

Chittenden County Regional Planning Commission

REGULAR MEETING MINUTES

Date: January 24, 2011
Time: 6:00 p.m.
Place: CCRPC Offices, 110 West Canal Street, Winooski, VT

Present:	Leslie Pelch, Chair	Marty Illick, Charlotte
	Roger Derby, Colchester	Jeff Carr, Essex Alternate
	Ron Gauthier, Essex Junction	Edmund Booth, Huntington
	Catherine McMains, Jericho	Louis Mossey, Milton
	Mary Houle, Richmond	Marcel Beaudin, South Burlington
	Nicole Dehne, Agriculture	Don Meals, Cons./Environment
	Justin Dextrateur, Socio/Econ/Housing	Andy Montroll, Transportation
Staff:	Charlie Baker, Executive Director	Leslie Bonnette, Executive Assistant
	Melanie Needle, Staff Planner	Samantha Tilton, Staff Planner
	Forest Cohen, Business Manager	Pam Brangan, Senior Planner
	Claire Leonard, Associate Planner	

1. Call to Order, Public Comment, Agenda Review/Member's Items. Leslie called the meeting to order at 6:13pm. There were no agenda items added.

2. Approve Minutes of November 22, 2010 Commission Meeting. Mary moved, Roger seconded, to approve the minutes as written. Vote to approve. Jeff and Marty abstained.

3. Quarterly Financial Report. Forest reviewed the December P & L and mid-year budget estimate. CCRPC is half-way thru the fiscal year and doing well, \$24K ahead for the year. On the revenue side, ACCD is looking good. Of 'Other Income' \$15K are RSEP payments that flowed through CCRPC. EECBG sub-grants are moving along. MPO is at 53% mostly on the strength of the first three months. Byways are ahead of the year there as well at 57%. Brownfields is lagging a bit as Julie is out on leave. PDM08 (under Emergency Management) staff billing is a little light there. EMPG and EMPG Central grants revenue is helping us. Altogether, we are 53% for non-project income for the year, a bit ahead. Forest asked if there were any questions. Charlie noted that Julie is on FMLA leave now. On the expense side, salaries and benefits are on target at about 50%; benefits are running a bit ahead of 50% and Forest expects that we will exceed the budget, but Julie being out might mitigate that. Focusing on the numbers that are higher than 50%: dues and subscriptions were under budgeted and the Commission/Committee expenses are higher due to food for the joint board meetings. Equipment is at 0 for now, but we will be purchasing computers. Photocopying was a bit under budgeted. Contingencies shows where Essex Junction was not eligible for the energy grant. Expenses without direct project costs is at 51%. There is revenue in excess of expenses of \$25K, but we won't necessarily stay this positive.

Mid-Year Budget Estimate: This is not an effort to adjust or change the budget, but an estimate of where we expect to end up. The GIS Member/Non-member is down due to lower demand; we are making a change in interest income and should make about \$600 interest. On the Federal HUD line, we have some revenue projected from the HUD grant for staff time. MPO is the same, but task budgets are adjusted within the project. We will have conversation with the MPO about Julie's time and see if we will be able to get the Climate Change work done (we will probably will see that move in the next quarter). Byways is at \$500 less, likewise for Brownfields, which will be reduced by approximately 25% with Julie being out potentially 12 weeks. Emergency Management is picking up some revenue; EMPG is \$5K more than we had budgeted. Last year's EMPG of \$18K offset the Regional Coordination. Altogether, CCRPC had a decent shot at achieving the direct project income target, and a small increase in non-direct project income. Expense side: More detail has been added to direct project expenses separating direct expenses from indirect expenses which is why you see 100% increases on some lines without a huge impact on the bottom line. Salaries and benefits will be close to \$30K more than budgeted. Mileage, Commission and Committee expenses will be a little higher. Supplies will be less. The Internal Consultants line

is quite a bit larger with a consultant to help with merger and organizational assessment (part of the merger) and is up to \$10K, as well for photocopying and payroll expenses. There is approximately a 7% increase in expenses, more than the increase in revenue; we lost the \$7K surplus and expect to finish even for the year.

