

1 CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
2 EXECUTIVE COMMITTEE
3 MEETING MINUTES
4 DRAFT
5

6 Date: Wednesday, April 5, 2017
7 Time: 5:45 p.m.
8 Place: 110 W. Canal Street, Suite 202; Winooski, VT 05404
9 Present: Chris Roy, Chair Mike O'Brien, Vice-Chair
10 Brian Bigelow, Sec-Treas. Barbara Elliott, At-Large
11 John Zicconi, At-Large Andy Montroll, Immed. Past Chair (6:46 p.m.)
12 Staff: Charlie Baker, Executive Director Regina Mahony, Planning Program Manager
13 Eleni Churchill, Transportation Planning Manager
14 Forest Cohen, Business Manager Bernie Ferenc, Trans. Business Manager
15

16 The meeting was called to order at 5:45 p.m. by the Chair, Chris Roy. He can only stay for a short time,
17 so he asked Mike O'Brien to take over the meeting when he leaves.
18

- 19 1. Changes to the Agenda, Members' Items: Chris noted we will move Items 6 and 12 up after
20 approval of minutes. We will add an item for comments on draft brownfields rules as items 8a.
21
- 22 2. Approval of March 8, 2017 Executive Committee Meeting Minutes. MIKE O'BRIEN MADE A
23 MOTION, SECONDED BY ANDY MONTROLL TO APPROVE THE MINUTES OF MARCH 8, 2017. MOTION
24 CARRIED WITH BRIAN BIGELOW ABSTAINING.
25
- 26 6. FY18 UPWP and Budget. Charlie asked members to review the budget spreadsheet first. Line 14,
27 MPO staff time, is down \$89,910 from FY17, which is due primarily to the lower indirect rate. Items
28 highlighted in yellow are things that are pending and the dollars are placeholders (lines 45, 50 and
29 51). Line 51 deals with water quality that is being talked about by ANR and the legislature. Charlie
30 then reviewed the expense side. He noted that we project a deficit of \$131,525 for FY18. We added
31 notes at the bottom of the sheet to give a history of our indirect rate over the past 5 years, as well
32 as the revenue over expenses for each fiscal year. What this shows is that over these years we have
33 received more enough to cover this deficit. The indirect rate is going down to 67.42% for FY18. We
34 have an agreement with VTrans which determines the indirect rate process. We made money in
35 FY16, so that is what affects FY18 indirect rate. We do expect that this deficit amount will actually
36 be lower. When asked if we're going to have to send back the \$300,000, Charlie noted the idea is
37 that over time it will even out. Andy noted that we dealt with this a couple of years ago too.
38 Discussion ensued about our budget being the same structure we've used, but with a lower indirect
39 rate; and the fact that lowering expenses will further reduce the indirect rate and therefore recover
40 even less. We build our budget on actual costs. Charlie explained that although this looks bad with
41 such a large deficit, we had recovered costs higher than estimated. Chris Roy suggested that VTrans
42 and the feds should have a maximum sway in the rate. Charlie said 3 or 4 years ago the RPCs
43 entered into a MOU with VTrans about how to calculate indirect rate. Lengthy discussion continued.
44 Charlie noted we did talk to the chief auditor about this and VAPDA will discuss this again tomorrow
45 probably leading to an update of the MOU over the summer. Mike said he noticed that we already
46 made some cuts in our expenses. Charlie noted that we have budgeted a 3% raise for salaries.

