if the town would like Adrienne and Blake to work on branding and if the town wants the committee to continue to look into signage options. It is new information to them that the state can provide some signs for Railroad Street.

Adrienne said there is directional signage. We don't have much design influence on that. There are can also be nice looking signs that point out places we want people to go. That is more like advertising for Johnson. Her role would be more with those signs. The first step is creating rebranding for Johnson. She would present about three options for logos for the board to choose from.

Shayne said it would be helpful if the committee could think about all the signage needs. If the state will cover some of them we can cross those off.

Mark said he can't emphasize enough how important he thinks it is for us to have a strong web presence. Beth said anyone can add pins to Google maps. We need to use existing pins because they will become real map items if enough people use the same one. And she thinks we need to add one for parking at Old Mill Park.

Beth said she would like to see design options for signage. She thinks we do need it. She thinks we need to replace our town logo too, but that is not what she is talking about now; she is talking about signage. She would like something clean, simple and attractive. Our scope now is signs to draw people off the rail trail.

Eben said he is supportive of the idea in concept. Standardizing signs throughout town seems like a big task. The welcome signs could be improved. He doesn't know about rebranding. He thinks we need to get an idea of cost before considering design concepts. His guess would be \$30-\$35,000 for the signs needed. He feels we would have to come up with a way to fund that before getting design concepts. If the taxpayers approve using year end surplus that could fund it or maybe we could add it into the budget for the rail trail committee. He is not wholeheartedly at the rebranding stage himself. He is open to doing an inventory of the signs needed and getting a ballpark price before he sees designs. Using ARPA money is an option.

Mark said we can't get prices until we know what the design is. Eben said we could talk to a sign company and get a ballpark price.

Beth asked if the committee is working on an inventory of what signs are needed and where. Allie said yes. Shayne said he thinks a full inventory would be nice and then if we find the state will pay for some of them we can cross those off the list. Beth said she thinks it is unrealistic to ask a volunteer committee to come up with an inventory of signs they are not responsible for. Shayne said he doesn't think it would be that difficult to identify places where signs would be useful. And he doesn't know that the list needs to be exhaustive. It would not be the end of the world if they missed some.

Jason said he thinks we have to let them design the sign so we know the size and whether it will be plastic or aluminum. He would vote for aluminum. And we also need to know if it will need one or two posts. We need that information to get an accurate cost.

Doug said he would not assume that taxpayer money will need to pay for signs. There is probably money available for this.

Noel Dodge said when he searches "Johnson rail trail" there are hits for the trailhead and Lamoille Valley Bike Tours. The arboretum has a point on Google Maps that has had up to 90,000 hits. All he would have to do is add "easily accessible by rail trail" to the description and that would show up on a search for the rail trail. We can have people put pins on Google Maps and say "accessible from rail trail." Beth suggested that it would be great for the rail trail committee to help businesses with search engine optimization.

Beth asked Jason's thoughts about a bike lane on Railroad Street. Jason asked where it would go. Would we be taking out the green strip? (*Jodi and Gordon Horner arrived at 7:53.*) Beth said someone recently talked about the possibility of going behind the library. Is there any way to get people off Railroad Street and follow the river? Allie said that is one of the kinds of things the committee wants to look into with grant funding.

Beth asked if they know of grants we could look into for feasibility studies. Shayne said the Better Connections VTrans grant is an option. He thinks we could use that for an initial feasibility study. We need to cooperate with the village and see if they are on board before we move forward. If we

are talking about a bike lane on Railroad Street he doesn't see a way we can do that without getting rid of the green strip. Eben said there are ways that the village would not be a stakeholder but not if the bike lane is on Railroad Street. Another option would be adding a bridge across the Lamoille River.

Kyle Nuse said a bike lane could take years to develop. That is a long-term goal. The beautification committee has been thinking about ways to use flowers or beautification to draw people off the rail trail in the short term. They have an idea of planting a strip of sunflowers to go all the way down into the village with the idea that people would see them and want to follow them all the way. The Tatros are open to the idea of having sunflowers going at least to the Railroad Street bridge. From there other permissions would be needed.

Shayne said another possibility Kyle forwarded information about is the Rail Trail Community Connectivity Grants. While we are waiting for an economic development person would it be worth seeing if LCPC can take on pursuing grants? Beth asked if he wants to follow up on that with LCPC. Shayne said he can. The rest of the board agreed to that.

