

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, DECEMBER 16, 2024

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

Others: Tom Galinat, Tasha Wallis, Michael Stanley, Adrienne Parker, Howard Romero, Jessica Bickford, Randall Szott (remote), Kyle Nuse, Stacey Waterman, Jeanne Engel, Kelly Vandorn, BJ Putvain

Note: All votes taken are unanimous unless otherwise noted.

1. Call Meeting to Order

Eben called the meeting to order at 6:30.

2. Consider Additions or Adjustments and Approving Agenda

It was agreed to add discussion on Evergreen Ledge Cemetery, appointment of a liaison for an LCPC grant, discussion of flood buyouts, possible adoption of a corrected set of minutes for November 19, an update on a dog situation with possible action, scheduling a budget meeting and an executive session for employee evaluation.

3. Evergreen Ledge Cemetery Deed/New Equipment

Duncan had sent out an email about a request for a burial in Evergreen Ledge Cemetery. Tom asked Duncan if he would like to be sexton of town cemeteries. Duncan said he is willing. Tom said ideally we should have cemetery policies and procedures in place. Eben suggested advertising on Front Porch Forum or Facebook for a sexton. It was noted that some towns have cemetery commissions.

Tom said the board needs to consider authorizing purchase of a sod scraper. Duncan explained that Evergreen Ledge Cemetery has a new part and an old part. In the new part, he laid out all the plots and Tom is authorized to issue deeds. The request is for a burial in the old part. A sod scraper would help to determine if there may be previous burials in the area. If the sod is scraped away, you can look for a line indicating that the soil was previously disturbed. That is a strong indication that there is a grave there. In this case, it seems unlikely that there are existing graves so he doesn't see the need to dig the sod, but there are other situations where we would want to be able to do that. In the past we have required the person who wants to buy a lot to rent a sod cutter but Duncan had to witness the sod cutting. A sod scraper would cost \$350-500. Eben said that is within the procurement policy.

Tom said he thinks the discussion needed is more about who will be responsible for the cemetery. If we had a cemetery commission that would release the selectboard of all responsibility. Duncan said establishing a cemetery commission would have to go up for a town vote.

Eben suggested an underground locator. Duncan said ground penetrating radar is expensive. In the long term he thinks it would be wise to survey the whole cemetery and accurately locate each grave. We could use ground penetrating radar, but that would be an expensive process. Mike said a sod cutter works well.

Duncan moved to authorize sale of the requested lot at Evergreen Ledge Cemetery on the condition that if, when digging, the purchaser of the lot or their representative sees any indication of prior burial they immediately cease digging and notify the town, Peter seconded

and the motion was passed. Duncan said he doesn't think it is necessary to require removal of the sod as a condition of the sale.

4. *Public Comment*

No members of the public wished to comment.

5. *Selectboard Issues and Concerns*

Eben said he heard the Holiday Jubilee was really nice.

6. *Accept Resignation of Rick Aupperlee from the Skatepark Committee*

Mike moved to accept the resignation of Rick Aupperlee from the Skatepark Committee, Duncan seconded and the motion was passed.

7. *Community and Economic Development Specialist Update and Actions*

Mark moved to approve the Community and Economic Development Specialist attending the Vermont Community Development Association Winter Conference and to reimburse him for \$148 of related expenses, Duncan seconded and the motion was passed.

Mumley had sent out suggested revisions to the existing contract, bringing the cost from \$46,500 to \$76,500.

Duncan said he thought the board had previously approved \$11K for a survey of the property. That is now included in the proposed contract update. Eben said he thought we only approved the \$46,500. Randall said the boundary survey had been discussed early on but then dropped off the radar and was not included in subsequent conversations. He doesn't think it is in the existing contract.

Randall said Pat Ripley of the Lamoille Economic Development Corporation suggested amending the contract rather than having a new contract made because a new contract could raise a flag with the Northern Border Regional Commission that we are using a contractor without following proper procedures.

