

Bennington County Regional Commission

Executive Committee

MINUTES

February 7, 2018 - 8:30 AM
Chauncey's Restaurant – Arlington, VT

Present: Janet Hurley, Meg Cottam, Dan Monks, Suzanne dePeyster, John LaVecchia
Jim Sullivan, Director

1. FY 2017 Financial Audit

The annual audit, completed by Love, Cody & Company, was reviewed. Sullivan noted several key points, including: an overall budget increase of 18% from the previous year (likely will drop next year), a surplus that increased the fund balance to approximately \$523,000, and program areas that are performing well financially and have good prospects for this and next year as well as those that face some challenges.

Considerable discussion ensued as to the BCRC's IT needs and whether a different approach to the server/data storage is appropriate. Sullivan indicated that he has meetings scheduled with three different IT service providers next week and will report on their recommendations – as well as the proposal recently received from our current IT service provider, RCS.

The board members expressed considerable concern over the limited municipal financial support being offered to the BCIC (and thus to the BCRC's ability to provide services to that organization). The recent action by the Manchester Select Board to delete BCIC funding from their budget and the refusal of at least two other towns to consider the BCIC's funding request highlight a perception that the BCIC does not offer anything to benefit those towns. The board unanimously supported the idea of sending a communication to the BCIC board that they must rename the organization soon as one critical step toward rebranding the organization and sending a message that it supports economic development efforts throughout the region and across all economic sectors. Failure to do so will complicate the BCRC's efforts to work with and support the BCIC – due in part to limited support from towns other than Bennington. A name for the rebranded RDC was suggested: the Shires Community Investment Corporation (SCIC). Sullivan will draft a memo to the BCIC board urging prompt attention to the rebranding/renaming.

2. Allco Renewable Energy Lawsuit

The 26-count complaint filed by Allco Renewable Energy against the Town of Bennington, several individuals, and the BCRC was reviewed. The main basis for the lawsuit is a contention that the town did not adhere to Act 174 standards in developing their new town energy plan (especially focusing on the solar siting map and guidelines), that the town discriminated against their company and sites, that the town was acting to benefit itself, and that the BCRC should be enjoined from certifying the town's plan pursuant to Act 174. In addition to the specific request to block the BCRC

from acting on the town's plan, the BCRC is included in the other counts (being somehow "complicit" in the town's actions). The BCRC will be represented by Rob Woolmington, who also is representing the town. An attempt will be made to limit the BCRC's involvement (and legal costs), and attempt to have the court focus on the narrow question of whether the BCRC can proceed to act on the town energy plan under Act 174. The plaintiff is seeking monetary damages and we will attempt to limit any exposure on that front since the BCRC has done nothing more than carry out its statutory responsibilities and provide technical assistance to the town. The case has pointed to the fact that the BCRC is underinsured for on the professional liability and directors and officers liability front; Sullivan is looking into options for improved coverage and will report back at or before the next meeting of the executive committee.

3. BCRC Offices and the Putnam Block Redevelopment Project

The BCRC has been approached by the developers of the Putnam Block (same block as current office in downtown Bennington) regarding the potential for occupying office space in the historic Winslow Building – phase 1 of the redevelopment project. The BCRC still has three-plus years on its current lease so would need to either be released from that (occupancy in the new space could be in late 2019) or receive compensation from the potential new landlord. The BCRC's existing space is adequate, but all agreed that if space meeting the organization's requirements can be provided in the Winslow Building with no (or only marginal) increase in cost to the BCRC, it should be pursued (provided the aforementioned release from the existing lease). The move would provide customized office space for the BCRC with less wasted square footage while also supporting downtown redevelopment. Critical information required before committing: assurance of release from existing lease or compensation to cover cost; floor plan meeting all BCRC's stated needs; cost no more than BCRC's current lease expenses. Cost savings also can be realized if some space (such as a conference room, rest rooms, etc.) can be shared with an adjacent tenant. Sullivan will obtain the requested information and report back to the board.

4. Executive Committee Membership

Meg will be moving out of Glastenbury and giving up her seat on the BCRC, and thus on the executive committee, as of the May annual meeting. The members discussed possible ways to fill the seat and also approaches to recruiting new/more active commissioners to the BCRC. Sullivan will send a memo to each select/trustees board with a note about current commissioners and vacancies and request new appointments as appropriate. Janet will reach out to a currently active commissioner or commissioners regarding potential interest in serving on the executive committee.

5. Personnel Policies and Employee Handbook

The HR consultant is finishing her work on the new Employee Handbook and updated Personnel Policies. They will be presented for approval at the next meeting of the executive committee.

6. Other Business

Hurley will be forwarding a request for a letter from Sullivan expressing support for the recently revised Manchester Zoning Bylaw (as prepared by the town's planning commission and staff).

Meeting adjourned at 9:45 AM.

Respectfully submitted: Jim Sullivan 2-7-2018