

**TOWN OF JOHNSON
ANNUAL TOWN MEETING MINUTES**

March 5, 2024

Moderator David Williams called the meeting to order at 9:14 a.m.

He announced that the Historical Society has a questionnaire they would like people to complete.

He read communications sent to Beth Foy and Eben Patch from the governor thanking them for their terms of service and their efforts during the flood.

He asked anyone who is not a legal voter in the Town of Johnson to identify themselves. He asked for a motion allowing the town administrator and state representatives, who are non-residents, to address the meeting.

It was moved and seconded to allow town administrator Thomas Galinat, Sen. Rich Westman, Rep. Dan Noyes and Rep. Melanie Carpenter to address the meeting. The motion was passed by a voice vote.

He said those who wish to speak must come to the microphone and identify themselves and reminded everyone that campaigning for any person on the Australian ballot in this building or on the walkways or driveways is prohibited by law. He declared the polls open for voting on the Australian ballot items. He read the town meeting warning.

Article 3. To hear and act upon the reports of the Town Officers and those presented.

Beth Foy thanked Jeanne Engel for all she has done for the community and the library. She said Jeanne has made things happen since the flood. She presented Jeanne with a copy of the town report dedicated to her.

Beth said there are some corrections to the town report. An updated capital budget spreadsheet that was approved by the selectboard is available at the door. There is one line modified that pushes the backhoe purchase and installments out to help save some money. The updated sheet replaces p. 33 of the town report. Additionally there is an adjustment to the tax rate. The printed tax rate change is shown as 2.19 but it should be 2.242. Tom Galinat said the difference in numbers has to do with changes in the grand list. The grand list changes every year. As it goes up the tax rate goes down, and vice versa. As he got a more accurate grand list number it drove the tax rate down. That adjustment is something Johnson has not done in the past. It was something he brought from Peacham.

Eric Osgood moved to accept the reports as presented with the modifications described and the motion was seconded and passed by a voice vote.

Article 4. To establish the rates of compensation for the Town Officers, if any.

Eric Osgood asked what current rates of compensation are. Beth said \$2000 for the selectboard chair and \$1500 for other selectboard members.

Eric Osgood moved to provide compensation of \$2000 for the selectboard chair and \$1500 for other selectboard members. The motion was seconded and passed by a voice vote.

Article 5. Shall the voters authorize total fund expenditures for operating expenses of \$3,375,751.67, of which an estimated \$2,192,185.97 shall be raised by taxes and an estimated \$1,073,565.70 by non-tax revenues?

Eben Patch moved the article as printed. Casey Romero seconded.

Town administrator Tom Galinat said 2/3 of the expenses are paid for by taxes. About \$600K of the remaining million comes from state and federal funding such as state highway aid and PILOT payments for the college. The other \$400K may come from reserve funds or grants. He gave examples of some grant-funded highway work. Sometimes we learn about a grant and find a project that would be eligible for it, like the industrial park project or the public-private partnership with Vermont Electric Coop to put in stormwater infrastructure that can provide stormwater outflow for the industrial park. Sometimes a town group has a need and we try to find a grant to meet the need. Last night when there was a discussion about applying for grant funds to relocate the library, no one said no. It was a beautiful moment when everyone was looking at how to get to yes and preserve that historic building.

Beth said one thing that is not part of the \$1 million non-tax revenue is the \$861K Northern Border Regional Commission Catalyst Grant we were awarded. There will be matching funds the town will need to provide. We will not see the funds in FY25 so the numbers don't include the grant. We will collect the funds when the work begins, potentially as early as this fiscal year.

Beth reviewed highlights of the budget. On p. 20, line 61 is labeled ARPA transfer, with a figure shown in the Estimated Year End column. That is the COVID-related ARPA money we got when the state distributed federal dollars. We got over \$600K. We decided to bring that into our operating budget because if we didn't spend it by a certain date it would disappear. We needed to do something with it quickly so we could spend it later. The year end amount shown isn't the total ARPA amount because some has already been spent. We spent \$46,500 on engineering work for the light industrial park and \$50K was spent to help Lamoille FiberNet bring high speed internet access to everyone.

Our total revenue is \$3.375 million.

On p. 22 line 160, called Selectboard Consultant Services, is about using vendors or consultants for various work. In the current year we expect to spend \$58,500 for engineering study costs.

Eric Osgood asked what the Common Level of Appraisal (CLA) is now, what we have in the reappraisal reserve fund and when we think a reappraisal will need to be done. Beth said as of the end of FY23 (June 30, 2023) we had \$310,780 in the reappraisal reserve fund. Our CLA is 74.15% and the Coefficient of Dispersion (COD) is 22.64. We are proposing to add \$20K of the end of year surplus to the reappraisal fund, assuming we have a surplus at the end of this fiscal year. The board hasn't decided on timing for a reappraisal. We expect we will get a letter from the state saying have to reappraise. We have yet to receive that. Eben said the state has suspended reappraisal requirements for now. Beth said last we heard they were suspended but that will change at some point in the future.

Kyle Nuse thanked the board for its forward thinking in putting money in the grant matching fund. She thinks that is important for the future of the town.

Beth said law enforcement costs are a significant part of our budget – half a million dollars. We typically work with Hyde Park, Wolcott and the sheriff's department to discuss what the increase will be. There is a 3% increase from last year.

Line 318 shows an expense of \$36K for site capital improvements. Beth believes all of that expense is covered by grant revenue.