Mark asked if the survey would be just of the perimeter. The price of \$11K seems high to him unless it includes lot boundaries. Peter read from the revised Scope of Services and Cost estimated submitted by Mumley. It says the boundary survey includes preparation of a subdivision plat. Duncan said that would include the lots.

Duncan said when we looked at the bond cost almost all the things included in this revised scope of work were included in our cost estimates. We were anticipating spending this money.

Duncan moved to approve the revisions to the existing contract with Mumley and to authorize the board chair or town administrator to sign the revised contract, Peter seconded and the motion was passed with Mike opposed.

Randall said there was a meeting today at the town offices with the village and the fire department about sewer and water connections and hydrant placement at the industrial park. All went smoothly. The fire department requested moving one hydrant and adding additional hydrants. The biggest concern is sewer capacity. The village is going to run some numbers. There is a question as to whether there may need to be a generator installed so there is a means of pumping if the power goes out. Duncan asked if an alternative to a generator would be expanding holding capacity at the pump station. Randall said that would be an alternative, but not one he thinks anyone is interested in pursuing. If there were a brewery there, there might be a potential strain on the system that

would be challenging. Otherwise there is a comfortable allowance. The assumption has been 10,000 gallons a day. A high volume food production facility might use half that capacity. They want to run the numbers to see how flexible we can be with tenancy. A generator might cost about \$50K installed. Duncan said we could potentially pass those costs on to the high use user. Randall said the town also can choose who moves in and we can choose a less intensive user.

Duncan asked if Pomerleau has given any indication to Randall or the state that they want the town to withdraw the FEMA Swift Current application. Randall said he is waiting to hear from Pomerleau about that. He has not received official indication that they are no longer interested in pursuing it.

Duncan said he wants everyone to understand that the state has basically said that they might want to claw back the revolving loan funds if we do not show evidence that we are loaning the money. The board had decided not use revolving loan funds for the industrial park but in the worst case scenario we could loan the money to ourselves to satisfy the VCDP requirements.

Tom asked if there is an advantage to bonding for the whole amount and then borrowing from ourselves at zero percent interest to make an enormous principal payment, reducing the amount of interest we pay. It could save us tens of thousands. Eben said he thought we asked that question in the past and the answer was that it couldn't be reimbursement. Duncan said he thinks that is the issue. When we use the funds we have to be able to show we are using them for actual construction, not to pay back a note. Tom said it would be helpful if we could use the revolving loan funds for cash flow. In the first year of the project we aren't going to see any reimbursement. Duncan said he hopes Tom is wrong about that. He thinks if we get a bill of \$100K we can pay that bill and ask for 50% reimbursement from NBRC. We should find out for sure. He hopes we don't have to spend the whole amount to get reimbursed for half of it. Randall said he thinks we can get reimbursed for half of each invoice as we pay. Tasha Wallis agreed that has been LCPC's experience with NBRC grants.

Randall said we already told CDBG we were not going to use the revolving loan fund for this project. The NEPA reporting piece needed to be coordinated with CDBG in order to use the loan funds. When we told them we weren't going to use the RLF, those things became disengaged. Duncan said he gets that but if we are faced with giving the money back or begging forgiveness from VCDP, he is in favor of using the money and begging forgiveness. Randall said he doesn't know that the idea of using the RLF funds as a recruitment tool for the property has been ruled out.

Randall said back in May, when there was some confusion about whether the board wanted him to ask NBRC about including housing in the project, he asked them about it and they said they like to know exactly what the project will entail but they are not concerned with whether the infrastructure they help us pay for is used for community development (housing) or economic development (business) as long as we are not using the money to connect businesses to the infrastructure. So he doesn't anticipate that being an issue.

Mark asked how much of the light industrial park is in the village. Duncan said all of it except two lots. Mark said we will be competing with the village revolving loan fund if we want to use ours to entice people. Duncan said we could also potentially leverage both funds to attract people.

Randall said the amount of money we need to have a plan for loaning is \$50, not the full \$250K in the revolving loan fund. Maybe it would be enough for CDBG if we approved a loan but didn't disburse the money yet. Duncan said he highly encourages Randall to continue trying to get permission for us to use the funds to attract businesses to the park.

