

JOHNSON SELECTBOARD MEETING MINUTES  
VERMONT STATE UNIVERSITY – JOHNSON, WILLEY LIBRARY, ROOM 217  
MONDAY, JULY 17, 2023

**Present:** Selectboard members: Beth Foy, Duncan Hastings, Eben Patch, Shayne Spence, Mark Woodward

Others: Carl Rogers, Rosemary Audibert, Erik Bailey, Jason Whitehill, Ken Tourangeau, Lois Frey, Scott Meyer, Ron Rodjenski, Nat Kinney, Jessica Bickford, Tom Moog, Dean Locke

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

**1. Call to Order**

Beth called the meeting to order at 6:12.

**2. Additions or Changes to Agenda**

In addition to the executive session to interview a candidate and the potential offer of employment (moved from the preceding joint meeting to this meeting), it was agreed to add an update on the town administrator search with possible action items, an executive session for employee relations and approval of planned purchases.

**3. Executive Session to Interview Candidate**

**Duncan moved to go into executive session to interview a candidate for employment as allowed by 1 V.S.A. § 313(a)(3), inviting Ron Rodjenski, Rosemary and Carl, Eben seconded and the motion was passed at 6:14.**

Tom Moog arrived at 6:23. Dean Locke arrived at 6:29. Ron Rodjenski left the executive session at 6:48. The board came out of executive session at 6:59.

**4. Potential Offer of Employment**

**Duncan moved and Shayne seconded to hire the low bidder, Ron Rodjenski's business called Stone Shore Municipal Consulting, LLC, to assist Carl Rogers with flood management services on an as-needed basis for as long as necessary and to authorize the chair to execute the contract with Stone Shore Municipal Consulting, LLC.** Eben said all of these costs are expected to be reimbursed by FEMA. **The motion was passed.**

**5. Noise Ordinance Waiver Request for Moog's Joint**

Shayne said Oxbow Music Festival had planned a Summer Jam at the Oxbow Park but that location is no longer available due to flooding. Tom Moog and Oxbow Music Festival would like to move the event to Moog's Joint. It would be on July 29 from 3:00 p.m. to 1:00 a.m., so a noise ordinance waiver is needed. There will be three live music acts, food and craft vendors. Tom Moog said he is pretty sure the outside noise will wrap up before midnight. The last act will be inside, but just to be sure he is requesting an end time of 1:00 a.m.

**Eben moved and Shayne seconded to approve the requested noise ordinance waiver for the Summer Jam event at Moog's Joint on July 29, 2023.**

Eben said he worries about a public health concern with the amount of debris behind that location but Moog's is a private business and the town is not responsible. Tom said they are moving at a fast pace cleaning up the mess and have made an extreme amount of progress.

**The motion was passed.** (Tom left at 7:05.)

**6. *State of Emergency Briefing***

Beth said this was the second highest flooding event we have experienced. We are not totally out of the woods. There still could be additional minor flooding. The fire department did 27 evacuations on the night of the flood. The town set up a shelter that night. The municipal building also had to be evacuated that same night. The town quickly got in touch with local human services agencies around the county. They were great. All came together and provided great services to people in the shelter starting on day two. They are still engaged. The Red Cross took over management of the shelter on July 12 at 5:00 p.m. and a plan was made along with the Red Cross to provide a case manager from the local area for each person in the shelter. The college has provided a huge amount of help. They are providing food service and have been since the morning of the event. They are providing whatever we need. She can't imagine going through this without them. Not only have they provided space and help with logistics and operational service, but they have great new leadership that has guided the town in its emergency response. Their connections, support and suggestions have been very helpful.

Eben thanked the town and village crews, office staff and all the town and village employees. A lot of key community partners have stepped up and are doing everything they can for the community. Shayne thanked Beth and Eben, who put in an insane amount of hours and have not been showing up to their day jobs. They have shown up for the entire town in a way that goes above and beyond.

Beth said we have dumpsters for the public. Current locations include the corner of Railroad Street and Main Street and West Highland Road. Eben said one was needed for a couple of residents in extreme need at a location where it would be dangerous to assist with equipment. Beth said we are seeing a lot of debris piled along the streets. That is good. People should get the debris out of their buildings.

Nat said with more people coming into town for Field Days it would be good to discourage people from driving into flood-damaged areas just to look. Lois Frey suggested "local traffic only" signs could be put up. It was agreed to do that starting Friday for Railroad Street and Wescom Rd.

Beth said a Multi-Agency Resource Center (MARC) will be operating today, tomorrow and the next day at the elementary school. Multiple agencies will be there to provide all types of assistance – housing, mental health, food resources, etc. They will have well testing kits there.

