



## BOARD OF COMMISSIONERS

December 10, 2019 at 6:30 pm

Central VT Chamber of Commerce Conference Room, 963 Paine Turnpike North, Berlin

6:15 pm – Social and pizza

<u>Page</u>	<u>Time</u>	<u>AGENDA</u>
	6:30 <sup>1</sup>	<b>Adjustments to the Agenda</b> <b>Public Comments</b>
	6:35	<b>Energy Planning Best Practices &amp; Data</b> , <i>Zachary Maia and Nick Kramer</i> (enclosed) Learn about Best Practices of enhanced energy planning (Act 174) and data available to municipalities to meet municipal plan requirements.
2	8:00	<b>Regional Plan Committee Rules of Procedure</b> , <i>Laura Hill-Eubanks</i> (enclosed) <sup>2</sup>
3	8:10	<b>CVRPC Bylaw Amendment</b> (enclosed) <sup>2</sup> , <i>Julie Potter</i> Possible adoption of bylaw amendment. 60% of Commissioners (14) must be present and voting in favor for amendment to pass.
37	8:15	<b>Meeting Minutes – November 12, 2019</b> (enclosed) <sup>2</sup>
40	8:20	<b>Staff and Committee Reports</b> (enclosed)
	8:30	<b>Adjournment</b>

**Next Meeting: January 14, 2020**

Persons with disabilities who require assistance or special arrangements to participate in programs or activities are encouraged to contact Nancy Chartrand at 802-229-0389 or [chartrand@cvregion.com](mailto:chartrand@cvregion.com) at least 3 business days prior to the meeting for which services are requested.

<sup>1</sup> Times are approximate unless otherwise advertised.

<sup>2</sup> Anticipated action item.

**REGIONAL PLAN COMMITTEE***RULES OF PROCEDURE*

October 24, 2019

**PURPOSE:** To recommend updates to the Central Vermont Regional Plan and to oversee its implementation.

**GENERAL ACTIVITIES:**

- ◆ Foster public and member municipality engagement in regional planning in the region.
- ◆ Encourage intergovernmental cooperation on regionally important planning issues.
- ◆ Conduct an annual review of the Central Vermont Regional Plan and recommend updates in accordance with Title 24 Chapter 117 and the needs of the region for consideration by the Board of Commissioners.
- ◆ Develop and annually review a Five Year Work Program for the Commission that assists to translate Regional Plan priorities into an annual work program.
- ◆ Monitor the Commission's progress in implementing the Regional Plan and Five Year Work Program, report progress to the Board of Commissioners at least annually, and recommend Regional Plan or Work Program modifications as needed.
- ◆ Assist the Executive Committee and Board of Commissioners to review and comment on proposed policies, plans, and capital improvements of State Agencies in regards to CVRPC policy, Regional Plan conformance, funding, and project prioritization.
- ◆ Participate in special studies conducted by the Commission.
- ◆ Provide input and policy recommendations to the Board of Commissioners regarding pertinent land use issues and legislation as time and resources permit.

**ADVISORY ROLE:** The Regional Plan Committee shall be advisory to the Board of Commissioners. The Regional Plan Committee will offer advice, input, and opinions to the Agency of Commerce and Community Development and other organizations and individuals as appropriate, provided it is compatible with plans, policies, positions or resolutions adopted by the Board of Commissioners. Regional Plan Committee advice, input, and opinions may be reviewed, confirmed or reversed by the Board of Commissioners at the Board's discretion. New or amended plans, policies, positions or resolutions shall be ratified/approved by the Board of Commissioners.

**MEMBERSHIP:** The Regional Plan Committee shall consist of five (5) representatives of the Board of Commissioners who serve two year terms. The terms shall be staggered to foster continuity of policy. The Committee members shall determine the initial staggering of seat terms.

**OFFICERS/ELECTIONS:** The Regional Plan Committee will elect a Chair and Vice-Chair annually at its first meeting of the fiscal year. The Chair will be responsible for running meetings, setting agendas in conjunction with staff, reviewing and signing correspondence on behalf of the Regional Plan Committee, and representing the Regional Plan Committee at various meetings as needed. The Vice-Chair will provide support to the Chair as needed. If the Chair or Vice-Chair should resign before term expiration, an interim election shall be held within two meetings or when regular elections are held, whichever is earlier.

**ATTENDANCE AND QUORUMS:** A quorum of the Committee shall consist of a majority of members, currently three. Members are encouraged to attend all regular meetings and special meetings as they arise. Members with three consecutive unexplained absences will be contacted by the Chair to determine if they still wish to serve on the Regional Plan Committee. The Regional Plan Committee shall meet at least four (4) times per year, or as determined by the Chair to be necessary to carry out the stated purpose.

**COMMUNICATION AND COORDINATION:**

- ◆ Meetings shall be noticed and held in accordance with Vermont Open Meeting Law.
- ◆ Draft policies and resolutions shall be forwarded to Regional Plan Committee members and interested/affected parties for comment before action by the Regional Plan Committee, or final action/approval by the Board of Commissioners.
- ◆ Minutes of all regular and special meetings will be prepared by staff, distributed to Regional Plan Committee members and interested parties, and made available to the public in accordance with open meeting and public records laws described in 1 V.S.A.
- ◆ Regional Plan Committee members are encouraged to offer input on all matters before the Committee, and are encouraged to bring up items of local or regional concern for Committee consideration.

**CONFLICT OF INTEREST:** In the event any Regional Plan Committee member has a personal or financial interest with any individual, partnership, firm or corporation seeking to contract with the CVRPC, or to provide materials or labor thereto, or has a personal or financial interest in any project being considered by the Regional Plan Committee, the member shall state on the record the nature of his or her interest. If the member feels this conflict interferes with his/her ability to be objective, the member shall not participate in any vote on any related motion. If the member is uncertain whether he/she should participate in the decision, the Regional Plan Committee shall determine by vote whether the member should participate.

The Committee may also make a determination of conflict of interest and disallow voting by a member if the majority of voting Committee members in attendance at the meeting determine a conflict of interest exists.

**ADOPTION OF ORGANIZATIONAL PROCEDURES:** The Regional Plan Committee may, at any time, vote to amend these procedures, upon 51% vote of the Regional Plan Committee membership (at least 3 votes in favor). Proposed amendments will be forwarded to Regional Plan Committee members and interested parties before consideration at a regular Regional Plan Committee meeting. Amendments will then be forwarded to the Board of Commissioners for ratification.

The Regional Plan Committee is ~~not a standing or~~ special committee of the Regional Planning Commission, and is therefore ~~not~~ subject to the Commissions bylaws. These Rules of Procedure, combined with Robert's Rules of Order, provide procedural and administrative guidance for the Regional Plan Committee.

Recommended by the Regional Plan Committee: 10/24/19

Adopted by the Board of Commissioners:

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Laura Hill-Eubanks, Chair  
CVRPC Board of Commissioners





## MEMO

Date: December 3, 2019  
To: Board of Commissioners  
From: Julie Potter, on behalf of the Executive Committee  
Re: Proposed CVRPC Bylaws Amendments

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✉ **Action Requested:** Adopt the proposed bylaws amendment.

At the November 12, 2019 meeting, the Board approved placing the proposed bylaws amendment on the December Commission agenda for an adoption vote. Under the current bylaws (Article X), no further revisions or amendments can be made to the bylaws prior to this vote. 60% of commissioners must vote to approve the bylaws amendments for the amendments to pass and take effect. Annotations provide information to assist with review and comparisons to the current bylaws; the annotations are intended to be removed upon adoption.

### **Why are these amendments being proposed?**

The current bylaws provide insufficient guidance for current governance needs, particularly maximizing member involvement and assigning Commissioners and Alternates to committees. Although clearly written, the current bylaws are not well organized and it is often difficult to find where the bylaws address certain topics.

### **How were the proposed amendments developed?**

In July 2018, the Executive Committee established a working group to prepare a bylaws update. Working group members were Julie Potter, Steve Lotspeich and Rich Turner. Executive Director Bonnie Waninger participated in each of the meetings and Nancy Chartrand provided staff support. The working group met regularly from November 2018 to October 2019.

The working group reviewed the strengths and weaknesses of the current bylaws and noted best practices from other RPC bylaws documents. The working group prepared draft

amendments that reorganized and restated the bylaws, expanding some topics and adding some new sections.

A draft of the bylaws was presented to the Board in May 2019 and discussed at the June Board meeting. Based on Board discussion and recommendations from legal counsel, the working group made several revisions to the draft bylaws. The Executive Committee reviewed the revised draft and recommended that it be put on the Board's November agenda. The Board approved placing the amendments as presented on the December agenda for an adoption vote.

**How do the proposed bylaws amendments differ from the current bylaws?**

- The proposed bylaws have been reorganized and include a table of contents to facilitate document navigation.
- The purposes section in Article 2 has been expanded to better reflect the full scope of CVRPC's programs and functions.
- New sections added on Commissioner resignation (Section 304) and attendance (Section 305).
- The Board of Commissioners is specifically recognized (Section 401).
- Staff has been moved to the article on Organization (Section 406).
- Because of the limited responsibilities of the offices of Secretary and Treasurer, they have been combined to be Secretary/Treasurer (Section 402). This results in the addition of another at-large position on Executive Committee (Section 403).
- Committees with long-term roles in CVRPC's operations and core programs are recognized as standing committees, with membership, and purpose and duties identified for each standing committee (Section 403).
- The section on Special Committees has been expanded to address formation, membership, roles, and procedural responsibilities (Section 404).
- The section on nominations is expanded to provide more process detail (Section 501). The Nominating Committee's role is expanded to include nominating members to serve on committees.
- Terms of office are changed to coincide with CVRPC's July 1 fiscal year start date (Section 503).
- The Annual Meeting is changed from May to June, to better align with the fiscal year (Section 603).
- Language is added to clarify that the Board and all committee meetings are subject to the state's Open Meeting Law (Section 601).
- Quorum for meeting is changed to comply with statute. (Section 607)
- New Article 8 addresses the process for municipal service agreements. By statute, this must be specified in the Bylaws.

- New sections added: Indemnification for Commissioners and Alternates (Section 901); Work Program and Budget (Section 902); Annual Report (Section 903); Audit (Section 904); Electronic Records and Signatures (Section 906); and Severability (Section 907).
- Edits for clarity to Appointment and Terms of Commissioners and Alternates (Section 302); Notice of Meetings (Section 606); and Amendments to Bylaws (Section 908).



**ARTICLES OF CONSITITUTION AND BYLAWS OF  
THE CENTRAL VERMONT REGIONAL PLANNING COMMISSION**

*Annotated Version – notes will be removed upon adoption*

**Amended by the Commissioners on Month ##, 2019**

**ARTICLES OF CONSTITUTION AND BYLAWS OF  
THE CENTRAL VERMONT REGIONAL PLANNING COMMISSION**

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1                   **ARTICLES OF CONSTITUTION AND BYLAWS OF**  
2                   **THE CENTRAL VERMONT REGIONAL PLANNING COMMISSION**

3  
4           **ARTICLE 1:   NAME AND ADDRESS**

5           *Note: Compare to Article I in the current bylaws. No substantial changes.*

6           The name of this organization shall be the Central Vermont Regional Planning Commission,  
7           hereinafter referred to as CVRPC. The principal address of CVRPC shall be the address of its  
8           offices.

9           **ARTICLE 2:   POWERS AND PURPOSES**

10           *Note: Compare to Article II in the current bylaws. Expanded discussion of powers includes Municipal*  
11           *Service Agreements, which must be explicitly identified in the bylaws for CVRPC to do.*

12           **Section 201:   Legal Basis**

13           The legal basis of CVRPC is established in the Vermont Municipal and Regional Planning and  
14           Development Act, codified at 24 V.S.A. Sections 4301 et seq. [Chapter 117] (hereinafter  
15           referred to as the “Act”), and other such laws as may be enacted by the General Assembly of  
16           the State of Vermont.

17           **Section 202:   General Purpose**

18           The purpose of CVRPC is to assist Central Vermont municipalities in providing effective local  
19           government and to work cooperatively with them to address regional issues. CVRPC shall  
20           coordinate and assist in efforts to promote the present and future health, safety and general  
21           welfare of the people of Central Vermont through planning and development activities.

22           **Section 203:   Regional Planning**

23           CVRPC shall prepare and adopt a Regional Plan in accordance with the provisions of 24 V.S.A.  
24           Sections 4348 and 4348(a) and consistent with the goals of 24 V.S.A. Section 4302.

