

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES
ALL PARTICIPATION BY ZOOM TELECONFERENCING
MONDAY, APRIL 13, 2020

Present:

Trustees: Scott Meyer, Gordon Smith, Bob Sweetser, Phil Wilson

Others: Meredith Dolan, Rosemary Audibert, Troy Dolan, Eric Osgood, Doug Molde

Note: All votes taken are unanimous unless otherwise noted.

1. *Call to Order*

Gordy called the meeting to order at 6:06.

2. *Changes, Additions to Proposed Agenda*

Meredith added an executive session at the end.

3. *Review and Approve Minutes of Trustee Meetings*

Bob moved to approve the minutes of March 9, March 3, March 17, and March 23, 2020,

Scott seconded and the motion was passed.

4. *Treasurer's Report / Bills and Warrants / Budget Status Report / Action Items*

Scott moved to place a water and sewer lien for \$517.70 on the property owned by Richard Jewett at 112 River Road West, seconded by Bob.

Phil asked, we are able to do water and sewer liens at this time? Meredith said yes. She said back in March we had disconnected the tenant at this property for non-payment and the owner was concerned that the pipes might freeze so he put the electric into his name. It is still in his name and the danger of pipes freezing has passed but we are unable to disconnect because it would be an involuntary disconnection for the tenant and the state directive does not allow involuntary disconnects. The landlord is concerned that he is racking up a bill for the tenant who is not paying.

Phil asked if there is any guidance from the state around water and sewer billing. Is there not a similar directive to the directive on electric service? Meredith said there is a directive for water systems that fall under the PUC. There is not one that applies to us, but she thinks it would not be looked upon kindly if we disconnected. Our internal discussion was that we weren't going to do water or sewer disconnects now.

The motion was passed.

It was moved and seconded to release the water and lien in the amount of \$548.03 on Mariah Spaulding's property at 29 Center St.

Bob moved to authorize the board chair to sign check warrants on behalf of the board during April and May 2020, Scott seconded and the motion was passed.

Rosemary said today she spoke to all the candidates for Susan's position. They are all still interested. She told them she would contact them after May 15.

5. *Request to Construct Fishing Access on Town/Village Property*

Doug Molde said he has been in contact with Noah Pollock about 2 projects. One involves town property only and one is on the former talc mill property. That project is to construct a temporary

ladder out of 3x8 cedar down to the river where people already fish. There is a steep grade there. He doesn't think this project is a material change that would fall under Act 250. That can be checked. The stairs would be removable timber stairs anchored to the ground, designed to be put in place in spring and removed in fall. This is consistent with the Brownfields planning on use of this area for recreation. It would make life easier for those fishing and draw people to use a good section of river.

Phil asked about who would own, insure and move the ladder. Doug said his plan was to ask the town public works department to remove the ladder in the fall. Otherwise the Paddlers' Trail has support staff who could be tapped. Regarding insurance, he thinks we would have to check with PACIF.

Scott said he thinks this is a grand idea. Gordy said his thought is that if we said no to Walter Pomroy's plans we should say no to Doug until he can prove this is allowed under Act 250. We can't treat one person differently than another even though the idea is good. Doug said we would check to see if it is affected by Act 250. Bob said he agrees with Gordy. We can't treat people differently. Walter had just as good an idea as this. Meredith said it sounds like Doug is offering to reach out to the Act 250 people to see if this would trigger the need for an amendment. She thinks that is information we need. Phil said we told Walter we would have to look into the Act 250 question. Meredith said we were told it probably would require an amendment but we never got anything in writing. We could try to get something more definitive. She does think in fairness we need to understand the Act 250 requirements. Phil said he would support Doug's proposal if we don't have to do anything for Act 250, depending on where the ladder is put at the end of the season. Meredith said it looks like it might take up storage space, which is an issue for the town and village. That is something that would have to be figured out. Doug said if it doesn't trigger Act 250 this proposal is not analogous to Walter's project, which does trigger it. Meredith said she would agree. Phil said we support Walter's idea. We just need to deal with Act 250.

Doug will research how Act 250 applies to his proposal and Meredith will try to get a more definitive answer for Walter on how Act 250 applies to his proposal. Doug said he will also look into storage. Meredith said she can reach out to PACIF on the insurance question.