Beth said FEMA is starting the assessment phase for individuals. We have not yet seen the municipal team. Everyone who is impacted should apply for FEMA assistance. Eben said regardless of whether you have flood insurance or not you should call your insurance company. If you do not have flood insurance, FEMA will require an email stating that.

Mark said he was told by a FEMA representative that FEMA assistance is not for small businesses or landlords, just individuals. Shayne said there are disaster relief funds available from other federal agencies, for agriculture, businesses, etc. Beth said she would encourage anyone with questions to go to the MARC. She noted that the town has a low interest revolving loan fund. That is an option for businesses. Those with interest in a loan can let her or Carl know.

Duncan said he thinks it is important to understand that FEMA will not show up in town and write checks. Getting FEMA reimbursement is a process. For individual assistance, people should go to the MARC for help. For public assistance, we just hired someone to assist with the process. It will take a while and it may be painful in some cases. Beth said we are not experts in supporting FEMA. We will not have the answers. It is important for people to talk to informed people for guidance, like FEMA representatives or to some extent state representatives. She knows that local groups like United Way are looking at assisting with FEMA applications for those who need help.

**7. *Begin Financials Discussion for Flooding Event***

Eben said dealing with this disaster will cost a lot. FEMA is a reimbursement system. Everything needs to be paid for up front and FEMA will reimburse a certain percentage. Sometimes the state reimburses a portion and insurance may reimburse some. We do have an emergency reserve fund. We will need money in the meantime. He is not sure if ARPA funds could be used and then reimbursed. Rosemary suggested a line of credit from a bank. Rosemary said ARPA funds can be put towards the budget. Duncan said we can use ARPA to offset regular expenses. Shayne said the current plan is to use a significant part of the ARPA funds as matching funds if we get the Northern Borders Grant.

**Duncan moved and Shayne seconded to authorize Rosemary to obtain a line of credit in the amount of \$200,000.** Rosemary said Union Bank can provide a line of credit with 4.75% interest. Eben asked that we do everything possible to avoid using the line of credit.

Ron Rodjenski said it will be important for Rosemary to keep reporting on damage costs as they are known. As she gets good numbers she can give them to Carl so he can look at cash flow issues. Ron can start the process of damage assessment and looking at finances.

Duncan asked if for FEMA purposes we should obtain more than one proposal for a line of credit. Is that even an eligible FEMA expense? Ron said he thinks it makes sense for it to be reimbursable because is a cost due to the flood. Whether FEMA would approve it or not he doesn't know. Carl said he is doubtful that FEMA would accept covering the interest. One thing we can do is try to get insurance involved right away. Maybe we can get a reimbursement check right away for the work done by SERVPRO in order to help cash flow. Duncan said his experience in the past has been that insurance has said they will pick up the costs that FEMA doesn't cover.

**The motion was passed.**

Duncan asked if the line of credit will require selectboard signatures on a form. Rosemary said yes. She thinks it should be signed at a duly warned meeting. The town doesn't have immediate need for the funds.

Beth asked what Rosemary thinks we could safely spend right now. Rosemary said half a million dollars.

## 8. *Next Steps*

Beth said the FEMA representative will hopefully be here this week and hopefully that municipal assessment will lead to an invitation for us to submit an application and the town getting case managers for individual FEMA assistance and for municipal FEMA assistance.

Eben said the dumpsters are moving in and out quickly. Team Rubicon, consisting mostly of retired veterans, will be here by the end of this week or early next week. They can assist with things like debris removal. Beth said we need to make sure we have a good understanding of movement of the contents of the dumpster. We don't want to be billed for things we don't own and we want to make sure we are billed for the things we are responsible for. We need to make sure we are keeping track of the time employees spend on the flood event – what the time is for and where the employee is.

Eben said people should not put tires, paint, oil, metals or hazardous materials in the public dumpsters. Beth said there is a phone number on the town website people can call for disposal of hazardous materials. Shayne suggested putting signs on the dumpsters. Duncan said the best thing would be to have someone there to monitor them. There had been a suggestion of getting an AmeriCorps volunteer.

Dean Locke said he thinks soon the debris will start being things like sheetrock. Is there anything in particular the public should know about what to do with that type of trash? Should we have people put it on a tarp? Scott Meyer said that is not really practical. People will generally need to throw it out the window and then it falls apart. Eben said if people are able to put it in trash bags or on a tarp that would be best. We can encourage that.

Shayne suggested covering dump fees for a day or a weekend for people with flood related debris. Some people will be unable to get to dumpsters and will leave debris on the sidewalk. We could incentivize people to get it to a transfer station. He is not sure if this is the best weekend for that since there will be a lot of Field Days traffic using the road to the transfer station. Scott said EPA guidance for flood remediation is to clear all flood damaged debris within 24 hours. It has now been 6 days since the flood. Anything people are pulling out is biologically active. If people are throwing it to the curb, that is a public health issue. That is more important than Field Days. The sooner we can get the debris away the better.

