

JOHNSON SELECTBOARD / VILLAGE TRUSTEE BOARD
JOINT MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, OCTOBER 30, 2024

Present:

Selectboard members: Mike Dunham, Peter Hammond, Duncan Hastings, Eben Patch, Mark Woodward

Trustee board members: Steve Hatfield, Will Jennison (arrived 6:30), BJ Putvain, Ken Tourangeau, Darrell Wescom

Others: Erik Bailey, Tom Galinat, Rosemary Audibert, Eric Osgood, Diana Osborn, Charlie Gallanter, Mark Leese, Peter Hark, Beth Foy, Lydia Putvain, Randall Szott (via Zoom), Marla Emery, Casey Romero, Paul Warden, Susan Tinker, Meghan Rodier

Note: All votes taken are unanimous unless otherwise noted.

1. *Call to Order*

Eben and Ken called the selectboard and the trustees to order at 6:00.

2. *Consider Additions or Adjustments*

Ken asked to add the Pledge of Allegiance. Eben agreed. The Pledge of Allegiance was recited.

3. *Public Comment*

Diana Osborn said the Re-Imagine Johnson Task Force to Capitalize and Increase Recreation Economy Opportunities has begun work. This task force values involvement by all stakeholders. They hope to hear from recreationalists; businesses; representatives of committees, groups, clubs; planners and policy makers; and experts from national, state, regional, and local agencies. Their next meeting is at 6:30 pm, Monday, November 11, in the "Hall of Fame" room of the Shape Facility of the Johnson Campus of Vermont State University.

4. *Selectboard, Village Trustees Issues and Concerns*

Mike brought up the issue of political signs in the village on town property. There are signs from both sides on town property at the Whiting Hill Cemetery. He doesn't think the town should have any political signs on our property. The selectboard agreed that Tom should pull the signs. Tom said he will do that and put a post on Front Porch Forum telling people they can pick them up at the town office.

Mark said his tenants have complained that the large dispensary sign in the Main Street right of way blocks their view pulling out onto Main Street. As that is a state right of way, Erik said he will talk to VTrans about it.

Duncan said the signs at Whiting Hill Cemetery, as well as the sign Mark is talking about, are in the state's right of way. He doesn't know if the state has a policy or jurisdiction over them. Mark said the state often collects signs from their right of way. Mike said there has been no order to state crews to pick up signs this year.

5. *FEMA Long-Term Recovery Plan*

Mark Leese handed out some information. He said he is with the community assistance part of the Intergovernmental Recovery Coordination (IRC) part of FEMA. (*Beth Foy arrived at 6:07.*) There is a team of about 6 of them working out of Williston. Peter Hark, also here tonight, is new to the team. The plan the team can work on is not FEMA's plan, it is the town's plan. They

are only here to provide assistance if the town requests it. A long-term recovery plan gets everyone in town on the same page regarding what the recovery, resiliency and community development projects need to be. And when the town applies for grants, a recovery plan documents the projects the town wants to do. If the town and village adopt the plan, it tells funders that the town government supports the projects. The plan can build the case for funding requests. He is proposing that FEMA assist with taking the plan forward from what has already been done with the Re-Imagine Johnson process. They would build on that. The plan would include a vision statement, project descriptions, an implementation matrix and an action plan. Members of his group would attend meetings of the Re-Imagine Johnson task forces. The work of the task forces overlaps and their decisions will affect each other.

Eben asked if there is room to expand the long-term recovery plan to include things like relocation of the village wastewater treatment plant, culvert inventory, or recommendations for road reconstruction in addition to what has been discussed in the Re-Imagine Johnson process. *(Paul Warden arrived.)* Mark Leese said that is where he would go with it. The plan needs to be holistic. There should be a chapter on all the public works projects. He doesn't know if another committee is needed to look at that or if town staff would provide input.

Ken said the village has already done a lot of work on the sewage treatment plant. They have no intention of starting over with that project. Mark said he doesn't want them to.

Eben said FEMA is interested in the town and village jointly requesting a long-term recovery plan. They would come back with a plan that we could choose to adopt or not. He believes there is no cost to the town or village taxpayers. Mark said that is correct. Eben said he thinks the Planning Commission would like to be involved in the process.

Duncan said part of the plan will be cost-benefit analysis. His understanding is that most of the FEMA grant sources require cost-benefit analysis meeting a certain threshold in order to proceed. That seems like a pretty important function of the plan.

