LIST OF AGENDA ADDITIONS AND HANDOUTS
TOWN OF ESSEX SELECTBOARD
REGULAR MEETING AGENDA
FEBRUARY 18, 2020

ADDITIONAL HANDOUTS

5c. Selectboard Member Residence, 1989-2019 graph

5c. Selectboard Votes, 2015-2019
Selectboard Member Residence, 1989-2019

Inside the Village

Outside the Village
Selectboard Votes, 2015-2019

<table>
<thead>
<tr>
<th></th>
<th>Unanimous</th>
<th>1 dissent</th>
<th>2 dissent</th>
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<tbody>
<tr>
<td>Total votes:</td>
<td>837</td>
<td>40</td>
<td>5</td>
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<td>%</td>
<td>94.9%</td>
<td>4.5%</td>
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TOWN OF ESSEX SELECTBOARD
REGULAR MEETING AGENDA

81 Main Street
Essex Junction, VT 05452
Tuesday, February 18, 2020
7:00 PM

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE TO FLAG [7:00 PM]
2. AGENDA ADDITIONS/CHANGES
3. APPROVE AGENDA
4. PUBLIC TO BE HEARD
   a. Comments from Public on Items Not on Agenda
5. BUSINESS ITEMS
   a. *Interview and appointment: RaMona Sheppard, Channel 17 Trustees
   b. Presentation of Fiscal Year 2019 audit report—Bill Keyser of Kittell Branagan & Sargent
   c. Decide whether to take position on voter-backed petition for six-member Selectboard
6. CONSENT ITEMS
   a. Accept 2020 Certificate of Highway Mileage
   c. Approve minutes: February 3, 2020; February 3, 2020—Joint
   d. Check Warrant #17690—01/31/2020; #17692—02/07/2020; #17695—02/14/2020
7. READING FILE
   a. Selectboard Comments
   b. Q&A re: voter-backed petition for six-member Selectboard
   c. Champlain Water District bond vote and fiscal year 2020-2021 budget
   d. Email from Charles Baker re: I-89 Study initial public meetings
   e. Vermont League of Cities & Towns Selectboard Trainings
   f. Memo from Dennis Lutz re: Status of Winter Operations through 23 January 2020
   g. Email from Elaine Haney re: Municipal share of cannabis sales taxation
   h. Upcoming meeting schedule
8. EXECUTIVE SESSION
   a. *An executive session may be required for appointment of public officials
9. ADJOURN

Members of the public are encouraged to speak during the Public to Be Heard agenda item, during a Public Hearing, or, when recognized by the Chair, during consideration of a specific agenda item. The public will not be permitted to participate when a motion is being discussed except when specifically requested by the Chair. This agenda is available in alternative formats upon request. Meetings of the Selectboard, like all programs and activities of the Town of Essex, are accessible to people with disabilities. For information on accessibility or this agenda, call the Town Manager’s office at 878-1341.

Certification: ____________________ 02/14/2020
SELECTBOARD: Elaine Haney, Chair; Max Levy; Patrick Murray; Andy Watts; Annie Cooper.

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Greg Duggan, Deputy Manager; Sarah Macy, Finance Director/Assistant Manager.

OTHERS PRESENT: Walter Adams; Diane Clemens; Vincent Franco; John Sheppard; RaMona Sheppard; Ken Signorello; Margaret Smith; Liz Subin; Irene Wrenner.

1. CALL TO ORDER/ PLEDGE OF ALLEGIANCE TO THE FLAG
Elaine Haney called the meeting of the Town of Essex Selectboard to order at 7:00 PM and invited all in attendance to rise and join in the “Pledge of Allegiance.”

2. AGENDA ADDITIONS/ CHANGES
Mr. Duggan made two additions to item 5c: a Selectboard member residence graph from 1989-2019; and a Selectboard Votes tally for 2015-2019.

3. AGENDA APPROVAL
MAX LEVY made a motion, seconded by PATRICK MURRAY, that the Selectboard approve the agenda with changes to include the items provided to 5c. The motion passed 5-0.

4. PUBLIC TO BE HEARD
a. Comments from Public on Items Not on Agenda
Mr. Signorello said that diverse perspectives have been shared on Article 5, and he would not describe it as divisive. He shared that his intention has been to give a voice to Essex residents who he believes have been underrepresented.

Mr. Adams expressed concern that the Indian Brook parking lot and the sidewalk outside of the Post Office were not cleared after the most recent snowstorm. Mr. Teich agreed to check with Public Works and Parks and Recreation about this.

