

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, DECEMBER 2, 2024

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

Others: Tom Galinat, Lois Frey, Sue Lovering, Jeanne Engel, Stacey Waterman, Kelly Vandorn

Note: All votes taken are unanimous unless otherwise noted.

1. Call Meeting to Order

Eben called the meeting to order at 7:00.

2. Consider Additions or Adjustments and Approving Agenda

Mike added industrial park discussion. Tom added an RFP for AC unit installation and repair. Eben added possibly scheduling an extra meeting.

3. Public Comment

No members of the public wished to comment.

4. Selectboard Issues and Concerns

Eben suggested that people try to go to the Holiday Jubilee on Saturday.

5. Consent Agenda

The consent agenda consisted of the minutes of November 4 and November 18, accepting the resignation of Duncan as vice chair of the selectboard and approval of a liquor license for the Johnson General Store.

Duncan moved to approve the consent agenda with the exception of approval of his resignation, Peter seconded and the motion was passed.

Mike moved to accept Duncan Hastings' resignation as vice chair of the selectboard, Peter seconded and the motion was passed with Duncan abstaining.

Peter moved to extend gratitude to Duncan for his dedication to the board, Mark seconded and the motion was passed. Selectboard members thanked Duncan.

After some discussion, it was agreed that nomination of a new vice chair could be added to the agenda. **Mike moved to appoint Mark Woodward as vice chair of the selectboard, Peter seconded and the motion was passed with Mark abstaining.**

6. Planned Purchases

Jason Whitehill had requested to spend \$7,000 on culverts. **Mark moved and Peter seconded to authorize Jason to spend up to \$7,000 to purchase culverts.** Mike asked if he is going to get several bids. Doesn't our purchase policy require that if the cost exceeds \$3,000? Tom said the selectboard has the authority not to follow the policy. Jason wants to use a repeat vendor. He could purchase the culverts \$3,000 at a time but there is a benefit to the town if he buys more at once. Mike said there are other vendors. Eben said he remembers we had a similar conversation previously and Jason got prices from multiple vendors and picked the best price. **Duncan suggested a friendly amendment, which Mark and Peter accepted, adding that Jason is directed to seek quotes and purchase culverts based on the lowest quote. The motion was passed.**

7. Road Foreman Report and Action Items

Eben read from Jason's written report. The public works crew recently did equipment repair and maintenance, finished getting bank run gravel out of the pit for the season, and finished the path/road to the arboretum. All equipment is ready for winter maintenance and new tires are on the backhoe. Current projects are working on the Class 4 part of River Road East and putting new tires and tines on the tow-behind york rake.

Duncan asked what work is being done on River Road East. Tom said on the Class 4 section there is a major washout that does not meet MRGP requirements. A culvert needs to be replaced. The crew is bringing in fill from the pit. We are obligated to fix any gully erosion under MRGP.

8. Review and Adopt the Town Plan as Presented from the Planning Commission

Duncan moved that the selectboard adopt the Town and Village of Johnson Municipal Development Plan 2024 – 2032 and request that it be submitted to the regional planning commission for their review and approval and that the selectboard seek approval for our municipal planning process. The motion was seconded and passed.

9. Library Relocation

Eben said the board will have RFQ responses to review in 2 weeks. Peter and the library trustees will come with recommendation. Tom asked who the library board wants to review the RFQs with Peter. Kelly Vandorn said she can do it.

10. Library Reserve Fund for Town Meeting Warning

The board reviewed proposed language from Tom for an article on the town meeting warning on establishing a library reserve fund. Duncan said under statute a municipality may establish a reserve fund to be under the control of the municipality. He wouldn't have a problem with the reserve fund being under the control and direction of the library trustees but he is not sure it is consistent with statute. Tom said Rosemary wanted direction about putting this article on the warning and wanted specific wording. He was unsure about the language too. Rosemary or someone else can look into the details before the whole warning is approved but if the board approves adding an article on this the library board can avoid the petition process. He doesn't think we should talk about specific language today.

