

CENTRAL VERMONT REGIONAL PLANNING COMMISSION
Dual Special Meeting of
BOARD OF COMMISSIONERS
And
Executive Committee
MINUTES

January 29, 2026

Commissioners:

<input checked="" type="checkbox"/> Barre City	Janet Shatney, Sec/Treas	<input checked="" type="checkbox"/> Moretown	David Stapleton
<input type="checkbox"/>	Vacant	<input type="checkbox"/>	Joyce Manchester, Alt
<input checked="" type="checkbox"/> Barre Town	Alice Farrell	<input checked="" type="checkbox"/> Northfield	Royal DeLegge
<input checked="" type="checkbox"/>	Phil Cecchini, Alt.	<input type="checkbox"/>	Vacant
<input checked="" type="checkbox"/> Berlin	Robert Wernecke	<input checked="" type="checkbox"/> Orange	Lee Cattaneo, Vice Chair
<input type="checkbox"/>	Karla Nuisl, Alt.	<input type="checkbox"/> Plainfield	Paula Emery
<input checked="" type="checkbox"/> Cabot	Brittany Butler	<input type="checkbox"/>	Bob Atchinson, Alt.
<input checked="" type="checkbox"/> Calais	John Brabant	<input checked="" type="checkbox"/> Roxbury	Jerry D’Amico
<input type="checkbox"/>	Melanie Kehne, Alt.	<input checked="" type="checkbox"/> Waitsfield	Alice Peal
<input checked="" type="checkbox"/> Duxbury	David Wendt	<input type="checkbox"/>	Don La Haye, Alt.
<input type="checkbox"/>	Vacant	<input type="checkbox"/> Warren	Jim Crafts
<input checked="" type="checkbox"/> E. Montpelier	Alexander Rob	<input type="checkbox"/>	Adam Zawistowski, Alt.
<input type="checkbox"/>	Clarice Cutler, Alt.	<input checked="" type="checkbox"/> Washington	Peter Carbee, Chair
<input type="checkbox"/> Fayston	Andrew McNealus	<input checked="" type="checkbox"/> Waterbury	Doug Greason
<input checked="" type="checkbox"/> Marshfield	Amy Monahan	<input type="checkbox"/> Williamstown	Richard Turner
<input checked="" type="checkbox"/> Middlesex	Ron Krauth	<input type="checkbox"/> Woodbury	Michael Gray
<input type="checkbox"/>	Mitch Osiecki, Alt.	<input checked="" type="checkbox"/> Worcester	Bill Arrand
<input checked="" type="checkbox"/> Montpelier	Mike Miller		

Staff: Christian Meyer, Nancy Chartrand

Guests: Stephen Whitaker – Resident of Montpelier

Call to Order: Chair Carbee called the meeting to order at 6:32 pm, roll was taken, and a quorum was present.

Adjustments to the Agenda: None

Public Comments:

Stephen Whitaker of Montpelier raised the question of whether it was appropriate for any of CVRPC’s committees to consider a letter of support for Country Club Road in Montpelier, noting that the Project Review Committee has stated that they only review issues triggered by Act 250, and that during a recent Transportation Advisory Committee meeting, it became clear development at this location may not be subject to Act 250 review and will not be subject to a Section 1111 permit. Mr. Whitaker further referenced the VTrans garage being built in Berlin that will not have an Act 250 review as an example of a larger project with major impacts that will not receive regional review. He continued, Montpelier will be requesting a letter of support for grant funding to begin building infrastructure to support this development. If CVRPC only reviews projects that trigger permits, no regional review is likely to occur, and this would be bad.

Commissioner Brabant noted that he didn’t feel it was appropriate to respond to these comments as they were not warned for this meeting but requested that the Executive Committee consider placing an item on the Board

of Commissioner's agenda for February to address the issue of jurisdiction or span of interest of the Project Review Committee.

Public Response to Open Meeting Law (OML) Allegation: Christian Meyer provided an overview of the information outlined in the packet.