25           CVRPC shall undertake other activities or duties as required or permitted by state or federal law  
26           including, but not limited to, those outlined in 24 V.S.A Sections 4345, 4345(A), 4348, and 4350.

27           **Section 204:   Municipal Planning**

28           CVRPC shall assist municipalities and their respective local boards, commissions and  
29           committees in developing and implementing municipal plans to promote the health, safety and  
30           welfare of residents and the local and regional areas with which CVRPC is concerned.

31           CVRPC may advise municipal governing bodies in all aspects of municipal governance.

32           **Section 205:   Studies, Plans and Implementation**

33           In accordance with the provisions of 24 V.S.A. Section 4345, CVRPC may undertake  
34           comprehensive planning and studies, and make recommendations on land development; urban

renewal; transportation; economic, industrial, commercial and social development; urban beautification and design improvements; historic and scenic preservation; capital investment plans; and natural resource protection. CVRPC may also implement, with the cooperation of municipalities within the region, programs for the appropriate development, improvement, protection and preservation of the region's physical and human resources.

#### **Section 206: Municipal Service Agreements**

CVRPC may enter into municipal service agreements, upon complying with the requirements set forth at 24 V.S.A. Section 4345(B), to promote cooperative arrangements and coordinate, implement and administer service agreements among municipalities; including arrangements and actions with respect to planning, community development, joint purchasing, inter-municipal services, infrastructure and related activities. Upon adoption of a municipal service agreement in accordance with Article 8 of these Bylaws, CVRPC may exercise any power, privilege, or authority, as defined within the municipal service agreement, capable of exercise by a municipality (subject to applicable state or federal law) as necessary or desirable for dealing with problems of local or regional concern.

#### **Section 207: Other Duties and Responsibilities**

CVRPC may perform other acts or functions as it may deem necessary or appropriate to fulfill the intent and purposes of the Act; to meet the obligations imposed by federal, state and local law or regulations; and other duties and responsibilities that the Board deems appropriate.

### **ARTICLE 3: MEMBERSHIP AND REPRESENTATION**

#### **Section 301: Member Municipalities**

*Note: Compare to Section 3.1 in current bylaws. No substantial changes.*

CVRPC serves the Central Vermont Region, consisting of the following municipalities in Washington and Orange Counties: Barre Town, City of Barre, Berlin, Cabot, Calais, Duxbury, East Montpelier, Fayston, Marshfield, Middlesex, City of Montpelier, Moretown, Northfield, Orange, Plainfield, Roxbury, Waitsfield, Warren, Washington, Waterbury, Williamstown, Woodbury and Worcester. All municipalities within the Central Vermont Region are members of CVRPC.

#### **Section 302: Appointment and Terms of Commissioners and Alternates**

*Note: Compare to Section 3.2 in current bylaws. Defines terms to coincide with fiscal year. Edited to improve clarity.*

- A. Representation on the CVRPC shall be by commissioners. The legislative body of each member municipality may appoint one commissioner (a "Commissioner") and one alternate (an "Alternate") to the CVRPC Board of Commissioners (the "Board").
- B. Municipal legislative bodies shall certify the appointment of their Commissioner and Alternate in writing to CVRPC. Commissioners and Alternates begin serving immediately upon certification of appointment unless otherwise specified in the appointment.



Commissioners and Alternates may not vote or otherwise formally serve until such appointment has been certified.

C. Terms for Commissioners and Alternates are one year, from July 1 to June 30. Commissioners and Alternates may be appointed to serve successive terms.

D. Commissioners and Alternates who are appointed mid-term shall serve out the term ending June 30 and may continue serving for the subsequent term starting July 1 without recertification. Once a Commissioner or Alternate serves a complete term the appointment must be re-certified for the next term beginning on July 1.

E. A Commissioner or Alternate may continue serving until reappointed or until a successor is appointed.

F. Commissioners and Alternates serve at the pleasure of the appointing legislative body, which may revoke a Commissioner or Alternate's appointment at any time pursuant to 24 V.S.A. Section 4343(a).

G. In the absence of the Commissioner at any meeting of the Board, the Alternate shall sit as the Commissioner and exercise all of the authority of the Commissioner at that meeting.

H. Alternates shall not participate in place of Commissioners on committees or in any office.

I. In the event of the death, resignation, disqualification or removal of a Commissioner or Alternate, a successor shall be appointed promptly, as provided in subsection 302A.

### **Section 303: Voting**

**Note: Compare to Section 3.4 in current bylaws. Provision for vote by mail removed.**

A. Each Commissioner shall have one vote in all actions taken by the Board.

B. Prior to any vote on any matter before the Board, a Commissioner may request time and opportunity to consult with the Commissioner's municipal legislative body before casting a vote on such matter. When so requested, the vote shall be postponed, unless such postponement results in violation of the Act or other Vermont law.

### **Section 304: Resignation**

**Note: New section.**

Any resignation of a Commissioner or Alternate shall be submitted to CVRPC in writing.

### **Section 305: Attendance**

**Note: New section.**

If a Commissioner is absent without good reason for three sequential Board meetings, the Chair shall contact that Commissioner to determine whether the Commissioner has a continued interest in serving and availability to serve on the Board.

**ARTICLE 4: ORGANIZATION****Section 401: Board of Commissioners**

*Note: New section.*

The Board shall consist of the Commissioners and Alternates serving in the absence of a Commissioner. It shall be the duty of each Commissioner to regularly report on the activities of CVRPC to the legislative body and the local planning commission of the municipality of the Commissioner's appointment.

**Section 402: Officers**

*Note: Compare to Section 6.1 in current bylaws. Language combines Secretary and Treasurer into one position. Parliamentary advice is moved from Secretary to Vice Chair. See also the Duties of Officers policy, adopted 2/13/96.*

A. CVRPC's officers shall consist of a chair (the "Chair"), vice chair (the "Vice Chair"), and secretary/treasurer (the "Secretary/Treasurer"), each of whom shall be duly appointed Commissioners of member municipalities.

B. Duties of officers shall be as follows:

1. The Chair shall call meetings of the Board and the Executive Committee and shall preside at these meetings. The Chair shall prepare and cause to be distributed to members, an agenda for all Board and Executive Committee meetings. The Chair shall perform such other duties as are normal or customary to the office, or which may be assigned by the Board. The Chair shall cast a vote on all issues voted on at a Board or Executive Committee meeting, unless the Chair wishes to abstain.

2. The Vice Chair shall act as Chair in the absence or incapacity of the Chair and shall perform such other duties as may be assigned by the Board. The Vice Chair may also advise the Chair on parliamentary issues. The Vice Chair shall act as Secretary/Treasurer in the absence or incapacity of the Secretary/Treasurer.

3. The Secretary/Treasurer shall be CVRPC's recording officer and the custodian of its records, except as those duties are delegated to CVRPC staff. The Secretary/Treasurer shall perform all duties customary to that office, including overseeing all CVRPC financial records and overseeing minutes of Board meetings and such Committee meetings as the Chair may designate.

C. Additional officer duties may be assigned by a policy adopted by the Board.

**Section 403: Standing Committees**

*Note: New section.*

A. General

1. Standing committees (the "Standing Committees") have a long-term role in CVRPC's operations and core programs.

2. Each Standing Committee shall have rules of procedure approved by the Board (the “Rules of Procedure”). The Rules of Procedure shall specify the committee’s purpose, general activities, role, membership, voting procedures, officers, elections, attendance and quorums, communication and coordination, conflict of interest policy, and adoption of organizational procedures.
3. Standing Committees may establish subcommittees and workgroups as needed to accomplish committee business.
4. Unless otherwise specified in the Rules of Procedure, all Standing Committee members are eligible to vote on committee business.
5. All Standing Committees shall maintain meeting minutes. Standing Committees shall report to the Board as it directs.

B. Executive Committee

***Note: Compare to section 6.7 of current bylaws. Expanded to better reflect actual responsibilities of the Executive Committee. See also Duties of Executive Committee Policy, adopted 2/13/96 and Executive Committee Rules of Procedure, adopted 7/2/18.***

1. The executive committee (the “Executive Committee”) shall consist of seven Commissioners (in accordance with 24 V.S.A. Section 4343(b)), including the three (3) officers and four (4) at-large members who shall be elected at the Annual Meeting. Duly-appointed Commissioners are eligible for Executive Committee membership. The officers of the Board shall be the officers of the Executive Committee.
2. The purpose and duties of the Executive Committee shall be to:
  - a. Oversee and approve an annual work plan and budget for CVRPC, including budget adjustments.
  - b. Set municipal dues.
  - c. Oversee and approve an organizational plan for CVRPC.
  - d. Authorize and accept grants, agreements and contracts with outside organizations and agencies.
  - e. Review and accept the annual audit.
  - f. Approve the addition and elimination of staff positions as recommended by the executive director. Adopt job descriptions and wage ranges for staff positions.
  - g. Adopt and oversee personnel, financial, procurement, operational and administrative policies and procedures.
  - h. Monitor emerging issues affecting CVRPC.
  - i. Approve agendas for Board meetings.

- 1 j. Recommend to the Board or, if timing requires, take appropriate action  
2 on policy issues, including legislative issues, state or federal plans and  
3 policy, regional planning commission allocation formulas or other issues  
4 affecting the Central Vermont Region and its municipalities.
- 5 k. Act on behalf of the Board in the absence of a quorum of the Board when  
6 time precludes the delay of decision or action until the next regular  
7 meeting of the Board.
- 8 l. Carry out other actions in accordance with 24 V.S.A. Section 4343(b) or as  
9 directed by a policy adopted by the Board.

10 C. Nominating Committee

11 ***Note: Compare to Section 6.3 in current bylaws. This language increases the role of Nominating***  
12 ***Committee. See also Nominating Committee Guidelines adopted 3/9/99. Rules of Procedure still need***  
13 ***to be developed.***

- 14 1. The nominating committee (the “Nominating Committee”) shall consist of three  
15 (3) Commissioners or Alternate Commissioners. The Executive Committee shall  
16 nominate candidates for the Nominating Committee, taking demonstrated  
17 commitment to CVRPC into account. Nominees shall be submitted at the  
18 January Board meeting, and additional nominations may be made from the floor.  
19 The Board shall elect the Nominating Committee annually at its January meeting.
- 20 2. The purpose and duties of the Nominating Committee shall be to:
- 21 a. Identify and recommend to the Board a slate of candidates for the  
22 positions of Chair, Vice Chair, Secretary/Treasurer and at-large members  
23 of the Executive Committee.
- 24 b. Identify and recommend to the Board candidates for Standing and  
25 Special Committees and CVRPC representatives appointed by the Board  
26 to other organizations.

27 D. Regional Plan Committee

28 ***Note: Rules of Procedure are in development.***

- 29 1. The regional plan committee shall consist of five (5) Commissioners or Alternate  
30 Commissioners (the “Regional Plan Committee”) who shall be elected at the  
31 Board’s Annual Meeting.
- 32 2. The purpose and duties of the Regional Plan Committee shall be to:
- 33 a. Oversee development and maintenance of the Regional Plan, pursuant to  
34 24 V.S.A. Section 4347 and the requirements and allowances in 24 V.S.A.  
35 Section 4348(b), and make recommendations for approval by the Board.
- 36 b. Oversee other tasks related to the Regional Plan as assigned by the Board  
37 or required or permitted by the Act.

E. Project Review Committee

**Note: Compare to Project Review Committee Rules of Procedure adopted 9/12/17.**

1. The project review committee (the “Project Review Committee”) shall consist of five (5) members plus one (1) committee alternate, each of whom shall be a Commissioner or an Alternate. Committee members and the committee alternate shall be elected at the Board’s Annual Meeting. Committee members and the committee alternate shall have staggered three-year terms.
2. The Project Review Committee shall offer advice, input and opinions on proposed Act 250 and Section 248 projects, compatible with the plans, policies, positions or resolutions adopted by the Board of Commissioners. Project Review Committee advice, input and opinions may be reviewed, confirmed or reversed by the CVRPC Board at the Board’s discretion.
3. The purpose and duties of the Project Review Committee shall be to:
  - a. Evaluate Act 250 and Section 248 development projects relative to conformance with the Regional Plan.
  - b. Provide input and recommendations to the State, on behalf of the Board, regarding Act 250 and Section 248 projects.
  - c. Provide guidance to the staff and the Regional Plan Committee on amendments or changes to the Substantial Regional Impact criteria.
  - d. Provide the Board copies of all written decisions and recommendations regarding Act 250 and Section 248 projects.