6. *Request for Water Bill Adjustment for 282 Lower Main West*

Meredith said the property owners had high water usage. It turned out to be a toilet. It affected the February and March bills. They provided a receipt showing the problem was fixed. She recommends adjusting their February and March bills according to our policy.

Phil moved to adjust the February and March water bills for 282 Lower Main West to \$97.83 each, seconded by Scott. Meredith said the water went through the sewer, so the sewer bill should not be adjusted. **The motion was passed.**

7. *Water/Wastewater Report and Action Items*

All samples met state requirements. The E-DMR and WR-43 were submitted for review. The wastewater plant had one callout due to loss of power.

Per the village's request, Tim and Luke started alternating work weeks. They are thoroughly sanitizing both plants between shifts. They are not working weekends in Morrisville until it is safe to do so. Dan has limited his contact with the facility to further reduce the chance of any

transmission. He has been able to handle almost everything remotely so far. Staff have started cleaning up flood debris on the property.

Meredith and Dan looked at ordering only 1000 gallons of alum, but the cost is 40% higher if we order 1000 gallons than if we order 2000, so it didn't make sense to get 1000 when we know we will need it in the future. Meredith gave the okay to order 2000 gallons.

The water plant had a callout for the same power outage. Coliform results were negative. Both wells were sampled for radium and all samples were well below state thresholds.

A sensor on the fuel tank for the generator is not working properly. A new sensor is \$700 installed so staff are checking fuel and antifreeze levels weekly rather than getting a new sensor. We can revisit that in the future.

There were issues with a balancing valve on the filter A. Tim narrowed it down with phone support from Pureflow to 2 faulty relays. They were replaced and it is operating normally.

The state performed a sanitary survey on the drinking water system. We are waiting for the final report. Everything went well. The only negative comments will be about the well houses at Katy Win. There will be stronger language to improve the condition of the buildings. It appears that well houses 1 & 2 are the village's responsibility. We will need to come up with a plan to upgrade them. It will be a pretty big project. We will have to hire an engineer to figure out how to bring them up to code and make them more rugged.

Luke finished the Class 3 water certification course but the test has been postponed.

Water loss was 18%.

Scott said when we replace or fix the well houses we should keep in mind that we need to make sure we don't turn them into confined spaces because we don't have a confined space entry program. Meredith agreed. Phil suggested that when we get into the design phase we could consider whether we need to pump water anywhere else. Gordy said we should consider whether we want to have engineering done for the well houses and the sewer building on River Road so if federal money becomes available we will have projects all drawn up and ready to go. Scott and Phil agreed that makes sense.

8. Foreman Report and Action Items

Troy joined the meeting. He said on March 20 we had an outage on the west circuit out of the substation, which affected 350 customers. The cause was related to high winds. A large pine tree top hit the line and took down a phase wire. The pole where the damage occurred was off the road and had to be climbed. Service was restored in about three hours.

On March 21 we had a report of wires down on Clark Avenue which turned out to be our neutral conductor and an outage was required to make the repairs. This affected 20 customers for one hour.

On March 29 the crew responded to a call of trees on the line and in the road on River Road East. It turned out the trees were on the phone wires and in the road and not affecting the electric lines. Our crew removed the trees that were in the road to assist the town.

On April 6, we received a report of wires down in the gulf. It was determined to be our main line neutral conductor. This required an outage to make the repair. It affected approximately 150 customers and service was restored within an hour.

Since transitioning to reduced staffing/home dispatch, the individual that has been reporting to Johnson daily has been doing line patrols, picking up trash, sub check outside the fence, read-outs, required monthly fire extinguisher inspections and other essential work as needed. The crew also completed meter reading, high/low readings, Dig Safes, and disconnect/reconnects (only voluntary disconnects at this time.)

The new Bobcat was delivered and has been added to our insurance.

The crew reconnected water and electric service at 53 Katy Win for the mobile home that was sold by the town at auction earlier this month. The new owners wanted to move in during Easter weekend. The crew was directed to apply social distancing practices and if that was not possible, the job would not be completed. There were no issues.

Troy said his understanding is that there will be a policy about employees wearing masks. He doesn't have an issue with that. His preference would be that, because of liability concerns, employees would be provided with masks intended for respiratory protection produced specifically for that purpose. With homemade masks, we don't know what materials were used. He hates to have anything issued that is not made to specific standards.

