

1 **CENTRAL VERMONT REGIONAL PLANNING COMMISSION**

2 **Executive Committee**

3 **MINUTES**

4 **November 2, 2020 Meeting**

5 Present:

☒ Julie Potter

☐ Dara Torre

☒ Gerry D'Amico

☒ Laura Hill-Eubanks

☒ Steve Lotspeich

☒ Michael Gray

☒ Janet Shatney

6  
7 Staff: Bonnie Waninger, Nancy Chartrand

8 Guests: Ahsan Ijaz and Enrique Gonzalez, The Ijaz Group; Amy Hornblas, Cabot Commissioner; George  
9 Clain, Barre Town Alternate Commissioner

10  
11 **Call to Order**

12 Chair Hill-Eubanks called meeting to order 4:06 pm. Quorum present to conduct business

13  
14 **Adjustments to the Agenda**

15 G. D'Amico requested the Financial Report be moved to first agenda item. Waninger advised she had an  
16 update on an Act 250 application which will be added at end of agenda. Potter inquired about the  
17 possible executive session as no materials were provided. Waninger advised it should be postponed.

18  
19 **Public Comment**

20 None

21  
22 **Financial Report**

23 A. Ijaz provided an overview of financials as of September 30<sup>th</sup>. He said the FY20 audit would be  
24 conducted once final adjustments are made. He advised with regard to FY21 budget for the 1<sup>st</sup> quarter  
25 that CVRPC is at 31% of revenue and 21% of expenses, which is good.

26  
27 Additional inquiry was made about the status of closing the books for FY20 and when audit would as the  
28 Committee was told this was almost ready last month. Additionally, there was question as to what bills  
29 from FY20 are still pending being sent. Ijaz advised three invoices are pending being sent for FY20; two  
30 of which have been sent since the last meeting, and one that should go out this week which he is  
31 finalizing with Waninger. He confirmed that we should be audit ready this week.

32  
33 Additional discussion ensued regarding the aging receivables. Ijaz said that with regard to the 9/30  
34 financials at least half or more of the aging receivables have gone out in past weeks and payment is  
35 expected soon. Waninger also noted that work to move monthly invoices out the door timely, such as  
36 TPI, is on-going.

37  
38 *S. Lotspeich moved to accept the report as of September 30, 2020; J. Potter seconded. Motion carried.*  
39

## **Vermont Mask Survey**

A. Hornblas advised she would like to present the report at the next Board meeting for informational purposes. She noted a fair risk/benefit analysis of wearing masks should not just take into consideration the advantages but also the disadvantages. She is trying to bring more awareness and interest in doing this type of research to do a cost/benefit analysis and believes open discussions are necessary due to all the people who are being asked to wear masks.

Feedback was shared by some committee members regarding their experience with mask use and some of the challenges experienced. Also noted was their understanding of the necessity of mask utilization. Lotspeich made comment with regard to communication issues with masks, as they pertain to hybrid meetings as it is difficult for those participating remotely to hear the people who are meeting in person and masked. He noted as we try to phase towards some type of normalcy that it is a real challenge to ensure there is equal access in meetings in modes other than strictly online.

There was inquiry as to who compiled the survey. Hornblas confirmed she did based on recommendations from the World Health Organization. Its June 5<sup>th</sup> report stated that decision makers who choose to use masks in the community at large that they also ask those communities to do research to evaluate the impact (positive, neutral or negative) of using masks in the general population. Since she has not observed this being done yet in Vermont, she pursued doing some research / evaluation.

There was question if there was any research on different types of masks and the impacts (breathing / contamination) on the users. Hornblas advised that type of research was just getting started. There was comment that the questions are very interesting and that additional research is needed, and a question as to whether the Commission is the appropriate venue to discuss this type of study. There was also inquiry and confirmation that there was no sponsor/funding source for the survey and also which organizations had been provided the information. Hornblas advised she released the results last week and has sent to Health Dept., Governor's office, media and legislative representatives. She noted the challenge was the difficulty in interest to talk about this. She has been driving around the state putting posters on bulletin boards. Discussion continued into whether a presentation should be included on a future Board agenda. The Committee asked staff to include it on the December agenda as an informational presentation. Hill-Eubanks thanked Hornblas for the information and discussion.