Kim Dunkley noted the clock expense in the budget. She asked if there are any updates on the town clock and if we will have a town clock that works. Beth said Mark Woodward is the board's clock expert. He had stepped out, so Beth suggested waiting until his return to answer the question.

Beth said lines 377 and 378 are for highway construction projects. Those are largely grant funded.

In the current year spending for culverts is up. We purchased more culverts than usual hearing that costs would go up. For FY 25 we are budgeting less for culverts than this year. We got grant reimbursement for some of the culvert expense.

P. 29 shows allocations to community organizations. There are no changes there. One of the articles on today's warning is about adding an allocation.

P. 30 shows reserve funds and the money in them as of June 30, 2023. It also shows approved reservations from FY23 cash on hand and proposed reservations for FY24 surplus. P. 31 shows current reserve fund balances.

P. 32 shows calculation of the amount to be raised by taxes. It shows an estimate change in the tax rate of 2.19%. As discussed previously, the amount should be 2.242.

P. 33 is about capital expense. The printed copy handed out today is the correct version the board approved. It has a change to line 38. The backhoe purchase will happen in FY27 and payments on the backhoe will go through FY31. That shifts everything out a bit and helps with cash flow.

Beth asked Mark to speak about spending on the clock tower and the future of the clock. Mark said he personally took care of the clock for about 15 years until a couple of years ago. The clock is run by a box of rocks. Once every 8 days he would crank the box of rocks up to the top of the tower and it would descend. What has happened is that the column has moved enough that the box of rocks is hanging up. He doesn't want to go every two days to crank it up. He knows the Masons are talking about reconstructing the front of their building. That is what needs to happen to fix the problem. He met a traveling clock repairman last year who came to town and looked at the works. He said it is a very nice clock in good condition because the works are so old they were made before they could be mass produced. It is just a matter of making it last for 8 days. He is optimistic we can get the tower column straightened out. Until then we won't have a clock that is working. He noted that a lot of people close by would not be excited about the bell ringing through the night.

Lynn Sibley said she is not sure if people know that the CLA contributes quite a bit to our school budget. As CLA goes down, unless we have a reappraisal there is a significant impact on our school budget. There were 2 meetings in the past 3 weeks on school budgets. The first one was pretty well attended. There was a student presentation and dinner was served. At the first meeting for the whole

district no one made a comment after the presentation except her. It is very disconcerting to her that these budgets are being decided in meetings that very few district residents attend. She went to the second meeting about the budget. There were just 5 members of the public there, all from Johnson.

Duncan said Common Level of Appraisal is a term used by the state education department when determining what the statewide education property tax rate should be. For every percent below 100%, the tax rate goes up. What it is intended to do is equalize the tax rates between towns. If our CLA is low our tax rate is higher but if we were at 100% for CLA we would be raising approximately the same amount of money. Legislation last year amended the law. It used to be that there was mandatory reappraisal if a town's CLA fell below 75% but 135 communities were faced with having to do a townwide reappraisal appraisal and there were not enough companies to perform the reappraisals. So the legislature amended the statute. The selectboard will have to consider when we can get a company in to do a reappraisal. There will be more towns this year that need it.

Michael Patch said we just talked about \$500K for the police department. He wants to know what people think about the crime in this town. He has seen more in the last couple of years. He thinks the selectboard should send a letter saying Johnson pays state taxes and we want help from the state police. He asked why delinquent taxes are not cleaned up. We are seeing them outstanding for 5 or 6 years. Beth said they have been extended since COVID. The town took action this year to do cleanup on them. We are in the process of setting up tax sales for some of them. Each year the board looks at delinquent taxes and decides what action to take. She thinks the board hears him. Michael said the town and village did a wonderful job during the flood.

It was moved and seconded to call the question and the motion was passed by unanimous consent.

The motion to approve Article 5 was passed by a voice vote.

Article 13. To transact any other business as may be properly brought before this Town Meeting.

David Williams said the voters cannot deal with questions of the school budget at this meeting, but it is not unreasonable to have discussion on it. He suggested changing the order of the agenda and discussing at this point, for a limited period of time, a single item of other business – the school budget.

It was moved and seconded to change the agenda to discuss the school budget at this point for a limited period of time.

David Williams clarified that there will be an opportunity to discuss additional other business items at the end of the meeting.

The motion was passed by a voice vote.

Sue Lovering said she attends school board budget meetings. She is offended that no one shows up for them. It has been said to her that we have to accept the budget because it's all about CLA, but the bottom line is that tax bills are becoming untenable. The school budget is most of our taxes. They are talking about a 25% increase now. In the future they want a new facility and a new track. We will be

hit with that in a couple of years. We have people on fixed incomes and self-employed people who simply can't pay it. It offends her that we have kids coming out of school who can't add, subtract, write or spell. The US is falling behind on education.

Michael Patch said before Johnson joined the unified union our school district borrowed \$1 million to renovate the Johnson Elementary building. At the time we joined the unified union he suggested paying the taxpayers back but they didn't do that. Did we pay back the loan or did the unified union help us pay back the \$1 million?

Beth Foy said she was on the school board at the time but she doesn't remember the specifics. She does recall that at the time we voted to consolidate it was presented that the taxpayers of Johnson would save money, but we didn't. In terms of debt, the consolidated district assumed both assets and liabilities of the town school districts. She thinks we had paid most of it back at the time of the merger. Michael said no; we hadn't spent it yet. Beth said we put it in a capital reserve fund specifically allocated to the Johnson school building and maintenance before the merger. Once a reserve fund is established, the money has to be spent in accordance with the intent of the fund.