Scott said masks made by volunteers are created just to hold what you cough or sneeze out. They are not made for protection of the user. Troy said any restriction of breathing in an individual with underlying respiratory issues is his bigger concern. Scott said the standard for a filtering face piece allows it to be used without going through medical review. If an employee is using a tight-fitting respirator they need to answer a medical questionnaire. An employee with a compromised respiratory system or some other conditions would need a medical physical before using the respirator. But this is outside that boundary. Surgical-type masks are not tight fitting. They do not provide any protection from the virus for the wearer. They are only there to protect the people around you if you are asymptomatic and have the disease.

Meredith said lineworkers have strong feelings about using equipment that is rated so they may be concerned about being issued homemade items even though we know hospitals and others are doing it. Troy said there are liability concerns as well.

Scott said donated masks should be washed before use and preferably dried. If they are overused they can get too much bacteria and virus on them. They need to be laundered after use. There should be guidance that goes with the masks. The health department has a 2-page fact sheet on how to use them. He would be nervous about working with power lines while wearing masks. Troy said employees would not do that.

Scott said he has heard discussion of Troy's crew using masks for meter reading. He thinks as long as employees can do social distancing and there is no one around it wouldn't be big deal not to wear a mask but it is different if they have to go into a place with a roof overhead. Meredith said

what has been discussed is making sure each employee has one when they go out to do meter reading and if anyone is near where they have to go, they should put it on if they can't keep 6 feet away or if the homeowner indicates discomfort. Troy has at least three 3M masks he could provide to his crew for April meter reading and it sounds like someone may donate homemade ones. Troy said the ones he has are just dust masks. Scott asked, they don't have a valve? Troy said no. Gordy said if employees are just out reading meters and no one is around he doesn't see a need for masks and if only one person is in each vehicle each week he doesn't see a need to put on a mask in the vehicle. The masks should be needed only when employees are within 6 feet of someone.

Meredith said there is one location where the meter is inside the building. Her idea was just to estimate rather than going inside. Troy said he wants to do that at least this time.

Eric Osgood said Friday he dropped off 40 surgical masks at the town office for use by employees. They are not homemade.

Scott said even though village employees are each driving one vehicle for a week, when that vehicle is turned over to another employee, because there is not a good understanding of how long the virus lasts on surfaces, the vehicle should be cleaned. Troy said every vehicle gets wiped down at the end of the day before the driver goes home.

9. Set Annual Village Meeting Date and Discuss Location

Meredith said we had talked about pushing the annual meeting to June 2. She spoke to David Manning. He couldn't give confirmation that the school would be comfortable with us using the school building even if the governor lifts the prohibition on meetings with over 10 people. He suggested that she check back later. We would have to post a warning by the end of April for that date. She doubts we will see that meetings of more than 10 are allowed before that. If we want to continue with the plan to have the meeting on June 2 we will probably have to post the warning knowing that if the prohibition continues we may have to cancel and reschedule the meeting. Or we can push it off even longer. She is hopeful that we can have it by June 2. We probably would have to still maintain 6 feet between people. If we don't get confirmation that we can use the school by the time we need to warn the meeting, she and Gordy talked about having at the municipal building. She doubts there will be a big group this year.

Phil asked what would prevent us from voting by mail or in person for the Australian ballot questions and then having the meeting remotely. We can't delay much beyond June. We are halfway through the fiscal year by then. Meredith said she is a little concerned that a Zoom meeting for that many people, with votes, could be unwieldy.

Phil suggested we could have voting by mail for every article that requires a vote. Isn't that now allowed? Gordy said that would take away the voters' ability to amend motions. Meredith said she thinks if we normally voted on the budget by Australian ballot we could do it by mail. She doesn't remember seeing a provision in the bill for voting by mail for articles that are not usually be Australian ballot. Rosemary said if we do voting by mail we have to send a ballot to everyone on the village checklist. There are about 800 people on the checklist. Meredith asked, we would create a ballot with the normal elections and then turn the other questions into ballot questions? Rosemary said yes. Meredith said there was nothing on the warning that we thought would be a huge question. We left room to talk about the merger study but we would need a special meeting for that anyway. It may be doable to have voting by mail.

Scott asked, could we have a Zoom meeting and have ballots come a few days later in case there is an amendment? Then we could have an educated vote. Meredith said she thinks we could have an informational meeting but she doesn't think there could be a meeting with amendments. We have to have warnings posted a certain number of days ahead of time and approve what is on the ballot before warning.