F. Municipal Plan Review Committee

**Note: Committee name changed. Rules of Procedure still need to be completed. Includes review of municipal plans and municipal enhanced energy plans.**

1. The municipal plan review committee (the “Municipal Plan Review Committee”) shall consist of five (5) members who shall be elected at the Board’s Annual Meeting. At least two (2) members shall be Commissioners and no more than (3) members shall be Alternate Commissioners.
2. The purpose and duties of the Municipal Plan Review Committee shall be to:
  - a. Review municipal plans for conformance to statutory requirements, in accordance with 24 V.S.A. Section 4350(b), and make recommendations for approval to the Board.
  - b. Review municipal enhanced energy plans for determination of energy compliance, in accordance with 24 V.S.A. Section 4352(b).
  - c. Review municipal planning processes, in accordance with 24 V.S.A. Section 4350(a), and make recommendations for confirmation to the Board.

d. Review the compatibility of all municipal plans at least every eight years and in accordance with 24 V.S.A. Section 4345a(9) and report its findings to the Board.

e. Provide guidance to municipalities about future plan updates and ways to strengthen planning efforts.

G. Transportation Advisory Committee

***Note: Compare to Transportation Advisory Committee Rules of Procedure adopted 10/11/17. Terms changed to be aligned with fiscal year.***

1. The transportation advisory committee (the “Transportation Advisory Committee”) shall consist of municipal representatives and representatives from transportation-related groups. Each of the member municipalities in the Central Vermont Region is eligible to appoint one voting member and one alternate to the Transportation Advisory Committee. Municipal participation is discretionary and determined by appointment by the municipality’s legislative body. Upon the approval of 51% of the Transportation Advisory Committee, other transportation-related groups will be invited to appoint one voting member and one alternate to the Transportation Advisory Committee.

2. Municipal legislative bodies shall certify the appointment of the committee member and alternate in writing to CVRPC. Committee members and alternates begin serving immediately upon certification of appointment unless otherwise specified in the appointment.

3. Terms for committee members and alternates are one year, from July 1 to June 30. Committee members and alternates may be appointed to serve successive terms.

4. Committee members and alternates who are appointed midterm shall serve out the term ending June 30 and may continue serving for the subsequent term starting July 1 without recertification. Once a committee member or alternate serves a complete term the appointment must be re-certified for the next term beginning on July 1. Committee members and alternates may continue serving until reappointed or until a successor is appointed.

5. The Transportation Advisory Committee shall be advisory to the Board. The Transportation Advisory Committee will offer advice, input, and opinions to the Vermont Agency of Transportation and other organizations and individuals as appropriate, provided that they are compatible with plans, policies, positions or resolutions adopted by the Board. Transportation Advisory Committee advice, input and opinions may be reviewed, confirmed or reversed by the Board at the Board’s discretion. New or amended plans, policies, positions or resolutions by the Transportation Advisory Committee shall be approved by the Board.

6. The purpose and duties of the Transportation Advisory Committee shall be to:

a. Oversee the CVRPC transportation planning program in accordance with

1 CVRPC plans, policies and procedures. This includes assisting with the  
2 development of CVRPC's annual transportation work program and  
3 budget.

4 b. Develop and update a regional transportation element as part of the  
5 Regional Plan.

6 c. Provide recommendations on funding and prioritization for the Agency of  
7 Transportation's Capital Budget and State Transportation Improvement  
8 Program.

9 d. Act as a liaison between local communities and the Vermont Agency of  
10 Transportation.

11 e. Provide local and regional input regarding transportation issues  
12 important to the region.

### 13 **Section 404: Special Committees**

14 ***Note: Compare to section 6.8 in current bylaws. Language expanded to address formation,***  
15 ***membership, role, rules of procedure, minutes, etc.***

16 A. The Board may create special committees ("Special Committees") as needed to address  
17 specific tasks or to oversee or advise CVRPC projects or programs.

18 B. Special Committees may include Commissioners, Alternates, topic experts, interest  
19 group representatives, or other public representatives as appropriate to accomplish the  
20 purpose of the Special Committee. The Board shall appoint Commissioners or  
21 Alternates to serve as members of Special Committees. Special Committee members  
22 who are not Commissioners or Alternates shall be appointed as specified in the Special  
23 Committee's Rules of Procedure.

24 C. Special Committees shall be advisory to the Board. Special Committees may offer  
25 advice, input, and opinions to agencies, other organizations and individuals as  
26 appropriate, provided that they are compatible with plans, policies, positions or  
27 resolutions adopted by the Board.

28 D. Each Special Committee shall have Rules of Procedure approved by the Board. The  
29 Rules of Procedure shall specify the committee's purpose, general activities, role,  
30 membership, voting procedures, officers, elections, attendance and quorums,  
31 communication and coordination, conflict of interest policy and adoption of  
32 organizational procedures.

33 D. Special Committees may establish subcommittees and workgroups as needed to  
34 accomplish committee business.

35 E. Unless otherwise specified in the Rules of Procedure, all committee members are  
36 eligible to vote on committee business.

37 F. Special Committees shall maintain meeting minutes and report to the Board as it  
38 directs.

**Section 405: Appointed Representatives**

*Note: Compare to Section 6.2 in current bylaws. Language modified to more generally apply to appointments. Examples might be Council of Regional Commissions, VAPDA, GMTA, VEPC, Mad River Planning District.*

The Board may appoint Commissioners, Alternates or CVRPC staff to represent CVRPC on state councils or the governing bodies of other organizations. Appointments shall be made at the Annual Meeting, or when representation is requested.

**Section 406: Staff**

*Note: See Section 6.6 in the current bylaws. Minor changes to address work plan.*

- A. CVRPC staff shall consist of an executive director (the “Executive Director”) and any other administrative or technical staff as approved by the Executive Committee.
- B. The Executive Director and staff shall implement the work plan approved by the Executive Committee and undertake other duties as the Board or Executive Committee assign.
- C. All personnel matters shall be managed in accordance with the adopted Personnel Policies. Job descriptions for all staff shall be kept on file.
- D. No person seeking employment or having business with CVRPC shall be discriminated against for reasons of race, color, national origin, ancestry, place of birth, religion, gender identity, sexual orientation, pregnancy, age, marital status, military/veteran status, genetic information, physical or mental disability, HIV status or any other characteristic protected by state or federal law.

**ARTICLE 5: NOMINATIONS, ELECTIONS, APPOINTMENTS AND TERMS****Section 501: Nominations**

*Note: See Section 6.3 in current bylaws. Expanded language on process.*

- A. The Nominating Committee will be appointed in accordance with Section 403C.
- B. The Nominating Committee shall seek to balance the interests of CVRPC in order to have the Executive Committee and Standing Committees be as reflective of the Board as possible.
- C. The Nominating Committee shall follow its adopted Rules of Procedure and the adopted Nominating Committee Guidelines.
- D. The Nominating Committee shall present an initial slate of Officers and at-large Executive Committee members at the Board’s April regular meeting, with a final slate of candidates presented at the May regular meeting. Additional candidates may be nominated from the floor at the May regular meeting, at which time nominations will be closed, and those nominations added to the slate.
- E. The Nominating Committee shall present a slate of other Standing and Special Committee members and other appointed representatives at the Board’s May regular



meeting. Additional candidates may be nominated from the floor at the May regular meeting, at which time nominations will be closed, and those nominations added to the slate.

#### **Section 502: Elections**

**Note: See Section 6.3 in current bylaws. Slightly expanded language.**

A ballot, containing the final slate of Officers, Executive Committee, and other committee candidates, shall be sent not more than five (5) days after the May regular meeting to all Commissioners. The Secretary/Treasurer shall oversee vote counting and shall announce the results at the Annual Meeting. The candidates receiving the most votes shall be elected. In the event of a tie, the Board shall vote to break the tie at the Annual Meeting.

#### **Section 503: Terms of Office**

**Note: See Section 6.4 of current bylaws. Changes terms to coincide with fiscal year.**

- A. The terms of office for Officers and the Executive Committee are one year, from July 1 to June 30.
- B. The terms of office for other committees and appointments shall be from July 1 (or the date of appointment) to June 30, unless otherwise specified in the Committee Rules of Procedure.
- C. For the terms of office for Commissioners and Alternates, see Section 302C of these Bylaws.

#### **Section 504: Vacancies**

**Note: See Section 6.4 in current bylaws. No substantial changes.**

- A. In the event that any Officer or Executive Committee position is vacated, such vacancy shall be filled at the next regular Board meeting. Members so elected shall hold office only for the balance of the current year or until their successors are elected and installed.
- B. Committee Rules of Procedure shall address vacancies on other committees.

#### **Section 505: Removal from Office**

**Note: See Section 6.4 in current bylaws. Clarifies that “cause” is violation of Code of Conduct and Conflict of Interest Policy.**

- A. Any Officer or member of any committee may be removed from a committee for violations of CVRPC’s adopted Code of Conduct and Conflict of Interest Policy. Removal requires a 60% vote of all members of the Board. Any action for removal must be warned one month in advance of the Board meeting at which such a vote will be taken.
- B. Commissioners and Alternates may only be removed from the Board through action by their municipal governing body, in accordance with Section 302F.

**ARTICLE 6: MEETINGS****Section 601: Open Meeting Law**

*Note: New section.*

All meetings of the Board and committees established by the Board are subject to the Vermont Open Meeting Law (codified at 1 V.S.A. Sections 310-314).

**Section 602: Regular Board of Commissioners Meetings**

*Note: See Section 4.1 in current bylaws. No substantial changes.*

Regular meetings of the Board shall be held on the second Tuesday of the month, or as otherwise determined by either the Executive Committee or the Board. The time and place of the regular meetings shall serve the convenience of the greatest number of Commissioners, as determined by the Board.

**Section 603: Annual Meeting**

*Note: See Section 4.1 in current bylaws. Annual meeting moved from May to June to have new positions start with fiscal year and enable newly-appointed Commissioners and Alternates a chance to participate on committees their first year.*

The annual meeting shall be the regular meeting that occurs in June (the “Annual Meeting”).

**Section 604: Special Board of Commissioners Meetings**

*Note: See Section 4.2 in current bylaws. No substantial changes.*

Special meetings may be called by the Chair, the Executive Committee, or by a majority vote of the Board.

**Section 605: Committee Meetings**

*Note: New section.*

Committees shall meet at a day, place and time determined by each committee.

**Section 606: Notice of Meetings**

*Note: See Section 4.3 in current bylaws. Text edited to focus on compliance with OML. Specific distribution list removed.*

A. Notice of Board meetings shall be provided in accordance with the Open Meeting Law. To the extent possible, CVRPC will provide five (5) days notice of meetings.

B. Notice of committee meetings shall be provided in accordance with the Open Meeting Law. To the extent possible, CVRPC will provide five (5) days notice of meetings. Notice and agendas for committee meetings shall be provided to Commissioners and Alternates.

**Section 607: Quorum**

*Note: See Section 3.4 in current bylaws. Language changed from majority of Commissioners to majority of seats in order to comply with statute.*

A. A majority of Commission seats shall comprise a quorum for Board meetings and transacting business. In the event of a tie vote on any matter before the Board, including the vote of the Chair, such motion, resolution or action shall be considered defeated.

B. A majority of voting committee seats shall comprise a quorum for committee meetings. In the event of a tie vote on any matter before the committee, including the vote of the chair, such motion, resolution or action shall be considered defeated.

#### **Article 608: Parliamentary Authority**

*Note: See Section 4.5 in current bylaws. No substantial changes.*

Roberts Rules of Order (the most current edition then in effect) shall generally govern the proceedings of the Board and all CVRPC committees, unless otherwise specifically covered within these Bylaws or by any other special rules the Board may adopt.

#### **Section 609: Minutes and Public Records**

*Note: See Section 4.4 in current bylaws. Language slightly expanded.*

Minutes of all meetings of the Board and all committees established by the Board shall be kept and copies shall be available to all Commissioners, member towns, and the general public in accordance with the Vermont Public Records Act (codified at 1. V.S.A. Sections 315-320).

### **ARTICLE 7: FUNDING**

#### **Section 701: Fiscal and Operational Year**

*Note: See Article V in current bylaws. No substantial changes.*

CVRPC's fiscal and operational year shall be from July 1 to June 30 (the "Fiscal Year").

#### **Section 702: Membership Assessment**

*Note: See Article VIII in current bylaws.*

The Executive Committee shall annually recommend a schedule and rate for membership dues to the Board. The Board shall annually adopt membership dues. CVRPC shall notify in writing all municipalities within the region on or before November 15<sup>th</sup> of the sums it deems necessary to be received from said municipalities for the next CVRPC Fiscal Year.