Commissioner Brabant stated that he doesn't believe there was an OML violation. He has observed that it is commonplace and prudent to seek legal counsel before making a critical decision that may or may not have legal consequences. However, he also noted that he suspects that the executive committee may have had an understanding that legal counsel might be sought and that this was not simply an outcome born from conversation during the Board meeting. When this is the case, he would like this clearly stated on the Board agenda.

Commissioner Brabant ***moved*** that the CVRPC Board of Commissioners has considered counsel of the VLCT and Vermont Open Meeting Law and does not find there to have been a violation of the law. Commissioner D'Amico seconded the motion.

Discussion:

Commissioner Emery asked for and received clarification of the alleged OML violation and reviewed the agenda description.

Commissioner Peal asked to confirm that VLCT counsel was only contacted regarding the OML violation. She continued to inquire if CVRPC ever contacts the Secretary of State (SOS) directly for opinions on OML allegations. Christian responded that CVRPC has not contacted the SOS, though noted VLCT has consistent and timely turnaround on legal questions. He further noted he would look into the resource.

Commissioner Brabant believed it was prudent to go to VLCT or seek other legal counsel. Noting that the SOS can provide guidance in anticipation of a planned action. They do not enforce OML for example but, they also play a role in referring issues to the Attorney General's office for action.

Alternate Commissioner Osiecki joined meeting.

Commissioner Crafts stated he didn't fully understand the two issues and was not comfortable voting on the motion, stating he intended to abstain.

Commissioner Wernecke noted that he did not agree that we needed to take public comment during discussion.

Chair Carbee acknowledged Stephen Whitaker, who stated two issues were being conflated – specifically the OML allegation with alleged procurement violation. He believes the motion at the last meeting should have been to seek counsel to review the merits of the procurement. He believes staff is misrepresenting what is in the 12/18 memorandum. He believes the agenda should have clarified whether it was about the content of his memo or addressing the messenger. He further suggests acknowledging the violation by finding that the agenda should have been more thorough and then using the statutorily allowed 14 days to discuss how to cure it. He encourages all to read 12/18 memorandum and January packet and agenda for what transpired.

Commissioner Greason believes procurement is not part of the OML allegation. He believes the packet info is sufficient to vote

Commissioner Monahan, prefacing her statement by noting stated that she had only lived in VT for 1-1/2 years and is still learning about OML, feels like in reading the memo from 12/18 and all comments backing it up,

everything was done properly and it was discussed as warned and that there is no violation. Further stating, the Board had a meeting and discussed the allegations that were brought forth. As part of this discussion the Board decided that seeking counsel was appropriate to address our needs.

Commissioner Brabant believes Mr. Whitaker is stating two legal matters in play, (1) not comporting with an area of law –state and/or federal – and that it is wise to seek legal advice, and, (2) noting staff felt attacked by member of public and wanted to seek counsel. Further noting we are awaiting an opinion from counsel on the second issue.

The question was called and roll was taken.

Barre City	Janet Shatney	Yes	Moretown	David Stapleton	Yes
Barre Town	Alice Farrell	Yes	Northfield	Royal DeLegge	Yes
Berlin	Robert Wernecke	Yes	Orange	Lee Cattaneo	Yes
Cabot	Brittany Butler	Yes	Plainfield	Paula Emery	Yes
Calais	John Brabant	Yes	Roxbury	Jerry D’Amico	Yes
Duxbury	David Wendt	Yes	Waitsfield	Alice Peal	Yes
E. Montpelier	Alexander Rob	Yes	Warren	Jim Crafts	Abstained
Marshfield	Amy Monahan	Yes	Washington	Peter Carbee	Yes
Middlesex	Ron Krauth	Yes	Waterbury	Doug Greason	Yes
Montpelier	Mike Miller	Yes	Worcester	Bill Arrand	Yes

With 19 yes and 1 abstention the **motion passes**.

Adjournment: *Commissioner Shatney moved to adjourn at 7:05 pm; seconded by Commissioner Brabant. Motion passed unanimously.*

Respectfully submitted,
Nancy Chartrand, Office Manager