4. Essex Formal Review. Samantha Tilton, Staff Planner reported that the Review Committee met an hour ago. With one abstention, one member not in attendance and one vote to approve, they discussed the format of the Plan, submitted with track changes; it is the final draft for the Selectboard. Staff recommended approval. The Review Committee discussed the fact that the Essex Town Plan was not approved yet by the Town itself and the result was a split vote. Samantha said the Town of Essex did follow CCRPC policy. Essex and CCRPC staff have been in a good deal of contact on the Plan, including an informal review September 1st and a formal review January 3. CCRPC has previously approved plans that were not yet approved by their town and this is remedied with extended outreach. This is the basis of an informal review where CCRPC can go through a statute review with the Planning Commission or the town planner. There are still some unresolved questions about CCRPC's policy. Samantha stands by her recommendation to approve and has just one comment on the Housing Chapter. Catherine explained the reason for the split vote: in the past, she has reviewed plans that have already been approved by the town or were in final form. It is extremely remote, she noted, but if CCRPC puts their stamp on a plan not approved by the town and the town revises their plan that makes it conflict with another town plan or the Regional Plan, what recourse does the RPC have? Catherine has always reviewed plans that have been approved by the towns and she had difficulty with devoting the time necessary to examine the track changes on this Plan. The Committee decided it is better to talk with the Commission about when they would like to see the plans and in what format and thinks it is very important to go through the informal process with RPC. Thinking about what the Commissioners are going to have to do in the future, the Review Committee wants to have a clean process so there is some consistency from town to town. Ron thought the process went well and we should approve it. There is no urgency and Samantha is not aware that they have applied for any grants; and said that we do not want to treat Essex any differently than any other town. CCRPC has run into situations where conditional approval was given by RPC with changes requested, but the changes were never made; Catherine asked if we should require an informal review. Justin added that a big consideration is that the towns feel that they are being encouraged to have an early review and that staff and the planning commissioners are reaching out to CCRPC staff and the Review Committee for that early feedback. Personally, Justin said there is a point where CCRPC needs to draw a line. If there is not a pressing need to approve the Plan this month, Justin is looking to the town's representative as to whether they would be amenable to defer. Jeff said he is not inclined to ask for an extension; he has had conversations with an Essex Selectboard member, who was surprised at the committee's discussion, given the town's work with CCRPC. If the Commission has concerns about the Essex Town Plan changing, the Plan would have to come back to the Commission anyway. Jeff does not agree with the need to delay approval. Samantha responded that there are two important conversations: one is about CCRPC policy and another about the Plan meeting state statute. Lou said, from a town perspective, it is important that RPC sign off on the Plan before a public hearing and if Essex has met all the criteria, there should be no delay. **Ed made a motion to table action. Marty seconded the motion** and said she does not want to hold up the process at the local level if staff feels that the planning content it is OK and suggested that we preliminarily approve it. Samantha told members that when we send the letter to the state, we keep track of the both the date of town approval, as well as CCRPC approval; those dates are very clear. Justin suggested moving to approve the Essex Town Plan conditioned that it comes back to CCRPC if there is any change. Jeff said that this is a precedent-setting motion; Leslie added that, generally, we don't condition it that way; except for St. George and South Burlington (we approved the plans conditionally). Jeff said he was resistant to something that CCRPC could withdraw. Andy added that if the town chooses to change the plan, there is no longer an approved plan and if the change is material, it is effectively a new plan. Catherine said she was uncomfortable. Justin suggested a friendly amendment, subject to the town warning a different plan. Charlie noted that we want to encourage dialogue in the plan development and review process and bring value to our review. He encouraged a motion that would be clear that we are approving based upon the plan presented to us. Jeff suggested that the motion includes detail about the plan being reviewed and noting the date of that plan. **Ed withdraws the motion.** Samantha noted that the State Code has requirements that are quite clear: CCRPC must approve a plan if it meets the four criteria as referenced in the staff review. Samantha believes the Essex Town Plan has met all the requirements and she is

more than happy to participate in an update. Andy asked if there anything in the statute that the town has to approve the Plan first? Sam said the statute is not specific about the cycle, and talks about the consultation process. **Marty agrees to withdraw her second. Jeff moves to approve the Essex town plan and confirm the process, Mary seconds the motion. A friendly amendment was added to specify that we are only voting on plan draft dated December, 13, 2010. The friendly amendment was accepted by Jeff and Mary. Vote: All those in favor of approving the plan and confirming the Essex Town Plan.**

