

1 CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
2 REGULAR MEETING MINUTES
3 FINAL

4
5 DATE: Wednesday, November 15, 2023
6 TIME: 6:00 PM
7 PLACE: REMOTE ATTENDANCE via ZOOM MEETING VIDEO
8

9 PRESENT: Bolton: Vacant Buel's Gore: Garret Mott
10 Burlington: Andy Montroll Charlotte: Dana Hanley
11 Colchester: Absent Essex: Andrew Watts
12 Essex Junction: Elaine Haney Huntington: Joe Segale
13 Hinesburg: Michael Bissonnette Jericho: Catherine McMains
14 Milton: Absent Richmond: Bard Hill
15 St. George: Absent Shelburne: Jeff Carr (Alt)
16 So. Burlington: Chris Shaw Underhill: Absent
17 Westford: Benjamin Bornstein Williston: Karen Peterson (Alt)
18 Winooski: Kristine Lott (Alt) Cons/Env.: Miles Waite
19 VTrans: Matthew Arancio FHWA: Absent
20 Ind/Bus: Tim Baechle GMT: Absent
21 Agriculture: Absent Socio/Econ/Housing: Absent
22

23 Others: CCTV, Scott Moody Jon Moore, GMT
24 Andrew Kupa, Marcum, LLC Matt Kimball, GMT
25 Kyle Connors, Marcum, LLC Clayton Clark, GMT
26

27 CCRPC Staff: Charlie Baker, Executive Director Taylor Newton, Planning Prog. Mgr.
28 Eleni Churchill, Transp. Prog. Mgr. Forest Cohen, Sr. Business Mgr.
29 Amy Irvin Witham, Business Office Mgr. Christine Forde, Sr. Transp. Planner
30 Anne Nelson Stoner, Equity Mgr. Melanie Needle, Senior Planner
31 Chris Dubin, Sr. Transp. Planner Emma Vaughn, Communications Mgr.
32 Darren Schibler, Sr. Planner Mckenzie Spear, Business Office Assoc.
33

34 1. Call to order; Attendance; Changes to the Agenda. The meeting was called to order at 6:00 PM by
35 the Chair, Chris Shaw. Chris welcomed the auditors Andrew Kupa and Kyle Connors to the meeting.
36 Chris reminded members there were three items on the consent agenda.
37

38 2. Public Comment Period on Items NOT on the Agenda. There were none.
39

40 3. Action on Consent Agenda. The consent agenda included the following:
41

- 42 a. Minor Tip Amendment (MPO Action) Hinesburg Road Shared Use Path, South Burlington,
43 Amendment FY24-06, Project BP124: The changes requested are the addition of \$20,000 in
44 federal funds for preliminary engineering in FY24; \$65,000 for preliminary engineering in FY25;
45 \$300,000 for PE/ROW/CON in Fy26; and \$383,000 for CON in FY27. South Burlington was
46 awarded a 2023 VTrans Bicycle and Pedestrian Program Grant for \$768,000.
47

48 ANDY MONTROLL MADE A MOTION, SECONDED BY ELAINE HANEY, TO APPROVE CONSENT

1 AGENDA 3a. MOTION CARRIED BY MPO MEMBERS, WITH ONE ABSTENTION FROM KAREN
2 PETERSON.

3
4 b. Winooski Tactical Basin Plan, Letter in conformance with ECOS Plan

5 The CCRPC has an opportunity to provide recommendations to the Agency of Natural Resources
6 (ANR) regarding tactical basin plans pursuant to sections of Vermont Statutes Title 10, Chapter
7 47, §1253(d)(2)(G). Staff reviewed the formal draft Winooski Tactical Basin Plan update issued
8 on October 9, 2023. The Winooski Basin includes major portions of the Chittenden County
9 towns of Bolton, Burlington, Colchester, Essex, Essex Junction, Huntington, Jericho, Richmond,
10 Saint George, Shelburne, South Burlington, Williston and Winooski and small portions of
11 Hinesburg, Underhill, and Westford. The Clean Water Advisory Committee recommended Board
12 approval of the letter at their November 7, 2023, meeting.

13
14 Garret Mott expressed concern that Buels Gore was not listed with the other towns. Garret
15 would like the letter to be revised to include Buels Gore.