Duncan said the Lamoille County Planning Commission just got a large grant to do really detailed flood modeling in the Johnson area. He assumes FEMA could piggyback on that. Mark Leese said he and Peter Hark met with Melissa Manka of LCPC and she brought them up to date on what LCPC is doing. The downtown reconfiguration task force is well aware that they can't move forward until they have a flood map they have confidence in. Someone from LCPC will need to come in and show them where the lines are on the map and what they mean.

Duncan said there are existing committees, like the rail trail committee, that are working on projects related to this plan. He wants to make sure they don't duplicate efforts with the Re-Imagine Johnson task forces.

Mark Leese said he talked to Melissa Manka about meeting with the downtown reconfiguration task force and she said she can't do that until the town and village endorse the work on the long-term flood recovery plan.

Duncan moved that the town seek assistance from FEMA on a long-term flood recovery plan, Mike seconded and the motion was passed.

BJ moved that the village seek assistance from FEMA on a long-term flood recovery plan, Ken seconded and the motion was passed.

Ken suggested that Mark Leese touch base with Erik to get information on what has already been done.

6. *Set Employee Cost of Living Adjustments (COLA) for 2025*

Eben said this agenda item is to set health insurance and benefits and cost of living adjustments for the town clerk-treasurer and assistant town clerk-treasurer. Since he has been on the board the selectboard has given the same benefits and COLA adjustment to all town employees. (*Will Jennison arrived at 6:30.*) Last year the town and village agreed to budget on a 2.5% increase for the first 6 months of the year based on the 12-month rolling average for the Consumer Price Index for the Northeastern Region for the month of November. Past boards previously agreed to base the COLA adjustment on the November CPI for the previous year. The thought process was that while adjustments would lag behind on the rise they would also lag behind on the fall.

Mark asked if there is any reason we picked November. Eben said our highway union contract is based on the November figure. Tom said by the time we set the budget the November figure will be available.

Darrell said the 12-month rolling average is currently 3.15. He leans more toward giving a 3% COLA increase. He thinks that is fair. Erik and Eben explained that using this formula last year employees got a 2.5% cost of living increase and a 6.4% increase in pay. Erik said the boards could consider following CPI but having a minimum. Darrell said he thinks we should have a minimum.

Ken said he feels the selectboard should stay with what they already budgeted. If we went with 3% that would put them over what they budgeted. The village hasn't budgeted yet for the year when the increase will take place. We have been deciding on COLA adjustments this way for 4 years. He thinks it benefits the employees. He would like to give people more money but we have to be fiscally responsible.

Darrell asked, what if the village budgeted 3%? Ken said we don't have to honor what a past board agreed on, but the boards agree on the COLA adjustments in hopes that the next board will follow through with what was agreed upon.

BJ said if the November 12-month rolling average is 3.4%, then next year at this time the boards will agree on a COLA increase of 3.4%. We just go by the previous year's figure. Employees are a year behind but they still get an increase that matches the CPI.

Eben said last year's selectboard budgeted for a 2.5% increase January 1 for all employees. This year's board needs to actually set that increase. The board does not have to do what was budgeted. (*Meghan Rodier arrived at 6:44.*)

Duncan moved to give all non-union town employees and elected officials a 2.5% pay increase effective January 1, 2025, Peter seconded and the motion was passed.

BJ moved to give all non-union village employees and elected officials a 2.5% pay increase effective January 1, 2025, Will seconded and the motion was passed with Darrell opposed.

Casey Romero asked if these numbers are final for the budget and if they are a surprise to the employees. Ken said they were announced last year. Eben said we haven't had the budget discussion yet for the next budget, just set the increase for January 1.

Darrell clarified that when he voted no it was not because he wanted a lesser number.

7. *Decide on COA for 2026 – Budgeting Purposes*

Both boards agreed to base next year's cost of living increase on the 12-month rolling average for the Consumer Price Index for the Northeastern Region for November 2024.