## **Contracts/Agreement Authorizations**

### Vermont Department of Public Safety Emergency Management Performance Grant 2020 Advance Notice to Proceed and Emergency Management Performance Grant 2020

Waninger provided an overview of the scope of work in the contract including the new task to assist in the transition of Local Emergency Planning Commissions (LEPC) into Regional Emergency Management Committees. She noted some regions have started this transition; one found it highly effective for linking municipalities together while another found they lost the LEPC membership entirely. RPCs were required to set aside 15% of EMPG funds to help with the transition. Currently LEPC#5 receives \$4,000 from the State, which they provide to CVRPC for administrative support. Moving forward we would use EMPG funds to provide this administrative support. There was question as to the match noted on page 46 of the packet, as it shows a match of \$4,349.41. Waninger advised this needs to be updated by State. The match should be equal to the \$55,330 award, and therefore read \$55,330.

1  
2 *G. D'Amico moved to authorize the Executive Director to sign the Advance Notice to Proceed Form and*  
3 *the Grant agreement with the updated match amount; S. Lotspeich seconded.* G. Clain raised a question  
4 related to a drug free workplace. He asked whether the workplace is allowed to conduct drug testing  
5 with marijuana being legal in Vermont but the money being federal. Waninger confirmed marijuana is  
6 only legal in the state and not federally. CVRPC is required to have a drug free workplace including  
7 marijuana. Staff has been advised of this. With regard to being allowed to conduct drug tests, we have  
8 the right to do them. She further noted that based on type of organization we are, CVRPC would likely  
9 only conduct this type of testing if it had cause based on something that is occurring in the workplace  
10 (vs. a random drug testing policy). *The vote was called. Motion carried.*

## 11 12 **Policy/Procedure Update**

### 13 CVRPC Clean Water Advisory Committee (CWAC) Rules of Procedure (ROP)

14 Waninger advised these have been brought to the Committee multiple times. The current version  
15 brings the ROP into conformance with the Bylaws and removes natural resource-based organizations as  
16 voting members. It was noted those organizations are welcome to participate from an advisory  
17 position, but not have an official say on the CWAC.

18  
19 Discussion ensued with questions raised about the number of meetings per year and staff support of  
20 meetings. It was suggested to amend the language to read "The CWAC shall meet as necessary to carry  
21 out their stated purpose and as supported by the budget". The committee concurred with this language  
22 change. Waninger advised she would notify the CWAC of the change.

23  
24 Discussion arose about the Transportation Advisory Committee (TAC) ROPs and its discussion about  
25 having members from outside groups and consistency with the Commission bylaws. It was suggested to  
26 deal with ROP for CWAC and then D'Amico and Lotspeich speak to the Committee about TAC ROP.

27  
28 Clain raised a question about the language surrounding alternates and if it should include that alternates  
29 are not eligible to vote unless the assigned committee member is not present. He also suggested  
30 including that alternates could vote if a committee member recuses themselves. Significant discussion  
31 ensued as to the reason for having alternates on Committees (to ensure three Board representatives  
32 and if one Commissioner does not come, the alternate can vote in the absent member's stead). Clain  
33 suggested more concise language to outline the above and/or if three are present and one recuses  
34 themselves then the alternate could vote. Lotspeich advised Open Meeting Law (OML) may preclude an  
35 alternate from stepping in due to recusal. Potter advised the Bylaws are silent regarding Committee  
36 alternate powers, therefore that leaves the ROP to address alternate powers/roles. However, she  
37 further noted that she doesn't believe any ROP address this, there has not been a problem with  
38 understanding what role alternates currently play; and if changed here they will need to be changed in  
39 all ROP. Further discussion ensued regarding alternate representation and circumstances under which  
40 they can vote and whether this should be addressed in the Bylaws or ROP. Lotspeich suggested these  
41 ROPs move forward and do some research into OML in order to address this question of  
42 recusal/alternate voting. The Committee concurred research into OML regarding this was appropriate.