16
17 **Chris Shaw stated agenda item 3b: Winooski Tactical Basin Plan needed to be removed from**
18 **the consent agenda.**

19
20 JEFF CARR MADE A MOTION, SECONDED BY CATHERINE MCMAINS, TO REMOVE 3b. WINOOSKI
21 TACTICAL BASIN PLAN FROM THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY.

22
23 GARRET MOTT MADE A MOTION, SECONDED BY BENJAMIN BORNSTEIN, TO APPROVE THE
24 TACTICAL BASIN PLAN WITH THE ADDITION OF BUELS GORE TO THE LIST OF TOWNS. MOTION
25 CARRIED UNANIMOUSLY.

26
27 c. Approve Minutes for the October 18, 2023, Board Meeting.

28 GARRET MOTT MADE A MOTION, SECONDED BY CATHERINE MCMAINS, TO APPROVE CONSENT
29 AGENDA 3c, APPROVAL OF MINUTES. MOTION CARRIED WITH ONE ABSTENTION FROM KAREN
30 PETERSON.

31
32 4. Draft FY2023 Audit

33 Forest Cohen introduced Kyle Connors and Andrew Kupa, accountants with the national accounting
34 firm Marcum LLP (formally Melanson, P.C.). Kyle thanked Forest and Charlie for their timely
35 responses to all inquiries and reminded members this was Marcum's first year performing an audit
36 of the CCRPC. The audit was conducted following generally accepted accounting principles (GAAS) in
37 accordance with auditing standards applicable to financial audits contained in Government Auditing
38 Standards, issued by the Comptroller General of the United States.

39
40 Kyle said on a month-to-month basis the financial statements from the CCRPC are very reliable. He
41 then provided a presentation of the draft FY23 CCRPC Independent Auditor's Report, highlighting
42 several areas of the financial statements. Kyle explained the approved indirect rate for FY23 was
43 76.83% whereas the actual indirect rate for FY23 was 76.95%; this small difference meant that the
44 CCRPC staff hit the revenue targets and operated very close to the projections. Doing so is a
45 testament to very clean financial reporting. Kyle said net income in previous years allowed the
46 CCRPC to build a bit of reserve funds. The money market balance at the end of FY23 was \$410K. The
47 CCRPC set a goal to maintain three months of operating expenses. Non-project monthly expenses
48 over recent fiscal years were \$211K on average, which translated to a \$633K reserve. The CCRPC will

1 continue to work to build on the reserve balance, however, it is important to note the CCRPC
2 operates on a predominantly Grant reimbursement model, and it is not designed to generate excess
3 income.

4
5 Kyle reviewed the Net Position and reminded everyone the CCRPC is a member of the Vermont
6 Municipal Employees' Retirement System (VMERS). VMERS offers a pension plan, generally
7 accepted accounting principles (GAAP) rules dictate that the CCRPC's portion of the pension plan
8 liability be listed on the balance sheet. This can result in a large expense on our financial statements
9 that management has no control over. He pointed out the VMERS plan is relatively well funded.
10 However, because it is not fully funded it has a financial impact on us. The Statement of Net Position
11 without VMERS is presented for the purpose of analysis, adjusting for the pension accounting
12 returns more than \$688K of equity to the net position.

13
14 Kyle reminded members this version does not include the single audit section. The single audit
15 section includes internal control findings. He pointed out they have poured over many financials and
16 have yet to find any issues. The compliance portion of the audit is due on March 31st, 2024, whereas
17 the financial piece is due on December 31, 2023. Based on these deadlines, the focus has been on
18 the finances. Kyle said there could be a recommendation for a tightened cyber-security plan as this
19 is an issue that is coming up more often in audits like ours.

20
21 Jeff Carr asked Kyle how they felt about the implementation of GASB No 87, particularly the new
22 methodology and amortization of an entire lease. Kyle agreed this new standard was challenging
23 and adds a layer of difficulty, but we are all at the mercy of GASB and the intention is the right of use
24 asset, we are amortizing the office space over the life of the lease. Kyle said he wishes this wasn't
25 the case, but it is. Jeff said he doesn't understand this rule and wanted to share his point of view,
26 since Marcum LLC is a large-scale nationwide accounting firm, and they may have an impact on rules
27 and regulations that are set.