Roger asked for clarification, saying he needs a review of the process. Leslie asked what the appropriate way to handle this was: have staff look into it? Samantha responded that there is not specific state statute language on the sequence of review and approval of town plans. Jeff asked for the Commission to take an encouraging approach and give communities the inducement to plan. Lou's echoes Jeff's comments saying that approval of a document by RPC (to be able to say CCRPC has looked at it) is not in conflict, and can be helpful to the communities when bringing it to selectboards. Leslie also understands the hesitancy and think we should define 'substantive changes' so we know it will not change or, if it does, it will come back. Andy asked when a proposed plan is mature enough to be presented to RPC as, at time, the Plan may be too early for RPC to look at it. There was continued discussion about understanding the situation and that staff have been working on it. The Essex selectboard has spent hours on it, its maturity and that it should reflect the final version of the selectboard, city council or legislative bodies and needs some kind of language to identify what stage the Plan is at. We need to re-examine this policy, which was adopted in 2005. Charlie said he doesn't think the policy is totally clear and is very RPC-centric, although we had started to include the MPO in this. He questioned the Commission about timing and staff management and if this something that needs to come back to you immediately? The existing policy will probably get revisited, depending on the merger situation, and asked if the body is comfortable with waiting until after May? Roger said it is not immediate and he would like to see it become clear. Charlie thought the process worked fairly well: the selectboard edited the plan and received pre-approval. Charlie is uncomfortable with CCRPC rubber stamping plans at the end after municipal approval.

5. Regional Plan Update. A draft proposed revised Regional Plan schedule is in the packet. The Regional Plan Update Committee looked at the schedule early in the month and recommends this revised schedule, as does staff and Executive Committee. This schedule has a new final date of April 2013, with the final draft out for at least six months before the public hearing draft. **Mary moved, seconded by Ron to approve the revised Regional Plan schedule.** Pushing out the date is going to reduce the number of drafts (the initial draft is eliminated). The first draft will be in May 2012, a public hearing draft in July 2012, with final adoption in April 2013. **Vote: Unanimous to approve.**

6. Regional Plan for Sustainable Development. The invitation letters for the Steering Committee have not gone out, but will shortly; the report to the legislature interrupted that process. CCRPC still does not have the contract with HUD [ED note: contract received on January 25 and executed with a February 1 start date]. An RFP has been posted for a public engagement consultant. We have received 56 resumes for an Outreach Assistant. Charlie explained that because of the delay in getting the contract, Steering Committee meetings will begin March 16th from 7 to 9am. Melanie and Samantha are reviewing all state, municipal and regional plans (close to 50 planning documents) to group vision/goal statements. Charlie reviewed the schedule. In May and July common vision and goals will be reaffirmed, followed by data work completing in October through January. During the yellow highlighted periods, the intent is to have an active engagement process. July through October, we will examine early implementation activities, and then spend 2012 talking about our priorities as a region (the intent of this grant). The second round of implementation money will go out in 2012. There will be a lot of work in terms of getting contracts and proposals done. Charlie is asking reps to follow up with their selectboards when the letters are received. Sandy Miller and Penrose Jackson have agreed to co-chair the Steering Committee (50+/- people) which 20 municipal representatives and about 30 other organizations. Within 4 months of executing the contract, the consortium agreement must be executed. If we don't get to the consortium agreement, the grant goes away. It is a 36-month grant.

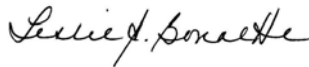
7. Merger Activities. Charlie thanked those who attended the Joint Board meeting. He and Michele have gone to the Transportation and Natural Resources Committees. They received several comments about being the only organizations to respond positively. There was only one pushing comment, asking for cost savings and staff reduction. This is of a transitional nature and takes into account what the organizations have already done. The Transportation Committee was very supportive. The conversations have been good so far. By the next Commission meeting, Michele and Charlie will have been to all the committees. The Executive Committee and Executive Director are recommending a new schedule of Commission and Executive Committee meetings: Commission meetings, the third Wednesdays of each month with a 5:30pm meeting time. **Mary moved that the Commission meeting be moved to the third Wednesday with a start time of 5:30, seconded by Roger.** Leslie said that if this made the meetings impossible for Commissioners that they speak now. There were no comments. Charlie added that we are trying to get to one consistent night and then we can start working on agenda management, keeping the meetings short and manageable. This is experimental, but the problem is that there really is no alternative. Ed's concern is that ten representatives are not here. Charlie thinks there may be some negative reactions, but no news is good news. **Vote: Members voted unanimously in favor.**

8. Chair/Executive Director Reports. Charlie told members that one of the commitments to the legislature was that CCRPC do a self-assessment. CCRPC and the other RPC's around the state have hired NADO, which has developed a survey tool for this purpose. Commissioners will get an email asking them to take a 40-45 minute on-line survey. Leslie suggested an incentive and committed to use some of the Chair's funds to purchase an Ipod or restaurant gift certificate. The more board members, the better; there is also a staff module. There is some flexibility as far as deadline.

9. Committee/Liaison Reports. None

10. Adjourn. On motion by Mary, seconded by Ron, members voted to adjourn at 7:43pm.

Respectfully submitted,



Leslie Bonnette
Executive Assistant