5. BUSINESS ITEMS
a. *Interview and appointment: RaMona Sheppard, Channel 17 Trustees
The Selectboard interviewed RaMona Sheppard for the Channel 17 Board appointment. Ms. Sheppard said she wants to serve the community and that she sees her position at Vermont Public Radio as relevant to this position. She talked about wanting a board position where she can be active and engaged and explained how her departure from the Essex Rescue Committee was due to a less engaging experience. Ms. Haney noted some of the changes that will be taking place with Channel 17 and CCTV, and Ms. Sheppard said she finds these changes exciting.

ANDY WATTS made a motion, seconded by ANNIE COOPER, that the Selectboard appoint RaMona Sheppard as Regional Representative for the Channel 17 board for the Town of Essex. The motion passed 5-0.

b. Presentation of Fiscal Year 2019 audit report—Bill Keyser of Kittell Branagan & Sargent
Mr. Keyser said that the fiscal year 2019 audit resulted in an unmodified opinion with no issues. He praised the Finance Department’s effective transition into new leadership under Ms. Macy. Mr. Keyser discussed each section of the audit report, pointing out cash balance points; net investments in capital assets; spendable and available equity; cash activities over the year;
improvements in property tax collection; fund balance policy and assignments; proprietary business fund consistencies; and a couple changes to the footnotes. He also discussed the actuals financial statement, noting that the Town ended the year under budget. Mr. Keyser said it was a very positive audit. Ms. Haney requested clarification on Town pensions and Ms. Macy described the plan Essex pays for through the Vermont Municipal Employees’ Retirement System (VMERS). She discussed how retirement is financed through this arrangement and expressed her confidence in the group and the plan it provides.

Mr. Adams posed multiple questions based on his review of the past 10 years of Essex Town’s audits. Ms. Macy talked with Mr. Adams about accounting conducted during the 60-day window after the end of a fiscal year and explained the accounting variations Mr. Adams had identified. Mr. Adams expressed concern that taxes are increasing despite the Town having a fund balance each year. Ms. Macy talked about how the fund balance is planned for capital projects into the future which are, in part, funded by a voter-approved 2 cents on the tax rate. Mr. Teich added that when staff vacancies are unanticipated and hard to fill, this can contribute to the Town being under budget. Mr. Adams also questioned the decision of the Town to choose a lease-to-own arrangement for the Town’s new firetruck.

c. Decide whether to take position on voter-backed petition for six-member Selectboard

Ms. Haney opened the discussion of whether the Selectboard would take a position on Article 5 of the Town Meeting ballot, which proposes a charter change to create a six-member Selectboard – with three members from the Village of Essex Junction and three from outside the Village – instead of the current five-member board where members are elected at-large. The Selectboard members all agreed that they support the resident-sponsored petition process and agreed that there is some confusion in the community about whether Article 5 is the Selectboard’s proposed merger plan with the Village of Essex Junction.

The board members discussed whether they should take a position on the article or just provide an explanation that it is not the merger plan the Selectboard and Village Trustees have been working on. They debated the importance of neutrality within their roles and discussed whether providing for the best interest of the community requires that they take a position. Mr. Watts stated his opinion that it should not be the role of the Selectboard to take a side on the article. The Selectboard members discussed some of the mechanics of Article 5’s governance structure and talked about alternate governance structures they prefer. Some expressed concern that, with this 3-3 structure, all residents would lose the right to vote for any more than the three people that represent their district. The Selectboard members talked about how ties on a 3-3 governance structure may change Selectboard dynamics and pose challenges. They discussed community member frustrations and experiences of feeling under-represented, based on where the governance’s 5 at-large Selectboard members reside. They wondered about this sentiment while reviewing unanimous vote trends and configurations of the Selectboard in past years. The Selectboard members expressed concern that more people were not running for the Selectboard. Ms. Haney talked about how the Selectboard would transition into Article 5’s governance structure, if it passes, and some of the assurances from Dan Richardson, esq.

Mr. Franco clarified with Ms. Haney that the Article 5 governance structure would allow Village residents to vote only for Village candidates to fill 3 of the Selectboard seats and Town outside the Village residents would only vote for Town outside the Village candidates to fill the other 3 Selectboard seats.

Mr. Signorello responded to some of the points brought up by the Selectboard. He said three people were running for the Selectboard, but one withdrew. He said there is a representation
issue with the Selectboard makeup and he does not see enough representation on the current merger board from the Town outside the Village. He said that if a 3-3 governance structure finds itself in a tie that holds up the budget some year, it would result in level funding. Mr. Signorello cautioned the Selectboard to not take a position on Article 5.

Ms. Smith expressed representation concerns with the current structure of the Selectboard and the merger structure being proposed by the Selectboard.