28
29 Charlie thanked Kyle and Andrew for their work. He also thanked Forest and the CCRPC Business
30 Office team for another clean audit. Charlie clarified this is a draft version and he hoped the Board
31 would defer to the Executive committee to accept the final version once completed. Jeff Carr
32 reminded members it hasn't always been this way and commended staff for their great efforts.

33
34 Charlie said when looking into the future and considering projects for the next UPWP, it is striking to
35 note \$2.5 million dollars that was in our budget has not come through in FY23. He explained we
36 need to be sure we take a realistic look at the amount of work that needs to be accomplished before
37 taking on more. He also warned we may not be able to accommodate all project requests that come
38 in for the next UPWP. We need to ensure we have the capacity to tackle the work.

39
40 JEFF CARR MADE A MOTION, SECONDED BY GARRET MOTT, THAT THE BOARD ACCEPTS THE DRAFT
41 FY23 AUDIT, CONTIGENT UPON A FINAL APPROVAL BY THE EXECUTIVE COMMITTEE, UNDER THE
42 CONDITION THERE ARE NO MATERIAL FINDINGS BETWEEN THE DRAFT AND FINAL. MOTION
43 CARRIED UNANIMOUSLY.

44 45 5. Transit Performance Measures & Targets

46 Eleni Churchill introduced Jon Moore and Matt Kimball from Green Mountain Transit (GMT). Jon and
47 Matt provided a screenshare presentation with an overview on the federal performance transit
48 measures and targets as part of the Public Transportation Agency Safety Plan (PTASP) and Transit

1 Asset Management (TAM) Plan. The presentation can be found on the [CCRPC website](#).

2
3 Chris asked what the acronym DO was, under the Safety Performance Targets section. Jon
4 explained, DO is Direct Operations. Garret asked if the 100% designation for over the road coach
5 meant all will need to be replaced by 2025? Matt said no, those types of buses will be phased out of
6 the fleet and will not actually need to be replaced. Bard said he has been contemplating what is
7 happening with ridership and revenues for GMT, particularly post-covid, with more people working
8 from home. Clayton Clark replied this has very much been on people's minds, and GMT has plans
9 into the future to continue funding through various grants.

10
11 6. FTA Title VI Program Draft

12 Emma Vaughn greeted members and referred everyone to the [2023 CCRPC FTA Title VI Program](#)
13 [memo](#) and [Title VI Program Draft](#) documents included with the packet. She explained Title VI is a
14 federal program that prohibits discrimination based on race, color, or national origin under
15 programs receiving federal financial assistance. She explained, the CCRPC receives Federal Transit
16 Authority (FTA) funding. Most of this funding is passed through to Green Mountain Transit (GMT),
17 and the CCRPC also qualifies as an FTA subrecipient of Vermont Agency of Transportation (VTrans)
18 funding. Federal regulations require the CCRPC to submit Title VI Program reports to the FTA every 3
19 years to ensure compliance with the US Department of Transportation Title VI regulations. This draft
20 is an update to our previous 2020 version. Through an existing contract with VTrans, CCRPC was able
21 to work with a consultant to help review and determine the necessary updates. Emma explained the
22 CCRPC staff recommends the 2023 CCRPC FTA Title VI Program draft be approved by the Board, as
23 presented.

24
25 ELAINE HANEY MADE A MOTION, SECONDED BY ANDY MONTROLL, TO APPROVE THE FTA TITLE VI
26 PROGRAM DRAFT. MOTION CARRIED UNANIMOUSLY.

