

JOHNSON SKATEPARK & BIKE TRACK COMMITTEE MEETING MINUTES
MASONIC TEMPLE, PEARL ST., JOHNSON/REMOTE ATTENDANCE BY ZOOM
TUESDAY, MARCH 13, 2024

Present:

Committee Members: Casey Romero, Howard Romero, James Whitehill, Alexis Daniels (via Zoom)

Others: Sheila White, Kyley Hill, Carol Davis, Dave Perry, Lois Frey, Rod Rodjenski (via Zoom)

Absent: Rick Aupperlee, George Swanson, Greg Fatigate

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Casey called the meeting to order at 5:34.

2. Draft Minutes of February 13, 2024

James moved to approve the minutes of February 13, 2024, Howard seconded and the motion was passed.

3. New Grant Info

Casey said a lot of new money (\$530K) came into the town via a new state ARPA grant. Randall Szott and Tom Galinat are talking with the Vermont Community Foundation. They have an unspecified pot of money they want to parcel out to the towns hardest hit by flooding. We can apply for a collaborative grant up to \$10K that would come out of that pot. They are suggesting we might ask for \$5K. That is a competitive grant called the Arts and Community Places Grant. Community places are places where people gather. The last time Ron Rodjenski, Tom Galinat, Dean Locke and Casey met to talk about the FEMA process they started talking about using the whole parcel that includes the skatepark. That brings in the Conservation Commission and the community garden. It could potentially bring in the library if there were an education or art project that would take part partly at the library. The grant is meant to support recovery costs to some degree and also to celebrate work tied to the flood. It could fund an event. They give the example of an art center reopening. Casey started an email chain about this and Dave Perry described some work and materials he would like for the community garden. Dave said he would like work done by a tractor with a tiller and he would like some cover cropping to be funded.

Casey asked what happened with the Conservation Commission's plans to make wildflower paths at the park. Lois said the Conservation Commission was working with Bee the Change. Bee the Change did come and get everything laid out. They got behind schedule. The beds got tilled but her recollection is that they were going to come back one more time and then it was flooded. Noel Dodge did some work on one of the 3 parcels for wildflowers. Now the Conservation Commission is ready to plant but they don't have funds. They weren't originally going to pay for it. They didn't seed the beds but they can see if anything is coming up on its own.

Casey said applications for the Art and Community Places Grant are due April 30. They will announce grantees in June.

Lois said she has tried to communicate with Bee the Change and hasn't heard back but she hasn't heard that they are not operating anymore.

Kyley said at one point Tom was talking about taking fill out of the park. She believes the area he was talking about taking it from was the area with wildflowers. She is here because she is scared. When the water rises on her lower lawn it stops and fills the skatepark. She has researched all skatepark

meeting minutes. Act 250 says everything brought in needs to be brought out. The last Act 250 permit was from 2017. She can't find where anything was brought out but dirt and concrete has been brought in. Talk about more concrete coming in scares her. The flood in July was 2 inches from her floor. She asks the committee to please think about where they are putting things. She thinks recreation is important, but at what cost?

Casey suggested saving for later the topic of what will be built later on. The committee wants to plan the work carefully. It has to be in compliance with floodplain regulations. Kylie said it's not in compliance now. Ron said if there is a compliance issue that should be separate. What is going on now is the current project and the FEMA damage assessment. Another separate thing is the question of what will be built in the future. Casey said the future development part will be done slowly and will involve neighbors. Nothing can be done unless it meets the new floodplain regulations. The committee wants neighbors to be involved in planning. But right now we are discussing a small grant for this summer. The only part of the skatepark involved is the half pipe and the grass around it. She knows there is material that has been waiting on site. But by the end of building the half pipe cubic yardage equal to everything going in will be brought out.

Kyley said there is existing concrete that was added with no soil ever taken out. The Act 250 permit from 2017 said any concrete added was supposed to have an equal amount of material taken out. It should already have been removed. Before moving on to another project she would like to see the last project completed.

Casey said the 2017 Act 250 permit was for the bike terrain. There are no Act 250 permits from before that because the town never talked to the committee about Act 250 being required to make improvements. The proposed half pipe project was reviewed by Susan Baird for Act 250. She looked at the plans and said we don't need a new permit for the half pipe because we know what will go in and what will go out.

Kyley asked if they are okay with the fact that required work prior to that wasn't done. Casey said the discussion was only about the half pipe. She thinks the committee and the town should talk about the prior work with people in the neighborhood. It is her understanding that the town never applied to Act 250 for any of the development that went on there prior to 2017. The committee didn't know that needed to be done. Howard said we can remedy this as soon as we build the new half pipe. We can remove enough soil to compensate for the concrete and dirt already there. That will only be a couple of months from now. Kyley said it makes sense to her to take out the material for old projects before bringing more in.

