

VILLAGE OF ESSEX JUNCTION TRUSTEES  
TOWN OF ESSEX SELECTBOARD  
SUBCOMMITTEE ON GOVERNANCE - SPECIAL MEETING  
November 14, 2019

**SUBCOMMITTEE MEMBERS:** George Tyler, Chair; Raj Chawla; Max Levy; Andy Watts.

**ADMINISTRATION:** Evan Teich, Unified Manager; Ann Janda, Project Manager;

**OTHERS PRESENT:** John Sheppard; Ken Signorello; Irene Wrenner

**1. CALL TO ORDER**

George Tyler called the meeting of the Village of Essex Junction Trustees and Town of Essex Selectboard Subcommittee on Governance (hereafter referred to as “Subcommittee on Governance”) to order at 6:30pm.

**2. AGENDA ADDITIONS/CHANGES**

George Tyler requested adding to agenda item 5c a response from Dan Richardson to Andy Watts’s question regarding the perception that the Village is able to vote twice on charter changes and if it is possible for residents in the Town outside the Village to have a second vote as they did in the Proctor merger in 1965.

**3. AGENDA APPROVAL**

**GEORGE TYLER made a motion, and RAJ CHAWLA seconded, that the Subcommittee on Governance approve the agenda as amended. Motion passed 3-0.**

**4. PUBLIC TO BE HEARD**

None at this time.

**5. BUSINESS ITEMS**

**a. Discuss representation**

George introduced this topic and asked subcommittee members to discuss their preferences for models for voting representation, based on the surveys and information-gathering by KSV and research by Dan Richardson.

Andy Watts stated that he has a strong preference for an at-large representation model. He stated that at-large representatives need to appeal to a broad base in order to get elected and are more likely to represent the entire district. He also stated his concern about having an even number of representatives, specifically that it could lead to impasses or gridlock. He further stated that a representative model may maintain divisiveness unless district lines are drawn to include a mix of residence types, which is not much different than an at-large representation model. He added that representatives should serve alternate two-year terms, in order to avoid high turnover and loss of continuity on representative boards. He finally stated that he has no preference for the number of board members, but either five or seven members makes sense.

**SUBCOMMITTEE ON GOVERNANCE  
(DRAFT)**

**November 14, 2019**

46 Raj Chawla stated that he does not have a strong preference for one model over another, but that  
47 creating new districts would not guarantee equal representation, and that low population density  
48 in some areas would be an issue. He emphasized the difficulty of creating new voting districts  
49 without perpetuating the continued separation of the community into different segments.  
50

51 Max Levy stated that, given the survey says representation is important to many voters, he has a  
52 preference for a transitional representative model with two voting districts which would combine  
53 the current 8-1 and 8-3 districts and maintain district 8-2. Each district would have two  
54 representatives and the community would have three at-large representatives, for a total of seven  
55 members serving on the governing board. He suggested this as an initial model, which could be  
56 in place for several election cycles, about 7 years. This would allow the government time to  
57 consider whether transitioning to more than two districts or to a totally at-large representation  
58 model would be feasible and practical for the community, and to plan for any future changes. It  
59 would also enable the formation of a districting committee in about five years to research and  
60 make recommendations on districts.  
61

62 George Tyler described his research into past voting decisions for Selectboard and Trustee  
63 meetings to see how votes were split and stated that votes were overwhelmingly 5-0 on issues,  
64 which seemed to indicate that a 5-member board was sufficient for robust discussion and  
65 efficient decision-making. He added that none of the 4-1 or 3-2 decisions he observed were  
66 driven by a member's constituency or residence. He added that he agreed generally with Mr.  
67 Watts's suggested model features for at-large representation, but that he also liked Mr. Levy's  
68 proposal of a phase-in period with continued use of districts and then a potential transition to an  
69 at-large model, viewing it as a good compromise that addresses concerns about representation  
70 from both Town and Village residents heard from the surveys and focus group discussions.  
71

72 The subcommittee agreed, after further discussion, on a proposal that included a representative  
73 body of seven members, with two each from the current 8-2 district and a combined 8-1 and 8-3  
74 district and three at-at large members, all with staggered terms.  
75

76 Irene Wrenner commented that having district representation from an urban Village and the more  
77 rural Town would serve the community of Essex well. She also agreed with a statement made by  
78 Mr. Chawla that it is easier to be elected for a district seat than for an at-large seat, which is why  
79 it is more difficult for residents of the Town outside the of Village to get an at-large seat.  
80