#### **Section 703: Grants, Contracts and Contributions**

*Note: See Article VIIIc in current bylaws. Slightly expanded language.*

CVRPC may receive and expend monies from any source, public or private, without limitation, including funds made available from individuals, municipalities, the State of Vermont, the federal government, private foundations, corporate partners or trusts.

#### **Section 704: Borrowing Authority**

*Note: See Article VIIIId in current bylaws. Slightly edited for clarity and to reference statute.*

CVRPC may borrow money and incur indebtedness for the purposes of purchasing or leasing property for office space, establish and administer a revolving loan fund, or establish a line of credit, if approved by a two-thirds vote of the Board. Any obligation by CVRPC incurred under this section shall comply with the requirements set forth at 24 V.S.A. Section 4345(16)(B)(i)-(ii).

#### **Section 705: Signatory**

*Note: See Article VII in current bylaws. Language is expanded to more clearly define signatory roles.*

A. The Executive Committee is responsible for approving contracts and agreements, and shall authorize an Officer or the Executive Director to sign approved contracts, instruments, and agreements on behalf of CVRPC.

B. The Chair, Secretary/Treasurer and Executive Director are authorized to sign checks, notes, drafts and orders related to an approved budget, work plan, contract, or agreement. All other payments must be approved and authorized by the Executive Committee.

### **ARTICLE 8: MUNICIPAL SERVICE AGREEMENTS**

*Note: New article. Specifies process for municipal service agreements, as required by statute. Adapted from NRPC.*

#### **Section 801: Participation**

Participation by a municipality in a municipal service agreement with CVRPC shall be voluntary and only valid upon action by the Board and each of the legislative bodies of the municipalities who are proposed parties to the service agreement. The agreement may include other parties as may be relevant to a particular service.

#### **Section 802: Content of Agreement**

A. A municipal service agreement shall describe the services to be provided and the amount of funds payable by, and/or a formula for allocating costs to, each municipality that is a party to the service agreement. Service of personnel, use of equipment and office space, and other necessary services may be accepted from municipalities as part of their financial support and shall be clearly documented in the annual budget for the service approved by the parties to the agreement. A municipal service agreement shall include details regarding liability and enforcement.

B. To become effective, a municipal service agreement shall be executed by a duly authorized agent of CVRPC and of each of the legislative bodies of the municipalities who are proposed parties to the service agreement. The agreement may include other parties as may be relevant to a particular service.

C. When deemed appropriate by the participating municipalities and CVRPC, municipal service agreements may include a governance committee made up of representatives of the participating municipalities and CVRPC. If a governance committee is formed, the municipal service agreement shall include appropriate details regarding the responsibilities, voting rights and financial obligations of each member.

- 1 D. Any modification to a service agreement shall become effective only when approved by  
2 all parties to the service agreement, including CVRPC's Executive Committee and the  
3 legislative bodies of all involved municipalities. Such modifications shall be in writing,  
4 with a copy provided to all parties to the agreement.

5 **Section 803: Termination of Agreement**

- 6 A. All municipal service agreements shall contain a termination date unless some other  
7 method of termination is expressly provided in the agreement. Service agreements  
8 shall also contain a provision describing how parties may withdraw from the agreement  
9 prior to the termination date. The method of withdrawing from and/or terminating a  
10 service agreement shall generally be the same as the process for entering such  
11 agreement – i.e., by majority vote of the members of the municipal legislative body and  
12 CVRPC's Executive Committee, subject to other applicable provisions of law. If,  
13 however, the service agreement involves multi-year financial obligations, or other  
14 contractual obligations have been incurred in reliance on the service agreement, the  
15 withdrawing party shall withdraw only upon satisfaction of those obligations or mutual  
16 written agreement regarding the process to satisfy the same.
- 17 B. The withdrawal provision of a municipal agreement with one municipality shall provide  
18 for at least 30 days notice unless otherwise provided in the agreement.
- 19 C. The withdrawal provision of a municipal agreement with multiple municipalities shall  
20 provide for at least six months notice prior to the beginning of a fiscal year, unless  
21 otherwise provided in the agreement.

22 **Section 804: Other Contracted Services**

23 Nothing within this article shall limit CVRPC's ability to enter into contracts or agreements to  
24 provide services with other entities or governmental organizations, including those serving  
25 multiple municipalities.

26 **ARTICLE 9: SUPPLEMENTARY PROVISIONS**

27 **Section 901: Indemnification**

28 *Note: New section recommended by attorneys. Language adapted from VLCT bylaws.*

29 To the fullest extent permitted by law, CVRPC shall indemnify and hold harmless its officers,  
30 Commissioners, Alternates and employees from loss, damage or claim arising out of the  
31 discharge or any duty or responsibility; provided, however, that any act or occurrence or  
32 omission from which indemnification is sought is within the scope of such person's duties or  
33 employee's employment, and is not the result of criminal or gross negligence.

34 **Section 902: Conflict of Interest**

35 *Note: See Section 3.5 in current bylaws. No substantial changes.*

36 Commissioners have an obligation to conduct the affairs of their office in such a manner as to  
37 instill public trust and confidence. CVRPC shall maintain a written policy on code of conduct

1 and conflict of interest. A copy of this policy shall be provided to all Commissioners and  
2 Alternates at the time of their appointment.

3 **Section 903: Work Plan and Budget**

4 *Note: New section. Adapted from SWCRPC VI.9*

5 The Executive Director shall prepare an annual written work plan and budget that shall be  
6 presented to the Executive Committee for approval. The approved work plan and budget shall  
7 be presented to the Board at the July meeting or as soon as possible thereafter.

8 **Section 904: Annual Report**

9 *Note: New section. Adapted from TRORC 7.9*

10 The Executive Director shall prepare a written annual report to the member municipalities by  
11 December 31<sup>st</sup>.

12 **Section 905: Audit**

13 *Note: New section. Adapted from SWCRPC VI.9*

14 An annual audit, conducted by an independent CPA, shall be performed and a report shall be  
15 presented to the Executive Committee at a duly warned meeting.

16 **Section 906: Electronic Records and Signatures**

17 *Note: New section recommended by attorneys.*

18 To the maximum extent permissible by law, these Bylaws shall be construed so that electronic  
19 documents or records shall be the legal equivalent of written instruments and authenticated  
20 documents or records shall be the legal equivalent of signed or executed written instruments.

21 **Section 907: Dissolution**

22 *Note: See Article IX in current bylaws. No substantial changes.*

23 CVRPC shall be dissolved or terminated:

24 A. Upon the affirmative and unanimous vote of the Board at an annual meeting, provided  
25 notice of the proposal of dissolution shall have been given in writing to each  
26 Commissioner and Alternate at least thirty days prior to such meeting; or

27 B. When the number of participating municipalities represented by Commissioners shall be  
28 less than five.

29 **Section 908: Amendments to Bylaws**

30 *Note: See Article X in the current bylaws. Slightly edited for clarity.*

31 A. A proposed amendment shall be placed on the agenda for any regularly scheduled  
32 meeting of the Board by vote of the Board or by vote of the Executive Committee.

33 B. The proposed amendment shall be discussed at the next regular meeting of the Board  
34 and may be amended at that meeting. An affirmative vote of the Board is required to  
35 advance the agreed upon proposed amendment. That vote must direct that the final

1 proposed amendment be placed on the agenda of a subsequent regular meeting for a  
2 final vote.

3 C. After the affirmative vote described in 908B, a proposed amendment shall be placed on  
4 the agenda for a final vote at a subsequent regular meeting of the Board. No  
5 amendment to the proposed amendment shall be allowed at the Board meeting during  
6 which the final vote is taken.

7 D. The proposed amendment shall become effective upon the affirmative vote of 60% of  
8 the Commissioners. If a 60% affirmative vote is not attained, the proposed amendment  
9 fails.

#### 10 **Section 909: Severability**

11 ***Note: New section. Adapted from ACRPC 1403***

12 If any provision of these Bylaws is held invalid, the other provisions of CVRPC's Bylaws shall not  
13 be affected thereby.

#### 14 **Central Vermont Regional Planning Commission Bylaws History**

15 ***Note: Compare to Certificate at end of current bylaws. Language edited to retain only adoption and***  
16 ***amendment dates. New date will be added upon adoption.***

17 Bylaws first adopted April 27, 1967.

18  
19 Amended May 27, 1980.

20 Amended January 10, 1989.

21 Amended May 10, 1994.

22 Amended November 11, 1997.

23 Amended May 8, 2001.

24 Amended April 13, 2010.

25 Amended April 11, 2017.

26 Amended MONTH ##, 2019.



**ARTICLES OF CONSTITUTION AND BYLAWS**  
of the  
**CENTRAL VERMONT REGIONAL PLANNING COMMISSION**

**ARTICLE I. NAME AND ADDRESS**

The name of this organization shall be the Central Vermont Regional Planning Commission. The regional area with which this Commission shall be concerned and serve shall be those parts of Orange and Washington Counties embraced within the boundaries of the following municipal corporations: Barre Town , City of Barre, Berlin, Cabot, Calais, Duxbury, East Montpelier, Fayston, Marshfield, Middlesex, City of Montpelier, Moretown, Northfield, Orange, Plainfield, Roxbury, Waitsfield, Warren, Washington, Waterbury, Williamstown, Woodbury, and Worcester. The principal address of this Commission shall be the address of its offices.

**ARTICLE II. POWERS AND PURPOSES**

The legal basis and powers of this Commission are stipulated in the Vermont Municipal and Regional Planning and Development Act, 24 V.S.A. Chapter 117, and such other laws as may be enacted by the General Assembly of the State of Vermont.

The mission and purpose of the Central Vermont Regional Planning Commission is to assist Central Vermont municipalities in providing effective local government and to work cooperatively with them to address regional issues. The Commission shall coordinate and assist in efforts to promote the health, safety and general welfare of the people of Central Vermont through development and planning activities affecting physical, natural, and human resources. In all efforts, the Commission shall foster the wise expenditure of public funds and resources necessary for the efficient delivery of governmental and community services.

**ARTICLE III. MEMBERS, REPRESENTATION, AND VOTING**

**SECTION 3.1 MEMBERSHIP**

All municipalities within the Central Vermont Region are members of this Commission. However, a participating member in the Commission is further defined as a municipality that regularly sends a



representative to the Commission's meetings, and pays their annual assessment by October 1 of each year.

### SECTION 3.2 COMMISSIONERS

The Commissioners of this Commission shall consist of one person from each of the participating town or city municipal corporations within the regional area designated in Article I hereof which have agreed to accept the conditions imposed by this Commission for such participant membership.

Commissioners shall be subject to the following conditions of appointment and tenure:

a. he/she shall be appointed by the legislative body of the municipality or its agent, or elected by the voters, as allowed by Statute. No Commissioner may vote or otherwise formally serve until such appointment has been certified in writing to the Commission by the appointing legislative body.

b. such Commissioners, so appointed, shall serve for a term of one year or until a successor shall have been appointed, provided, however, that a Commissioner may be appointed to succeed himself;

c. in the event of the death, resignation, disqualification or removal of a Commissioner of this Commission, a successor shall be appointed forthwith as provided in Subsection 3.2a hereof;

d. an alternate Commissioner of this Commission may be appointed, as provided in Subsection 3.2a thereof, for the same term and subject to the same qualifications as a Commissioner and such alternate Commissioner, in the absence of the Commissioner at any meeting of this Commission, shall sit as the Commissioner and exercise all of the authority of the Commissioner in such meeting.

Said alternate shall not assume the office or committee chair of the regular commissioner nor participate on the Executive Committee in place of the regular commissioner.

e. it shall be the duty of each Commissioner to regularly report as to the activities of the Commission to the legislative body and the local planning commission of the town/city of his/her appointment.

### SECTION 3.4 VOTING AND QUORUMS

a. Each Commissioner shall have one vote in all actions taken by the Commission. except Commissioners of area wide citizen interest groups who, according to State Statute (Act 200) may

not vote on the adoption or amendments to municipal/town plans, the Regional Plan, or confirmation of any municipal planning process.

b. A quorum of Commissioners of this Commission for holding meetings and transacting business shall be a majority of the duly appointed municipal Commissioners. In the event of a tie vote on any matter before this Commission, including the vote of the Chairman, such motion, resolution, or action shall be considered as lost.

c. If, prior to any vote on any matter before the Commission, a Commissioner shall request time and opportunity to consult with the body which appointed him to this Commission prior to casting his vote on such matter, such vote shall be postponed unless such postponement results in violation of State statute requirements.

d. By order of the Commission, any vote may be taken by postal ballot prior to the next ensuing meeting of the Commission by mailing such votes to the Secretary of the Commission.