Duncan said Pomerleau has indicated an interest in a buyout. He and Mark recalled that this board had discussed granting the support of the selectboard to anyone who applied. Is that understanding correct? Eben said that was the general consensus. Mike said it would be a big hit to property taxes. Eben agreed it would be painful if that property went up for a buyout, unless maybe Pomerleau used the money to relocate. Duncan said he would love to see Pomerleau reinvest the money somewhere else in Johnson. That would not ultimately affect the tax rolls. Drew Waxler of Pomerleau Associates emailed Duncan and asked him if he thought there was general support for a buyout. Duncan forwarded that email to Mark and Eben and said he thought there would be general support but it would be nice to know if Pomerleau is interested in reinvesting the money elsewhere in the community. If so, we might be able to support that with applications for other funding sources. Mark said he is inclined to support a buyout. Tom said if the Pomerleau property is accepted by the state it would be an enormous help to flood mitigation efforts downtown. Mike said he doesn't think we can treat Pomerleau differently than anyone else who applied for a buyout. Duncan said he would support it. The board agreed that Duncan can respond to Drew to let him know the board's feelings. Randall said he agrees that there is financial implication from the property being off the grand list but great potential for the property to be used to protect structures downtown. Mark asked if his sense is that a buyout would lead to lowering of that lot, like Holmes Meadow. Randall said he doesn't know, but if it is approved it opens up a lot of potential for green space right in the core of the town and village.

8. ***Committee Report – Beautification Committee***

Adrienne Parker said the Beautification Committee is asking for selectboard approval to put sculptures lent by Michael Stanley at the welcome center/trailhead or near the playground at Old Mill Park. **Mark moved to approve placement of sculptures in the locations chosen by the Beautification Committee provided that permission from VTrans is obtained for placement in the VTrans right of way, Mike seconded and the motion was passed.**

Eben said he would like to see sculptures on the pedestals on Main St. He also thinks a sculpture walk in the arboretum would be nice.

Adrienne said the committee wants to know if there is an option to put other art on the side of the welcome center where there are currently portraits of people riding on the train. Maybe there could be seasonal artwork or an art contest. Maybe there could be pictures of something else riding the train. They want to know if they can explore the possibility. Mike said that sounds fine. Duncan said he really likes what is there now. He would hope something could be either incorporated with the pictures there now or would use the same concept. Howard Romero said he has no problem with putting something else there but the current photos on aluminum are very expensive, so let's not lose them. Board members agreed they are open to ideas about new art.

Adrienne said the Beautification Committee has been working on fall decorations, a Halloween party, and planting at the Historical Society, food shelf and trailhead. Upcoming project ideas include rainwater gardens, bike sculptures, a greenhouse/hoop house, and a Cold Spring mosaic. Town maintenance needs include graffiti on the Powerhouse Bridge, repair or updating of the welcome signs, weeding around the covered bridge and maintenance on the outside of the covered

bridge. Kyle said the Powerhouse Bridge has a lot of graffiti and some boards on the outside are starting to pop off.

Tom said Jason will be renting equipment to work on Scribner Bridge. Maybe at the same time he can replace loose siding on the Powerhouse Bridge. Kyle said there is a lot of graffiti inside and some outside the bridge. Nearby saplings are getting bigger and blocking the view of the bridge. She doesn't know if Jason and his crew could take care of that in the spring. It is a highly photographed area.

Kyle asked if the "Welcome to Johnson" signs belong to the town or the village. Board members did not remember. It was mentioned that the college contributed to their cost originally. Mark suggested we should at least try to get a contribution from them again. It was agreed that we should find out who owns the signs.

9. Future Committee Report

It was agreed not to have a committee report in January. Mark suggested that at some point it would be a good idea to have the chairs of the Reimagine Johnson task forces come in to update the selectboard on their work.

10. Library

The committee reviewing bids had submitted recommendations. Duncan said he served with Greg Paus of Silver Ridge Design on the Lamoille County Planning Commission. He doesn't believe he has any conflict of interest but will recuse himself if anyone thinks there is a conflict of interest. Board members did not indicate they had any concerns.