- 1 12. Executive Session. MIKE O'BRIEN MADE A MOTION TO GO INTO EXECUTIVE SESSION AT 6:07 P.M.
2 TO DISCUSSION PERSONNEL ISSUES AND HAVE THE EXECUTIVE DIRECTOR JOIN US. BARBARA
3 ELLIOTT SECONDED AND THE MOTION CARRIED UNANIMOUSLY.
4
5 BARBARA ELLIOTT MADE A MOTION, SECONDED BY MIKE O'BRIEN, TO COME OUT OF EXECUTIVE
6 SESSION AT 6:26 P.M. MOTION CARRIED UNANIMOUSLY.
7
8 BARBARA ELLIOTT MADE A MOTION, SECONDED BY ANDY MONTROLL, THAT THE EXECUTIVE
9 COMMITTEE RECOGNIZE EMPLOYEE ACHIEVEMENT AND AUTHORIZES THE EXECUTIVE DIRECTOR TO
10 SPEND UP TO 100% OF THE FY18 SALARY BUDGET AS DETERMINED BY THE EXECUTIVE DIRECTOR
11 FOR STAFF AND AS DETERMINED BY THE EXECUTIVE COMMITTEE FOR THE EXECUTIVE DIRECTOR.
12 MOTION CARRIED UNANIMOUSLY. Chris Roy left the meeting and Mike O'Brien took over as chair.
13
- 14 3. Act 250 & Section 248 Application.
15 a. Bellis, Richmond. Application #4CO558-5B. Regina referred to the letter in the packet. The site
16 plan is actually from their previous application to show the location. This is a partial review of
17 Wildlife Habitat addressing proposed onsite and offsite mitigation to protect a deer wintering
18 area that will be affected by the creation of a two-lot subdivision and the construction of one
19 single-family residence, an accessory dwelling, shared driveway, onsite water and sewer; and
20 preservation of 42.88 acres of land on Lot 2. We have conferred with Richmond, but this project
21 has been in the works for a long time and they aren't sure if local approval was given. JOHN
22 ZICCONI MADE A MOTION THAT WE SEND THE LETTER TO THE D.E.C. BARBARA ELLIOTT
23 SECONDED AND THE MOTION CARRIED UNANIMOUSLY.
24
- 25 4. Bylaw Amendments. Charlie noted that we did not take action at the March meeting as Milton had
26 given us a couple of edits. The first had to do with municipal service agreements – page 10, line 33 –
27 they wanted it clarified that this related to municipal service agreements with the CCRPC and not
28 with other municipalities. John Zicconi questioned page 11, line 29 and whether we should remove
29 the “or nonprofit” and just say “...other entities and governmental organizations...” Members
30 agreed to remove “nonprofit”. On page 17, under CWAC, Milton wondered if we should include
31 Champlain Water District, which brought up discussion about whether other organizations should
32 be included, such as other water districts. There is some possibility that ANR may require a formal
33 relationship with these organizations. The CWAC had added: There shall be up to 24 members and
34 representatives of organizations as follows (and lists them). Charlie asked if we agree with the
35 addition of “voting” members. After a brief discussion, it was agreed by Executive Committee that
36 instead of saying – other organizations as may be determined appropriate by the CWAC or the
37 CCRPC; that we say something like, “Other organizations as may be determined appropriate by the
38 CCRPC may be added in a voting or non-voting capacity, as recommended by the CWAC.” Discussion
39 continued on voting. Other RPCs are adding conservation district members, etc. Charlie would be
40 more comfortable with the board making the decision on the voting rights at the time an
41 organization or entity is added. JOHN ZICCONI MADE A MOTION, SECONDED BY ANDY MONTROLL,
42 TO RECOMMEND THE CHANGES TO THE BYLAWS TO THE BOARD TAKING INTO CONSIDERATION THE
43 CHANGES WE MADE TODAY. MOTION CARRIED UNANIMOUSLY.
44
- 45 5. Procurement Policy Update. Although we will not take action on this topic today, members had
46 questions.

- 1 a. Mike O'Brien asked if the question we had about Local Motion billing us full costs for the bike
2 racks even though they received a commission is addressed in this document. Charlie said yes,
3 under procurement Code of conduct, second bullet.
- 4 b. When asked why we're amending this, Charlie said it is a federal requirement noted in our audit.
5 Christine Forde did research to get our policy compliant with 2 CFR, Part 200 (Super circular) and
6 Vermont Agency of Administration Bulletin 3.5 dealing with procurement and contracting
7 procedures.
- 8 c. Page 8, retainer contractors – some members did not understand, so staff explained that we
9 solicit firms to be pre-qualified so that when projects come up, we can choose the firm best
10 fitted for the work.
- 11 d. Barbara questioned page 4 – Procurement by competitive proposals (Standard Bid Process) and
12 the word "adequate" and suggested we change it to "at least 3", unless a valid reason why not.
- 13 e. Barbara also noted that under Procurement Types and Requirements, we say there are four
14 methods of procurement, but only list three. We need to add sealed bids.