#### SECTION 3.5 CONFLICT OF INTEREST

Commissioners have an obligation to conduct the affairs of their office in such a manner as to instill public trust and confidence. As such, the Commission shall maintain a written policy on conflict of interest and code of conduct. A copy of said policy shall be provided to all Commissioners at the time of their appointment.

### ARTICLE IV. MEETINGS

#### SECTION 4.1 REGULAR MEETINGS

Regular meetings of the Commission shall be held on the second Tuesday of the month, or as may otherwise be determined by either the Executive Committee or the Commission. The time and place of the meetings shall serve the convenience of the greatest number of Commissioners and member towns, as determined by the Commission.

The monthly meeting that occurs in May shall be considered the Annual Meeting.

#### SECTION 4.2 ADDITIONAL MEETINGS

Additional meetings may be called by the Chairman, the Executive Committee, or by a majority vote of the Commission, at any time.

**SECTION 4.3 NOTIFICATION OF MEETINGS**

Notice of regular meetings of the Commission shall be mailed not less than five days prior to such meetings to all Commissioners, alternate Commissioners, Municipal Planning Commission Chairs, Chairs of Boards of Selectmen and Aldermen, Mayors, City/Town Managers, and municipal planners of all member municipalities.

Whenever possible, Commissioners and alternates shall receive advance written notification of any special or additional meetings.

**SECTION 4.4 MINUTES**

Minutes of all meetings of the Commission shall be kept and copies thereof shall be available to all Commissioners, member towns, and the general public.

**SECTION 4.5 ROBERTS RULES OF ORDER**

Roberts Rules of Order, Revised shall generally govern the proceedings of the Commission in all cases which are not otherwise specifically covered within these Bylaws or by any other special rules the Commission may adopt.

**ARTICLE V FISCAL AND OPERATIONAL YEAR**

The fiscal and operational year of this Commission shall be from July 1 of one year to June 30 of the next.

**ARTICLE VI. OFFICERS, EXECUTIVE COMMITTEE, AND STAFF****SECTION 6.1 OFFICERS**

The officers of the Commission shall consist of a Chair, a Vice-Chair, a Secretary, and a Treasurer, all of whom shall be duly appointed Commissioners or alternates of member towns.

**SECTION 6.2 COUNCIL OF REGIONAL COMMISSIONS REPRESENTATIVE**

Annually, the Commission shall elect a representative to the Council of Regional Commissions who shall be a duly appointed Commissioner or alternate of a member town.

### SECTION 6.3 ELECTION OF OFFICERS

Officers shall be elected by the Commission from among the membership established in Article III, Section 3.1. A nominating committee, consisting of three Commissioners, shall be appointed by the Commission at the February meeting of each year. The nominating committee may nominate candidates for each office, and three additional Commissioners on the Executive Committee.

The Nominating Committee shall present an initial slate of candidates at the March meeting with a final slate of candidates at the April meeting of each year. Additional candidates may be nominated from the floor at the April meeting, at which time nominations will be closed.

A ballot, containing the final slate of candidates, shall be sent, not less than 10 days prior to the May meeting, to all Commissioners eligible to vote. The officers of the Commission and other elected officials shall be elected by receiving the most votes. The results of the ballot shall be ascertained and announced at the Annual Meeting.

### SECTION 6.4 TERMS OF OFFICE

The terms of office of all officers and other elected officials shall be from Annual Meeting to Annual Meeting or until their successors have been elected and installed.

In the event that any office or other elected position is vacated, such vacancy shall be filled at the next regular Commission meeting. Officers so elected are to hold office only for the balance of the current year or until their successors are elected and installed.

Any officer may be removed from office for cause by a 2/3 vote of those present and voting. Any action for removal must be warned one month in advance of the Commission meeting at which such vote will be taken.

### SECTION 6.5 DUTIES OF OFFICERS AND COUNCIL OF REGIONAL COMMISSIONS REPRESENTATIVE

a. The CHAIR shall preside at all meetings of the Commission and the Executive Committee. The Chair shall perform such other duties as are normal or customary to the office, or which may be assigned by the Commission.

b. The VICE-CHAIR shall act as Chair in the absence or incapacity of the Chair, and shall perform such other duties as may be assigned by the Commission.

c. The SECRETARY shall perform all duties customary to that office, including the overseeing of the minutes of Commission meetings and such Committee meetings as the Chair may designate.

d. The TREASURER shall oversee all financial records of the Commission and perform such other duties as are normal and customary to the office.

e. The REPRESENTATIVE TO THE COUNCIL OF REGIONAL COMMISSIONS shall represent the Commission on the state-wide Council of Regional Commissions pursuant to 24 VSA 4305 and shall report to the Commission at least quarterly on the Council of Regional Commissions' activities.

The Commission shall establish and maintain a policy which further delineates the specific duties of officers.

#### SECTION 6.6 STAFF

a. The staff of the Commission shall include an Executive Director and any other administrative or technical staff determined necessary by the Commission. All personnel practices shall be in accordance with the Commission's Personnel Policies which shall be maintained and may be amended from time to time. Consultants and/or special project staff may be used to augment the regular staff when there is a need for special expertise or additional staff resources.

b. The staff through the Executive Director shall undertake such duties as the Commission or Executive Committee may assign.

c. It is the policy of the Commission that no person seeking employment or having business with the Commission shall be discriminated against for reasons of race, religion, color, familial status, sex, age or place of national origin.

#### SECTION 6.7 EXECUTIVE COMMITTEE

a. COMPOSITION The Executive Committee shall consist of seven Commissioners, including the four officers and three additional Commissioners who shall be elected at the Annual Meeting.

b. PURPOSE The Executive Committee shall facilitate the general operation of the Commission by acting on behalf of the Commission. Decisions or actions by the Executive Committee are subject to rescission or amendment by the Commission. The Executive Committee shall distribute minutes of its meetings for review by Commissioners.

c. POWERS AND DUTIES The powers and duties of the Executive Committee shall be to:

- 1) Carry out all decisions and instructions of the Commission.
- 2) Recommend to the Commission positions to be taken by the Commission, its committees, or staff.
- 3) Act on behalf of the Commission in the absence of a quorum of the Commission when time precludes the delay of decision or action until the next regular meeting of the Commission.
- 4) Execute other actions as outlined in a policy adopted by the Commission; said policy may be amended as the Commission so directs.

#### SECTION 6.8 SPECIAL COMMITTEES

The Commission may create such Committees as may be needed from time to time. Such Committees shall report to the Commission as it so directs.

#### ARTICLE VII. SIGNATORY OF THE COMMISSION

All contracts, checks, orders and other instruments which require the signature of the Commission shall be signed in the name of this Commission by such officers or agents as the Commission shall designate from time to time for that purpose.

#### ARTICLE VIII. APPROPRIATIONS

a. The Commission shall annually establish dues in accordance with a schedule and rate established by the Commission. The Commission shall notify in writing all municipalities within the region on or before November 15th of the sums it deems necessary to be received from said municipalities for the ensuing fiscal year.

b. Municipalities not appropriating funds in an amount equal to their annual dues shall not be entitled to services afforded to those municipal members that have appropriated such funds. Services to member municipalities not paying the annual dues shall be provided on the basis of a rate schedule approved by the Commission. Non-payment of the annual dues does not otherwise affect membership status. Unless directed otherwise by the Commission, prioritizing and scheduling the delivery of services to municipal members that have not paid their annual dues in full shall be at the discretion of the Executive Director.

- c. The Commission may receive and expend funds from any source.
- d. The Commission may borrow money and incur indebtedness for the purposes of purchasing or leasing property for office space, establish and administer a revolving loan fund, or establish a line of credit,

#### **ARTICLE IX. DISSOLUTION OF THE COMMISSION**

Upon the affirmative vote of all of the Commissioners of this Commission at an annual meeting of this Commission, provided notice of the proposal of dissolution at the meeting shall have been given in writing to each Commissioner of the Commission and each alternate Commissioner at least thirty days prior to such meeting, or when the number of participating towns and cities represented by Commissioners on this Commission shall be less than five, this Commission be dissolved and terminated.

#### **ARTICLE X. AMENDMENTS TO THESE ARTICLES OF CONSTITUTION AND BYLAWS**

A. A proposed amendment shall be placed on the agenda for any regularly scheduled meeting of the Commission by vote of the Commission or by vote of the Executive Committee.

B. The proposed amendment shall be discussed at the next regularly scheduled meeting of the Commission and may be amended at that meeting. The proposed amendment shall proceed only upon vote of the Commission.

C. The proposed amendment, as it may have been amended, shall be placed on the agenda for the next regular meeting of the Commission for final vote. No amendment to the proposed amendment shall be allowed at the Commission meeting during which the final vote is taken. The proposed amendment shall become effective upon affirmative vote of 60% of the municipal Commissioners. If a 60% affirmative vote is not attained, the proposed amendment fails.

#### ***CERTIFICATE***

The foregoing Articles of Constitution and Bylaws were adopted by the affirmative vote of a majority of the duly appointed Commissioners of the Central Vermont Regional Planning Commission at a regularly noticed meeting thereof at which a quorum was present, which meeting was reconvened and held the 27th day of April, 1967 at East Montpelier, Vermont.

On May 27, 1980, the Central Vermont Regional Planning Commission, amended the Constitution and Bylaws adopted April 27, 1967. Those amendments have been incorporated into this document.

On January 10, 1989 the Central Vermont Regional Planning Commission amended the Constitution and Bylaws adopted April 27, 1967. Those amendments have been incorporated into this document.

On May 10, 1994 the Central Vermont Regional Planning Commission amended the Constitution and Bylaws adopted April 27, 1967. Those amendments have been incorporated into this document.

On November 11, 1997 the Central Vermont Regional Planning Commission amended the Constitution and Bylaws adopted April 27, 1967. Those amendments have been incorporated into this document.

On May 8, 2001 the Central Vermont Regional Planning Commission amended the Constitution and Bylaws adopted April 27, 1967. Those amendments have been incorporated into this document.

On April 13, 2010 the Central Vermont Regional Planning Commission amended the Constitution and Bylaws adopted April 27, 1967. Those amendments have been incorporated into this document.

On April 11, 2017 the Central Vermont Regional Planning Commission amended the Constitution and Bylaws adopted April 27, 1967 to authorize activities permitted under 24 V.S.A. §4345(16)(B) . Those amendments have been incorporated into this document.



## CENTRAL VERMONT REGIONAL PLANNING COMMISSION

## DRAFT MINUTES

November 12, 2019

## Commissioners:

<input checked="" type="checkbox"/>	Barre City	Janet Shatney	<input checked="" type="checkbox"/>	Moretown	Dara Torre, Secretary
<input type="checkbox"/>		Heather Grandfield, Alt.	<input type="checkbox"/>		Joyce Manchester, Alt
<input checked="" type="checkbox"/>	Barre Town	Byron Atwood	<input checked="" type="checkbox"/>	Northfield	Laura Hill-Eubanks, Chair
<input type="checkbox"/>		Mark Nicholson, Alt.	<input type="checkbox"/>	Orange	Lee Cattaneo
<input type="checkbox"/>	Berlin	Robert Wernecke	<input checked="" type="checkbox"/>	Plainfield	Bram Towbin
<input type="checkbox"/>		Karla Nuissl, Alt.	<input checked="" type="checkbox"/>		Paula Emery, Alt.
<input checked="" type="checkbox"/>	Cabot	Amy Hornblas	<input checked="" type="checkbox"/>	Roxbury	Jerry D'Amico
<input type="checkbox"/>	Calais	John Brabant	<input checked="" type="checkbox"/>	Waitsfield	Don La Haye
<input type="checkbox"/>		Jan Ohlsson, Alt.	<input type="checkbox"/>		Harrison Snapp, Alt.
<input type="checkbox"/>	Duxbury	Alan Quackenbush	<input type="checkbox"/>	Warren	Alison Duckworth
<input checked="" type="checkbox"/>	E. Montpelier	Julie Potter	<input type="checkbox"/>		J. Michael Bridgewater, Alt.
<input type="checkbox"/>		Jack Pauly, Alt.	<input type="checkbox"/>	Washington	Peter Carbee
<input type="checkbox"/>	Fayston	Carol Chamberlin	<input checked="" type="checkbox"/>	Waterbury	Steve Lotspeich, Vice-Chair
<input checked="" type="checkbox"/>	Marshfield	Robin Schunk	<input type="checkbox"/>	Williamstown	Richard Turner
<input type="checkbox"/>	Middlesex	Ron Krauth	<input type="checkbox"/>	Williamstown	Jacqueline Higgins, Alt.
<input type="checkbox"/>	Montpelier	Marcella Dent	<input checked="" type="checkbox"/>	Woodbury	Michael Gray, Treasurer
<input type="checkbox"/>		Mike Miller, Alt.	<input type="checkbox"/>	Worcester	Bill Arrand

Staff: Bonnie Waninger, Nancy Chartrand

Guests: Lisa Maxwell, Montpelier Development Corporation; Baylen Slote, Plainfield Town Health Officer; Ericka Reil, VCIL; Nathan Besio, VCIL

**Call To Order**

Chair Hill-Eubanks called the meeting to order at 6:34 pm. Quorum was present to conduct business.  
The meeting began with introductions.