Gordy said he would like to see the meeting kept the way it usually is if possible.

Phil asked when we have to warn by. Meredith said 30 to 40 days before the meeting, so by the end of April.

Meredith looked up the bill with provisions for voting by mail, H.681. She read language from it. She said she would want confirmation that we could put other questions on the ballot that are not usually voted by Australian ballot. If the board wants, she can reach out to our attorney, who will probably say we need confirmation from the Secretary of State's office.

Phil asked what would happen if we planned to have the meeting in June and had to delay. What logistical issues would that cause? Aren't we voting to authorize taxes? Meredith said we are voting on the amount spent, which determines the tax rate. She asked Rosemary when she sends out tax bills. Rosemary said this year may be different, with the reappraisal. And the state has made homestead declaration forms not due until July 15. She doesn't think she will send bills out until at least the end of July. The selectboard is looking into whether to postpone the reappraisal.

Scott asked if Eric could talk about how the reappraisal looks. The village would be looking for the information from the reappraisal as well to set our taxes. Eric said the town is getting pushback from the assessors that we should do the reappraisal because of the lapse of time since the first properties were assessed with the rolling reappraisal. If we delay another year, it would be that much longer since the first ones were assessed. The concern of the selectboard was the amount of people who typically would appeal their assessed value. They can go at first to the assessors and if they are not satisfied with their answer they can appeal to the BCA. When that happens, at least 3 BCA members must inspect the whole property. The concern is that if the pandemic is still an issue we don't want to have people going through other people's homes. The selectboard will have the assessors come to the next meeting to discuss this. He doesn't know whether the reappraisal will be rolled out as planned or delayed by a year.

Scott asked how we set our tax rate. Do we just work off the old one? Meredith said that is what we were going to do.

Meredith suggested that she reach out to our attorney. She is pretty sure he will say we need the Secretary of State's opinion on converting items that are not elections into Australian ballot questions. If they feel that is allowable, at least we can know if that is a backup option. If we could have the meeting in early June she thinks that would be ideal. But if there is no clear time when we will be able to do it we need another option. If we are going to try to warn the meeting for June 2 we may want to be able to tell people our backup plan if we can't do it. If the board agrees, she will try to get information on voting by ballot. We will probably have to have a special meeting later this month to make our decision.

Gordy said some articles can't have a yes or no vote, if the question is appointing or electing or setting the rate of compensation. If we set the meeting for June 2 and can't have it then, would we just send out a warning for July as a backup? Meredith said she thinks if we find out in mid-May that we can't have the meeting on June 2 we could cancel and immediately warn the meeting for July.

The board agreed Meredith should get advice about whether it is allowable to convert our warning to a ballot to be mailed out.

Bob said he thinks we will get more negative votes if voting is done by ballot and people can't hear discussion on the items. Gordy and Phil agreed. Meredith said she thinks if we did voting by mail we would have to try to have an information meeting ahead of time and mail out information.

Gordy said we have an article about assisting Green Mountain Power with their project. Meredith said at this point she doesn't think the delay will hurt their project. She doesn't think they are doing any non-essential work right now. They understand what we are dealing with.

10. Low Income Electric Rate Discussion

Meredith said VPPSA is looking for feedback from members by April 24. GMP has a low income program for their ratepayers funded by other ratepayers. The PUC is interested in other utilities creating something similar. They want our thoughts on our technical abilities to implement such a program and knowledge about our ratepayers' income levels. Meredith understands the desire to help those who are struggling but her concern is that for a utility our size, in a village with a high level of people who meet the low income threshold, if it were funded by ratepayers who were not low-income it would put the burden on a very small group of people. It could make our rates for commercial customers less attractive and hurt economic development. She wants VPPSA to reiterate those concerns to the state. She feels it needs to be funded on a statewide basis, not utility by utility.

Scott said he agrees 100%. Our electric rate is still cheaper than GMP and Vermont Electric Coop. Bob said he thinks we are already doing our part. Meredith said Susan works hard to work with people and set up payment plans to make it as affordable as possible. Gordy said he thinks board members are all in agreement.

Meredith said GMP's low income program provides a bill credit, not a separate rate. It is funded by a charge on non-low-income customers, something like \$1.50 per month. But they have more customers. She doesn't see it working well for a utility with our size and demographics. Gordy said there is another existing state program to help people with their electric bills.

