

## RECREATION GOVERNANCE STUDY COMMITTEE MEETING

Joint Municipal Survey Committee

Meeting Minutes: September 8, 2016

Village Offices, 2 Lincoln Street, Essex Junction, VT 05452

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

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

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

**Others present:** Andrew Bolduc (Attorney representative), Gabrielle Smith (Beech St.), Colin Flanders (Essex Reporter), George Tyler, Adriane Martin (EPR), John Sheppard (Greenfield Rd.), Irene Wrenner, Tim Jerman (Sycamore Lane), Dylan Giambatista (Arlington St.)

**Call to Order:** Michael called the meeting to order at 7:01pm

**Agenda additions or changes:** None

**Public to be heard (on items not on the Agenda):** None

**Motion to Approve Sept. 1, 2016 Minutes:** Motion made by Lori, 2<sup>nd</sup> by Kim

**Amendments to Minutes:** None

**Approval of Minutes:** Approved with amendments 7-0 (Raj arrived at 7:04pm, after the approval of the minutes)

### **Dissolution Discussion:**

- Max reminded the committee that communication is allowed by this committee and doesn't feel that the RGSC's job is done. He believes the RGSC is responsible to continue and provide information to the community so voters can make an informed vote.
- Michael agreed; Jason asked that if the RGSC were to dissolve, whose responsibility it would be to provide the information. Andrew's comment from the last meeting was brought up again and Max and Lori felt the communication would be turned over to the SB and Trustees, but that the RGSC's job wasn't complete. Jason reiterated that the committee needs to provide the information in a very neutral manner, so not to sway any one decision.
- Betzi asked if the SB and Trustees took over the communication if they would have to involve RGSC members. She didn't feel 100% sure that it was the RGSC's role moving forward.
- Erika felt this committee is in the best position to put out the information to the community, to the best of the committee's ability. She is concerned the SB and Trustees would not engage with the RGSC members. Jason reminded her that if they didn't involve the RGSC, a PAC could be created by those who do want to help provide neutral information.

- Betzi doesn't disagree that the RGSC has the deepest working knowledge of what was studied and believes the governing boards would engage the dissolved members but knows there isn't a guarantee of the involvement.
- Max asked what statute Lori was citing. Lori noted 24 VSA 2832, "...To provide for the distribution of information resulting from such surveys, studies and programs.
- Raj believes the RGSC has just arrived at the engagement piece and that the committee hasn't had the chance to really provide that distribution to the voters.
- Lori is willing to bring this back to the Trustees to see what they feel their role is going forward. Jason asked Max to bring the same topic back to the SB. Specifically: Does the SB feel it is within the committee's preveue to disseminate the information to the voters? He feels the RGSC needs the opportunity to present at the advertised forums, which can then bring new members of the community to the communications aspect. Raj thinks the question should be: "What would be the Selectboard's & Trustees' plan to disseminate the information to voters?" Betzi asked what the RGSC would then do at their next meeting based on those answers from the boards. Raj would be willing to revisit the dissolution once given the opportunity to provide a few initial public forums.
- Andrew was asked – he thinks the discussion brought back to the Boards gives him more comfort; he referenced the RED Study's process and they had a budget to do the work and were given a specific timeframe as to when they could dissolve, which was after the vote date. He also thinks that Section 2 of the statute does allow the committee to continue communicating to the voters.
- George Tyler noted the 8/23 Trustees meeting approved communication by the RGSC through the December 13<sup>th</sup> vote. Brad reminded the committee that the SB gave an approval vote based on further information provided at a later date.
- Jason asked about when a proposed budget would be available. Brad said one would be available by the Oct. 3 SB meeting date. Which confirmed two public meetings could still take place before presenting at the next SB meeting and a possible dissolution.
- Michael's concern with staying on as a committee, is the option of bringing in other people from the community if the RGSC is an appointed study group. He is unsure of the rules when adding others in to the discussion and planning. Max and Brad confirmed the structure of the committee couldn't change, but experts could be brought in to help the committee.
- John Sheppard asked what would stop the committee from dissolving now, and continuing with the education the RGSC has to provide. If no one is interested in stopping the communication, why not continue but not as a formed committee? Jason agreed with Mr. Sheppard but still feels the RGSC should finish out the calendar month, give the two presentations with the bulk of the information that is available to the community and then reconsider the next steps in the process, based on comments from the SB and Trustees. Raj wants to get the RGSC information out, through all the advertised forums.
- Bridget Myers believes the committee members are those with the authority. If the RGSC dissolves, they become a citizen group and that can be very dangerous. She believes there will always be dissenters, but believes the RGSC can be those to provide the facts and knowledge.
- Gabrielle Smith wants to make sure that there is clear responsibility on the roles of the public forums and it's not just about content. She doesn't believe that Lori and Max should be the Board representatives at all of the forums.

- Jason asked for the next step on this topic of discussion. He wanted to make sure there was time available for anyone's doubts. Betzi believed that being in the communication role through available budgets and initial forums was appropriate.
- A general consensus was given that this topic can be revisited at a future meeting but that moving forward with communication to the voters was necessary by the RGSC at this time.