Ms. Wrenner pointed out that one of this year’s Selectboard candidates dropped out of the running. She also suggested that because many on the current Selectboard are not immersed in Town outside the Village concerns they may not effectively represent them. She encouraged diverse representation and pointed out that representation was also a concern in the 2005 merger attempt.

Ms. Clemens talked about how 3-3 board dynamics playout on the School Board and expressed gratitude that the Article 5 issue opened up so much dialogue and opinion-sharing within the community. She said she believes that the community can unify and encouraged the Selectboard to provide clear, unbiased information to the community.

ELAINE HANEY made a motion, seconded by PATRICK MURRAY, that the Selectboard vote to take a position on Article 5. The motion passed 4-1, dissenting vote from Andy Watts.

ELAINE HANEY made a motion that the Selectboard take a position against article 5; then she withdrew this motion, based Selectboard member concerns with the wording.

ELAINE HANEY made a motion, seconded by PATRICK MURRAY, that the Selectboard take the position to not support Article 5.

The Selectboard members talked about whether they should include language in the motion to clarify the position and discussed the challenge of taking a position while still wanting to respect the community members’ process.

ELAINE HANEY, in agreement with PATRICK MURRAY, withdrew the motion.

ELAINE HANEY moved the question, seconded by PATRICK MURRAY, of whether the Selectboard supports Article 5.

Mr. Watts clarified that his vote on this motion does not signify that the Article includes his preferred governance structure.

The Selectboard voted 1 in support (Andy Watts), and 4 not in support, of the Article.

6. CONSENT ITEMS

MAX LEVY made a motion, seconded by PATRICK MURRAY, to approve the Consent Agenda, with Selectboard comments:

a. Accept 2020 Certificate of Highway Mileage
c. Approve minutes: February 3, 2020; February 3, 2020—Joint
   • Mr. Levy asked to change “Mr. Levy” to “Mr. Tyler” on line 58 of the Joint meeting minutes.
   • Ms. Wrenner suggested a correction to line 179 of the Selectboard Meeting minutes based on Mr. Norton’s request to strike “not approving the proposed charter change”, and substitute “their comments about the charter change process and the concern about fair representation.”
d. Check Warrant #17690—01/31/2020; #17692—02/07/2020; #17695—02/14/2020

The motion passed 5-0.

7. READING FILE
a. Selectboard Comments
   - Mr. Levy commended Chief Cole for going above and beyond to support a local family who
     has a child with special needs.
   - Mr. Murray said he met with Mr. Lutz and learned about the Town’s sewer core system.
   - Mr. Watts clarified that he did not attend the event on Saturday 2/15 because he was under
     the impression he was not invited, not that he couldn’t make it.

b. Q&A re: voter-backed petition for six-member Selectboard
   - Mr. Signorello suggested that Item 10 on this Q&A say that an option would be to vote for a
     write-in candidate.
   - Ms. Wrenner suggested the following changes to the Q&A document:
     - Remove #10; the answer to this would be the same for the current board.
     - Remove #7; it is already understood.
     - In #12 state that, in the event of a tie, Roberts Rules of Order would be used.
     - In #13 include the local example of the School board’s 6 member configuration.
     - In #4, remove the enumeration of where the people who signed the petition are from.
     - #5, consider including the petition’s website

c. Champlain Water District bond vote and fiscal year 2020-2021 budget
   Mr. Watts expressed his surprise with the Champlain Water District’s inclusion of a bond vote
   on Town Meeting Day, considering the Selectboard was not informed in advance and the vote
   will include some people voting on a water rate increase even though they may not be buying
   water. Mr. Duggan noted that the CWD will be presenting to the Trustees on Tuesday February
   25.

d. Email from Charles Baker re: I-89 Study initial public meetings

e. Vermont League of Cities & Towns Selectboard Trainings

f. Memo from Dennis Lutz re: Status of Winter Operations through 23 January 2020

g. Email from Elaine Haney re: Municipal share of cannabis sales taxation
   Mr. Levy expressed thanks for a letter sent to the VT State Representatives and Senators
   regarding a municipal approach toward cannabis taxation.

h. Upcoming meeting schedule

8. EXECUTIVE SESSION
   a. *An executive session may be required for appointment of public officials
      An executive session was not required.

9. ADJOURN
   MAX LEVY made a motion, seconded by ANNIE COOPER, to adjourn the meeting. Motion
   passed 5-0 at 9:42 PM.

Respectfully Submitted,
Cathy Ainsworth
Recording Secretary

Approved this __16th__ day of _March_, 2020

(See minutes of this day for corrections, if any)

Patrick Murray, Clerk, Selectboard