1 A question was raised regarding pages 74 and 78 with regard to: "If the Chair or Vice Chair should resign  
2 before term expiration, an interim election will be held within two meetings or when regular elections  
3 are held, whichever is earlier. Clarification of within two meetings of what was requested and Clain  
4 suggested it would be clearer to add the language "of the committee". Hill-Eubanks reviewed the  
5 language in the question and advised that the words "of the committee" be added to the ROP.

6  
7 *J. Potter moved to recommend the full Commission to approve the ROP for CWAC as edited; J. Shatney*  
8 *seconded. Motion carried.*  
9

#### 10 CVRPC Transportation Advisory Committee (TAC) Rules of Procedure

11 Potter advised she read through the TAC ROP and had several questions. The first being TAC exists to be  
12 supportive of the RPCs work related to TPI. She asked whether there is anything in the TPI program or  
13 contract from VTrans that requires that we structure the committee in a certain way. Waninger  
14 confirmed there were no structure requirements. She advised the purpose of the TAC and CVRPC's  
15 agreement with VTrans for the TPI program is to ensure local involvement in State transportation  
16 planning efforts. She noted that local involvement is different than municipal involvement. Local  
17 involvement means communities and their residents are involved; it doesn't mean municipal  
18 government representatives are the sole entity involved. This doesn't mean non-municipal entities  
19 must have a seat on the TAC; it means that municipal perspectives and other perspectives should be  
20 solicited. Part of the TAC's role is to engage additional populations and to incorporate those  
21 perspectives into the region's input on the State's planning efforts (project prioritization, etc.).  
22

23 Lotspeich advised TAC had discussions at two separate meetings on this issue. TAC is open to input from  
24 a wide variety of groups and historically have had a lot of this type of participation (Bike-Ped, VCIL, etc.).  
25 TAC wants to incorporate this type of participation in their decisions. It does not support providing  
26 membership to outside organizations. They approved the ROP at the last meeting, and requested  
27 CVRPC's bylaws be changed to preclude outside groups from becoming members in the future. He  
28 reiterated they are not opposed to organizational input and wanted that input. D'Amico advised three  
29 TAC members voted against the TAC ROP because they did not want outside groups as voting members.  
30 He noted that often outside groups are lobbying organizations and they want to preclude lobbyists from  
31 having a vote. The TAC welcomes this type of participation for input.  
32

33 Hill-Eubanks asked if ROP on page 82 have been approved by the TAC? Lotspeich confirmed they voted  
34 12-3 to move the draft forward to recommend approval to the Commission. He reiterated that that if  
35 Bylaws were amended in the future, the TAC would then amend their ROP at that time.  
36

37 Discussion ensued as to whether it was appropriate to approve the ROP before reviewing and  
38 potentially changing the Bylaws. It was noted that page 85, paragraph 2 needs amended to reflect the  
39 transition of TAC from an ad hoc committee to a standing committee, and it being subject to the  
40 Commission's bylaws. Waninger advised that TAC was incorporated into the Bylaws as a standing  
41 committee due to its longevity even though it is an advisory committee.  
42

43 Hill-Eubanks inquired if the Executive Committee was okay with recommending the ROP with the  
44 changes discussed. Potter noted she believes the Bylaws need to be changed first. Lotspeich clarified

1 that language about TAC membership remained in conformance with the bylaws. TAC has requested  
2 the Board discussion changing the bylaws and then amending the ROP to be consistent with those  
3 changes. D'Amico asked if the ROP should be tabled until the changes are made. Lotspeich advised that  
4 making the changes requested was appropriate.

5  
6 *G. D'Amico moved to recommend the Transportation Advisory Committee Rules of Procedure to the*  
7 *Board of Commissioners with the changes discussed; M. Gray seconded.* Waninger asked if the  
8 resignation language should be included as it was with CWAC. The Committee confirmed it should.  
9 *Motion carried.*

10  
11 Hill-Eubanks asked the Committee if it wanted to discuss changing the bylaws when we discussed  
12 recommending approval to the Board. It was concurred that the Executive Committee should discuss  
13 before bringing a change to the Commission, but should mention a change was being considered at the  
14 next Board meeting. Waninger advised it is not unusual to review updated bylaws after they have been  
15 in use for a year to discuss what is working or not working. The Committee discussed whether a bylaw  
16 subcommittee should be formed. Hill-Eubanks recommended this be discussed at the December  
17 Executive Committee meeting before going to the Board. The Committee concurred.