8. *Health Insurance Options*

Erik said only 3 employees of the village and town have Blue Cross Blue Shield Gold insurance. Most have other plans and generally pay more out of pocket for that increased coverage. Those people and their families would be financially hit the hardest with a change in the municipal health insurance option, even a switch to the employer paying 90% of MVP Gold, often to the point of having a net decrease in their wages even with a 3 or 4% raise. For the village, the effect on village taxes of remaining with the status quo is one quarter of one penny. It seems that the effect on town taxes would be similarly miniscule if the town stays with the current benefit, which is codified in the highway department union contract. The only way that contract can be reopened is if there is a change in healthcare legislation. Eben said another way of describing the tax impact is 25 cents per \$100K. Erik said disability insurance has had no rate increase and dental insurance had a very modest increase, too small to even calculate the effect on taxes. His recommendation is to continue to contribute 90% of the Blue Cross Blue Shield Gold plan.

Mark asked how much the premium went up. Erik said 21%. Duncan said it looked to him like the 21% comparison was being made between 2023 and 2025. It looked like the increase was actually 7.88%. Erik said he didn't come up with the same numbers as them either but that is what they advertised. Mark said he thinks the increase is above 15%. Duncan said he doesn't think it matters because Erik based his impacts on the 2025 rates.

Tom said he initially felt moving to MVP for savings would be beneficial but after speaking to employees he no longer feels it would be a good idea. This last year has been very hard and making any change to health insurance would cause anxiety for employees. He feels this is a time to put employees first and keep the status quo.

Mark asked if we know how much it will impact the town tax rate to keep the benefit the same. Rosemary said for the office about half a cent and for the highway department about 0.6. Eben said we budgeted for more than the actual increase for 6 months. It wouldn't impact our taxes until next year.

BJ moved and Steve seconded to keep the employer contribution at 90% of the Blue Cross Blue Shield Gold plan for 2025. The motion was passed.

Mark moved and Peter seconded to keep the employer contribution at 90% of the Blue Cross Blue Shield Gold plan for 2025.

Duncan said he is okay with the motion but he thinks we talked last year about the possibility of taking a more comprehensive look at all insurance options and we are not seeing that. Tom and Erik said they have looked into other options. Erik said they looked at a high deductible plan, but the insurance companies have raised the rates for those so they are no longer a lower cost option. Tom said total out of pocket premiums for the lowest plan are now more expensive than for the premium plan. Duncan said he would like to have seen the research they did before now.

The motion was passed with Mike opposed.

Mike said he voted no because he agrees with Duncan that we didn't have enough information in front of us.

9. *Holiday Party*

Ken asked, last year the party cost about \$600? Rosemary said yes. Eben said it is well within the amount that can be spent without selectboard approval. Selectboard members agreed they are conceptually okay with spending about \$300 on the town share of the cost of a holiday party. Ken said the trustees do not need to vote on this because Erik has authority to spend that amount of money. (*Lydia and Susan left.*)

10. *Joint Municipal Plan*

Meghan Rodier of the Lamoille County Planning Commission handed out copies of the language on ATVs proposed by the village. She understands the selectboard discussed this language and may have additional suggestions. Eben said yes, the selectboard would like some edits. On p. 92 they propose this language in place of what the village proposed: "The Vermont ATV Sportsman's Association maintains an extensive network of ATV trails on private and public lands across the state. VASA trails in Johnson are primarily based on access to unpaved sections of Class III and Class IV roads. These roads are maintained by the Town of Johnson. Currently there is no access to trails for ATV/UTV riders to reach the village. An interest exists to find a solution that would provide connectivity between the current trail network and downtown amenities and services. All-terrain vehicles (ATVs) are a part of Johnson's recreation economy. ATVs may be used in accordance with the Town of Johnson ATV ordinance."

Ken noted that the selectboard proposes removing reference to 23 miles of trail maintained by the club. Eben said also the word "essential" was removed from the sentence about ATVs being a part of Johnson's recreation economy. Steve said he doesn't think "essential" is correct so he is fine with removing that. He doesn't quite understand the need to remove the other language. Ken said it is because the club doesn't take care of the roads.

The trustees agreed to the language proposed by the selectboard.

The selectboard agreed to schedule the final hearing on the plan for December 2 and the trustees agreed to schedule their final hearing for their first December meeting.

11. *Website*

Eben said the town has not selected a vendor for the website. Bid prices ranged from \$3K to \$120K. The selectboard is not considering bids on the high end of that range. The selectboard asked some people for recommendations and he believes they will select a vendor based on those recommendations. We discussed a total cost of around \$5700. Is the village interested in participating?

BJ asked what the monthly cost is. Tom said he included prices for two options in the packet, Town Web and Davis Hill Design. The recommended option costs \$1800 for the redesign and \$2,620 per month after that.