Michael asked, if the money went into the reserve fund, then once we joined the unified union we still had a pile of money we could use for our own projects in town? Beth said yes. Michael asked why we would do that when were becoming part of a consolidated district that was supposed to pay for everything. He wanted to pay back the loan but no one else wanted to.

Lynn Sibley said her concern with education funding is that it is not sustainable. What are we going to do next year when we are faced with the same type of increases? We are dealing with falling CLAs and about \$900K of COVID funding has disappeared. Can this town afford to continue these grant-funded programs after the funding goes away? She doesn't know who will finally say we need to do something. The state has been struggling with this for years. We have tried different funding proposals but she doesn't think we have figured it out yet. How do we get this to change? She doesn't see education funding going down.

Lois Frey said she has attended all the school board annual and budget meetings she could. One problem she has found is lack of communication from the school. One way that could be changed is if more people contacted the school district and asked them to get information out to us. We don't know when school board meetings are. She knows the legislature has some people looking at forming a tax commission to look into how we fund education. That is sorely needed. We need a change and the only way we can get it is if people participate. There were 44 community members at the school district annual meeting and 8 at the budget information meeting.

Chins Turner said he is with the Lamoille County Sheriff's Department. He is a school resource officer who works in schools. He wants to bring to everyone's attention how COVID has impacted the students. There has been a big change in behavior and learning, especially in elementary age students. Schools are seeing a lot of COVID impacts. There is a greater need for teachers to be trained. More teachers don't want to teach. As far as he understands it there is not a lot of increase in expenses but CLA is impacting taxes. There is a lot of increase in need compared to 3 or 4 years ago. It is a tough time to be in the school system. There is a need to increase wages for school staff to attract and hold onto talent.

Jon Gregg said he wishes there could be talk about education and philosophy and spirit. There has to be more to this than taxes and CLAs. Why do we need a new facility? Why do we need a new track? If a student can run fast they will eventually get old and no longer be able to run fast. If they get an education as they get older they might approach wisdom. Education is more than money.

Olga Mardach-Duclerc said she is a homeschooling parent. Her family doesn't receive any of the money taken out of their taxes for education. She thinks the most important thing coming out of this conversation is that we need to make an effort to attend school meetings and ask questions. One of the most appropriate things to do would be to attend these meetings and try to understand where the money is going. If more of us show up she thinks that will make a bigger impact. Some of us will get taxed out of this state.

Walter Pomroy said the selectboard presented a budget that increased about 2%. The school board budget is up over 15%. Every year we hear another excuse about why budgets keep going up. They started new programs using one-time money and they are now embedded in the budget. Sometimes the hardest thing to do in government is to say no. Our governments don't seem to be saying no. It is time for people to say no. We can't afford these tax increases. He urges people to say no.

Ellis O'Hear said on his street three houses are not coming back after being flood damaged. The town will lose revenue. There will be fewer taxpayers. Has the selectboard compensated for that? We are not done flooding. Beth said she can't speak for the school or the state, but the selectboard has calculated what they believe the impact to be on taxes for FY25 and included that in the revised numbers from the selectboard.

David Williams said there are people in Johnson who are trying to gather together the communities in the Lamoille watershed to take action on addressing flooding by looking at the whole watershed rather than town by town.

Article 6. Shall the Town vote to collect property taxes to the Town Treasurer in four equal installments (32 V.S.A. § 4792), as listed below; with delinquent taxes and assessments having charged against them an eight percent (8%) commission after the fourth installment (32 V.S.A. § 1674) and interest charges of one percent (1%) per month or fraction thereof, for the first three months; and thereafter one and one half percent (1 ½%) per month or fraction thereof from the due date of such tax? Such interest shall be imposed on a fraction of a month as if it were an entire month (32 V.S.A. § 5136). Payments are due in the hands of the Treasurer by 4:00 p.m. on the below due dates.

First installment to be paid on or before Monday, August 12, 2024.

Second installment to be paid on or before Tuesday, November 12, 2024.

Third installment to be paid on or before Monday, February 10, 2025.

Fourth installment to be paid on or before Monday, May 12, 2025.

Eric Osgood moved the article as printed and the motion was seconded and passed by a voice vote.

Article 7. Will the voters of the Town vote to exempt the Masonic Temple from the Municipal Town Taxes for a period of five years?

Eric Osgood moved the article as printed and the motion was seconded and passed by a voice vote.

Article 8. Shall the voters prohibit the town constable from exercising any law enforcement authority, in accordance with 24 V.S.A. § 193a(a)?

Eric Nuse moved the article as printed and Doug Molde seconded.

Noel Dodge said he believes the statute in the motion should be 24 V.S.A. § 1936a(a).

Eric Nuse and Doug Molde agreed to amend the motion to change 24 V.S.A. § 193a(a) to 24 V.S.A. § 1936a(a).

Eric Osgood said a number of years ago the town voted to make constable an appointed position. He asked if the selectboard could address the reasoning behind removing any law enforcement authority.

Duncan said at the time the vote was taken to appoint rather than elect, the selectboard adopted a job description that pretty much prevented constables from doing law enforcement activities. This is codifying the job description, which has probably been in place for almost 30 years. Under that job description a constable could not do law enforcement without law enforcement training through the state academy and the town would not pay for that training. It has been brought to our attention that if a constable wanted to pay for training as a law enforcement official they could conduct law enforcement activities in the town. The article closes the door to that option.