27
28 7. 2025 ECOS Plan update, Place review

29 Taylor Newton referred members to the [ECOS Plan Update Memo](#) and [ECOS-Place](#) documents
30 included with their packets and provided an on-screen overview presentation. He reminded
31 everyone there are three themes in the ECOS Plan: Prosperity, People and Place. Taylor said he
32 already reviewed both the Prosperity and People sections at previous Board meetings. There is a
33 revised timeline that begins with a full draft review by the Long-Range Planning Committee and the
34 Board. Taylor reminded members they were provided copies of the second draft of the 2025 ECOS
35 Plan. He said the intent of the Board review was to review the additions and deletions and solicit
36 any questions or comments. The revised version included the following edits:

- 37 • Data Updates - enhanced energy plan
- 38 • Equity/Inclusion woven throughout the entire document.
- 39 • Address the comments from the Long-Range Planning Committee (LRPC) and Planning
40 Advisory Committee (PAC)

41 Taylor reviewed goals and key issues, strategies, and actions, under the Place section of the 2025
42 ECOS Plan, which included the following:

- 43 • Land Use
- 44 • Transportation
- 45 • Housing
- 46 • Climate Change/Energy & Greenhouse Gas Emissions
- 47 • Ecological Systems/Water Quality/Working Lands

1
2 Joe Segale asked about land use and the common categories, he asked if these categories are
3 something they are thinking about incorporating into this study. Taylor said yes, this is exactly why
4 they adjusted the timeline, because they want to have the flexibility to accommodate these.
5

6 Taylor encouraged members to read through the draft and contact him with any questions or
7 comments they might have. The target deadline is officially set for June 2025.
8

9 8. Equity Update:

10 Anne Nelson Stoner greeted members and provided a screenshare. She said she has no major
11 updates to share. Her internal work has continued to be working on the Code of Conduct. The Equity
12 Action Plan included staff meetings and intern support. She recently attended conferences, the
13 Government Alliance on Race and Equity and the NNECAPA conference. Externally, Anne Nelson
14 continues with community outreach and relationship building and strengthening partnerships with
15 CVOEO, the City of Burlington's REIB office and Winooski parents and students.
16

17 Chris asked what the acronym REIB stood for. Anne Nelson explained it is the Racial Equity, Inclusion
18 and Belonging office for the City of Burlington.
19

20 Bard Hill asked if there was a better way to onboard new members, particularly recruitment of a
21 more diverse population of people, Bard said he is thinking in terms of content. Anne Nelson said
22 this has come up in conversations. She said we need to decide what implementation looks like, we
23 need to learn and review and reflect upon what this looks like. She said a draft will be distributed
24 and members can send her their thoughts and comments. Bard clarified he is curious if we need to
25 provide clearer descriptions of what the CCRPC is, for instance what is the UPWP. Anne Nelson said
26 yes, at some point putting together a training and a Residents Guide that explains what we are and
27 what we do, to define the jargon and acronyms we use.
28

29 Ben Bornstein asked if there is a firm proposal to add conflict resolution training to our work. Anne
30 Nelson said she met with Rachel Jolly from the Restorative Justice Center to pick her brain about this
31 and perhaps we need a designated individual or two people to help manage this. She thinks we will
32 partner with an external contact, like the Restorative Justice Center. Ben asked how this would be
33 managed by the CCRPC. Anne Nelson said she hopes to have clearer answers once the draft is ready
34 for distribution.
35

36 9. Draft Municipal Delegation Framework Report - S.100 Studies

37 Charlie referred members to the latest draft of the VAPDA Regional Planning Report – Municipal
38 Delegation Framework Report distributed to members via e-mail. He explained work is happening
39 with the Act-250 study proposing to rely more on maps. There are conversations taking place to
40 have more consistent language in regional plans. Charlie asked members for feedback. He said
41 Vermont's Regional Planning Commissions are collectively interested in amending future land use
42 maps if there is an actual purpose related to Act 250 and/or State Designation. The RPCs agree it
43 does not make sense to simply improve the maps unless there is an actual policy purpose involved.
44

45 Initially, it was going to be the work of the CCRPC, but it became of interest to all the RPCs in the
46 State. Charlie said he has been responsible for facilitating this process. It is focused on more urban
47 areas, and he has been working on this with Burlington, Winooski, South Burlington, and St. Albans.
48 The idea is more to demonstrate to the Natural Resources Board (NRB) that the municipality has

1 regulations and processing in place that are functionally equivalent to Act 250, and they could enter
2 into a delegation agreement with the NRB. The RPC would review and make recommendations. This
3 is a companion study with the other three studies around Act 250, the Designation study, and
4 Future Land Use mapping. This is somewhat of an alternative, if a municipality cannot get an
5 exemption for the Tier-1 planned growth studies, it could provide an alternate route to get out from
6 under Act 250 Regulations. This is not a long report, most of it is about the process.

