

## RECREATION GOVERNANCE STUDY COMMITTEE MEETING

Joint Municipal Survey Committee

Meeting Minutes: September 1, 2016

Essex Police Department, 145 Maple Street, Essex Junction, VT 05452

**RGSC Present:** Betzi Bilodeau, Raj Chawla, Max Levy, Jason DiRosa, Michael Smith, Lori Houghton, Kim Maiberger

**RGSC Absent:** Christine Packard, Theresa Fletcher, Erika Baldasaro

**Administrators present:** Brad Luck – EJRP, Ally Vile – Essex Parks and Rec

**Others present:** Andrew Bolduc (Attorney representative), Dennis Bergeron (Alderbrook Lane), Ramona & John Sheppard (Greenfield Road), Gabrielle Smith, George Tyler (Acorn Circle), Colin Flanders (Essex Reporter), Liz Subin, Keeley Schell, Joel Baird (non-resident, Burlington), Greg Matses (Lamell Avenue)

**Call to Order:** Michael called the meeting to order at 7:04pm

**Agenda additions or changes:** Max asked that the committee add a discussion re: dissolution of the RGSC to the agenda. The committee agreed to the addition and would be discussed after the update on the Agreement.

### Public to be heard:

- Dennis Bergeron (Alderbrook Road): asked if committee was familiar with the 4-way test? Is it the truth? Fair to all concerned? Will it be good willed? Will it be beneficial to all concerned? Dennis got involved with the RGSC at the August 4<sup>th</sup> meeting, and since then has done his back research and doesn't feel as though the work being done is following the 4-way test and feels the independent enterprise will have no oversight. He doesn't feel that anyone on the RGSC should be allowed to be nominated to the 5-member board on the December vote. He made note of EPR and EJRP budgets.
- George Tyler asked for clarification: When the committee approved the final agreement, which process did it go through?
  - o Michael confirmed that only the Agreement was recently sent to the AG office, not a report on the process the RGSC followed.
  - o Ramona Sheppard also stated she believed the AG only got a copy of the Agreement and did not get a copy of the process or follow the process and feels the process is still in question with community members.
  - o Keeley Schell asked for clarification in comparison to the RED Study Committee.
  - o Andrew Bolduc clarified that once a Charter is submitted, more will be reviewed. He, and the firm, were also asked through the Town to review the process once the RGSC moved toward creating the Agreement for oversight and to assure legalities were followed.
- Dennis Bergeron: reiterated the memo from 2/10/16 regarding the upcoming process and committee work to be done. He asked where the recommendations were and noted that the SB, Trustees and PC were only notified of the options on June 22, 2016. He believes the committee failed in approaching the

community with the recommendation and were not given a chance for input with other options. All he is asking is for everyone to be truthful to the community.

**Motion to Approve Aug. 16 Minutes:** Motion made by Lori, 2<sup>nd</sup> by Max

**Amendments to Minutes:**

- Max: page 2 edit – Max asked for his quote to be clarified and made more accurate to what he said at the meeting. He asked for the change: “Max reminded the RGSC that the point of the public forums were to inform and give pros and cons to the public and to not tell them how to vote.”
- Betzi noted that the attendance was incorrect. Christine was not at the meeting, but Jason & Lori were in attendance.

**Approval of Minutes:** Approved with amendments: 7-0

**Update on Approval of Agreement with Attorney General Edits:**

- Andrew Bolduc spoke with the update. The only section questioned for review from the AG Office was the Conduct of Meetings, section 1-35 (a) & (b). He spoke with the Assistant to the Attorney General regarding this section as it was never brought up as a point of discussion with concern during the RGSC work sessions. He provided suggestions to edit as provided.
  - o (a) At all Special Authority meetings of the District, the provisions of Title 17 shall apply except where clearly inapplicable.
  - o (b) ~~The District Clerk shall perform the functions assigned to the Secretary of State under that title.~~ The Chittenden Unit of the Vermont Superior Court shall have jurisdiction over petitions for recounts. Election expenses shall be borne by the District.

Andrew reviewed it with the AG office based on the Secretary of State Title document and the AG office wasn't sure why that made it past review in the first place for the SoS. After further discussion, Andrew recommended removing those items (above) from each section based on his discussion. Other than this section, it was 99% good to go.

Lori made the motion to approve the ECPR Agreement, as edited by the Attorney's and AG offices. Jason seconded the motion.

**Approval of the amended Agreement for resubmission:** Approved 7-0

Ramona Sheppard: wanted to voice opinion on Section 1-39 re: Withdrawal of a Municipality and feels the old version where a withdrawal could take place in one year is better for the community.