Kim Dunkley asked, if we want to leave the door open, we would vote no? David Williams said yes.

Walter Pomroy said we have crime problems. This article is shutting the door and preventing an alternative answer to our crime problems. The selectboard has the ability to appoint the constable and can address this issue. We may want to supplement the sheriff's department. If we pass this motion it would require a vote at another town meeting to undo this. He doesn't see that we have a problem that needs to be fixed right now. But if we pass this motion we may need to take action to fix our crime problems. He doesn't see a need for this motion. He feels we should defeat it and leave the door open to address crime issues with constables.

Jackie Stanton said we have heard a couple of times now about a rising crime rate. She is aware that this is a perception people have. She hasn't seen any data that supports the perception. She is wondering if that data exists.

Beth said what she has heard is more subjective. She suggested maybe someone from the sheriff's department would like to speak. Sgt. Chris Watson gave statistics for the past year of the numbers of different types of crimes, tickets, etc. in Johnson. Beth asked if he knows how that relates to 10 years ago. Sgt. Watson said the numbers have gone up across the board. There was a question about how that compares to other towns. Sgt. Watson gave the statistics for Hyde Park and Wolcott, both showing lower numbers in most categories. David Williams noted that this information can be found on p. 83 of the town report.

Jon Gregg asked if Sgt. Watson can be more specific about how much crime rates have gone up. Sgt. Watson said he can't give specifics. Jon asked if in his own daily experience he feels he is seeing a lot more crime. Sgt. Watson said yes.

Michael Patch said a constable wouldn't be the same thing as a sheriff or state trooper. There are liability risks. If they make a mistake or arrest the wrong person he doesn't think this town has enough money to fight it. He thinks we need professionals. He has lived most of his life in Johnson. He has seen 2 murders, 2 shootings and a rape all within a mile of where he lives. He would like Sgt. Watson's opinion on having a constable help him.

Sgt. Watson said the initial and continuing training required for law enforcement officers in Vermont keeps going up. He thinks it would be very difficult for a constable to maintain that training. The only way they can get training through the police academy is if the town sponsors them. That is now required.

Ellis O'Hear asked if the constable position is paid. Beth said it is paid hourly. Ellis asked, when the constable incurs hours the town pays him? Beth said yes.

Kim Dunkley said she just wanted to keep the door open. She is not saying we need the constable to do law enforcement right now. She just did not want to shut the door.

Eric Nuse said he is a retired game warden. He was a law enforcement officer. He agrees with Michael Patch that this town doesn't want to take on the liability of oversight of a law enforcement officer we appoint. The selectboard would oversee the constable but we really need a professional that knows the law for that oversight. The board doesn't have that kind of knowledge. He is in favor of this motion.

Duncan said Eric makes a good point. But he thinks without this motion a constable would be allowed to enforce laws without the oversight of the selectboard. They could do it on their own authority but the town would be on the hook for any liability for wrongful arrest, civil rights complaints, etc. Legal expenses associated with defending such a suit would all be on the town. He agrees about the professional nature of the work. He thinks we should have professional enforcement.

It was moved and seconded to call the question and the motion was passed by a voice vote.

The motion to approve Article 8 was passed by a standing vote.

Article 9. Shall the town establish a reserve fund to be called the Paving Reserve Fund to be used for paving and paving maintenance in accordance with 24 V.S.A. § 2804, to be funded by any one or a combination of: a dedicated budget line item, year-end balance(s) from paving budget line items, or reservation of year end budget surplus?

The article was moved and seconded as printed.

Beth said this is about putting money aside to help with paving expenses so big chunks of money are not coming out of the operating budget and affecting taxes. Instead, the expense would be spread over time.

Katherine Torrey asked if there are any plans for paving dirt roads. She hopes not. She doesn't want her dirt road paved. Beth said she also doesn't want her dirt road paved. The current selectboard has not discussed paving any dirt roads.

Al Beard said he lives on Clay Hill Road. He heard upgrades for Clay Hill mentioned today. He is wondering if the town will blacktop what was just accomplished. Eben said there are no plans that he knows of to do any more paving on Clay Hill. There are some ditching projects planned.

Kyle Nuse asked if we can hear what the paving plan is for the next year or two.

Eben said we don't have a 5 or 10 or 15 year plan but given the money there is, his guess is that there won't be paving this year. He is hoping there will be a plan for some paving next year. There might be spots where some paving maintenance will be done. The board is not talking about adding paving mileage, only repaving.

Tom said he spoke to Jason Whitehill this morning. The roads that look to be up next for paving are Railroad Street and River Road East. We are also looking at some other Class 2 roads. He and Jason will be applying for a \$175K Class 2 paving grant. Whether it comes in FY25 or FY26 depends on the timing of the award. He noted that if we are going to pave we have to make sure we resolve drainage issues in shared rights of way. That relates to the next article.

Duncan said at one point we did have a paving plan. It is his hope that we can reestablish it. For the past couple of years we have held over some money from cash on hand to pool with the following year's money to fund a larger paving project. This is a way of clearing up that process and allowing the town to pool money from multiple years for a project.

The motion was passed by a voice vote.