Casey said Dean Locke suggested an idea that may remove more material from the skatepark – putting a pump track at Old Mill Park to attract rail trail visitors. He has talked about taking material from the skatepark and using it in Old Mill Park to build a pump track. But that is a longer-term planning discussion, not related to this grant.

Casey said the committee wants to fix the issues Kyley is talking about. The place to do that is as part of the longer-term restoration work in the park. Carol Davis said she feels the committee needs to take care of the old issues before starting more work. Howard said we can ask the town to remove soil now. We can't direct them to do it. Carol said we could have another flood tomorrow – who knows? Casey said she thinks the committee should work with Ron, Tom and the selectboard to identify how much volume should be removed for past projects. Kyley said she thinks new plans should wait until

existing problem are taken care of. The neighbors pay their taxes. What happens at the park can affect their lives.

Casey said the committee already has a signed contract to build the half pipe with dates. That will happen and the timing can't be changed. But there is no reason we can't figure out how much material should be removed for past projects. That would have to be worked out with Scott Meyer, Tom Galinat and the selectboard.

Sheila White said quite a few months ago at a meeting at the college the town said they were going to remove 8 to 10 loads of fill. Casey said she thought that material was going to be used for the grass berm around the half pipe. Sheila said when they found out that material was not supposed to be added to the site they asked Jason that night to remove it, but nothing happened. Howard said the selectboard are the people who can make it happen. Casey said in May and June that material will be needed for the grass berm surrounding the half pipe. Maybe it can be moved to where the half pipe will be, farther from the neighboring houses. Kyley said it doesn't matter what spot it is in. It is all part of the area that floods.

Casey said this is useful discussion. But in the interest of tonight's agenda and the people here for the current agenda item, she wants to finish talking about the grant. Howard suggested that the neighbors get on the selectboard agenda. Sheila said they have asked and gotten no response. She doesn't think the selectboard is ready to answer the questions they have.

Casey asked Ron for process suggestions. Ron said we always want to start with compliance but that is not the committee's responsibility. The town administrator and selectboard are the ones who have the power to comply. Regarding prior compliance he thinks the town administrator would be the first one to talk to. Make sure he understands what the compliance issue is. Most likely the selectboard will have the contractor working in the park this summer remove what is needed for compliance at the same time the other work is done. Sheila said Tom asked the neighbors to type up the questions and send them to him. They did that a couple of weeks ago and haven't heard back. She thinks he is trying to get his own information. Casey said she will work with the neighbors to talk to Tom and ask how to address compliance.

Lois said what the Conservation Commission is doing would be supportive of flood abatement so they would like to be able to go ahead. They are not planning on bringing anything in but seeds.

Casey said the garden just wants to till in manure. Dave said the soil is very compacted due to the flooding. Casey asked, the work he wants to do this summer won't add volume, it is just tilling and enriching? Dave said it is not adding anything.

Casey said the selectboard has to approve any grant application. Tom is putting this on the selectboard agenda for next Monday. If the selectboard approves applying for the grant she would end up doing a lot of the grant writing. It is a pretty simple application. The application would be looked at by Dean and/or Tom and then submitted. The decisions are communicated in June. An event funded by the grant would happen in July.

Casey said it sounds like the Conservation Commission and the garden would be interested in some grant-funded activity. We would like to have an event in July to celebrate the half pipe. We may need more money for removing more material. If there is basic agreement to go ahead with applying for the

grant we can start defining it. We want to focus on what can happen on the skatepark parcel. We don't have to decide tonight. Garden prep would have to be done before we get the money but she is fairly confident we can get at least \$5K. If Dave can identify before Monday the costs for doing the work at the garden, that would be very helpful. Greg Fatigate could do the tilling with a rented tiller. Dave said he will check on prices to rent one.

Lois said the Conservation Commission will probably need to till the beds where they wanted to plant wildflowers because of all the floodwater. There is a good chance they will need to purchase seeds. They haven't heard back from Bee the Change. But she wants to keep working with Bee the Change as well as with anyone else who has money.

Sheila said the new bat house is beautiful but it got twisted from the pressure of the floodwater. There might be work to do on that. Lois said maybe the Conservation Commission could get another bat house. They are meeting tomorrow night and can talk about their needs. Casey asked if Lois can get a list to her by Monday. Can Lois go to the selectboard meeting? Lois said she is not sure.

The committee agreed to ask the selectboard for permission to apply for an Arts and Community Places Grant.