#### **RGSC public participation protocol discussion & adoption:**

- Brad led the discussion based on the memo provided in the packet re: a model policy from VLCT would be more in line with the spirit of how the RGSC meetings have been going.
- Lori reminded the committee that at the last meeting she asked the audience to give the RGSC time to do the work in time for the upcoming public forums and had a conversation separately with Michael regarding the continued process for the meetings.
- Max felt it was important for the audience to understand this process if the RGSC were to adopt this model policy, so that Michael would explain that at the start of each future meeting.
- Jason's concern noted #3 on the protocol document that stated each member of the public will be afforded one opportunity to speak on the agenda item for up to two minutes. Jason and Max suggested offering the audience to write their questions/concerns down to then be answered at a later time.
- Betzi and Erika were concerned about limiting audience comments.
- Jason asked if 2/3 of the committee could move the discussion to be closed. Michael said that, as the Chair, the decision to end the participation would just be ended.
- Max believes the RGSC needs to honor the community's input, but there needs to be a constraint in order to move the meeting along.
- Lori said that the RGSC has working meetings going forward and that questions asked cannot continue in a debate fashion. Jason thinks the open comments need to have limits. Raj is happy people are attending these meetings, but feels that in order for the RGSC to have the ability to move forward, with the Chair's discretion, is to end the audience participation within reason.
- Betzi doesn't believe that discussion at the conclusion of an agenda item, but before any action is taken by the public body has been done at the RGSC meetings. Betzi doesn't believe the RGSC needs this draft public participation protocol at this point in the process.
- Overall, Jason feels the time limits, or available times, are restrictive to the audience. Raj felt there has been plenty of opportunities since the process started in April for public comment, questions and concerns.
- Lori reminded the RGSC that this point of the process is to get the presentation ready and the meetings are more work sessions. Max felt it was up to the Chair based on the audience size per meeting.
- Betzi likes the term "guide" and feels meetings should continue to offer audience time so people still feel welcome to be heard.
- Jason and Max feel it should be the Chair's discretion going forward. Everyone was in agreement.

#### **Task Team updates**

- **Transition Team – Ally & Brad**
  - o Brad gave an update and noted how positive and supportive the meetings have been with the TOE and CCSU staff. There are a dozen plus people working to help gather information to be

ready before the end of the month. Ally was in full agreement that these meetings have been a breath of fresh air to the work being conducted.

### **Public Forums planning:**

- Jason had a draft “shell” of a presentation based on the June 22 and August 8 meeting information. He presented the slides and asked for comments.
  - o Raj – too wordy; each bullet should be its own slide; FAQ handout; instead of “what the UMD does”, but state what the UMD *is*
  - o Lori – list Goals of committee, top survey results, list of options – lead with chosen one but then list pro/con list or have handout available, agreement specifics, “what’s next” and FAQs. She thinks an explanation of the current situation on how each P&R currently work and how the oversight of each are now and how it will be in the future if a UMD was voted in.
  - o Max – noted Liz & Keeley’s comments from the last meeting about leading with a strong and succinct statement about why the committee believes this model is the right path for recreation and the community
  - o Betzi – did the RGSC want to decide now that the first 2 forums would be the same exact presentation, then revisit for any updates, give the updated presentation to the next 2 forums, and so forth? Members agreed. She then asked if these 6 forums should be advertised as a “3 part series” as each 2 forums will have updates. Lori thinks the “shell” of the presentation should stay the same, but the FAQ part will change over time. Time in the beginning will be spent more on the “shell”, and more time will fall under FAQs toward the later forums.
  - o Erika felt the slides needed to be tailored to the current FAQs that have consistently been coming in from the public, not to present the same information/slides they have already seen. Focus information on what the public is really passionate about (childcare, assets, voting, oversight, etc.). She also thought many slides were about the current situation and feels it needs to be paired down and focused on why the UMD was chosen and how it will be in the future if chosen – or not chosen.
  - o Kim wants to be sure that the consolidated efforts is still the focus, even though it is creating another municipal level.
  - o Max asked about how to get a neutral facilitator? Brad informed the RGSC that Sue McCormick was contacted to provide names/contacts of facilitators in Chittenden County.
  - o Jason offered to continue to work on the presentation and give an updated packet before the next meeting.
  - o Questions about open meeting law were clarified in regards to how the smaller task teams can function. Andrew – it is very clear that any sort of public body board can take a few members (non-quorum amount of the committee) and not be categorized as having an illegal meeting. Communications that the non-quorum members have notes, they could be subject to a public information request.
  - o John Sheppard – noted that the term sub-committee is what is in question as the RGSC does not have the authority to create sub-committees.
  - o Lori did remind the members that information can be sent to the whole committee, but responses can only be sent directly back to the sender. She also said that their task team hadn’t

produced much in comparison and wanted to clarify what they needed to do more of. Members mentioned flyers to the school open houses, Farmer's Market, etc.

- Brad gave an update on the work being done for the video updates and asked what the RGSC wants to do before they are released to the public. Brad will send the first link out tomorrow and ask for reply-only comments by Sunday for a Monday release.

**Next meeting date/time: Wednesday, September 14 @ 7pm, location TBD with a work session to discuss presentation**

**Adjournment:** Michael adjourned the meeting at 8:41pm