81 Mr. Levy asked if there would be a transition at the end of the above proposed model to an all at-  
82 large representative model, or if the end of the transition period would represent a check-point to  
83 determine whether to redistrict, transition to at-large, or maintain status quo. Mr. Tyler replied  
84 that the population could change significantly during the transition period, and that the transition  
85 period could also be used to phase in any tax changes.  
86

**87 b. Discuss next steps on taxation proposal**

88 Ms. Janda asked the subcommittee whether they had suggestions on the timeframe for equalizing  
89 the tax rate and how to do that in a way that would be fair, equitable, and with minimal impact  
90 over time. Subcommittee members needed more time to research further, and decided that they  
91 would devote a large portion of the group's next meeting to discussing suggestions for a taxation

92 proposal. Evan Teich suggested that Sarah Macy attend that meeting to present models and lend  
93 subject matter expertise to the discussion.

94

95 **c. Discuss next steps regarding the merger plan, review draft outline for merger plan and**  
96 **charter, and consider approving process**

97 Mr. Tyler stated that in addition to questions about representation and taxation, the subcommittee  
98 will need to propose a draft merger plan and charter to bring to the Joint Trustees/Selectboard.

99 He added that Dan Richardson has provided the subcommittee with a comprehensive list of all  
100 elements needed in a merger plan and charter, which he has put into an outline for the group. Ms.  
101 Janda added that because the Village and Town charters are structured differently, Mr.  
102 Richardson researched other modern Vermont charters and proposed an outline with a number of  
103 common elements and transition provisions. She added that while some of the outline includes  
104 decision points, other sections will include boilerplate language that the subcommittee can react  
105 to once they begin drafting the charter.

106

107 Mr. Tyler proposed recommending to the Joint Boards that the current subcommittee continue  
108 meeting into 2020 and work with Mr. Richardson on the technical details of a merger plan and  
109 charter.

110

111 Mr. Watts briefly described the question on which he sought legal guidance from Mr. Richardson  
112 regarding whether Town outside of the Village residents could have a second vote on the merger  
113 plan and proposed charter for a merged community. Mr. Watts stated that some residents feel as  
114 though the Village is able to vote twice, which runs contrary to a one-person-one-vote policy.

115 Mr. Tyler confirmed with Mr. Watts that he is satisfied with the clarification from Mr.

116 Richardson, that the Village votes on merger and the proposed charter as Village residents and  
117 then all Town residents vote on merger and the proposed charter as Town residents as this is just  
118 the nature of the municipal systems in place and there is no legal authorization to carve out a new  
119 voting district. Mr. Watts commented that Mr. Richardson explained that Proctor's merger was  
120 ordered by the legislature and that the merger statutes were created in 1965, the same year as the  
121 Proctor merger, which suggests that the merger statutes might have been a reaction to the Proctor  
122 merger.

123

124 **d. Review FAQ language "Why are we doing this now?" Consider for approving use on**  
125 **GreaterEssex2020**

126

127 Ms. Janda noted that Ms. Wrenner had previously asked for clarification regarding information  
128 in the FAQ that stated that the cost of a merger increases with every year that passes. She added  
129 that a merger continues to be more expensive with every passing year because Village taxes  
130 increase every year, and a merger would spread the Village tax rate across the whole Town.

131 Subcommittee members stated that they would like to now include this answer as written on the  
132 GreaterEssex2020 website.

133

134 Ms. Wrenner said that making such statements in response to the question of timing assumes that  
135 a merger is the goal for the future of Essex and that it is inevitable. She urged the subcommittee  
136 to consider multiple options and the cost/benefit of each, rather than putting all effort into the  
137 direction of a merger option.

**SUBCOMMITTEE ON GOVERNANCE  
(DRAFT)**

**November 14, 2019**

138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164

**e. Consider future meeting schedule: Nov. 21, Dec. 5, Dec. 12 (or 19), and Jan 2**

The subcommittee on governance will meet on the following dates (all at 7:00pm):

- November 19<sup>th</sup>
- December 12<sup>th</sup>
- December 19<sup>th</sup>

**f. Approval of minutes**

*October 30, 2019:*

**MAX LEVY made a motion, and ANDY WATTS seconded, to approve the Subcommittee on Governance meeting minutes from October 30, 2019 as written.**

**Motion passed 4-0.**

**6. ADJOURN:**

**GEORGE TYLER made a motion, and RAJ CHAWLA seconded, to adjourn the meeting. Motion passed 4-0. The meeting adjourned at 8:30pm.**

Respectfully Submitted,  
Amy Coonrad  
Recording Secretary

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2019

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