



29 Main Street • Suite 4 • Montpelier • Vermont 05602
802.229.0389 • fax 223.1977 • cvrpc@cvregion.com

Brownfields Advisory Committee

INTERIM RULES OF PROCEDURE

PROGRAM MISSION: The CVRPC Brownfields Program returns undeveloped or underdeveloped properties with real or perceived contamination to more productive use in both the public & private sector.

COMMITTEE PURPOSE: To oversee the Commission's brownfields program and to provide local and regional input regarding brownfield issues important to the region.

GENERAL ACTIVITIES:

- ◆ Submit recommendations to the Executive Committee for investment of funds designated for brownfields work to achieve the program mission.
- ◆ Assist to identify and prioritize communities or neighborhoods in need of support for brownfields revitalization and the projects that will support those efforts
- ◆ Develop brownfield-related policies for recommendation to the Commission, and provide input into any policies developed by the Commission related to brownfields.
- ◆ Provide oversight for and assist in the development of the Commission's brownfields work program and budget.
- ◆ Participate in public outreach efforts, including education of the professional community, public notification, liaison to municipalities and other local and regional boards as appropriate, and other activities.
- ◆ Maintain site selection criteria.
- ◆ Review and prioritize nominated sites for inclusion in the Region's brownfields program
- ◆ Assist in the hiring of consultants and oversee consultant progress in order to bring projects to completion.

ADVISORY ROLE: The Committee shall be advisory to the Regional Commission, who shall have final authority over decisions related to this program. The Committee will offer recommendations, advice, input, and opinions to the Commission, the US EPA, the State of Vermont, and other organizations and individuals as appropriate, provided it is compatible with plans, policies, positions or resolutions adopted by the Commission. New or amended plans, policies, positions or resolutions shall be ratified/approved by the Board of Commissioners.

Expenditure of Commission funds as recommended by the Committee shall be authorized by the Executive Committee. The Commission has the ultimate authority over program decisions. The

Commission shall designate staff to assist the Committee as necessary.

MEMBERSHIP: Participation is optional. The Brownfields Advisory Committee will seek a minimum of thirteen (13) members and three alternates to the Committee as follows:

Regional Commissioner Representation: Five (5) membership seats and one alternate shall be designated for Regional Commissioners. These representatives shall represent the interests of the region as a whole and municipalities in general. Commissioners will be appointed by the CVRPC Board of Commissioners.

Interest Group Representation: Non-Regional Commission representation on the Committee shall be limited to 14 members. Of these, membership seats shall be designated for the following: Central Vermont Economic Development Corporation and Vermont Department of Health, each of which may appoint one voting representative and one alternate to the Committee. Other brownfield interest groups, organizations and/or individuals may be apportioned a membership seat by the Committee and invited to appoint one voting member to the Committee. At minimum, representation should be sought from the following six (6) interest groups: housing, real estate, finance, at-risk populations, solid waste, and the environment.

Non-Voting Membership: The Committee may also appoint non-voting members to serve on the committee and advise on special topics or as unique issues arise. Staff from the US Environmental Protection Agency, Vermont Agency of Commerce and Community Affairs, Vermont Department of Environmental Conservation, and other agencies and departments may serve on the Committee in a non-voting advisory capacity.

Membership terms shall be two years beginning July 1, 2016.

ATTENDANCE AND QUORUMS: As the Committee is advisory, a quorum shall consist of a minimum of five voting members, or all voting members in attendance, should greater than five be in attendance at the Committee meeting. Members are encouraged to attend all regular meetings and special meetings as they arise. Members with three unexplained absences in a row will be contacted by the Chair or Commission staff to determine if they still wish to serve on the Committee. The Committee shall meet monthly, or as needed, to carry out the stated purpose.

VOTING: A quorum is required for the Committee to conduct a vote. Each appointed member shall have one vote. Alternates may participate in discussion and will only vote when filling in for the regular Commission or named seats. One member from each participating organization apportioned a membership seat shall be appointed to vote by that organization. Proxy voting is not permitted.