Peter moved and Duncan seconded to accept the library board's recommendation to award the contract for building moving services to New England Building Movers, LLC and the contract for architectural services to Silver Ridge Designs, Inc.

Tom said there were 4 interested building movers but only one bid. He thinks our timeline was too fast. We had the same issue with architectural firms but got several bids. The bids were significantly lower than what we budgeted.

The board agreed to delegate Peter to work with the town administrator and the town's attorney to draft contracts for building moving services and architectural services. It was agreed that Tom can reach out to the architect to start working with the building mover to draft a foundation plan.

11. LCPC Presentation

Tasha Wallis of LCPC said there are \$5K grants available from the Vermont Natural Resources Council to pay for assistance from LCPC with visualizations of potential projects. For instance, there could be sketches of possible ideas for use of buyout properties. Whatever they do, they want to make sure there is selectboard buy-in. The visualizations don't have to be about the buyout properties. Tasha suggested a selectboard member could be a liaison with the Planning Commission or other groups that are working with LCPC on visualizations to make sure LCPC is working on projects the selectboard wants them to work on. Mark agreed to be the liaison.

Duncan said board members have talked about a desire for greater coordination between communities for group purchases of salt, sand, fuel, etc. Tasha said LCPC is working with the Vermont League of Cities and Towns to organize a county-wide meeting of selectboards. That could be an opportunity to talk about these ideas. The meeting will likely be in April.

Tasha said 2 years ago the HOME Act made some changes related to zoning and housing. It requires a statewide housing needs assessment. The state will give LCPC a housing target for Lamoille County. LCPC will need to work with communities and provide each community a housing target. Those will need to be incorporated into town plans.

Tasha said Act 181, which was passed last year, changed the way regional plans are approved. Under the new legislation the regional plan has to be approved by the Land Use Resource Board, which is the replacement for the Act 250 Board. There are new requirements LCPC has to meet. They will start a process in January to update the plan. Part of that will be updating the land use map. The legislation has very specific descriptions of land use categories. Not all are consistent with the ones they are already using. They will have a public outreach process. Duncan said in his opinion this is a further attempt by the legislature to impose a state land use map.

Tasha said LCPC will now be able to work with communities to propose larger downtown designations, expanding the areas where benefits for developers, etc. can be applied.

12. LCPC Request to Contact Property Owners – Flood Plain Restoration

Tasha said LCPC wants to be able to communicate with individuals in the buyout process and their neighbors to let people know what they are up to if they are wandering around on the properties.

Mark said he was told someone was coming to his buyout property to look for bats. Tasha said the Fish & Wildlife Department has asked that the buyout properties be evaluated as bat habitat. Sarah Henshaw, the director of LeARN, is working with Fish & Wildlife to visit the properties.

Duncan moved to authorize LCPC to make contact with people on the buyout list and neighboring properties as necessary, Mike seconded and the motion was passed.

Duncan asked if Fish & Wildlife is interested in not taking away bat habitat or adding new bat habitat. Tasha said it is about not disturbing bats when the work is done.

13. Holiday Bonuses

Peter moved and Mark seconded to give town employees each a \$150 holiday bonus. Duncan asked when the village decided to go to a \$150 bonus. Tom said at their meeting last Monday. Duncan said the bonus amount has probably been \$100 for over 20 years. Mike said the amount of the bonus should be a joint decision of the town and village. Eben agreed that would be nice. **The motion was passed.**

14. Correction to November 18 Minutes

Duncan moved to approve the minutes of November 18, 2024 with the sentence “We budgeted \$600K for PILOT and received \$447K, down from \$492K last year” changed to “We budgeted \$460K for PILOT and received \$447,028, down from \$494,233 last year.”
Peter seconded and the motion was passed.

15. Dog Update

Tom said on November 27 a dog came into the possession of Johnson that had originally gone into the shelter in June under the direction of the sheriff. The sheriff agreed to pay the kennel fees from June to November. That dog was advised to be euthanized by the state’s attorney. We are pursuing that. He has been asking for updates from the animal control officer but has been unsure whether the animal control officers report to the town administrator or the selectboard.