7
8 Dana asked if technical assistance would continue to be a priority from the CCRPC to our towns.
9 Charlie said yes, we will continue to work to meet the requests from municipalities and we will
10 continue work on bylaws. This work is very intense, the process is very intense. There are not a lot of
11 municipalities interested in this level of work.

12
13 Charlie said the Board Meeting serves to meet the requirement to hold a public meeting. This report
14 needs to be finalized by December 31st.

15
16 Joe Segale said he reviewed the document, and he really liked the ideas behind it. He understands
17 this is a tough process, but it seems worthwhile. He noted that RPCs might be designated as an
18 interested party, and wondered what that really means and if it is necessary. Also, he wondered if
19 NRB is the final decision maker, will there be an appeals process? Charlie said yes, there is a
20 possibility for an appeals process. The designation is more about Municipal permits and
21 applications. Charlie said this could be a friendly amendment and neighboring towns can weigh in.
22 There is something to think about here it isn't fully figured out.

23
24 Kristine Lott wanted clarification of how the process would work, if the NRB makes the final decision
25 but the RPC facilitates the application process? Charlie said the municipality would apply to the
26 delegation and it would be in partnership with the RPC. The RPC would review the proposal with the
27 municipality and ensure they are meeting the criteria and would then support or recommend the
28 NRB approve these requests coming in from the municipalities.

29 30 10. Chair/Executive Director Updates

31 a. Other S.100 Reports Charlie said the Future Land Use report is out for public review. There is
32 a link to this on the VAPDA page, and comments are due by December 31, 2023. We are
33 awaiting draft reports from Act 250 and the Designation study. There is different
34 terminology being used in the three studies, but the ideas are all similar. Act 250 uses "Tier
35 1", the designation study uses the term "Build Ready", and we call it "Planned Growth
36 areas". We want to make sure municipalities have decent Bylaws, Water and Sewer. The
37 Act 250 study has more language around Tier-3; the goal is to protect natural land areas in
38 exchange for exemptions in the urban area. We will share these reports and provide the
39 links to Board members, alternates, and planning committees. Charlie is encouraged by
40 everyone working together. Links to the reports are located at the bottom of the page.
41 <https://www.vapda.org/home-act-s100.html>

42
43 b. Legislative Breakfast topics Charlie said he worked on a draft for the Legislative Breakfast.
44 The list of topics was narrowed down to the following five: Housing Planning and Permitting
45 Reform, Climate Resilience, Transit Financing, Local Options Tax, and finally Vermont's Open
46 Meeting Law.

47

1 Andy Montroll suggested bringing up public safety. He wonders if a conversation can be
2 started at the legislative breakfast. Kristine Lott said VLCT is doing work with this, and she
3 finds it difficult to make a connection between the work of the CCRPC and the issue of
4 public safety.

5
6 Jeff Carr said we must beat the drum to make sure Chittenden County is at the forefront and
7 to ensure we keep the economy regenerating itself; The lack of economic growth to
8 Chittenden County would be to the detriment of the rest of the State of Vermont. We want
9 to make sure our representatives push back if issues come up. Charlie said some of this ends
10 up being a PR issue. Chittenden county is not receiving more than 25% of transportation
11 funding.

12
13 Charlie said Two Rivers-Ottawaquechee Regional Planning Commission is involved in litigation
14 around strip development, Charlie isn't sure who the appellant is, but the developers council
15 is arguing that 9L should not be a criterion. There may be some tools in the toolbox, they are
16 asking if we would be willing to sign on and support their legal side of this. Charlie asked if
17 there are any objections if we add our name in support of this. There were no objections
18 from members.

19
20 11. Committee/Liaison Activities & Reports.

21 The minutes for various committees are included with the packet and as links to the online
22 documents.

23
24 12. Adjournment.

25 GARRET MOTT MADE A MOTION, SECONDED BY JEFF CARR, TO ADJOURN THE BOARD MEETING AT
26 8:02 PM. MOTION CARRIED UNANIMOUSLY.

27
28 Respectfully submitted,
29 Amy Irvin Witham
30