Beth Foy asked what that covers. Tom said an all new website and hosting. Shayne Spence and Charles Flaum were asked to do an analysis of 11 responses. Their top two recommendations would both do a total redesign.

Beth said we don't currently pay a lot for WordPress hosting. The tools we use allow her to make changes and she is not a web developer. She doesn't understand why we would move the hosting and not use the existing tools unless there are concerns about security or other factors. If our current hosting charges are less than the new charges she thinks we should be negotiating to stay hosted where we are. Tom suggested she talk to Charles and Shayne to get more information about their recommendation.

Ken asked what it will cost per year. Tom said there is a one-time \$1800 fee (\$900 per board) and then every year we would pay \$2,620 (\$1,310 per board.) That is for the top recommendation, Town Web, which is a national company that has more features than Davis Hill. Ken asked what the \$5,700 figure is. Tom said that was the original estimate but there has been renegotiation and the expected cost is now less.

Beth asked if the proposals would allow staff to update content. Tom said yes. A manual and training for routine maintenance would be included. We want it to be easy for staff to use.

BJ asked if the new website will take payments. Does it cost extra for that? Tom said the credit card processor has its own portal for that. That is separate.

BJ said the village is currently paying \$200 a year for the website and this will turn it into \$110 a month. Ken said we will be going to a better website, which could benefit us in several ways. The trustees agreed they are interested in further conversations about sharing in the cost. They will discuss it at their next meeting.

Will asked if the selectboard will move forward with a new website if the village does not want to participate. Eben said they will discuss it Monday. Duncan said right now we have a mixed town and village website. If the town pays for a new one alone, it will be town only. Will said then the village could absorb the whole current website. Tom said one issue with that is that the URL is TownofJohnson.com.

12. Interest in Ownership of Jointly Owned Property

Ken said the village trustees would like to see the jointly owned 180 acres off Lendway Lane back in the tax base rather than keep sitting on prime land when there is no place for people to build. Will said he understands that the original proposal for that land was that the town and village would take out what they needed and the rest would be put on the market, but the town put it up for a vote and the townspeople voted to not sell it, right? Rosemary said yes. Duncan asked, didn't the village vote on it too? Rosemary said she thinks a vote might have been warned but then was not needed once the town voted it down.

Will said he is very much in favor of putting the land back out there. If the town voters don't agree to sell it he thinks it should be divided and the village taxpayers given the choice of whether to sell the village part of it.

Duncan said as he recalls statute says a legislative body may sell property but a notification must be posted and if a petition is submitted there has to be a town vote on selling it. He thinks the selectboard thought they would probably get a petition so they decided to put a vote on selling the property on the warning. Will asked, would you agree the climate is different now? Duncan said he has no idea.

Ken said people are leaving town and we could give them the opportunity to buy new land instead. We can't afford even to put walking trails on the land.

Mike said it will be difficult to agree how to divide the property. Will said we won't have to if both town and village agree to sell it.

Eben asked if there is any identified brownfield on the 180 acres. Ken said he doesn't think so. Duncan said he is not sure whether there is brownfield involvement. We would need to look into that.

Peter said he thinks we have to be careful. If we just put it on the open market we could end up with individual owners or a developer putting in housing that the people we are worried about couldn't afford.

Ken said he thinks this discussion covers the mill house and garages as well. If we move forward with selling the land, ownership of the buildings will be part of the discussion.

The trustees agreed they are interested in selling the property.

Duncan said he is in favor of looking into it but he thinks we should consider having a member of the public appointed by both boards on a committee to look into it, along with selectboard and village trustee representatives. He asked Eric Osgood if he would be interested and he is. If we had consensus involving a respected member of the community that could lend weight to the discussion.

Darrell asked if anyone sees a reason to keep the property. Eben said it depends who you talk to. There has been conversation about trails there. Steve said mountain biking trails have been suggested. Will said people have suggested pie in the sky ideas like a ski lift.

Mark said he doesn't see any harm in discussion of this but he hopes we don't sell it without a town vote. Duncan agreed there should be a town vote.

The selectboard agreed to explore the concept of selling the land.

Eben asked if we should pick two members from each board to discuss this or just email back and forth between the two boards. Ken said he thinks emailing is best at first.