Doug Molde said on July 15 the governor is going to stop in Johnson as he travels the rail trail. The rail trail committee would like to offer him a photo opportunity at the welcome center trompe l'oeil painting. There is a conductor hat he could wear. The committee would like to ask the selectboard to approve giving him a "conductor for a day" certificate. We could try to make an event out of his stop, for instance with ice cream. Casey said the committee has talked about making it a larger event. Johnson Works has talked about helping. The news just came in this afternoon that he will stop in Johnson at noon.

Mark moved to create a "Conductor of the Day" certificate for to be given to Governor Phil Scott on July 15, Eben seconded and the motion was passed.

Kyle said they were going to ask Kingdom Creamery about donating ice cream. Sterling Market might donate cones. She thinks the committee can probably put something together with donations. Maybe the selectboard could approve some small amount. Casey said money is always needed for something. Maybe by the next meeting they can define better what they need. Beth said the board is not looking to add any agenda items for the next meeting. Mark said he thinks they can get enough in donations. Beth agreed it should be easy to get donations.

Doug said he was told that the selectboard needs to fill out a particular form in order to appoint him to the LCPC rail trail committee. **Mark moved to appoint Doug Molde and Kyle Nuse to 3-year terms on the LCPC regional rail trail committee and to authorize Beth to sign the appointment form, Eben seconded and the motion was passed.**

Shayne moved to accept the state's offer to replace rail trail directional signs on Railroad Street with signs matching the state signs, Eben seconded and the motion was passed.

11. Discussion regarding Placing Statues along Main Street

Michael Stanley said he wanted to talk about the possibility of putting up sculptures on the sculpture pads or starting a sculpture trail or sculpture garden. He is a sculptor and he used to run a sculpture garden in Mississippi. This dovetails nicely with the discussion about getting people off the rail trail into town. Public art makes people more likely to come here. He is willing to donate a sculpture and there are others who are also. There would be no upfront cost to the town. The

sculpture garden he used to run had a biannual competition. They would select one of the sculptures submitted and pay \$3,500 to rent it for 2 years. They also had a party where the artist got public recognition. His main goal is to put sculptures on the 4 pads but he also thinks it is very feasible to get a sculpture trail in town. Kyle said there are four pads and one is being used but the artist is ready to take the sculpture back.

Eben said he thinks there's a question about who owns the pedestals. They were part of the Main Street project funded by the village. He doesn't think we can make a decision tonight. Mark asked if they are in the state right of way. Kyle said yes. The state gave us permission. Mark said he is thinking the state may have some restrictions as far as size, etc. Eric Osgood said he is guessing that the village owns the pedestals but they are in the state right away. He doesn't think there is a requirement to get permission from the state to put pieces on them but he doesn't remember the selectboard being engaged in that discussion. Eben said we need clarity on that. If the village owns them we could ask if they are receptive. Rosemary said the village might have questions about liability.

Eben said he personally thinks sculptures would pair well with the arboretum. Maybe Michael could talk to the tree board and see if they are interested in having sculptures there. Mark suggested there could be sculptures at the Beard swimming hole. Kyle said there are a lot of places in town where sculptures could be placed. The beautification committee has mapped out some.

Beth said she likes the idea. She thinks it comes down to what the cost is. She suggested that Carl look into ownership of the pads. Mark said it would be interesting to know about any restrictions because they are in the state right of way.

12. Skate Park Committee

Casey said Carl suggested that it would be better to have the assistant the skatepark committee wants to have be a part-time seasonal town employee. Her memory was that the town did not want to hire anyone who was under 18. The committee has a candidate in mind, Ronan Stefanski. He is under 18.

Beth asked if the committee has this as part of its budget. Casey said they have enough money to pay Ashton Schriber and also to pay Ronan for some hours.

Mark asked if he would work under Ashton. Casey said both employees would report to her.

Rosemary said she thinks for workers' comp in case they get hurt they need to be an employee. Carl said what Casey was describing sounded like an employee to him.

Eben asked how long Ashton has been working at the skatepark. Casey said four or five years. Eben said the Beautification Committee was asking for a part-time employee. He is not supportive of this idea. We need to be fair to all committees. Shayne said they were different requests. For this request the committee has the money to pay for it. For the other his understanding was that the committee wanted it to be funded by the selectboard. Eben said the town funds the skatepark so it is funded by the town either way. Shayne said this would be in their existing budget versus an additional amount.

Beth asked about workers' comp cost. Rosemary said it would not be that much. Casey said it would be under 10% of the wage. The committee has paid Ashton \$700 for the year to date and they have \$800 budgeted for next year so there will be enough.