## 18 19 **Health Insurance**

20 N. Chartrand provided an overview of the recommendation for CY21 Health Insurance coverage.

21  
22 Potter expressed appreciation for the research presented, noting that in the future information from  
23 other RPCs would be helpful. Depending on how challenging budget situation are in the future, there  
24 may be the need to have a discussion about employee contribution to health premiums.

25  
26 D'Amico reflected his comment from last year - that the 50% payment in lieu is excessive - and noted he  
27 would vote against adopting because of that.

28  
29 Waninger provided an overview of insurance being part of a full compensation package and that RPC  
30 benefit information is available. She shared that the Chittenden Regional Planning Commission had  
31 completed a compensation study, which will be shared with the Personnel Policy Review Committee.

32  
33 Hill-Eubank read the suggested motions to the Committee:

- 34 • Maintain CVRPC's employer health insurance contribution as 100% of the cost of the MVP Gold
- 35 HDHP Health Plan for employees and family members.
- 36 • Maintain employee choice of available plans to include all BCBSVT and MVP health care plans.
- 37 • Maintain 50% payment in lieu of benefit for employees who opt out of CVRPC coverage and
- 38 provide proof of coverage from another provider.

39  
40 *S. Lotspeich moved to provide a health insurance benefit as outlined; J. Potter seconded. Motion carried*  
41 *with five in favor and one opposed.*

1     **Municipal Dues**

2     Waninger provided a brief overview and advised that usually CVRPC would increase dues by 5%. Given  
3     COVID, she is recommending a 2.4% increase this year. Discussion ensued about what was currently  
4     known about how town budgets were faring at this point. Question was raised as to whether we have  
5     noticed any pushback from rates we have been asking in the past? Waninger confirmed she has  
6     received question as to why we are making small changes every year instead of a large change every five  
7     years, with general support for the small changes received. She also noted CVRPC has increased services  
8     and visibility about those services to municipalities.

9  
10    *G. D'Amico moved to recommend an FY22 municipal dues assessment of \$1.28 per capita to the Board; J.*  
11    *Potter seconded. Motion carried.*

12  
13    Upon inquiry regarding the population estimates, Waninger confirmed she would verify before the  
14    Board meeting.

15  
16    **Consent Items**

17    *J. Shatney moved to approve the October 5, 2020 minutes; S. Lotspeich seconded. Motion carried.*

18  
19    **Commission Meeting Agenda**

20    *J. Shatney moved to approve the agenda for November 10, 2020; G. D'Amico seconded. Motion carried.*

21  
22    **Executive Session**

23    Postponed.

24  
25    **Project Review Update**

26    Waninger advised of an upcoming Act 250 minor application in Waterbury for a nine lot residential  
27    subdivision that may impact the Shutesville Wildlife Corridor. The Project Review Committee (PRC)  
28    requested an extension from the District Commission to provide comment. PRC will meet again to  
29    discuss and plans to invite the Town of Waterbury, Green Mountain Byways, and other organizations  
30    who have had interest in the Shutesville Wildlife Corridor. Hill-Eubanks noted that project review is  
31    difficult, as the Committee doesn't always have the information that would allow them to make an  
32    informed decision to comment on projects due to the timing. D'Amico advised the PRC recommended  
33    the extension because they did not know if it would have an impact on the wildlife corridor, which is  
34    why they asked for input from Agency of Natural Resources comments before making their comment.  
35    The timing of getting this information may hinder making comments from a regional perspective.  
36    Waninger noted staff can inquire how other regions address this issue.

37  
38    **Adjourn**

39    *S. Lotspeich moved to adjourn at 6:19 pm; J. Shatney seconded. Motion carried.*

40  
41    Respectfully submitted,

42  
43    Nancy Chartrand, Office Manager