11. COVID-19 Response Check-In & Update

Meredith said it looks like eligibility for COVID-19 related FEMA reimbursement is limited to specific items related to the pandemic response. Her time on the incident command structure and meetings, time for putting out notices to the public, and time our employees spent cleaning as a direct response to the virus are all eligible. She is hoping we can get to the minimum expense threshold. She thinks it will be close but she will try to count every dollar.

Scott asked if it is possible, because of our unified town/village command structure, to put both town and village losses into one piece of paperwork to get over the threshold and break out the

check internally based on our data. Meredith said that is a good question. She thinks before the town submitted paperwork we would want to invoice the town for our costs so they would show up as costs the town needs to reimburse us for.

Scott asked if we are close to the \$3300 minimum. Meredith said she can try to do that math this week. Scott said if the town has an estimate of their costs that would be nice to know. If neither is going to meet the minimum singly we should try to combine expenses. Meredith said she will be attending a webinar for applicants. She can ask if we can invoice the town so they can include our costs in their costs and then reimburse us.

Meredith said the Vermont Municipal Bond Bank sent a notice that they are suspending all payments for loans from them from June 1 until May 31 of next year. She went through our loans to calculate what that means for our budget. For wastewater, we have loans totaling \$22,461 plus almost \$7K in interest. There is a payment due May 1 for half the interest that we have to pay, but we could potentially avoid about \$26K of loan payments for the 2020 budget year. On the water side, the amount we could avoid paying adds up to about \$83K. The electric department has a loan with \$30K in principal and about \$5500 in interest. We have to pay half the interest but can avoid paying the rest. There is a significant amount of money we do not have to pay this year, but the payments are not forgiven, just put off by a year. They are saying there will be no interest charge or administrative fees. If our revenues are coming in low for water or wastewater we could choose not to make the payments this year to help our budget. We have pump houses that will need attention. Maybe we could spend money this year to hire an engineer to set us up for doing work on the pump houses next year if we can find funding. The suspension of payments gives us some flexibility. Meredith thinks we should probably pay as much as we can.

Scott said NVU is one of our biggest users. Do we have data on how much revenue we will be missing from NVU and from the Studio Center? Meredith said on the electric side we estimated system-wide about a 10% reduction in load for April and May. She hasn't done that analysis yet on water and sewer. Once we get the next meter reading, that is when we will have actual data. The Public Utility Commission and the Department of Public Service want utilities to send as much data as possible on the electric side. We have to send March data by Wednesday so they can do a statewide comparison.

Scott said there have been a lot of small business grants and loans based on lost income. Because we are losing income for wastewater, water and power due to the university, businesses and the Studio Center shutting down, is there any help we can get for our lost revenues? Meredith said her understanding is that currently municipal lost revenue is not covered by any of the recovery programs but she thinks they are looking for relief for state and local governments, maybe in the next round. She can ask if VPPSA has heard anything more definite.

Meredith said VPPSA has adjusted some expectations for our load. We are looking at about a 10% decrease. For April the load decrease was a small amount and it didn't make sense for them to sell the excess back to the market. We will keep an eye on it for May. If VPPSA members are having trouble with cash flow VPPSA has the ability to provide assistance through their line of credit.

Eric asked if the sidewalk project on Clay Hill is dead for the year. Meredith said we are still waiting on easements from the Studio Center. We have gone back and forth with their attorney.

Our grant funds were supposed to run out on December 31 of this year. She asked VTrans if it is likely they would be extended and they thought there was a good chance of that. They are doing it on a case by case basis. Hopefully the project is not completely dead. We are waiting to hear back from the Studio Center on easements. Before we can spend construction dollars we have to provide proof of easements to the state. We were concerned about getting the project done by the deadline anyway because of issues with easements. We may not be able to find a contractor to get the work done this year.

Eric said it was shared by Greg Stefanski that Johnson is known as a model for the county for its COVID-19 response.

12. Set Annual Village Meeting Date and Discuss Location

Scott moved to find it necessary to go into executive session to discuss a labor relations matter as premature public discussion would put the village at a substantial disadvantage, Phil seconded and the motion was passed.

Scott moved to enter executive session to discuss a labor relations matter, Phil seconded, the motion was passed and the board entered executive session at 7:41. The board came out of executive session at 7:55.

13. Adjourn

Scott moved and Phil seconded to adjourn at 7:57 and the motion was passed.

Minutes submitted by Donna Griffiths