**Adjustments To The Agenda**

The agenda was readjusted to accommodate speakers.

**Public Comments**

No public comments were made.

**Community Health Needs Assessment**

Speaker was not present.

**CVRPC Bylaw Amendment**

L. Hill-Eubanks introduced Julie Potter, who directed the Board to the information in the packet and provided an overview of the bylaw update process and why it was undertaken by the Bylaws Working Group (Rich Turner, Julie Potter, and Steve Lotspeich). A draft amendment was brought to the Board in June of 2019 for review and discussion; which had also been sent to CVRPC counsel for review and comment. It was concurred in June to bring another draft back after counsel review. Recommendations were made by counsel and reviewed with the working group and staff. Additional changes have been made since that review, which are outlined in the draft in the packet; such as municipal agreements, indemnification, electronic signatures as well as some overall reorganization of the current bylaws. Executive Committee has reviewed the current draft and agreed it was time to bring to the full Board for review, discussion and potential adoption. It is a two-step process to adopt amended bylaws. It is hoped that we will put some form of bylaw amendment on the next Board agenda for consideration for adoption. Floor was opened to questions, but none were raised.

*G. D'Amico moved to place the proposed bylaws amendment on the next Board agenda for an adoption vote; S. Lotspeich seconded. Motion carried.*

B. Atwood commented on how fine a job the Working Group did on the document.

**Committee Appointment**

L. Hill-Eubanks inquired at last meeting regarding interest in serving on the Regional Plan Committee. Marcella Dent, new Commissioner from Montpelier, has advised interest.

*J. Potter moved to nominate Marcella Dent, Commissioner from Montpelier, to join the Regional Planning Committee; D. Torre seconded. Motion carried.*

**People Centered Communications**

Bonnie Waninger introduced Ericka Reil and Nate Besio from Vermont Center for Independent Living (VCIL). VCIL does a lot of trainings about inclusion. They have adapted a training for the Board regarding public engagement for an aging population.

Nathan Besio advised he is a Peer Advocate Coordinator working with people with disabilities. He also works with municipalities and businesses regarding best practices with people with disabilities. Ericka Reil provides training for VCIL. She advised she is a person with a disability and the Center is staffed by persons with disabilities with a mission to serve persons with disabilities.

Nate advised 1 in 4 people have some form of disability. Ericka proceeded with their presentation, advising members it was intended to be a safe space for learning to talk with people with disabilities. The training is outlined to address meeting planning to be inclusive of people with disabilities.

1 The presentation shared information regarding meeting spaces, meeting announcements, meeting  
2 facilitation, mobility devices, assumptions, and accommodations. Also available was a handout with  
3 Resources for Accessible Meetings, which can be found at our website along with a copy of the  
4 presentation - <http://centralvtplanning.org/about/minutes-agendas-staff-reports/>. Ericka and Nate  
5 advised the best practice for referencing someone with a disability is 'people/person with  
6 disabilities/disability'. They also advised that offering help is appropriate, but let the person with a  
7 disability guide the assistance that is provided.

8  
9 Additional questions ensued regarding how to prepare for meetings that are inclusive of people with  
10 disabilities. Best practices are to try your best to accommodate, but recognize that you will not be able  
11 to accommodate all needs. Focus on reasonable accommodations when holding public meetings and  
12 trying to reach a middle ground. The goal is to get more people with disabilities participating in public  
13 meetings by offering accommodations and ensuring meeting announcements are shared with  
14 organizations that work with people with disabilities.

15  
16 Waninger followed up advising of the Title 6 plan and the importance of incorporating all populations  
17 into our planning work and being inclusive. Staff needs to review policy to better enable participation  
18 among those representatives in the community. Therefore, tonight's presentation is to help us think  
19 through how we can best bring those other voices into planning.

20  
21 Discussion ensued regarding how we could revise our agendas to be more inclusive and our meetings  
22 more welcoming.

#### 23 24 **Meeting Minutes**

25 L. Hill-Eubanks directed the Board to the information in the packet.

26  
27 *B. Towbin moved to approve the October 8, 2019 minutes; A. Hornblas seconded. Motion carried.*

#### 28 29 **Reports**

30 L. Hill-Eubanks directed the Board to the information in the packet. Waninger advised CVRPC has hired  
31 Grace Vinson as a new planner effective November 4, 2019; and shared some highlights of her  
32 experience and how they complement work the Commission does.

33  
34 Waninger confirmed that she will invite the CVMC speaker to a future meeting.

#### 35 36 **Adjournment**

37 *D. La Haye moved to adjourn at 7:58 pm; S. Lotspeich seconded. Motion carried.*

38  
39 Respectfully submitted,

40  
41 Nancy Chartrand  
42 Office Manager

**Central Vermont Regional Planning Commission**

P: 802-229-0389

Staff Report, November 2019

F: 802-223-1977

**LAND USE PLANNING & COMMUNITY DEVELOPMENT****Municipal Planning:**

- Discussed Waitsfield's Enhanced Energy Plan with Planning Commission Chair. Finalizing data and narrative to become cohesive.
- Met with Middlesex Planning Commission to analyze enhanced energy plan draft and identify pathways for the final draft plan.
- Met with Moretown Energy Committee to discuss integration of public engagement into enhanced energy plan draft and adoption process.
- Met with Woodbury Planning Commission to discuss final changes to the draft energy plan and to conduct a municipal consultation.
- Provided weekly interim planning and zoning administration services to the Town of Waitsfield.
- Developed Town Plan maps for Duxbury, Barre Town, and Plainfield.
- Updated Northfield's ambulance service map
- Finished parcel maps for Orange.
- Met with Plainfield Conservation Commission to discuss natural resources maps for Town Plan.
- Checked-in with Plainfield about its progress towards Town Plan adoption.
- Provided feedback on the Housing Ready Bylaw toolkit being developed by the Congress of New Urbanism in conjunction with ACCD.

**Training & Education:**

- Continued efforts to plan a regional wood heat workshop for mid-December.
- Planned upcoming Planning & Zoning Roundtable series and Dec. 3 ZA Roundtable.

**Regional Planning and Implementation:**

- Staffed Regional Plan Committee to discuss amendments to the current plan and to strategize Plan Central Vermont development.

**EMERGENCY MANAGEMENT PLANNING****Training/Workshops:**

- Organized Tier II workshop for hazardous materials reporting facilities on behalf of LEPC 5.

**Local/Regional Planning:**

- Contacted Orange on behalf of VEM to facilitate filing of a reimbursement request for a generator installation project. The project had been completed. However, staff and volunteer turnover left a gap in filing the reimbursement request.

- Met with VEM Hazard Mitigation Planner to discuss Local Hazard Mitigation Plan process.
- Participated in monthly RPC/VEM call to hear about damage estimates from Halloween storm and a FEMA presentation on Community Lifelines (new way to report to FEMA on disaster recovery).

**Local Hazard Mitigation Plans (LHMP):** Contact Grace Vinson, [vinson@cvregion.com](mailto:vinson@cvregion.com), for assistance on your town's plan. Staff supported communities in the development, review, and adoption of local hazard mitigation plans.

East Montpelier – Plan received approval-pending adoption. Plan adopted by Selectboard. Plan received final approval. Awaiting final approval letter from FEMA.

Moretown – Public comment period ended. Worked with Planning Commission to finalize.

Williamstown – Met with Planning Commission to address public comments. Submitted revised plan to Planning Commission Chair for final approval.

**State Emergency Operation Center (SEOC) Support:** RPCs were activated to provide assistance to the SEOC after the Halloween storms. Two staff acted as Local Liaisons over multiple days, contacting municipalities to ascertain level of damages. Two additional staff fulfilled roles providing situational awareness support. In Central Vermont, damage was low to moderate. Statewide, Vermont requested and received a federal disaster declaration after incurring more than \$1 million in damages statewide and meeting per capita damage thresholds in several counties.

## TRANSPORTATION

**Field Services:** Contact Ashley Andrews, [Andrews@cvregion.com](mailto:Andrews@cvregion.com), to be put on a list for 2020 counts and inventories.

Traffic Counts: 2019 Season is complete

Ash Tree Inventories: No active inventories.

Bike and Ped Counters: Conducting pedestrian counts for Montpelier.

### Transportation Studies:

Cabot Trail Planning (Municipal Planning Grant): Facilitated and presented at the Landowner Partnership Breakfast. Discussed landowner concerns about having trails on their properties.

Northfield Trails (Better Connections Grant): Worked with the Steering Committee and contractor to organize a site walk. Visited key destinations and discussed local concerns.

Transportation Resilience Planning Tool: Held public meetings in Barre City and Orange to meet with stakeholders in the Stevens Branch watershed. Presented vulnerability data and confirmed map locations and information about damages. After confirmation by municipalities, vulnerability data will be provided to the consultants to calculate criticality for each vulnerable structure or road segment.

**Public Transit:** CVRPC represents Central Vermont on the Green Mountain Transit (GMT) Board of Commissioners. Staff participated in the following GMT meetings:

Board of Commissioners – See Committee updates.

Leadership Committee – Discussed implementation of 4% employee healthcare contribution and the plan for future contributions. Discussed GMT's Combined Time Off policy and requested staff research industry best practices. Discussed underpayment of Milton assessment and staff actions/recommendations to address it. Reviewed details of a 10-year service agreement with Colchester. Colchester is not a member of GMT. Successive service agreements are being designed to assist the Town to achieve membership status in 10-15 years. Urban membership for new members includes paying a proportional share of past capital investments.

Strategy Committee - Discussed developing a policy to help the Board determine how to analyze routes for system expansion, reductions, or elimination. GMT anticipates system contractions beginning FY21.

Operations Committee – Heard presentation from Encore Solar regarding the option of installing solar panels on the roof of 101 Queen City Park Road. Received update about electric buses. New arrival date is December 12. The charging station is expected to be installed by then. Recommended GMT formally weigh the pros and cons of either continuing with the current Berlin facility or investing in a new one. Received update on using PayData as a new vendor for payroll services as part of cost savings measures.

General Manager Search Committee – Facilitated 2-day executive search firm visit for interviews with staff, Board, and stakeholders and tours of GMT facilities. Led Search Committee meeting to review draft position announcement and recruitment brochure. Provided Committee feedback to search firm.

#### Other Transit Activities:

- Worked with VTrans to develop a survey about transit ridership satisfaction for older adults and people with disabilities.
- Meet with the operators of Free Wheeling in the Mad River Valley to discuss potential funding through the Elderly and Persons with Disability program.

#### **Municipal Assistance:**

- Assisted with letters of support for two transportation alternatives grant proposals.
- Assisted with four Better Roads grant applications.
- Completed the road erosion inventory plans for five towns and presented those reports.
- Meet with the Washington Selectboard about its Road Erosion Inventory and Class 4 roads.
- Meet with Warren to review last year's road work and updates to its road erosion inventory.
- Assisted three communities with installation and update of Road Service Management Software.
- Presented to the Moretown Selectboard on Road Service Management Software options.
- Created maps of road erosion inventories for all municipalities.

#### **Regional Assistance:**

- Participated in VTrans' meeting to update its project selection and prioritization processes.

- Presented at the monthly meeting of the RPC Transportation Planners on updates to the project selection and prioritization processes and on regional transportation energy roundtable.
- Met with planning team for a Public Transit Week campaign. CVRPC's assistance for this event was requested by local energy committees as a result of its regional energy roundtable.
- Participated on the Green Mountain Byways Committee and discussed updates for the Byways website and maps.

