

# Bennington County Regional Commission

## EXECUTIVE COMMITTEE

### Minutes

**Friday – April 26, 2024**

**8:30 AM**

**Meeting Conducted via ZOOM**

Attending: Nick Zaiac, Sheila Kearns, John LaVecchia, Dimitri Garder, Jason Rasmussen (MARC), Chris Company (WRC), Janet Hurley (staff), Bill Colvin (staff)

The meeting was called to order at 8:32am. Guest Jason Rasmussen of Mount Ascutney Regional Commission was introduced to the Executive Committee.

Zaiac Moved and Lavecchia seconded the approval of March 1, 2024 Executive Committee meeting minutes. Approved with Garder abstaining.

#### RPC Peer Visits and External Review

Colvin updated the Executive Committee on the RPC peer visit and external review process. To improve delivery of services and to ensure meeting of statutory obligations, periodically, the eleven RPCs in Vermont, through its association VAPDA, undertake a peer visit and external review process. As the demands and expectations of Vermont's regional planning commissions have increased over the past several years, undertaking this process now is timely.

The review will consist of two parts. The first is a series of peer visits where each RPC director will complete a questionnaire in preparation for a visit by directors from two other RPCs. Chris Company of Windham Regional Commission and Jason Rasmussen of Mount Ascutney Regional Commission will join us at the April 26<sup>th</sup> Executive Committee meeting. Each director will visit two other RPCs. I will be visiting Addison County RPC and Central Vermont RPC.

VAPDA recently released an RFP for consulting services for the second part of the process. Once selected, a consultant will undertake study designed to look to ensure that the Regional Planning Commissions are statutorily enabled [24 V.S.A., Chapter 117, Subchapter 3] and strategically positioned to meet ongoing and emerging state and municipal needs and will review the following, including but not limited to, governance, funding, programs, service delivery, equity, accountability, and staffing. The study shall identify the gaps in statutory enabling legislation, structure, and local engagement. The final report will make recommendations on how to improve and ensure consistent and equitable statewide

governance, funding, accountability, program delivery through local input and engagement. This study is intended to be completed by the end of the year.

Rasmussen updated the group on the RFP for consulting services that he drafted on behalf of VAPDA.

#### Vermont Childcare Contribution (VT CCC) Discussion

In 2023 the Vermont Legislature passed H.217 (Act 76) which creates a special fund to invest in Vermont's childcare system. Beginning July 1, 2024, employers are required to pay a 0.44% payroll tax on employee wages for which Vermont income tax withholding would be required. Employers are entitled to, but not required to, withhold up to one quarter on the contribution (0.11%) from employees' wages. I am proposing for your consideration that the BCRC not withhold the 0.11% from employees' wages but rather cover the full cost of the VT CCC.

Garder provided an overview of the process leading to the adoption of this bill last year in which he was an integral player.

Garder moved that BCRC cover the cost of the employee share of Vermont Childcare Contribution payroll tax (0.11% of compensation). Seconded by Kearns. Approved unanimously.

Colvin introduced Chris Company of Windham Regional Commission who joined the meeting at 8:51am.

#### Intermunicipal Services Agreement Bylaw Discussion

The BCRC is the only remaining Vermont RPC whose bylaws do not allow for intermunicipal services agreements. With bylaws enabling such agreements, an RPC may promote cooperative arrangements and coordinate, implement, and administer service agreements among municipalities, including arrangements and action with respect to planning, community development, joint purchasing, infrastructure, and related activities; for example, by serving as zoning administrator to multiple towns.

Vermont statute describes requirements for approving bylaws enabling intermunicipal service agreements as well as the processes for executing and implementing such agreements, once enabled as well as the powers and limitations granted.

<https://legislature.vermont.gov/statutes/section/24/117/04345b>

As described in the statute, the process for adopting a bylaw to facilitate RPCs engaging in intermunicipal services agreements requires a 30-day notice of at least one public hearing on the bylaw amendment, delivery of the draft bylaws and hearing notice to each municipality within the region and an affirmative vote of 67% of commissioners pursuant to the RPC's voting procedures.

Company and Rasmussen shared the experiences of their respective organizations with intermunicipal services and the bylaw modification process. Both agreed it was a worthwhile tool to have but noted they had not been widely used yet in their regions.

Kearns inquired if such a bylaw modification would allow an RPC to serve in an administrative role to multiple communication union districts, which are defined as municipalities.

Zaiac moved that BCRC initiate the process for a bylaw modification to facilitate provision of intermunicipal service agreements. Seconded by Kearns. Approved unanimously.

#### Executive Director Review Process

Colvin noted that with his hiring as director occurring in September 2022, there was no Executive Director review for FY23, given the partial year. He proposed for an FY24 review to utilize the same process BCRC uses for other employees. Each BCRC staff member completes a self-evaluation and establishes goals for the coming year. The director and program manager, if appropriate, then meet with the employee to discuss and document. This process is also consistent with what I understand to have been the utilized with the previous director.

Following this method, Colvin submit a self-evaluation to the Executive Committee in advance of its June 28<sup>th</sup> meeting and it would be discussed at that meeting.

Zaiac moved that Colving provide a FY24 self-evaluation the Executive Committee in advance of its June meeting to be discussed at that meeting. Seconded by Garder. Approved unanimously.

#### Program Updates: Q&A Time with Bill & Janet

Hurley and Colvin provided updates on several planning and community and economic development projects.

Colvin reminded the committee of the BCRC Annual Meeting on May 16<sup>th</sup>.

There being no other business, Zaiac moved adjournment at 9:37a. Seconded by LaVecchia. Approved.

Respectfully submitted,

William Colvin  
Director