Stacey Waterman explained that sometimes the library gets funds for specific projects that they can't complete within the fiscal year. They wanted a reserve fund so the funds for a project could roll over to the next year without the library board having to ask the selectboard to allow it.

Eben asked what line the unspent funds would be from. Stacey said usually from building capital expense. Duncan said he believes the Historical Society rolls over unspent funds from the bottom line, not from any particular line item. And they have a reserve fund line item. If the library had a specific reserve fund line item in the budget that would give the board flexibility to propose money going into the reserve fund. He suggested including wording allowing money to be put into the reserve fund by line item to give the library board flexibility in the future.

Duncan said he doesn't think that the library board can have control over the reserve fund. Mark said he thinks we are just approving a placeholder now, with the wording to be worked out later. Mike said he doesn't like approving an article and then fixing the wording later. Stacey said under state statute the library board of trustees has control over money designated for the library. This has been discussed before. Tom suggested getting legal advice from the Vermont League of Cities and Towns.

Peter moved and Mark seconded to include an article in the town meeting warning about establishing a library reserve fund, with the wording to be determined later. Duncan said there has always been a question as to whether our library is a public library under state statute or not. He thinks a legal opinion is a good idea. **The motion was passed with Mike opposed.** The board agreed that Tom should get a legal opinion.

11. Industrial Park Discussion

Mike said at the last meeting we discussed whether or not we were going to go forward with having a section for housing in the proposed industrial park. He and others stated at that meeting that housing had never been discussed as an option. After the meeting, Scott Meyer and Kim Dunkley talked to him and Kim showed him a News & Citizen article from May 4, 2010 that said that in one of the conceptual plans it was proposed that part of the property be divided into smaller lots and set up as a residential area, in the hope that by doing this part of the property would be developed sooner and sell faster. Mike wasn't on the selectboard then and didn't know about it. He wants to change his views on residential use in the industrial park. He thinks it should be included in the Act 250 application.

Duncan said the article is accurate. There were a couple of conceptual plans. The selectboard ultimately decided not to go with the conceptual plan that included housing. The initial public hearing did talk about that but ultimately the selectboard did not go forward with the conceptual plan with housing. He thinks representations were made at many meetings that the park would be industrial only. Many people have said they do not support housing there. Eben agreed.

Mark said we are just talking about not closing the door on the possibility. Duncan said Randall indicated there is no guarantee that a change to include the possibility of housing would be accepted by the NBRC. Tom said including it doesn't commit us to anything. Eben said at the bond hearing there were relatively strong opinions against housing expressed. Duncan said some people said they would vote against the bond if housing was included. Peter said we can take into consideration all the public feeling when we are at the point where we need to make a decision whether to exercise that option. We are just leaving the option open. Mike said public opinion can change. Ten years in the future if we have sold four lots and have one we can't sell people might be in favor of selling it for housing.

Peter said he is in favor of any change we need to make to keep our options open. Duncan said he thinks that would involve a request to NBRC to amend our application to include the possibility of housing. Mark thinks we should ask Randall to request to make that change to our application. Eben said he is against it. Mike said he is for it. Duncan said he was originally in favor of going with the plan that allowed some housing, but given subsequent discussions with the people he represents he now would be opposed.

Eben asked who will ask Randall to ask the NBRC if they are willing to accept an amendment to our grant application. Duncan offered to do it. Eben said more than just the NBRC needs to know. Luke Willey told us that he would need that information before doing the Act 50 application. The board agreed that our application should only be amended if it will not cause any difficulties. Mike said we also would not want to have any added cost.