Andrew clarified that this is not approved by the AG office, as amended. He will re-submit the Agreement for a final approval.

Jason asked about a timeframe for a response. Andrew said the AG office wants to turn it around quickly, but was not given an exact date. He thinks it shouldn't take more than two weeks; Andrew also clarified that resubmission does not start the 30 days over again and the 30 days will be up as of September 10, 2016.

**Discussion on Committee Dissolution (as added on agenda from Max):** When is the appropriate time to dissolve as a committee? Andrew advised to wait until full/final approval letter from AG office prior to dissolving just in case something else comes back.

Once the Agreement is submitted and approved, the Committee will have filled their statutory obligation and can dissolve. As far as what the committee's duties are, the communication and outreach tasks could be left to the legislative bodies involved instead. If any RGSC members, or members of the public, want to meet as a "Friends of..." group to help get the information out to the community that would be allowed. His legal recommendation was once the task is completed (Agreement passed/approved), due to the current legal and political climate, all other tasks could be left to the SB and Trustees, and (if desired) to form as a "Friends of" group, unaffiliated to the RGSC and to provide factual outreach. Andrew did say that the RGSC could fulfill the role of providing information to the community, but would need to be conscientious of clearly communicating information only, and not advocating a position.

Keeley wanted to let the RGSC know that the RED Study Committee did have to have a final meeting to approve the official dissolution meeting minutes.

Ramona Sheppard asked Andrew if the Town EPR was allowed to have a web link to the [www.essexrec.org](http://www.essexrec.org) on their site, as it seems to be affiliated politically. Andrew said he would have to look into it; however, felt that links could be provided as a resource if the SB supported that level of communication.

George Tyler asked permission to ask the RED Study Group members what parameters they were given. Keeley confirmed the members were allowed to inform after their final meeting with no repercussions through community forums, social media, etc. No one formed political action committees but could have done that on their own "Friends" groups if desired.

Betsy Dunn believes the new outreach committee should be allowed to have new members added to the group. Committee members agreed.

Lori asked a question to Keeley and Liz regarding when the forums were held, if each of them were still members of the RED Study. Liz clarified that she was not on the Study Committee, but represented the School Board in written communication, forum facilitation, etc. Keeley noted that the State gave the RED Study a budget for outreach and it was clear how the designated website and signage were either paid for by existing school board contributions or the by State.

Raj believes the SB and Trustees should help continue the communication outreach so the work done by the RGSC would have been for nothing.

Ramona voiced that what would have made her happy, would have been for the RGSC to dissolve and let the Boards (SB & Trustees) take the information forward with outreach to the citizens regarding the possible December vote. Raj reminded Ramona that the RGSC was not completely finished with the Agreement at this point.

Brad asked for clarification before moving on to the next agenda item. Jason and Max agreed this discussion regarding dissolution can continue at the next meeting.

**Discussion re: Outreach:**

- Liz & Keeley are the Communications Task Team for the UU Board and are here to inform how communication & outreach were done with the RED Study. Liz was not on the RED Study but was on the communications team for the outreach for the unification. They are both elected officials on the current UU Board.
- They both went through the [www.essexrec.org](http://www.essexrec.org) website and shared suggestions on some improvements to be made to the dedicated ECRP website. Items included:
  - o Lead with a strong and succinct statement about why the committee believes this model is best for the community
  - o Give specific examples:
    - Increased transparency
    - Greater oversight
    - Reduced complexities
      - Infographic of current rec structure in the Town and Village
      - Graphic of new governance model
    - Eliminate redundancies
    - Potential for cost savings
      - Tax rates and program use rates per family
    - Long-term stability
    - One-stop shopping
    - Equity in community
    - Ability to “house” other initiatives
  - o Give more details about the other models explored and why they were rejected
  - o Budget and tax implications by 9/28 or inform community that the information is not yet available.
  - o Financials not available on website; if not available by 9/28 public forum, let community know before the meeting, and why they aren’t available yet.
- Don’t keep everything on website. Add perspectives to the Essex Reporter
- Avenues used: open forums, FPF, Westford School Board Newsletter, all school websites, RED website, Essex Reporter. Postcards (mailers) were discussed but never acted on due to cost (with given budget). In-person events were also attended but primarily with information on upcoming public forums.
- Why is this the model being recommended?
- In regards to public forums, recommendations for forum structure. They were in two-three meeting clusters. The first three were presented the same exact way. All questions asked were documented; some were answered on site, some were then given to the specific person at the school or committee level. All questions were listed as asked on the website. The second set of three meetings were revised and tweaked based on how the first three meetings went. Liz suggested the last two forum presentations should be revised from the first few meetings. Liz also suggested having a neutral facilitator and being thoughtful to who that person is (works in community but doesn’t live here/have a vote). Forums started and ended as advertised; any additional questions were documented later, and some members stayed later to continue small discussion.
- Brad asked Liz to walk through the timeline of a forum:
  - o 1 hour (20 min. presentation, 40 min. discussion)
  - o Intro to members of the RED Study, Board Members, Elected officials