Mike moved and Peter seconded to give authority over the animal control officers to the town administrator.

BJ Putvain arrived at 8:38. Board members had previously asked whether there was a lead animal control officer. BJ explained that Dean Locke is the lead. He was chosen as lead by Brian Story.

The motion was passed.

Duncan moved to direct Tom to investigate any and all amendments or changes necessary to implement the motion just made, including job descriptions and the animal control ordinance, Mike seconded and the motion was passed.

Duncan moved to authorize Tom to do whatever is necessary according to statute for the legal process to euthanize the dog in the town's possession, Mike seconded and the motion was passed.

16. Schedule Budget Meeting

The board agreed to schedule a budget meeting for 5:00 on December 23. At that meeting the board will decide on a date for another budget meeting.

17. Budget Update, Questions for the Board, Directives for the Administrator

The board discussed whether rent for the Holcomb House apartment should be increased. Mark said if the rent was \$700 a month that would be half the fair market value. **Mark moved and Eben seconded to increase rent on the Holcomb House apartment to \$700 per month.** It was agreed that we should find out if the tenant has a current lease. If there is a lease, the rent increase should start when his lease is up. If there is no active lease, the increase should start March 1, with notice to be given to the tenant at least 60 days before that. **The motion was passed.**

Tom and the board discussed whether to change from trying to estimate the year end balance to using the prior year's audited balance. Eben said we had previously discussed looking into whether we could get the audited figure in time to use it in the budget. Duncan said he guesses for this year we will have to continue the same process as in the past. Tom said we could plan on a balance of zero and make a decision on June 30. Duncan said that would have a huge impact on the amount to be raised by taxes. He wonders if we could budget for the previous year's audited fund balance but use an estimated figure if the audited figure is not available yet. Mark said he is not in the mood to zero it out this year. Duncan said he isn't either. Mike said he would like all the cash on hand that is not set aside for any particular purpose used to reduce taxes.

Tom said the amount to come out of highway reserve was zero but he plugged in last year's figure. That brings the budget increase to 6.7%. Duncan said the percent change column is not correct. He explained what the formula should be.

Mike said he would like to know how much money we have on hand that is not set aside for something in particular.

The board agreed to budget \$13K to go into the reappraisal reserve fund.

Tom said he would love to put out an RFP now for mowing so we can get a number to budget for next summer. The board agreed he can do that. Tom asked if all mowing for the town can go into one line in the budget. The board agreed it can all be consolidated into one line.

Tom suggested cutting the amount budgeted for cemetery maintenance back to \$7500. It can be increased next year after we make a maintenance plan. After some discussion it was agreed to keep the amount at \$10K.

Mark recommended zeroing out the clock expense for next year. He said if we get the clock running he will wind it for a year for free.

Tom said the Holcomb House and mill house have a lot of known needs but there is no maintenance plan for them. They are deteriorating because of deferred maintenance. It was agreed to budget \$1000 for maintenance and \$6000 for capital expense for Holcomb House.

Duncan suggested having Rosemary track the industrial park and library project expenses and revenue separately from the operating budget. He thinks that is more transparent. The board agreed to create 5 separate project budgets for the industrial park, library, Holmes Meadow, stormwater and Lendway Lane projects.

There was discussion about budgeting for recreation needs Isabelle Sullivan may identify that are unknown at this point. Duncan said if she spends the full \$8500 budgeted for this year before July 1 and then has another \$8500 for FY26, that seems like a fair amount of money. The board agreed to budget \$8500 again for recreation for FY26.

Eben asked about the status of the new toddler playground. Tom said he believes the \$25K in grant revenue showed up in FY24. Isabelle knows the playground needs to be put in. Eben said if we are going to spend the money in FY26 we need to account for moving it over. Tom said he needs information from Rosemary about whether it is already in a reserve fund.

The board discussed how much to budget for fuel. Eben suggested putting it at \$50K for now.