## NATURAL RESOURCES

Contact Pam DeAndrea, [deandrea@cvregion.com](mailto:deandrea@cvregion.com), unless otherwise noted.

### **Tactical Basin Planning Assistance:**

- Hosted a satellite meeting via a Skype for the Stevens-Wells-Waits-Ompompanoosuc Basin (14) Tactical Basin Plan public discussion meeting. This basin includes areas in Orange and Washington. Basin Planner Danielle Owczarski presented. Shared information with CVRPC's Clean Water Advisory Committee.
- Continued project development with Winooski Basin Planner, Winooski Natural Resources Conservation District, Friends of the Winooski River, and the Friends of the Mad River for projects within the Winooski River Basin.

**Design Implementation Block Grant Program (formerly Clean Water Block Grant Program):** Funding for projects <\$20,000 is now available for final design and implementation of clean water projects. Significant changes in the program include no match requirement, and the municipality may be the direct applicant/grantee for these projects. Applications are due on December 10<sup>th</sup>. Funding for projects >\$20,000 will be available shortly. All projects must be completed and closed out prior to December 31, 2021. If your town's project is ready for design or implementation funding, please contact Pam DeAndrea to determine eligibility at [deandrea@cvregion.com](mailto:deandrea@cvregion.com).

Staff is developing four grant applications for projects in Calais and Woodbury. Each town is interested in bringing two projects to final design. The projects were listed as top priorities in the Kingsbury Branch Stormwater Master Plan. For Calais, the projects will treat stormwater that reaches the East Calais Village and has resulted in a badly eroding gully along the Kingsbury Branch. In Woodbury, both projects are in the village and will treat stormwater on-site instead of directly dumping into the Kingsbury Branch. Duxbury is interested in bringing one of its Mad River Valley Stormwater Master Plan projects to final design. Friends of the Mad River will be assisting the Town.

**Plainfield Health Center Stormwater Final Design:** This gully stabilization project emerged from the Plainfield Stormwater Master Plan. Milone and MacBroom completed the 60% design plans and presented them to the Health Center, landowner, and Plainfield Selectboard for comments. The final design is expected to be complete in January, 2020.

**Berlin Stormwater Final Designs:** The consultant team, Watershed Consulting Associates (WCA) and Civil Engineering Associates (CEA), are completing 60% designs for two stormwater improvement

projects at the Chimney Sweep and the Berlin Fire Station. The team has shared an updated concept (30%) design with Berlin Elementary School Principal, District Superintendent, and School Board representative and are awaiting approval. WCA and CEA will present this concept to the full School Board before moving forward with final design. The 60% designs are expected to be completed in January 2020. WCA also completed the Quality Assurance Project Plan (QAPP) for this project. The QAPP was approved by the EPA this month.

**Public-Private Partnership on 3-acre Stormwater Sites (P3):** This project involves identifying stormwater sites subject to the stormwater general permit 3-acre rule where a collaborative treatment approach may be more prudent. CVRPC is assisting Watershed Consulting Associates, LLC (WCA) to work with municipalities and private landowners to design treatment solutions that will satisfy the permit's requirements. CVRPC and WCA met with Barre Town, Northfield, and Berlin to discuss which projects would be viable candidates. WCA will reach out to private landowners involved to gauge their interest and willingness to participate. 30% stormwater designs will be provided to selected sites.

**Forest Integrity:** Drafted survey to gather input on possible municipal strategies to support wood products industry. Collecting comments to finalize the survey.

## COMMUNITY DEVELOPMENT

**Brownfields:** Attended EPA Brownfields grant writing workshop and submitted an assessment grant. Contact Clare Rock, [rock@cvregion.com](mailto:rock@cvregion.com).

### Partnerships for Progress:

THRIVE – Team worked to understand how to use the Community Action Network (CAN) Results Checklist and began CAN work on actions to address homelessness and transportation.

Working Communities Challenge Grant - Acting as neutral facilitator for the Barre City partnership grant involving 15 core local, regional, and statewide organizations and 6-12 supporting organizations. Held nine partner interviews, organized and facilitated four team meetings to identify and refine the partnership concept and approach, discussed project with Federal Reserve Bank of Boston and Vermont Council on Rural Development, and began drafting grant application. 13% of Barre City households are comprised of single women with children. Of these households, more than 60% live below the federal poverty line (extreme poverty - \$16,910 for a parent and child; \$25,750 for a parent with 3 children). In 2000, just over 30% of these households lived in extreme poverty.

The project aims to:

- reduce the percentage of single women with children households in Barre City living in extreme poverty to Vermont's statewide average (currently 37%) by 2030
- through collaboration among social, economic, education, and municipal service providers
- that aligns workforce development programs into a cohesive system
- while providing individualized support to potential employers and employees.



**Other:**

- Meet with the new Director of the Montpelier Development Corporation to share information about CVRPC and respective services and projects.
- Arranged December prospective funder meeting for the Montpelier-to-Berlin Rt. 12 wastewater extension project. Interviewed Downstreet staff regarding approaches and best practice advice for the Weston Mobile Home Park wastewater discussion.

## OFFICE & ANNOUNCEMENTS

**Office:**

- Researched 2020 Health Plan options with assistance of VLCT VERB.
- Initiated a new 457 retirement plan. CVRPC is eligible to participate in a State-sponsored plan that allows employees to contribute to a retirement account through payroll deduction. Plan compliments CVRPC's current employer-only contribution plan.
- Completed 2019 Town Reports for inclusion in municipal Annual Reports for Town Meeting.
- Provided dues letters to municipalities for annual budget planning.
- Recognized Dan Currier for 15 years of service with a certificate presentation by Chair Laura Hill-Eubanks at November staff meeting.
- Participated in meeting of the Legislative Committee on Rules (LCAR) meeting on updates to the RPC funding rule on behalf of VAPDA. The rule was updated for technical corrections.
- Met with East Montpelier Selectboard to provide update on CVRPC activities.
- Provided grant application letters of support to:
  - Vermont Land Trust for Worcester Woods Forest Legacy conservation project.
  - Town of Duxbury for three projects: a road erosion inventory, a culvert upgrade on Camels Hump Road, and engineering and construction to reconfigure the Main Street/River Road intersection.
  - State of Vermont Buildings and General Services for improvements to site conditions and relocation of at-risk art from closed to open facilities along I-89 and I-91.
- Interviewed by The Bridge reporter about regionalization of services in connection to an article about the Central Vermont Public Safety Authority.

**Professional Development/Leadership:**

- Clare and Zach attended the Northern New England Chapter of the American Planning Association annual conference in New Hampshire to learn about municipal planning and outdoor recreation.
- Dan, Zach, and Grace participated in an EPA webinar on electric vehicle trends in the United States.
- Pam participated in webinar about Puerto Rico's Recovery Process Through an Integrated Flood Risk Management Lens for continuing Certified Floodplain Manager (CFM) credits. An integrated framework promotes rebuilding in a way that not only replaces and repairs the damages, but also addresses environmental and social changing conditions in all aspects of reconstruction.
- Grace attended FEMA Federal Procurement Training and a Dam Safety Workshop about new 2020 dam safety rules.

- Bonnie attended the Vermont Vision for a Multi-Cultural Future conference, which focused on understanding how personal and organizational implicit bias might affect fairness and diversity in organizational practices and policies and to craft a plan of action to address them.
- Nick participated in the Central Vermont Workforce Summit.
- Pam represented RPCs on the Enterprise GIS Consortium, which advised the Vermont Center for Geographic Information on pruning data layers its hosts.
- Bonnie participated in a call of the VT Urban and Community Forestry Council Leadership Committee to frame the Council's upcoming quarterly meeting agenda.

#### Upcoming Meetings:

Please verify meeting location at [www.centralvtplanning.org](http://www.centralvtplanning.org) by viewing meeting agendas.

<b><u>December</u></b>		
Dec 10	6:30 pm	Board of Commissioners, Central VT Chamber, Berlin
Dec 12	4 pm	Clean Water Advisory Committee, CVRPC Office
Dec 17	4 pm	Regional Plan Committee, CVRPC Office
Dec 18	5 pm	Central Vermont Alternative Transportation Network, Vermont Realtors Office, Montpelier
Dec 19	7 pm	Mad River Valley Planning District Steering Committee, Waitsfield
Dec 25		<i>CVRPC Office Closed – Holiday</i>
<b><u>January</u></b>		
Jan 1		<i>CVRPC Office Closed – Holiday</i>
Jan 6	4 pm	Executive Committee, CVRPC Office
Jan 9	4 pm	Clean Water Advisory Committee, CVRPC Office
Jan 14	6:30 pm	Board of Commissioners, Central VT Chamber, Berlin
Jan 16	4 pm	Project Review Committee, CVRPC Office
Jan 28	6:30 pm	Transportation Advisory Committee, Central VT Chamber, Berlin

**Visit CVRPC's web site at [www.centralvtplanning.org](http://www.centralvtplanning.org) to view our blog and for the latest planning publications and news.**

**Central Vermont Regional Planning Commission**  
**Committee & Appointed Representative Reports**  
November 2019

*Meeting minutes for CVRPC Committees are available at [www.centralvtplanning.org](http://www.centralvtplanning.org).*

**EXECUTIVE COMMITTEE** (Monday of week prior to Commission meeting; 4pm)

- Discussed report on historical wage increases and the current and upcoming labor market's anticipated impact on wages.
- Approved signature of three agreements and amendments. Tabled the Barre City Pouliot agreement until the agreement amount is confirmed.
- Discussed transmittal memo for bylaws and recommended Board action.
- Established CVRPC's employer health insurance contribution as 100% of the cost of the MVP Gold CDHP Health Plan for employees and family members (an equivalent plan to CVRPC's current plan); increased employee choice of available plans to include all BCBSVT health care plans and all of the MVP health plans; and maintained the 50% payment in lieu of benefit for employees who opt out of CVRPC coverage and provide proof of coverage from another provider. One member opposed due to payment in lieu amount and equity concerns. Agreed to review health insurance benefit as part of 2020 Personal Policy review.
- Discussed declining participation in the Clean Water Advisory Committee (CWAC), the contents of a letter the CWAC is crafting for the Board, and the CWAC's role as defined in its Rules of Procedure. Requesting the Committee Chair meet with the Executive Committee in January.
- Appointed the Chair as lead for the Executive Director's annual evaluation.
- Reviewed progress on FY20 strategic action plan activities. Generally, on track except Regional Plan and press releases.
- Provided input on potential presentations/discussions for upcoming Board meetings.

**NOMINATING COMMITTEE** (February and March; scheduled by Committee)

Did not meet.

**PROJECT REVIEW COMMITTEE** (4<sup>th</sup> Thursday, 4pm)

Did not meet. Next meeting is January 16, 2020.

**REGIONAL PLAN COMMITTEE** (as needed; scheduled by Committee)

- Welcomed new member Marcella Dent.
- Discussed removal of the Housing Distribution Plan and amending the boundaries of Regional Center Planning Area around Montpelier to better align with the Cities approved Growth Center.
- Scheduled next meeting for December 17 at 4 pm.

**TOWN PLAN REVIEW COMMITTEE** (as needed; scheduled by Committee)

Did not meet.

**TRANSPORTATION ADVISORY COMMITTEE** (4<sup>th</sup> Tuesday; 6:30 pm)

- Presentation on Transportation Resiliency Tool.
- Presentation on new project prioritization process.

**BROWNFIELDS ADVISORY COMMITTEE** (4<sup>th</sup> Monday, 4pm)

This Committee will not be meeting regularly until new grant funds are secured.

**CLEAN WATER ADVISORY COMMITTEE** (2<sup>nd</sup> Thursday, 4pm)

- Quorum not present. No action items moved.
- Finalized letter to present to the Board of Commissioners describing concerns about the Winooski River Basin Tactical Plan. Letter will need Committee approval prior to forwarding.
- Heard results of public meeting on Basin 14 Plan, which includes Orange and Washington.
- Received update on the Design/Implementation Block Grant and the four, <\$20,000 project applications from CVRPC - stormwater final designs for sites in Calais and in Woodbury.

**VERMONT ASSOCIATION OF PLANNING & DEVELOPMENT AGENCIES**

Staff member attended in place of Executive Director, who had a conflict.

- Discussion of Committee reports.
- Discussion of potential new dues structure for VAPDA designed to move from equal shares to proportional share.

**VERMONT ECONOMIC PROGRESS COUNCIL**

No activities from Central Vermont.