- Logistically prepared with paper, pens, chairs vs. tables
- Sign in sheet
- Please hold questions during presentations, note questions during presentation, and time will be given at the end to take a few questions. There was also 2-3 minutes at the end of the presentation for quiet questions generating before questions were asked/answered.
- All questions were collected and scribed.
- Superintendents and CFOs were resources in the room
- Moderated discussion with equitable air time
- Goal within a week to get back to people's questions
- Dennis Bergeron asked about financial details in the RED Study presentations and how none of that (cost analysis) is indicated in any of the presentations so far. How can the RGSC show the benefits or pros/cons?
- Lori respectively asked that the community give the Boards, RGSC and staff time to get all the information out to the community but feels as though the RGSC is under attack without the chance to provide.
- Betsy Dunn: brought up the RGSC page in the Recreation brochures and how it is not evenly informing the community and believes it should be pulled from publications.
  - In response: Lori asked for time and confirmed that the RGSC hears the concerns but is requesting one specific meeting devoted to that topic.
  - Liz added that the RED Study process was more about the outcome for the children in the community and asked the public to give the RGSC the same respect to outline the process and details but to let them gather the information and promote the possible future outcome of the UMD.
- Keeley respectively added that she did not yet know how she was going to vote on this issue and looked forward to hearing more information. She hoped that the community would have a civil discussion of the proposal and not continue with the negative attacks and conspiracy theories that are not representative of Essex.

#### **Task Team Updates:**

- **Outreach & Public Forums:** Kim – discussed the sub-group had created a Google calendar on upcoming community events that are possible to reach out to voters. Kim & Lori reminded the RGSC that events like the Farmer's Market, school open houses, etc. were coming up and would be good to attend. The group is ready to go when allowed.
- **Research & Discussion:** Betzi – asked the RGSC what the preferred focus would be for the presentation; many FAQs are not about the Agreement. Lori suggested a specific meeting was needed in order to flush out the forum details together. Lori asked for clarification on what sort of questions they were receiving and how responses were provided. Betzi noted they have only responded to two questions so far. Updates: essexrec.org went LIVE as of 8/23/16 with a lot of information; they have identified how to process FAQs and would like to answer within five business days; Erika was set up on FPF and has sent out one post (long version from ER article); EPR brochure went out with forum information and EJRP's is published and going out soon – it was noted at the SB meeting on 8/29 to make it more neutrally

written. A draft communications calendar has started and it was suggested to combine both sub-group calendars; email update option on website; feedback on communications tone.

- Betsy Dunn asked that any further communication shows that the RGSC recognizes the non-neutral tone from the original information published.
- Andrew confirmed he and the Firm reviewed the document and to remember to be a-political, keep out descriptors, stay more in line with the Town Communications policy. Betzi also commented on the publication that a special vote was declared when it has not been warned by the SB or Trustees. Members suggested the wording state “a proposed vote is scheduled for December 13”.
- Brad reminded the RGSC that they received a 5-0 vote in support of forming a UMD and the SB gave a 4-1 vote supporting the concept of forming a UMD with further information, so there was no inclination at this time that a warning would not take place, it just hadn’t been officially done at this point.
- Ramona commented that there was a discussion at the 8/29 SB meeting that three SB members were not in full support for a vote at the most recent SB meeting.
- **Transition Team:** Ally & Brad gave an update on the presentation given to the Transition Team, which consisted primarily of CCSU and TOE staff; additional small meetings are taking place next week to gather more information from Finance, HR and IT. Brad also updated the RGSC on how outcomes will take place based on a yay or nay vote (non-binding resolutions, letters of intent, etc.). Jason thanked Brad and Ally for all their hard work, individual and staff work and time, and generating all of this information in addition to regular duties.

**Next Meeting:** Thursday, September 8, 2016. Location TBD

Lori asked Brad & Ally to provide the most recent PowerPoint Board presentation, as well as the June 22 presentation.

Michael began discussion on agenda items for the next meeting

- Public Forum presentation outline
- Agreement update
- Communication policy
- Discussion on dissolution of the RGSC

Betsy Dunn asked if there was a resolution made in regards to correcting the publication from the recreation program brochures. Discussion on communication and correcting previous communication can take place at the next meeting as it is not on tonight’s agenda.

**Adjournment:** Michael adjourned the meeting at 8:43pm