Tom said we should figure out a way to track gallons used by the town and the village. We could either get separate tanks for town and village or fix the pump so it is able to track gallons. Mike asked, why not get a card reader system? Tom said a new pump will cost about \$1000-1500 and a new tank for the village would cost about \$2500. He suggests separate tanks. Eben suggested one tank and two pumps, each with a meter. Duncan said the village used to have cards to buy gas at Maplefields. Maplefields agreed on a price per gallon for us. We could get rid of the pump and tank altogether and execute an agreement with Jolley or Maplefields. Mark said he is leaning toward each truck having a card. Tom asked if he can research the Maplefields option and the cost of a separate tank. Duncan said that is a great idea, but suggested that he not do it right away since he has plenty of other work on his plate. Others agreed.

Eben asked if Tom can check with Jason on the cost estimate for Katy Win paving to be sure it is accurate.

Tom said Jason wants to take the \$110K we did not spend on paving this year plus \$12K and put it into the newly created paving reserve fund. In FY26 he proposes to spend all of it but whatever doesn't go towards the paving project will go into the reserve fund. Jason wants to spend \$200K on paving in FY26 and he intends for \$122K of that to be money that was unspent in FY25. He wants to pave the Katy Win entrance at Wilson Road. Tom said Jason will be at the next meeting to answer any questions about paving.

Duncan said somewhere in the files there is a paving plan spreadsheet that allows you to input width and length of roads, as well as thickness of pavement, and generate a cost. We had a history of all the roads paved and their cost in the spreadsheet. It probably wouldn't take that much to update it.

Tom said he increased the amount budgeted for animal control expenses.

Tom said Erik extended the Tech Group contract until December. He doesn't think the village is interested in working with anyone else. If he puts out an RFP for tech services, it will probably be a different company than what the village is using if we don't use the Tech Group. Tom said we will be getting a new server for the office. Duncan asked if the village will share the expense. Tom said as long as we are in the same building it seems to be a reasonable shared expense. Duncan said we are probably going to end up with separate town and village treasurers. Tom said we should be thinking about what staffing will look like next year. In answer to Mike's question, Tom said the new server will probably cost \$12-15K.

Eben said the CPI increase is 3.5%. We can plug that into the budget.

Eben said right now we are only budgeting for 32 hours a week for the town administrator. Tom said he is doing 40 hours a week. Eben asked if we should budget for 40. Duncan suggested that everyone think about that and we can discuss it at the next meeting.

Duncan brought up the way we show the expenses for assessor services in the budget. He thinks it would be more transparent to have our expenses and our reimbursement from other towns set aside outside of the operating budget. He suggested checking that the salary and health insurance amounts in the budget for Jason are what they should be.

There was discussion about incorporating Eben's capital plan and reserve fund spreadsheet into the budget.

Duncan said he anticipates our CLA will go down again. If it does it will lower our PILOT payment. He is hopeful we can get our legislative delegation to adjust the formula, but that won't happen before we finish the budget. He thinks the PILOT number will be lower than what is in the budget now. He suggested that Tom project what the amount will be.

Tom said as it stands we are looking at a 5.6% increase.

The board discussed the town meeting warning and suggested that Rosemary provide a draft warning by January 6.

Tom said Randall has been helping the rail trail committee with grants. They have 2 significant projects for next year – maintenance on the trailhead building and installation of a bike charger. Neither is shown in the budget yet. We haven't seen a budget for either project. Duncan said Doug Molde mentioned to him the other day that the bike charger project was dead in the water. He suggested we should think about whether to budget anything for the Community Grant match. Tom said he hasn't asked Randall yet if there are any grants he is unaware of that have matches that need to be factored into the budget.

18. Executive Session for Employment Evaluation

**Peter moved to enter executive session for employee evaluation under 1 V.S.A. § 313(a)(3).
The motion was seconded and passed at 10:39.**

The board consented out of executive session at 11:06 with no action taken.

19. Adjourn

The meeting was adjourned at 11:06.

Minutes submitted by Donna Griffiths

UNAPPROVED