Casey said the first step in addressing soil removal for earlier work is talking to Tom. She will talk to him tomorrow. Kyley said he has a list of questions from the neighbors in February. She can send the list to Casey.

Howard and James said they can do volume calculations on what is already in the park. Kyley said she and possibly other neighbors would love to be there when that happens to point out things they think should be included.

James said it should be taken into consideration that we did get rid of a lot of volume after the flood. All the wooden structures were taken out. Kyley said there is still some debris in the woods and fields.

Ron said currently we are working on collection of damage data that has to be approved by FEMA. A cost estimate has to be developed. It is subject to audit review by the Consolidated Recovery Center, an audit team that looks at everything the town has put together and decides if it is reasonable. Once we get a total cost estimate for damage we will have that amount to put things back the way they were before the flood. Or we can build in resiliency. Adding concrete at the skatepark is an example. Concrete is more resilient. Resiliency work cannot decrease the flood-carrying capacity. If we choose to build in resiliency FEMA will give us double the amount of the damage cost estimate. We have the option to pursue resiliency at the skatepark. Concrete came up as the logical resilient material. The first step is to get the cost estimate. Then we propose resiliency to FEMA and get their agreement so they allow the extra 100% to be applied. He asked Casey to give him information about the master plan for the whole park, including the gardens and overall flood mitigation opportunity. For instance, perhaps we could lower the elevation of the part of the parcel not planned to be used for community improvements. He left that project to Casey and the committee. Having that master plan positions us to take advantage of whatever grant programs come up. There are some other grant possibilities.

Howard asked if the field between the skatepark and drainage swale is wetlands. Casey said she thinks it is designated wetland. If so, not much can be done in that area. Howard said it looked like that to him based on the vegetation.

Casey asked Ron if we can do temporary work on the fence. Ron said FEMA allows temporary repairs. For instance, we could clean off the fence and straighten it out. But once we make permanent repairs we can get more funding for it. Casey asked how we can get money for temporary repairs. Ron said we pay for it ourselves and then get reimbursed.

Kyley asked if the fence was put in by the trailer park. Casey said it was put in with a grant she got.

Howard said he wonders if we really need the fence now that the trees next to it form a barrier. James said the problem is that it is there now and it doesn't look good. Casey said she asked Ken Harvey if they want the fence there. A fence will stop young kids from running back and forth from the trailer park to the skatepark. Ken is fine with us limbing the trees. In hindsight, we planted them a little too close to the fence. The temporary repair would be clearing away tree limbs and accumulated debris and propping the fence back up. Lois said we should talk with the Tree Board about tree work. Ron said there is nothing stopping the committee from doing permanent repairs. The question is where the committee wants to do resiliency improvements. We could say resiliency improvements will be made only on the ramp area and possibly the bike skills track, and the rest of the park – shed, fence, sign, electricity, etc. – would be put back to pre-flood conditions.

Casey said it is not easy to say whether we want to do resiliency improvements for the skills park. We all know it will get filled in again if there is more flooding. We are not sure what we should do with it.

Ron said we could say we are going to do permanent repairs now to the fence and the sign and will not do any resiliency work on them. Casey said she would say electricity could also permanently be repaired now. Ron said he thought there had been discussion about putting something higher in the shed. Casey said that won't cost anything. The whole system is dead and needs to be redone. Where the system is located in the shed doesn't matter. James said moving the outlets higher is a resiliency fix but it won't cost more than putting them where they were. Casey said she thinks it would be good to have electricity back.

Ron suggested deciding what items do not need resiliency upgrades and can have permanent repairs done now and getting that work done. We should not start work on the bike track or skatepark if we are going to do resiliency work there. The committee needs to follow the town purchase policy with regard to how many bids are needed, etc.

It was agreed to leave the bike terrain and ramps as areas where resiliency upgrades may be done.

Lois asked if the committee will work with the Tree Board for any work to be done on the trees. Casey said we can.

Casey said she talked to Ashton Schriber about plans for making the park fun for this summer. He said other riders have been in touch with him to ask about whether they can build wooden boxes or if the park can help pay for some small wooden structures. That is a complicated question because we are trying to avoid all wood construction. Ashton would like the committee to allow riders to build some ledges and other structures. Before the flood he and another rider were already in the process of building some. They could start building them at home and then bring them to the park. He thinks a lot of people want this. She talked to Greg Fatigate about the idea and he felt we should have no more wood structures.