12. RFP for AC Unit Installation and Repairs

Tom shared an RFP he had drafted for installation and repair of the AC unit. **Duncan moved to send out the RFP for AC installation and repairs, Mark seconded and the motion was passed.**

13. Village Proposal for Website Redesign

Eben said the village proposed that they go in with the town on the vendor the town selected for website redesign, but they would prefer to pay 25% of the cost, not 50%. **Mike moved and Mark seconded to proceed with website design without village participation, allowing the village to make its own arrangements for a website.** Duncan said the village content might not be half the content of the current website but he thinks their usage might be more than 50%. He doesn't think they should contribute only 25%. He thinks if they want to participate they should pay 50%. Mike said he thinks the town should have its own website and the village should have its own website. **The motion was passed with Mike, Peter and Mark in favor and Duncan opposed.**

Tom said our current web hosting contract is up in about 2 weeks. It will cost a couple of hundred dollars to renew it. He thinks we will have to pay to do that even though we will be taking it down.

The board agreed that the town should continue to use the current domain and tell the village they will need to get a new one. The village can continue to use the townofjohnson.com email addresses as long as they need to.

Mike said he was not trying to be argumentative with the village with his motion but we have talked about trying to have as many things as possible owned by either the town or the village rather than jointly owned, and this is one of the first things we can do. Any time there are joint properties there are always problems because we have to get consensus. Owning our own website is cleaner. This is the beginning of divesting ourselves of joint ownership.

14. Review and Approve Better Roads Grant #BBR1254 and Authorize Signature Delegation
Duncan moved to authorize the board chair or the town administrator to sign the Better Roads Grant #BBR1254 and to sign all future forms required for reimbursement, Mike seconded and the motion was passed.

15. LVRT Community Fund Grant Application Review & Approve and Authorize Signature Delegation
Duncan moved and Peter seconded to authorize the Community and Economic Development Specialist to prepare and submit any paperwork necessary to apply for a Lamoille Valley Rail Trail Community Fund Grant and to authorize the Community and Economic Development Specialist or the board chair to sign all future forms required for reimbursement.

Mark asked if anyone knows what the electric bike charger the rail trail committee wants to get with this grant entails, and who will pay the electric bill. Tom said he didn't ask those questions. He does have some concerns about town property and village property. Is there a location owned by the town to put the bike charger on, rather than the Rosemary Audibert Green? Mike said he doesn't think this is a good idea. It takes hours to charge a bike. Mark said people might go over to the coffee shop while their bike is charging. Duncan said he thinks the type being installed is probably quicker than other types. Mike said the battery can only take so much charge at a time.

The motion was passed with Mike opposed.

Duncan moved to authorize the Community and Economic Development Specialist and/or the selectboard chair to draft a letter of support for the Lamoille Valley Rail Trail Community Fund Grant application, to be signed by the board chair, Peter seconded and the motion was passed with Mike opposed. Mike said he thinks vandalism will be an issue.

16. Policy Reorganization and Workload Delegation

Tom asked if the board would like to give him authority to look for an intern to go through all the town policies, identify which versions are the most current and put all the current policies in one place. Or perhaps Rosemary could dedicate one of her staff. He doesn't know if an intern is available, but he is thinking maybe we could get a UVM intern seeking a public administration degree. Duncan said at one point Susan had all policies and ordinances of the town and village on her computer. Could we check with her first to make sure she doesn't have all the most current versions? Tom said yes. He thinks we can probably locate the current versions of 85% of the policies but for some of them we need someone to look through the different versions and determine which is the correct one. Tom said in Peacham he used to record approved policies and put them in the vault. Duncan said he thinks that would be a good idea. The board agreed that Tom can look for an intern, but not a paid intern and he should not spend a lot of time on this.

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

Duncan asked how Tom wants to handle questions from board members about the budget. Tom suggested everyone could email questions to him before the next meeting and he could email out answers before the meeting rather than talking about them at the meeting. That would be more efficient. Eben said he thinks it would be too time-consuming for Tom to write out the answers. He thinks the selectboard will need to devote some meeting time to talking about the budget. The board initially discussed trying for a 2.5% increase. Right now the draft budget shows a 7% increase. If there is no grand list growth, that is about 8 cents on the tax rate. Mike said he thinks the board should have a dedicated meeting for the budget.