Mark asked about the status of the trailer park. Are the mobile homes condemned? Beth said we have not heard the word “condemned” about any structure in Johnson. Some mobile homes do not have people living in them. The residents have left. Some have been gutted and sprayed with bleach solution and have people living in them.

Duncan said he is not in favor of waiving dump fees. We have no way of controlling what people take to the dump. At least with the dumpsters we have some expectation that what is put into them is really flood related. Beth said the transfer station could choose to waive fees. Duncan said the state could also.

Scott said many trailers were destroyed during Irene. Trailer park owners reached out to the state and the state helped. Because of Irene there is already a script for dealing with them. The state doesn't want those trailers sent to the landfill.

Beth said town operations have moved to the second floor of the municipal building. The office will remain closed for the foreseeable future. Phones and email are working. Rosemary said payments can be made in the drop box or by mail or credit card.

Eben said if someone wants to make a donation to the town they can put it in the drop box and if they want it to be for a specific entity such as the fire department or the sewer plant they can include a memo. No elected officials can handle donations. Beth said if people want to donate to the people of Johnson and not the town they should go to United Way.

Rosemary said town tax bills were sent out a day or two late. The first installment is due August 10. Eben said he spoke to a resident who asked what the town could do to forgive or delay the first installment or forgive interest for flood victims. Beth asked Rosemary's thoughts. Rosemary asked if we would have forgiveness for the entire town or provide an abatement on the affected properties. Eben asked if that would mean a lot of Board of Civil Authority meetings. Rosemary said for abatements, yes. The owners of the trailers that have been destroyed will probably come before the board to abate their taxes.

Beth said she would like to have numbers on how many properties have been impacted and how many owners vs. renters are affected. There was discussion about possible ways to get this information.

The board agreed not to make any changes for now to when the first installment is due. Affected property owners can ask for a tax abatement at any time. Eben suggested people could ask for a partial abatement just for the interest. Duncan said he thinks we should just deal with requests for abatements. Eben said he tends to agree. Rosemary suggested maybe we can get a list of the most affected people and send them a letter.

Mark asked if we have a flood map showing the perimeter. Ron Rodjenski said probably it is inaccurate. But he thinks the state did aerial fly-bys of all the most damaged places. Eben said they are getting as much data as they can. Ron said eventually there will be better maps. Duncan asked if the flood rate maps that determine whether you can get flood insurance have been updated. Ron said they are probably from 1981 or 1982. Duncan said they were notoriously inaccurate.

Beth suggested that she, Carl and Rosemary can connect tomorrow and figure out a good plan of attack.

#### **9. Review Planned Purchases**

Jason said he needs a new grader bit set. He has to replace 50 bits. He would like approval to spend up to \$3,600 out of his budget. **Eben moved to authorize Jason to spend an amount not to exceed \$3,600 for grader bits, Duncan seconded and the motion was passed.**

Jason asked if he can reserve an excavator for grant work in August / September. **Eben moved to authorize Jason to rent an excavator for over \$1,000 from Johnson Farm and Garden to complete grant work, Shayne seconded and the motion was passed.**

Beth asked Jason to find out if Johnson Farm and Garden is charging the town for the light signs and when they need to go back. Johnson Farm and Garden stepped up and delivered and set up those signs for emergency communications. Beth said we would like to keep them up through this week if it all possible.

**10. Future Regular Selectboard Meeting Location While 1<sup>st</sup> Floor Office is Unavailable**

Beth said the college said we can keep using the space where this meeting is being held for now. She thinks we should respect the fact that they will be in session before long. She thinks maybe we should plan to have the next board meeting at the college and we can brainstorm other possibilities. She is not sure we will be able to meet in the municipal building for a while. Scott suggested looking into using the Jenna's Promise building.

**11. Town Administrator Search Update**

Duncan said we had nine total applicants for the town administrator position. Scott Myers of MRI has conducted three interviews. We had two responses for the community and economic development specialist position. One was clearly unqualified. One may be qualified. He will send out to the selectboard a summary of his conversation with Scott Myers. He has already sent out the resumes MRI received. We need to decide if we are happy with the applications we got or if we want to re-advertise either position and we need to decide if we want to hire one person for a combined town administrator/economic development position or hire separately for the two positions. He would prefer not to rely solely on Scott Myers's interviews.

**12. Executive Session for Employee Relations**

**Eben moved to enter executive session to discuss a personnel issue under 1 V.S.A. § 313(a)(1), inviting Rosemary and Carl to stay, Duncan seconded and the motion was passed at 8:06.** The board consented out of executive session at 8:26. No action was needed.

**13. Adjourn**

The meeting was adjourned at 8:26.

*Minutes submitted by Donna Griffiths*