Discussion with Legislators

The moderator invited Sen. Rich Westman, Rep. Dan Noyes and Rep. Melanie Carpenter to address the voters.

Rep. Noyes read a House resolution honoring Beth for her public service and leadership. There was a round of applause.

Sen. Westman said the huge amounts of money we got from the federal government for COVID are going away and people are having to move back to where our only money is what we raise ourselves. It is rather difficult to get people to understand that there isn't that amount of money out there. It is dampening down everything the legislature can do. Demographics are still moving in a direction that is making it more difficult. We have 17,000 fewer people working in Vermont than in 2010. The population is getting older. We require more home health services, nursing homes and human services. There is a clash between having fewer people working and needing more revenue for aging people. He thinks this will rank as one of the most difficult periods to put together a budget that he has seen in his years in the legislature. There is a similar situation at the local level with school budgets.

Rep. Noyes said he is on the human services committee. They work a lot with the Department of Disabilities, Aging and Independent Living. They had to provide \$17 million in extraordinary financial

relief to nursing homes to keep about 17 of them from going out of business. Medicaid reimbursements coming in are small compared to their expenses. Making sure nursing homes, home health agencies and small residential care facilities have what they need to be able to provide care to older Vermonters will continue to be an issue. A rate study was done and we are about 60% below what it actually costs to deliver services. His committee has also been working on some legislation this year around child protection services. There is a bill dealing with children who have been abused or neglected and how the perpetrators are substantiated.

Rep. Carpenter said she was appointed this time last year. One thing she has seen is a lot of creativity. There is no new money coming. She is on the healthcare committee. It was exciting to her to see that in 2024 so far there have been 259 applicants for the Vermont Nursing Forgivable Loan Incentive Plan, a program to help build a stronger nursing workforce. People who participate in this program can have their loans paid for. For every year of payment they have to work for a year in Vermont as a nurse. In her committee's budget adjustment they supported the governor's request for 5 additional healthcare workers to be in police barracks around the state, bringing the number to 12, and also funding support for agencies that provide healthcare and mental healthcare to our communities.

Michael Patch said there are towns that are putting in pervious pavement. Could the state and the selectboard fund pervious pavement that prevents water runoff? Is there anyone who wants to work with the town on that or talk to the selectboard about it? Sen. Westman said this is the first he has heard of it. He can talk to the Agency of Natural Resources and see if that is something they are working on. He thinks the 3 legislators would be happy to set up conversations to talk about that. Rep. Noyes said there are new stormwater runoff regulations coming into effect that he has been getting a lot of feedback about. He thinks we do need to start talking about pervious pavement. Sen. Westman said stormwater runoff has become a real problem for building and expanding housing projects.

Eric Nuse asked for an update on the status of the college. Rep. Noyes said they are in the middle of their transformation plan. Changes have hurt enrollment. He will be interested in their next steps. They have a new interim president. Hopefully we will see enrollment pick back up. Rep. Carpenter said last week Workforce Development people were talking about the Johnson campus. There is a lot of interest in the nursing and dental hygienist programs. They will be propping up the mental health counseling degree. Sen. Westman said this is the third year of one-time funds for transformation of the college system. The new nursing program will be the first master's degree program for nurses to open in at least the last 10 years in this part of the country. The Johnson campus educates the vast majority of mental health workers in the state with a bachelor's. They haven't had as strong a master's degree program. That will be moving in there. He thinks one reason we are seeing fewer students on campus is that a lot more students are taking online classes than ever before.

Sally Cole said she is glad to hear strides are being taken to take care of the elderly. It would be nice for young people to have a reason to stay in Vermont. The rise in crime concerns her. We know there are huge issues with opioids, other drugs, alcoholism and depression. Does the state have thoughts of getting more trained alcohol and drug counselors and treatment facilities? These issues are drivers of increased crime rates.

Rep. Noyes said quite a bit of money is coming in right now from the opioid settlement fund. A lot of that money can be used to help with the opioid epidemic, which is getting worse. Sen. Westman said the state has put a lot of effort into the hub and spoke program and all the addiction programs. In this community a fair amount of money is going to Jenna's Promise. Part of the problem is that we can't

train people fast enough to go into the workforce. But there is tremendous effort in those areas. Rep. Carpenter said last week the healthcare committee was looking at creative solutions. One was around peer support and finding a way for people already working in the fields of substance use disorder or mental health to get licensure so they can draw down federal reimbursement money.

Molly Zapp said she is wondering if any of the opioid settlement funds could be directed to children of people with substance use disorder. She works with the Lamoille Restorative Center, dealing with youth who struggle with school attendance and behavior. The vast majority have substance use disorder in their household.

Rep. Noyes said yes. How the money will be allocated is just starting to be decided. We are still expecting more to come in from other manufacturers. He thinks Molly is right that this is the kind of thing we need to think about – helping not only people who are addicted but also their families. Shayne Spence said one thing the opioid settlement advisory committee recommended to the legislature for funding was additional school-based student assistance prevention specialists.

Athena Parke said she wants to advocate for affordable housing. A lack of affordable housing is the number one thing driving young people out of the community. A lot of rental housing in Johnson was damaged by the flood.

Beth said Rep. Carpenter spent many hours in Johnson helping flooded families. She thanked her for that. There was a round of applause.

Lunch recess

The meeting was recessed for lunch from 11:43 to 1:01.