There was discussion about some issues with the budget spreadsheet.

Duncan said for years we have tried to estimate the year end balance when we are only 6 months into the year. As an alternative we could transition from estimating the year end spending to using actual audited fund balance, since we are going to have annual audits. He believes it would make the budgeting process easier if we did not have to try to estimate the year end fund balance. We would budget last year's audited fund balance. In making the transition, there will be one difficult year. Tom said this might be the year to make the transition because of Rosemary's transition. It would mean about a 5% additional increase to the budget, but we will be able to lower the budget by the same amount the next year. Mark asked if other towns do this. Duncan said yes. We haven't done it before because we only had audits every other year.

Eben questioned the amount of committee spending. We are looking at increases in expenses and decreases in revenue. He feels there are places to cut.

Tom said Jason has questioned whether we are budgeting enough for fuel. He suggested a way to get a better estimate.

Eben said we trimmed the culvert line by \$10,000 last year to reduce tax impacts. Now he sees we are keeping it the same this year. Tom said we are now budgeting for culverts as part of our grant applications. All the culverts for grant funded projects are being bought at the time of the grant.

There was discussion about how the assessor expenses should be shown in the budget. Currently we show only what Johnson is responsible for paying. There is no line for reimbursements back from other communities. Tom said he thinks we should show our total expenditure and what we receive from other towns, rather than just the net. Duncan agreed.

Mark brought up his concern that we may not be maximizing our interest income.

Eben said we signed a contract for reappraisal and we have a reappraisal fund. The board needs to know when bills need to be paid, how much is in the reappraisal fund and what we need to budget for the reappraisal. There was discussion about the budget lines related to the reappraisal fund.

Eben had questions about what is budgeted for blacktop maintenance and blacktop capital. If we aren't going to do maintenance he thinks the amount budgeted for that line should be moved to capital.

Mark asked, didn't Tom discover about \$118K left on the table? Where does that show up in the budget as revenue? Tom said we haven't received it yet. There is money left over in the Jenna's Promise grant and a 2021 paving grant. When it comes it will be part of the surplus for this year. Duncan said his goal would be to arrive at a 2.5% to 3% increase, applying whatever is needed from surplus to reach that. Mark said he likes that goal. His only concern is whether a small increase this year might mean a high increase next year. Duncan said his thought process is that we should build a budget based on what the town needs, then decide what we can afford.

Tom asked when the board wants to plan to have the work done on the clock tower and the AC unit. He doesn't think the clock tower can get done before July 1. But does the board want to do the AC work in the current fiscal year? Duncan suggested putting in \$30K for revenue from the buildings and grounds reserve fund and \$30K out for expense. The net income to taxes is zero. Eben said the amount doesn't matter because revenue and expenses will balance.

Tom said Jason got an estimate of \$2,800 for redecking Waterman Bridge and he believes he can repair the siding. Should he and Jason get an estimate for siding and budget for that? The board agreed that he should.

Tom said tracking labor for Class 4 roads did not happen last year. The board discussed updating the timesheet to track non-highway projects and Class 4 road work.

Mike said he has argued previously that if we are sending our employees to do work for a committee we need to get reimbursed out of the committee's budget. Duncan said he doesn't agree. We changed the name from the highway department to the public works department. He thinks we expect them to do some of that work so we don't have to contract it out.

Tom said Jason would like to move away from getting uniforms from UniFirst. Instead of paying for that he would like to move to giving employees an annual stipend to provide their own work clothes and also keep the boot allowance. Can he reach out to the union rep and shop steward to make sure that change does not require opening up the contract? The board agreed he can.