James suggested allowing a few small wooden features to be built elsewhere and brought to the park for a temporary amount of time. We don't currently have ledges or small ramps and we have no plans to have them soon. It will likely not be until at least next summer that we put any in. He doesn't think we want to fund any more wood ramps. They end up being trash in a couple of years' time. He suggested maybe allowing two small ramps to be brought to the park for this summer only and requiring that they be taken away at the end of summer. He doesn't know if because they are replacing something that was there in the past if that interferes with resiliency work. Casey said she doesn't think so because they would be temporary. Let's say two small ramps. It could be a box and a ledge. Greg had suggested looking at a precast concrete ledge and box. But concrete is permanent so we can't go that way. It will interfere with what we are doing with FEMA. Alexis said she doesn't know if we should spend skatepark money on wood but she is not opposed to the idea of people bringing in their own stuff temporarily. Casey said we can tell Ashton and Matt that they can choose two things to finish building and that the park can't fund it. The things will be placed in the park temporarily and we have to make sure they are structurally sound.

Casey said she asked Martha Harvey if the trailer park is planning for spring cleanup of debris and she said that is their plan.

Kyley said she talked to Ken Harvey about the fact that he was bringing in fill. He is also willing to take fill out. He will talk to Scott Meyer and the town about that.

4. Laraway Report

No one from Laraway was present to give a report.

5. Site: Cleanup, Temporary Repair of Fence, Dumpster Service, Other

Casey said some of this has already been discussed. We need a new dumpster service. She has asked Dean if it would be possible for us to join in the town contract. The existing dumpster belongs to the company that is no longer providing service and they will pick it up.

James and Howard will take another look at what debris is left. James asked the neighbors present to point out on a map where they are still seeing debris.

6. Public Input

Kyley said she saw something about no drinking and smoking. Casey said we request that people not drink or smoke, but it is legal. It would take a selectboard ordinance to change that. Sheila brought up Healthy Lamoille Valley. Casey said there is a new prevention grant that could possibly apply to a program like the Let's Roll program that offers a healthy, smoke-free activity. We have had a lot of help from Healthy Lamoille Valley. They understand that our goal is for the park to be substance-free but the law is different and the town doesn't have an ordinance. They made placards for the park with a phone number people can call if they are worried about their smoking.

Sheila said at Old Mill Park there is a sign saying smoking and drinking are not allowed. She knows there have been issues with adults trying to help at the skatepark asking people smoking cannabis to stop and having them say it was legal and they could do it. She thought it might be easier if the park clearly posted that rule. Casey said the sign at Old Mill Park is just a sign. It is just as legal to smoke and drink there. She has been told that the selectboard has no appetite for doing an ordinance. With a new board we can try again. We would have to start by telling Tom we want to have it on the agenda. Howard said he will talk to each of the selectboard members about it individually.

James said he thinks the last time we talked about it someone from the sheriff's department said public drinking and smoking is not allowed but the punishment is so small it doesn't actually deter anyone and other loads on the sheriff's department mean they do not have the time to pursue public drinking and smoking, especially since the punishment is so small. We have acknowledged that we need to change the culture down there. The first step is improving the park so it does not look like a place people can hide out. We need to make it so there are more kids and community members in the park who will help discourage other users from those activities.

Casey said she was wrong when she said smoking at the park was legal. It is not legal to smoke cannabis at any park. But the sheriff's department can't or doesn't enforce it. Sheila said if it is posted that it is not allowed it makes people more likely to point out the sign to others. Families don't take their little kids there for that reason. Casey said she thinks our new sign does say marijuana is illegal in all parks. Another problem is hemp. You can smoke hemp anywhere and it smells and looks the same. Sheila suggested it would help to say there is no smoking. James said that is one of our rules. Casey said we have no authority to enforce it. She thinks it would be a good idea for the selectboard to develop an ordinance disallowing alcohol. Sheila said she thinks it would be helpful to get involved with Healthy Lamoille Valley.

Alexis said she agrees that making the park better overall will deter some of that behavior. In her experience there are still families that bring their kids there. Casey said not as many as we want, though.

7. *Other Business*

Casey said we tried to schedule the Let's Roll beginner program last year but it was delayed and then there was the flood. She doesn't know if we have the capacity to run it. She has to work on that with Dean.

There has been discussion about having such a separation between the Recreation Committee and the Skatepark Committee. Under his current job description Dean is responsible for helping the Skatepark Committee. Casey has realized she can't do all the administrative and visioning things she used to do plus the FEMA administrative work. She asked Dean if he could start doing some administrative things for the committee, like directors' orders. He said yes. She wants to keep looking for more administrative work he can do. He is wondering about having more connection and interface with the Rec Committee, maybe joint meetings. She will put discussion on that topic on the next agenda. James said he thinks it would be great to be more integrated with town recreation. Alexis agreed.

8. *Adjourn*

Howard moved and James seconded to adjourn, the motion was passed and the meeting was adjourned at 7:18.