15 As it turns out, Charlie talked to Amy Bell this morning and she asked that we table action on this
16 until we clarify some things to be sure all RPCs have similar procurement policies, by perhaps
17 forming a working committee. Our audit requires that we must have a new policy in place by June
18 30th. Barbara presented Charlie with a marked up copy with grammatical/ spelling/punctuation
19 corrections.

20
21 Discussion went back briefly to a note on the FY18 budget regarding a sound system in the main
22 conference room. When Charlie asked members if there has been a concern about not being able to
23 hear in the conference room, members thought perhaps the issue is the conference telephone and not
24 the need for a sound system. They did suggest we bring this question up to the full board. Charlie
25 noted we have another month before the Executive Committee needs to make a recommendation to
26 the Board on the UPWP and Budget.

27
28 6. Chittenden County Active Transportation Plan. There is a memo in the meeting packet describing
29 changes since the Board presentation last September after another round of comment/review
30 solicitation. Staff asked for the Executive Committee to make a recommendation to the board to
31 approve the Active Transportation Plan. Since members had not reviewed the most recent
32 document, they did not make a recommendation and will defer to the TAC's opinion.

33
34 8. Discuss Auditor Selection for FY17 Audit. Brian Bigelow noted that there was a question about
35 whether we want to do an RFP since it'd been five years. Mike O'Brien said another question was
36 whether the staff auditor was becoming too familiar with our system. Charlie had asked Fred Duplessis
37 if there are industry standards regarding when new audit firms or staff should be solicited, but there
38 were none. Members agreed that it might be time to send out an RFP. Nobody has an issue with
39 Sullivan Powers, but we want to keep a check on the costs.

40
41 8 a. Brownfields – comments on Draft Investigation and Remediation of Contaminated Properties Rule
42 (i-Rule). Regina distributed staff comments to send to Vermont Dept. of Environmental Conservation
43 and asked members what they want to do. The current rule is too costly to implement. Another study
44 was done and new rules have been prepared to address the issue, but they haven't. This document
45 takes the Mayor's suggestion verbatim. We'd like to have the Brownfields Committee review this at
46 their meeting next week since they're familiar with the Rule; and then bring any additional comments to
47 the board at the meeting, since comments are due April 19, 2017. Staff is looking for a recommendation

1 from the Brownfields Committee. Members agreed to recommend the board take the recommendation
2 from the Brownfields Committee.

3
4 9. Chair/Executive Director's Report.

- 5 a. Regional Dispatch Update. Charlie has three more towns to get to on the regional dispatch
6 update. Andy Montroll noted the Mayor is in favor per his State of the City speech. Essex is the
7 one town that has tabled action about joining the Joint Survey Committee.
8 b. Water Quality Implementation Role. The legislature and DEC are considering funding the RPCs to
9 help manage water quality implementation projects.
10 c. Annual Meeting Location and Guest Speaker. We have confirmed with Catamount Country Club
11 on Mountain View Road in Williston for June 21st and the guest speaker will be Julie Moore, ANR
12 Secretary.

13
14 10. Agenda review for April 19, 2017 board meeting. Members felt the agenda was too full and asked
15 what could come off. The energy plan contract requires us to have a draft by the end of May, so we
16 wanted to give a heads up at the April meeting. It was agreed to postpone any presentation until May.

17
18 Andy asked Executive Committee members to let him know if they do not want to continue to serve, as
19 the Board Development Committee will be charged with coming up with a slate of officers for FY18 by
20 the May meeting.

21
22 There being no further business, JOHN ZICCONI MADE A MOTION, SECONDED BY ANDY MONTROLL TO
23 ADJOURN THE MEETING AT 7:15 P.M. MOTION CARRIED UNANIMOUSLY.

24
25 Respectfully submitted,

26
27 Bernadette Ferenc.