Beth said we should make sure that any time sheet submitted goes through town approval. Casey said she co-signs the time sheet and submits it to Rosemary.

Beth said she thinks age doesn't matter as long as the employee is not under 16. She is supportive.

Casey said the committee has not set an hourly rate. It will be close to minimum wage.

Mark moved to authorize Carl to hire a part-time employee for the skatepark upon successful completion of a background check and to authorize paying the employee up to \$800 for the fiscal year starting July 1, 2023, Shayne seconded and the motion was passed.

Eben said he thinks to be fair we should also offer \$800 for a part-time employee to the beautification committee.

Casey said the skatepark committee has not gotten any bids yet for the concrete feature. There was no time limit on the RFP. Maybe that should be corrected. She suggested a deadline of the end of September. Carl suggested a deadline 3 weeks from the day the RFP is released. He also suggested getting a list of contractors that might be interested and mailing the RFP directly to them. Beth suggested a deadline of July 31. **Eben moved to repost the RFP for construction of the new skatepark feature with a deadline of July 31, 2023, Shayne seconded and the motion was passed.**

13. Planning Commission's Process to Nominate Administrative Officer for Form Based Code

The Planning Commission had suggested three potential administrative officer candidates. The board agreed that the Planning Commission should be asked to select one candidate to recommend for appointment.

14. Consider Approving Renewal of Cannabis License

Gordon Horner said the VT Green Castle Reserve license will be the same as last year's. Beth asked if his business is up and running. He said yes; it has been operating since June 30 last year. He would like to show the indoor grow facility to anyone who is interested in seeing it.

Eben moved to approve renewal of the cannabis license for VT Green Castle Reserve (d/b/a VT Green Castle) and the motion was seconded and passed.

15. Consider Setting Date to Meet with GMATV Club

Spencer Leggett said the Green Mountain ATV club is looking to meet with the selectboard to talk about opening up some roads that were open in the past that did not cause many issues that they know of. That would get more revenue into the town.

Beth said if we are going to open up additional roads that means changing the ordinance. She is not very excited about the work changing the ordinance would entail. Eben said he doesn't know that under the current ordinance the selectboard could give access to any roads for this season. If there is any variance it has to be posted by a certain date. This is a broader conversation for next year.

Mark said maybe we could have a discussion with the club to find out what roads they are thinking of opening up. He sees ATVs everywhere, whether the roads are closed or not. Enforcement is still

a big deal for him. Shayne said the club has been a partner to the town in the past in finding bad actors. He is in favor of meeting with them and figuring out which roads they would like to see open.

It was agreed that the selectboard will meet with the GMATV club at one of the August meetings. Beth said in July we will be able to firm up which of the two dates would be the best.

16. Request from the Village to Set COLA Adjustments

Eben said the trustees are interested in setting the cost of living adjustment for non-union village employees. Historically the two boards have gotten together in late fall and come to agreement on adjustments for Susan and Rosemary and the town and village have historically given the same adjustment to other non-union employees. He is not interested in setting the adjustment at this time. We don't know what the health insurance increase will be. That is generally part of the discussion. His mother-in-law is a village employee so he will remove himself from the conversation. Beth agreed that it is too early to set the COLA adjustment now. We typically look at this in the fall based on indexes to help inform the decisions. She doesn't think we should be looking at it this early. Rosemary said she assumes the village is doing it now because they are going for an electric rate increase. Beth said we should all just be aware that some staff will find out soon what their adjustments will be.

Eben said he would like a full list of non-unionized town employees. He just found out today about a part-time skate park employee that he did not know about. Is there a list? Rosemary said yes.

17. Executive Session to Discuss Legal Opinion

Eben moved to enter executive session to discuss a legal opinion as allowed by 1 V.S.A. § 313(a)(3) because premature disclosure of attorney-client privileged information would place the town at a substantial disadvantage, inviting Carl and Rosemary to remain, Mark seconded and the motion was passed at 9:06. The board consented out of executive session at 9:08. There was no action coming out of executive session.

18. Executive Session to Discuss Personnel

Eben moved to enter executive session to discuss personnel issues as allowed by 1 V.S.A. § 313(a)(1), Mark seconded and the motion was passed at 9:10. The board consented out of executive session at 9:34.

Shayne moved to purchase a gift certificate for Susan Tinker for the work that went into the town administrator transition, Mark seconded and the motion was passed.

Eben moved for Beth to discuss additional compensation for a town employee, Mark seconded and the motion was passed.

19. Adjourn

The meeting was adjourned at 9:37.