As of the date of adoption of these rules, the following agencies and departments have been determined to have a potential conflict and do not have voting privileges: US Environmental Protection Agency, Vermont Agency of Commerce and Community Affairs, Vermont Department of Environmental Conservation.

Voting privileges for other State and Federal agencies and departments shall be determined on an individual basis by the Committee. This determination shall be based on the potential for conflicts of interest to arise.

Non-voting members and Regional Commission staff do not have voting privileges.

OFFICERS/ELECTIONS: The Committee will elect a Chair and Vice-Chair for one year terms, upon Committee formation and annually thereafter at the Committee's July meeting. The Chair will be responsible for running meetings, setting agendas in conjunction with staff, reviewing and signing correspondence on behalf of the Committee, and representing the Committee at various meetings as needed.

The Chair and Vice-Chair may be elected from the Commissioner or Interest Group membership. Members elected to any office may not be represented by an alternate in the performance of their duties as officers.

The Vice-Chair will serve as Chair when the Chair is unavailable. If the Chair should resign before his/her term is expired, the Vice Chair shall serve as Chair until elections are held to fill the vacancy for the remainder of the term. Chair and Vice-Chair shall be limited to serving two terms.

COMMUNICATION AND COORDINATION:

- ◆ Committee members are encouraged to serve as liaisons to their local legislative boards or group/organization/interest representing by reporting on activities on a regular basis.
- ◆ 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.
- ◆ Draft policies and resolutions shall be forwarded to Committee members and interested/affected parties for comment before action by the Committee, or final action/approval by the Commission.
- ◆ Agendas and notices of all regular meetings shall be sent to Committee members, the Board of Commissioners, the media, and interested persons at least seven days before the scheduled meeting, and shall be posted at the Commission.
- ◆ Meetings shall be noticed and held in accordance with Vermont Open Meeting Law.
- ◆ Minutes of all regular and special meetings will be prepared by staff, distributed to Committee members and interested parties, and made available to the public in accordance with public records and open meeting law.
- ◆ Minutes will report the results of any vote taken by the Committee, noting which members voted and their position on the question.

CONFLICTS OF INTEREST: Any member who represents an organization or other entity that has nominated a site or otherwise proposes a task or project upon which the Committee will vote, shall not participate in that vote. Members may represent nominating/proposing entities via employment, participation in a body of the entity (such as a committee, board of directors, or

public body) or other forms of membership or representation.

In the event any Committee member has a personal or financial interest with any individual, partnership, firm or corporation seeking to contract with the Commission, or to provide materials or labor thereto, or has a personal or financial interest in any project being considered by the Committee, the member shall disclose and 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 discussions or vote on any related motion.

If the member is uncertain whether he/she should participate in the discussion or decision, the Committee shall determine by vote whether the member should participate. The Committee may also make a determination of conflict of interest and disallow participation and voting by a member if the majority of voting Committee members in attendance at the meeting determine a conflict of interest exists.

RESOLUTION OF DIFFERENCES: Any issue that cannot be reasonable resolved by the Committee may be taken up by the Executive Committee.

ADOPTION OF ORGANIZATIONAL PROCEDURES: The Committee may, at any time, vote to amend these procedures, in accordance with quorum requirements noted above. Proposed amendments will be forwarded to Committee members, and interested parties, before consideration at a regular Committee meeting. Amendments will then be forwarded to the Commission for review and ratification.

The Committee is not a standing or special committee of the Central Vermont Regional Planning Commission, and is therefore not subject to the Commission's bylaws. These rules of procedure, combined with Robert's Rules of Order, and Vermont Open Meeting and Public Records Law, provide procedural and administrative guidance for the Committee.

EXPIRATION OF INTERIM RULES: The Interim Rules of Procedure will expire 6 months from the date of adoption by the Board of Regional Commissioners, on October 12th, 2016.

Recommended by the Brownfields Advisory Committee to the Board of Commissioners for Adoption: March 2nd, 2016

Adopted by the Board of Regional Commissioners: April 12th, 2016