Article 10. Shall the voters of the Town of Johnson authorize their Selectboard to prepare (or have prepared) and act upon a Preliminary Plan for Merger with the Village of Johnson in accordance with the provisions set forth in Title 24, VSA, Chapter 49?

David Williams said he was approached during lunch break by a person who is providing childcare upstairs. She wanted to be part of the vote on this article. Since she is doing a public service he told her he could submit her vote for her. Are there any objections? No one offered an objection.

The article was moved and seconded as printed.

Geoff Corey said when he first heard about the merger he was very confused and he is more confused now. He doesn't know what the town or village will gain by it other than having a united selectboard. He asked if people who are for it can itemize what they think will be gained.

Shayne said he will speak for himself, not the selectboard. Part of the reason this was brought forward was because a lot of us have questions about the benefits and downsides of a potential merger. Previously both town and village approved conversation about a merger. That has taken place in fits and starts. He doesn't believe we have all the information needed to come to a full decision. That is what we would gain from voting yes on this article – more information on the pros and cons and what each side would stand to gain or lose.

Geoff said there have to be reasons for the merger. What can be gained for the village and the town? Shayne said this plan is seeking to answer those questions. He doesn't know if anyone can give full information on what either side stands to gain or lose. Geoff asked, then why bring it up?

Beth read some information put together by Duncan. The selectboard was served with a petition to include this article on the warning. The selectboard takes no official position on the article. They feel it should be discussed and decided by the voters. Article 11 was added to clarify what action the selectboard should take if Article 10 is approved. It would add \$60K to the amount to be raised by taxes to be expended for the purposes of Article 10. The selectboard believes hiring a neutral third party to develop a preliminary plan is appropriate. If Article 10 is defeated Article 11 can be passed over. A preliminary merger plan must be approved by the legislative body. An actual merger requires additional steps. Each municipality – town and village – must have at least 2 public hearings. A majority of voters of both municipalities must approve the merger by Australian ballot. It also requires approval by the Vermont legislature. According to 24 V.S.A. § 1483:

The plan of merger shall include provisions relating to structure, organization, functions, operation, finance, property, and other appropriate matters; shall include special provisions contained in a charter of any municipality included in the plan, which provisions are peculiar to that municipality, and which it is desired to retain as charter provisions of the consolidated municipality; and shall include adequate provisions for the satisfaction of all obligations of the parties concerned. The plan shall provide that any area or group of voters in the consolidated municipality or town may have special services, not common to all the voters in the municipality or town, provided for them, if so voted. All costs of whatever nature required to support these special services shall be paid for by the taxpayers receiving these services, by a tax on their grand list, to be assessed annually by the selectboard or the equivalent officers of a municipality, or in such other manner as the selectboard or the equivalent officers of a municipality shall determine. If the costs are to be paid by a tax, such tax shall be paid and collected in the same manner as other taxes and such tax assessed on their grand list shall be a lien thereon.

Olga Mardach-Duclerc asked how the amount of \$60K was established. Would it be possible to fund the study outside of raising taxes through crowdfunding or fundraising for voluntary contributions?

Eben said he reached out to the company that did the preliminary merger study to ask about the cost of preparing a plan. They suggested that \$80K would pay for a merger plan. The selectboard compared the grand lists and populations of town and village and decided to propose paying \$60K thinking maybe the village would contribute \$20K. One other firm Duncan reached out to gave a rough estimate of \$50K.

Michael Patch said over the years there have been many discussions of merger. With the history of Johnson, why would we decide it was worth spending \$60K? How many times have we brought discussions of merger up over the last 30 years?

Beth said the selectboard and trustees have met to talk about what a merger would mean. They have addressed the math at a high level and talked about getting lists of assets. The discussion is available in minutes on the website.

Eric Osgood said from what he can recall it seems like the first discussion happened in the early 90s. One or the other of the bodies, maybe both, decided not to proceed. In the early 2000s the idea came back again. A member from each board – Howard Romero and George Pearlman – looked at pros and cons and came back with a recommendation not to merge. The current discussion has been simmering for 3-5 years.

Margo Warden said she has talked to a lot of current and past selectboard and trustee board members trying to decide what she thought about a merger. What really helped her was something posted by Donna Griffiths on Front Porch Forum on February 27. She read parts of it:

I've been taking meeting minutes for the Johnson selectboard and village trustees since 2012. For 12 years I've gone to every meeting of both boards and that gives me a perspective not many other people have. . . . The current structure doesn't make sense. Almost nothing the village trustees are responsible for affects only village residents. The village fire department serves the whole town. The village electric utility has customers outside the village. (And those customers have no say in electing the people who make decisions affecting their rates and service.) The village sewer utility has customers outside the village. Maintaining sidewalks and storm drains downtown is a village responsibility, but it benefits everyone who goes downtown, not just people who live there. . . . And the current structure is too complicated and inefficient. Village and town responsibilities are so interconnected that many decisions and actions require the involvement of both village and town. It's hard for the two boards to find time to meet with each other and they have an incomplete understanding of each other's operations and priorities. It's a recipe for slow action, miscommunication and conflict. Nearly every meeting of either board includes issues that could be dealt with more quickly and easily if there were only one board or that wouldn't even exist if town and village were merged.

Michael Patch said he would want to see the selectboard and the village trustee board sit together at a meeting and agree they want to merge and then come to the taxpayers with a plan without spending \$60K on it. Why spend \$60K to find out that it isn't going to work because we have not researched it very deeply? He doesn't think it will work but that is just his opinion.