Eric Osgood said he doesn't recall exactly where the village boundary is but he believes the village water and light garage is outside the village, so if it were solely owned by the village the village would have to pay taxes on it to the town.

13. Interest in Ownership of the Backhoe

Eben asked if the village is interested in the town owning 100% of the backhoe instead of having an 80-20 town-village split. Joint ownership creates issues. He doesn't know if hours of use are being logged. The town is talking about buying tires for it and will need to come to the village for approval. It would be easier if there were a single owner. He thinks the village said an excavator works better for their needs anyway.

Erik said the biggest reason the backhoe is important to the village is that it is available if there is a water line break in the middle of the night. Will said there has been talk about the possibility of the village having access to an excavator from Johnson Hardware & Rental after hours. Another alternative would be for the village to rent it from the town if they need it at 2:00 a.m.

Tom suggested we could do the same with the skid steer or village truck. The town could rent them if needed. We might want to have an MOU to formalize the arrangement. Will said 20% ownership gives the village access to the backhoe if it is needed in an emergency. If access could be guaranteed with an MOU and the 20% ownership value could be applied to future rental, that would be great.

Darrell said Nate told him he would generally be better served with an excavator. If he needs the backhoe he needs to plan his work around the town's needs. Based on talking to Nate he thinks it would be better for the village to rent as needed and not be 20% owner of the backhoe. Nate has an understanding with Alan Lehouiller that we could get one in the middle of the night if there was an emergency.

Ken asked how we would determine the price to be paid to the village. Eben said he thinks it would be reasonable to have it appraised and use 20% of the appraised value. Will said rather than the town giving the village a check he would prefer to have the amount used as a credit toward leasing if needed. Duncan said he could agree to that in concept, but in the past a log book was supposed to be kept for the village and town to record hours of use and it didn't happen. Will said if this agreement goes through the village will enforce record keeping by employees. Mike said he would rather find out exactly what it is worth and write a check to the village for 20% of the value. He thinks that is cleaner. Will said he is not opposed to that. Erik said the village could put the money into an equipment rental reserve fund.

The boards agreed that the town administrator and village manager can work out the details of an agreement.

Duncan said the selectboard will be working on a budget soon. If there is going to be a cash exchange he would like that to be determined before the budget is developed.

14. Repairs to Municipal Building – AC Unit and Clock Tower

Tom said the AC units were flooded and stopped working. They were repaired last summer. In August or September they stopped working again. We have been given a price on a new unit. It would cost about \$50K. Eben said he thinks we will have to reach out to other contractors to get

more bids. Tom said he will be getting a determination from FEMA as to whether the AC unit issues are flood-related. We need that before getting bids.

Eben suggested that the town get bids for the AC and the village get bids for clock tower repairs.

Mike said this comes back to previous discussion about ownership of the municipal building. He would have no problem if the village owned the building and the town paid rent. Ken said he is not in favor of that. He said the biggest problem is that the selectboard plans repairs and does not tell the village until after the village's budget is set. That is why he asked to put repairs to the tower on the agenda. Mike said if either the town or the village owned the building there would be a yearly contract and rent couldn't be raised during that time. The contract could coincide with the budget so the renters could budget for the rent. Ken asked if Mike would propose that the village pay the town a dollar and then the town would own the building and the village would have to pay monthly rent. He feels if the town wanted to own it they would need to pay the village half the fair market value. Mike said he would have no problem doing that. Eben said the selectboard hasn't discussed this. Will asked if the selectboard can discuss whether they would give the village half the fair market value of the building. Eben said yes, at the next meeting. Duncan said another way to do it would be to establish what each municipality put into the building originally and inflate that amount to today's dollars. Will said he doesn't think he is interested in that, but it is an interesting concept.

It was agreed that the selectboard will put out an RFP for the AC and the village will put out an RFP for the clock tower.

Duncan asked what we are talking about with the clock tower. Ken said we need to have someone look at it, see what repairs it needs and give us an estimate for the repairs. Tom said Brian Raulinaitis looked at it. He recommends reaching out to him about the extent of the damage.

Tom said he feels it would be beneficial if both boards could agree that the selectboard could be authorized to incur any municipal building expenses up to \$10K and the village could be authorized to incur any expenses up to \$10K for the lower storage building. That would help him and Erik speed up the process of getting smaller repairs done. The concept is described in the packet and board members can think about it.

15. Adjourn

The meeting was adjourned at 8:03.