**GREEN MOUNTAIN TRANSIT**

- Held special meeting in which the Board was interviewed by the General Manager executive search firm regarding needs, opportunities, and challenges.
- Authorized counsel to file a response to the petition pending at the Vermont Labor Relations Board to determine whether the supervisory positions at issue are eligible to form a bargaining unit.
- Held extensive discussion on FY21 budget, scheduled for adoption in December and provided guidance to staff on strategies to close a \$1 million budget deficit. Transit system contraction is expected to occur (route cuts and service level adjustments).
- Discussed implementation of 4% employee healthcare contribution and the plan for future contributions.

- Reviewed details of a 10-year service agreement with Colchester. (see GMT Leadership Committee update in Staff Reports)

## MAD RIVER VALLEY PLANNING DISTRICT

Staff did not attend 5-Town Leadership meeting due to conflict. Update provided through minutes.

- Received presentations (available online at <https://mrvpd.org/agendas-minutes/>):
  - Green Mountain Transit about Mad River Valley service. MRV local match currently is about 30%, of which Sugarbush contributes 80% toward seasonal bus service match.
  - Friends of the Mad River about Ridge to River: From Planning to Action program. Findings of 2-year research initiative: people care, environmental changes, infrastructure challenges. Most MRV development does not trigger state stormwater permitting thresholds. Local regulations are limited in mitigation. Completed stormwater master plan with CVRPC. Implementing home visit site assessments.
  - Sugarbush Resort about ownership changes. Trends in ski industry: a) Consolidation: Maybe only 2 large (>250k visitors) independent mountains left, b) Climate Change trends show increasing impacts, which will result in a need for additional capital, and c) Challenges compounded by costs of doing business in Vermont. Believes Alterra Mountain Company will be a positive partner that can bring needed capital, increased efficiencies, and long term sustainability.
  - MVR Planning District staff about annual MRV data update. Reviewed data themes based on the 2015 MRV Vision Statement.
  - MRV Recreation District on activities. The District is a Union municipal district. Discussed grant applications and awards. Doubling annual request for town funds to support a new part-time position.
  - MRV Planning District report of annual activities. Workplan included transportation, housing analysis, recreation, and grants supported. Requested 3% increase in funding.



**Date: November 8, 2019**

**FOR INFORMATION ONLY**

**To: Ethan Swift, Program Manager**

**Monitoring, Assessment & Planning Program (MAPP)**

**Vermont Department of Environmental Conservation (DEC)**

**From: Dan Albrecht, CCRPC Senior Planner & Charlie Baker, CCRPC Executive Director**

**[dalbrecht@ccrpcvt.org](mailto:dalbrecht@ccrpcvt.org) / 861-0133 & [cbaker@ccrpcvt.org](mailto:cbaker@ccrpcvt.org) / 861-0115**

**Re: Grant #2019-TBP-001, 2019 RPC Tactical Basin Planning Support, Activities Summary**

On behalf of the Vermont Association of Planning & Development Agencies, the Chittenden County RPC is pleased to present this brief summary of activities carried out by Vermont's eleven regional planning commissions to support DEC's tactical basin planning process. From October 1, 2018 through September 30, 2019, RPC's carried out the following tasks:

**Task 1: Tactical Basin Planning**

- where applicable, RPC's assisted in the planning process for the following Basins: *Otter Creek (3), Northern Lake Champlain (5), Winooski (8), White (9), Deerfield (12-13), Stevens, Wells, Waits, Ompompanoosac (14), Passumpsic (15), and Upper Connecticut Direct (16)*. RPCs educated municipalities about the TBP process and facilitated incorporation of municipal water quality related data [scientific assessments, plans & bylaws and municipal efforts with regards to hazard mitigation] and RPC input into the plan,
- assisted DEC with broadening municipal & regional input into the final draft of the applicable TBPs by hosting local basin plan forums as well as RPC Clean Water Advisory Committee and Board meetings to collect input from the public, municipalities and RPC Board members.
- provided an analysis and formal recommendation on conformance of the draft Tactical Basin Plan(s) with the goals and objectives of applicable regional plans to each relevant Basin Planner per *10 VSA Sec. 1253(d)(2)(g)*.

**Task 2: Tactical Basin Plan Implementation**

**Coordination with DEC and Partner Organizations & Outreach and Education to Municipalities:**

- communicated regularly with each of DEC's five Watershed Coordinators and applicable partner organizations to assure coordination on development of TBPs and on outreach to municipalities concerning the Vermont Clean Water Act, relevant TMDLs (including Champlain, Memphremagog, Lake Carmi and Long Island Sound), and related regulatory requirements;
- hosted and coordinated 67 (sixty-seven) meetings of an RPC Clean Water Advisory Committee or similar committee to assure consistent outreach to municipalities and the incorporation of municipal input into TBP's and on related key water quality policy issues, and
- documented the frequency, duration, attendance and topics presented at these monthly meetings as well as dedicated outreach meetings via the Agency of Natural Resources Online portal

Municipal Plan & Bylaws Assistance

- provided technical support to 58 (fifty-eight) municipalities to update their municipal plans and bylaws to promote water quality protection, hazard mitigation and flood resiliency;

Stormwater Master Planning & Follow-up

- assisted 32 (thirty-two) municipalities by either securing funding for the development of stormwater master plans or assisting them with complying with their municipal separate storm sewer system (MS4) permit or the pending developed lands general (“3-acre”) permit.
- assisted 37 (thirty-seven) municipalities with advancing stormwater master plan projects toward implementation

**Task 3: Program Oversight & Reporting**

- For the 4<sup>th</sup> year in a row, the Chittenden County Regional Planning Commission (CCRPC) acted as the Grantee for this regional TBP support and water quality outreach effort funded by the DEC. The CCRPC negotiated ten sub-awards to its partnering RPCs, communicated regularly with DEC staff, Watershed Coordinators and local watershed organizations and worked to assure consistency of effort and progress reporting by all 11 Vermont RPCs.
- Each of the 11 RPCs submitted monthly progress reports directly to applicable DEC Watershed Coordinators on implementation of the various Tasks and Sub-tasks of the Agreement.

**Challenges encountered**

While numerous achievements were secured by RPCs to assist the DEC with supporting the Tactical Basin Planning process, one major challenge remains, as follows:

- Project Prioritization: RPCs developed a matrix to determine the regional “co-benefits” [hazard mitigation, transportation, socio-economic, capital/asset planning, community support, etc.] of projects entered into DEC Watershed Projects Database. The hope has long been that these “co-benefit” scores could be easily entered into the WPD so that DEC could use these scores to identify which projects should be supported (via grant funds, prioritized within TBPs, etc.) for BOTH their water quality and regional benefits. Unfortunately, this aspiration has not yet been met.

***See attached spreadsheet for details on task efforts for each RPC.***

<b>ACHIEVEMENTS</b> <b>RPC Tactical Basin Planning support,</b> <b>Agreement #2019-TBP-001 Vermont</b> <b>Association of Planning &amp; Development</b> <b>Agencies (VAPDA)</b> <b>October 2018-September 2019</b>	Addison County	Bennington County	Central VT	Chittenden County	Lamoille County	Northeastern VT	Northwest VT	Rutland	Southern Windsor County	Two Rivers-Ottawaquechee	Windham	TOTALS	
<b><u>hosted and coordinated # meetings</u></b> of an RPC Clean Water Advisory Committee or similar committee to assure consistent outreach to municipalities and the incorporation of municipal input into TBP's and on related key water quality policy issues,	11	3	11	8	6	5	8	5	3	2	5	67	
provided technical support to <b><u># municipalities</u></b> to update their municipal plans and bylaws to promote water quality protection, hazard mitigation and flood resiliency;	11	8	3	6	5	6	4	8	4	3	0	58	
<b><u>assisted # municipalities</u></b> with securing funding for the development of stormwater master plans and/or <b><u>assisted # municipalities/entities</u></b> with complying with municipal separate storm sewer system permit or developed lands general permit.	4	2	2	14	3	0	4	0	2	1	0	32	
<b><u>provided technical assistance or outreach to # municipalities</u></b> to advance stormwater master plan projects towards implementation.	3	4	7	3	4	0	9	2	n/a	3	2	37	





## IMPORTANCE OF PLACE

## Transportation Emerges as Crucial to Escaping Poverty

By Mikayla Bouchard

May 7, 2015

James Baker was pedaling to work along a slick, snow-covered road in Frederick County, Md., when a traffic light changed abruptly. He braked and skidded to the ground, unhurt but making a mess of his clothes before a long day of work and school.

He was on his bicycle that snowy morning last December, about an hour northwest of Washington, because the bus service in Frederick was so erratic. Routes were far apart and the buses often late, making a 30-minute bike ride, whatever the weather, a better option.

His commuting problems highlight a central theme for many low-income people trying to build a better life: A lack of reliable and efficient transportation is often a huge barrier.

In a large, continuing study of upward mobility based at Harvard, commuting time has emerged as the single strongest factor in the odds of escaping poverty. The longer an average commute in a given county, the worse the chances of low-income families there moving up the ladder.

The relationship between transportation and social mobility is stronger than that between mobility and several other factors, like crime, elementary-school test scores or the percentage of two-parent families in a community, said Nathaniel Hendren, a Harvard economist and one of the researchers on the study.

The study notes the connection in places with notoriously long commutes and poverty, including Atlanta, Boston, Dallas, Denver, Los Angeles, New York, Orlando, Fla., and Birmingham, Ala.

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A separate report focusing on New York, from New York University's Rudin Center for Transportation, came to a similar conclusion. The study compared neighborhoods by accessibility to mass transit and the number of jobs within an hour's commute. It found that residents of the areas least well served by mass transit relied on personal vehicles. Areas in the middle third — those with some, but insufficient, access to transportation — had the highest rates of unemployment and the lowest incomes, the study found.

For Mr. Baker and his fiancée, Andrea Zona, the lack of good transportation has been one of the few downsides of moving to Frederick County. He grew up in Washington and moved to the city of Frederick four years ago to study at Hood College, where he met Ms. Zona.



Andrea Zona, James Baker and their 8-month-old, Quinn, at home in Frederick, Md. Matt Roth for The New York Times

Mr. Baker has worked at two \$8-an-hour jobs — one as a lifeguard and another running a student activity room on campus — while interning at the Interfaith Housing Alliance. They live paycheck to paycheck, he said, with a little help from the state in the form of food stamps. Ms. Zona, who hails from northeast Pennsylvania, volunteers and works a \$15-an-hour job in an archaeological laboratory. She hopes to get a job as a volunteer coordinator for AmeriCorps, a national organization focused on community service. Eight months ago she gave birth to their son, Quinn.

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“We’re working our way up in life,” said Mr. Baker, who has lined up a job coordinating financial classes with AmeriCorps after graduation.

The family lives in a one-bedroom apartment, which costs \$900 a month — a rent that would require them to live in a rougher neighborhood in Washington, where he said he wouldn’t want to raise his son. “You don’t have to worry about getting hurt at night in Frederick, compared to the way I would be living in D.C.,” Mr. Baker said.

The couple feels that the town offers Quinn a bright future and that Frederick’s school system will set him on a better path. “I want him to have a better education than I had,” Mr. Baker said.

The data from the Harvard study supports Mr. Baker’s hopes. It has tracked more than five million people who moved as children during the 1980s and 1990s and controlled for a variety of factors in an effort to isolate the way that a place affects children.

The researchers concluded that Washington is roughly an average place for a lower-income child to grow up — but that Frederick is above average. Children who have previously moved from an average place to Frederick end up earning about 8 percent more as adults than similar children who did not move. Moreover, the younger a child is in such an above-average place, the more impact that place has on future earnings and other factors of social mobility.

Frederick does not lift the odds of upward mobility quite so much as Washington’s closer-in suburbs, like Montgomery County, Md., or Fairfax, Va. — which have more expensive housing and better public transportation.

But Mr. Baker and Ms. Zona seem to have solved, at least for now, their transportation problems. In January, they discovered a silver 2001 Toyota Corolla listed for \$1,700 on the website of a local nonprofit, Second Chances Garage. Spotted with old stickers for Chicago sports teams, it has changed their daily routines. Commuting is easy, and they can now get to less expensive stores like Walmart and Target.

“The car,” Mr. Baker said, “is the key to life in Frederick.”

David Leonhardt contributed reporting.

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A version of this article appears in print on May 7, 2015, Section A, Page 3 of the New York edition with the headline: Transportation Emerges as Key to Escaping Poverty

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