Kim Dunkley said she understands that some cons to the merger have to do with there being things about the way town and village are structured now that make it work. The biggest thing she wants to see from our town and village is people who are able to help you when you call up and don't say, "Sorry, that's the town" or "Sorry, that's the village." She wants it to be one connected community. That hasn't been the case in the past. And she wants boards that are willing to make connections and work together.

Chris Turner asked for clarification on the meaning of the article. It talks about creating a plan and acting on a plan. Does voting yes on Article 10 commit us to a merger? Beth said no. The article is about acting on creating a preliminary plan, not acting on merging.

Charlie Gallanter said he is opposed to giving the selectboard any more duties. They meet twice a month and have a lot on their plate. He thinks adding the fire department, water, electric and sewer to their plates is asking too much of 5 volunteers.

Doug Molde said the relationship of the village to the town is dysfunctional. The town is responsible for all the streets in the village and the village is responsible for sidewalks, storm drains, and curbs.

That keeps work from getting done. He read through all the materials related to Kent Gardner's study. The studies done have been completely inadequate. None have looked into cost savings of avoiding duplication or the question of how we are arranged and our separate responsibilities. The original bid from the only firm he felt was competent was \$32K. The village contributed \$4K and he thinks the town put in \$6K. We renegotiated and got a proposal and a report that essentially said the town and village are cooperating. There was no look at cost savings or duplication or how things would work better given the dysfunction of the original setup. He is hesitant to say he would vote for a plan if it came forward because it depends on what is in the plan. But with the economic problems in our communities we really should look at the potential cost savings we might have in the future. It is way above our boards' pay grades to do this study themselves.

Ken Tourangeau, chair of the village trustee board, said he disagrees with Donna Griffiths on overlapping of responsibilities. Since he has been chair he has worked well with the chair of the selectboard. People say they go to one board and then get told to go to the other. That could be resolved by calling the town clerk's office. It is easy to find out who controls what. Committee members talk about having to go to one board and then the other. Most committees in town include prior members of the selectboard or the trustees. They should know. We have already spent more than \$10K on a study. Now we are looking at spending another \$60K plus \$20K. He and Beth have had many conversations. When joint selectboard-trustee decisions are needed they have put them on agendas and dealt with them quickly. The selectboard wouldn't have wanted to deal with the village situation during the flood. Are we going to keep spending money to try to keep a few people in this room happy? A lot of people work during this time and can't come who he is sure would have different opinions. We have to look at the overall goal. The town won't take the utilities in a merger. The state won't let that happen. The utilities would go to a utility commission. Coming up with \$60K means a guaranteed tax increase. We were told the school merger would reduce cost. Has any merger that has happened reduced cost? Waterbury town and village merged and it cost residents more in the long run. Are we going to argue over who controls storm drains, the fire department and sidewalks? We have a well-oiled fire department that worked hard during the flood. It costs money to make this happen and there won't be much improvement. He wishes people would really consider the fact we have a big expense coming up in school budgets.

Walter Pomroy said he was a village trustee for 16 years. He read from the only independent merger study that has already been completed, which is available on the town website:

Public services provided to the Johnson community have evolved over time, with some provided by the village and some provided by the town. Many services are already shared, for which the community should be commended. The division of responsibility is quite complete and we see little costly duplication.

An independent voice has already done a preliminary review and they did not find anything that needed to be acted on or that was of dire consequence. The village was created in 1894 to provide basic services to people in the downtown area, mainly utilities. The village does this very well in a cost effective manner. The village may be smaller in square footage than the town but its budget is \$3.8 million and the town's is only \$3.4 million. The village is a bigger operating entity. A merger doesn't mean the town takes over a few sidewalks and a fire department. We are talking about a major transformation of how things are done. If you get into all the contracts and ownership assets related to the electric department, that is going to be expensive. That will have to be paid by taxpayers, not ratepayers. The village does a few basic functions and does them well. The community has elected

people to run the village. They follow the village voters. People keep asking the village trustees to do more. The trustees keep saying no. People say there are squabbles and disagreements. Let the village do what the village does and let the town do what the town does. Already we have heard the selectboard is going to expect the village to pay \$20K for a merger plan. Last time it was the community and economic development position. That is not the village's responsibility. That is the town's responsibility. Keep the two separate and then the squabbles will go away. Selectboard meetings could get longer and more contentious if we combine these two organizations. The village has operated for over 130 years and has done its job very well. Most utility customers are village residents and voters. Yes, there are a few outside the village. The village listens to them. They do not ignore the customers outside the village boundaries. Leave the utilities as they are. How many people can go to the president of Green Mountain Power and complain? Village of Johnson customers can go to Ken Tourangeau. If there is any problem at all it is that people keep expecting more out of the village. The taxpayers will lose in this situation. He hopes people vote no.

Olga Mardach-Duclerc moved to call the question and the motion was seconded and passed by a voice vote.

More than 7 people requested that voting be by paper ballot. The number of ballots cast was 104. Of those, 51 were in favor, 52 were opposed and 1 was spoiled. **The motion to approve Article 10 failed.**

Article 11. Shall the voters of the Town of Johnson authorize the Town to raise, appropriate, and expend up to \$60,000 for the purpose of Article 10, contingent on the voters of the Village of Johnson approving a similar article to Article 10?

This article was passed over as Article 10 was not approved.

Article 12. Shall the Town of Johnson vote to raise, appropriate, and expend the sum of \$1,500.00 for the support of River Arts to provide services to residents of the Town?