Duncan said some organizations have done that and then employees have said they want a washer and dryer at work. Eben asked, would we require that the clothes they wear have "Town of Johnson" on them? Mike said the reason we have uniforms is for uniformity. If the town wants employees to look the same, then we need to keep getting uniforms. Tom said we buy orange vests that say "Town of Johnson." He does think there should be some indicator that they are town employees. Duncan said we could set requirements for what they buy, for instance a red shirt with

their name on it. We could even specify where they have to buy their uniforms from. Tom said he will talk to the road crew about it.

Tom said roadside mowing costs about \$10,000 annually. We also use a town-owned ditch bank mower. Would the town consider contracting out roadside mowing? In Peacham it cost about \$6,000 a year to contract out mowing, for more miles of road than we have. Jason has looked at getting a boom mower. It is expensive. He priced out an excavator with a boom mower on it at \$137K. In the past year we spent \$25K renting an excavator and \$10K mowing. So we would have payback on the excavator and boom mower in 4 years. If the board thinks it is a good idea to get one he could put it into the capital equipment plan and take out what is budgeted for excavator rental and mowing. He thinks it makes financial sense.

Mike asked how much time it will take to mow. Tom said he thinks it will take the same amount of time as now. Our ditch bank mower broke and we can't get parts for it. The way we do our ditches has changed and now the ditch bank mower can't reach the far side. Duncan said if we have to use the excavator for mowing along ditches that means crawling up the road with the excavator. Tom said it would move the same speed as a rented tractor. Eben said excavators are not made to travel many miles. It would lead to a lot of wear and tear on the treads. The board agreed that Jason should look into it more.

Eben asked if some of the excavator rental cost is covered by grants. Tom said yes. Duncan said we would have to transport the excavator. Tom said Jason says MSI will do it for \$250 one way. Mike suggested we could get a rubber tired excavator. Duncan said Jason has always said they are no good. Eben said Cambridge has one.

Tom said we have some liabilities that are not budgeted at all. One is CTO time. There is not a line for it, but we should be tracking it. At any given time someone could depart and have a large chunk of money owed to them. It should be shown somewhere as a liability. The board agreed to that.

Tom said one major question is what staffing will look like for the town after Rosemary leaves. We probably aren't going to hire someone who does everything she does – one person as treasurer and clerk for town and village. He thinks staffing will look different. Now is the time to plan and budget. We probably will want to have a new employee overlap with Rosemary or have Rosemary come in after she leaves for training. Rosemary's term is up March 2026.

Duncan said for this year we should put an article on the town meeting warning about transitioning the positions from elected to appointed. Do we want to appoint a clerk as well as a treasurer? If the vote is to approve the transition to appointed, we will have a 30-day period to hire a new clerk/treasurer. He believes we would have to hire Rosemary for one year. Tom said he has thought about that but there is no statutory process to remove an elected official during their term. Duncan said we may need a legal opinion. He thought the statute was clear about what would happen if the voters voted to do away with the position. It was noted that the period to appoint someone is 45 days, not 30.

Duncan said he feels it might make sense to have a financial manager rather than just a treasurer. Tom said he thinks it might make sense to appoint the treasurer and elect the clerk. There is some value in having an independent elected person who can speak up if they see something wrong without their job being in danger. If there is an appointed clerk there is no longer anyone

with that ability. Duncan said he thinks it will be hard to fill the treasurer/financial manager job. Eben said he thinks it will be hard to fill the clerk position if it remains elected.

There was discussion about why PILOT payments from the state have decreased. Eben said he will call our representatives to ask about it.

It was agreed to devote most of the December 16 meeting to the budget. Eben said we probably will need to set a special meeting date as well.

18. Old Business

The board agreed that the Beautification MOU item should be taken off of the old business list because it is up to the beautification committee to write it.

19. Executive Session for Employment Evaluation

Mark moved to enter executive session for employee evaluation under 1 V.S.A. § 313(a)(3), Mike seconded and the motion was passed at 10:34.

The board consented out of executive session at 11:15 with no action taken.

20. Adjourn

The meeting was adjourned at 11:15.

Minutes submitted by Donna Griffiths

UNAPPROVED