The article was moved and seconded as printed.

Kyle Nuse, development director at River Arts, said it is a 501(c)(3) nonprofit community arts organization founded in 2000. It serves all of Lamoille County and northern Vermont. Its mission is to enrich the community through the arts. Its core operating value is "Arts for Everyone, committed to making art accessible no matter race, gender expression, age, ability, or financial means." In 2023 they offered 125 free community events, tuition based art classes, summer camps, gallery openings, and meaningful partnerships with area organizations. In 2023, 56 Johnson residents signed up for workshops or classes and 267 more participated in free events. They awarded over \$30K in scholarships to their classes and camps. They never turn anyone away because of financial means. They are asking the 4 towns whose residents use their services most to invest in their mission with town appropriations they can count on every year. She read a statement from a 2023 Johnson summer camp parent saying that their kids attended summer camp with financial assistance from River Arts and really enjoyed it.

Lois Frey said she appreciates what River Arts does. She thinks they do a great job. But she doesn't support the article because it is adding a new organization to the outside organizations our town

supports. They are all worthwhile but we have to make decisions. The town Conservation Commission gets \$1500 a year and their budget was cut this year due to budget limitations, as was every town organization's budget. She is hesitant to add one more organization to support, but she does appreciate River Arts.

Scott Meyer said p. 29 of the town report has a list of all the organizations we give to. He is not for or against the article; he is just bringing that up for information.

Jackie Stanton said she can't say enough about what a treasure River Arts is for our region. It is surprising to her that we haven't contributed to it before now. There are many benefits of arts for our community. She works with the Lamoille Family Center. They partner with River Arts to use the River Arts venue and a lot of their equipment for a weekly playgroup, which is very successful and joyous. There are probably 20-some children with their parents and caregivers there every week. She hopes people vote for the article.

Jan Gearhart said River Arts adds value and joyousness to our community. They provide art classes and free events for people ranging from children to the elderly. She would like to support them with \$1500 from our town.

Isaac Eddy said he was on the River Arts board for many years. He teaches performing arts at Vermont State University – Johnson. He is losing his job because they are cutting performing arts on his campus. He supports giving River Arts money for arts literacy. The arts are more important for everyone now than ever.

The motion was passed by a voice vote.

Article 13. To transact any other business as may be properly brought before this Town Meeting.

Paul Warden said he is the Johnson representative to Lamoille FiberNet CUD. He thanked the selectboard for their support through ARPA funds. Lamoille FiberNet has a report on p. 107 of the town report. The CUD is grant-funded. Those grant funds can only be used to reach underserved and unserved addresses. In order to build to those addresses they have to pass other addresses. He encourages people to preregister with Fidium for service. That can incentive them to build to your area sooner. There is no commitment.

Paul said the Planning Commission report is on p. 45 of the town report. The Planning Commission worked on an updated municipal development plan. They did a survey earlier this year which was very helpful and affected their recommendations. The plan will be finalized later this month and then turned over to the selectboard. The Planning Commission will hold a meeting for input and then the selectboard will hold meetings. One recommendation was to consider modifying form based code, which is about how buildings look. The concern raised was that the flood proofing suggested for the former Sterling Market building may not meet form based code. The DRB has some discretion but it is unclear how much. The Planning Commission suggests revising form based code to allow the DRB to grant exceptions to form based code standards for purposes of flood proofing and flood resiliency.

Paul suggested a non-binding vote on the following question:

Shall the voters of Johnson authorize the selectboard to initiate the process to modify form based code to clarify that the Development Review Board has the authority to grant exemptions to the building envelope standards and other form based code requirements for the purposes of flood proofing and flood resiliency?

It was moved and seconded to authorize the selectboard to initiate the process to modify form based code to clarify that the Development Review Board has the authority to grant exemptions to the building envelope standards and other form based code requirements for the purposes of flood proofing and flood resiliency.

Duncan said he is not opposed to the idea behind the motion but wouldn't modifications to the code properly be something the Planning Commission would draft and put before the selectboard? Paul said that is another way to do it. He just wants to get an expression of interest from the citizens. David Williams said this motion is merely a recommendation, not a mandate.

Kyle asked if this is in response to the new market wanting to build a 6 foot retaining wall. Paul said not specifically. The initial discussion was that under form based code 60 percent of the front of a building has to be glazing and windows have to be 5 feet tall. Windows on the front of the market probably would not be that tall if they do what they have planned.

Charlie Gallanter said he is a member of the Planning Commission and it is news to him that this is being put forward. One of the problems with this is that zoning bylaws need to originate with the Planning Commission. They draft them and have 2 public hearings, then they forward them to the selectboard and trustees, who have to have their own hearings. Paul said that is true. This is non-binding. It is just an expression of interest and concern.

The motion was passed by a voice vote.

Beth asked that those present or their friends and family seriously consider volunteering for a committee or commission. On pages 8, 9 and 10 of the town report there are lists of different appointed or volunteer roles. We always have a lot of vacancies.

Tom said last year at town meeting the voters approved \$50K for a community and economic development specialist. Randall Szott has been hired for that position. He has been very successful so far, especially with the light industrial park and helping committees getting grant applications approved. His experience working with state government has been valuable to us. Tom thanked the voters for approving this position. It makes his job easier.

It was moved and seconded to adjourn and the motion was passed by a voice vote at 2:44.