

1 Selectboard and Trustee Subcommittee on Governance  
2 March 11, 2019 Special Meeting Minutes  
3 81 Main Street, Essex Junction, VT  
4 DRAFT

5  
6 Subcommittee Members Present: Elaine Haney  
7 Max Levy  
8 George Tyler  
9 Irene Wrenner

10  
11 Staff Present: Greg Duggan  
12 Evan Teich

13  
14 Members of the Public Present: None

15  
16 1. CALL TO ORDER

17 George Tyler called the meeting to order at 8:08 a.m.

18  
19 2. AGENDA ADDITIONS/CHANGES

20 3. APPROVE AGENDA

21 There were no additions or changes to the agenda.

22  
23 4. PUBLIC TO BE HEARD

24 There were no comments from the public.

25  
26 5. BUSINESS ITEMS

27  
28 a. Approval of minutes: November 28, 2018 Subcommittee meeting

29  
30 Elaine Haney moved and Irene Wrenner seconded to approve the minutes with the following  
31 amendment. The minutes were approved 4-0.

- 32 • Line 73: Remove the phrase “the council also elects a council chair, who essentially fills the role  
33 of vice chair of the council” and replace with “the mayor serves as chair of the council, and the  
34 council elects a vice chair from amongst the council membership.”

35  
36 Items 5b through 5f were discussed together.

37  
38 b. Review discussion of Governance Subcommittee process from last joint board meeting of  
39 Selectboard and Trustees. What deliverables should we achieve by the next joint board  
40 meeting?

41 c. Is it our task to recommend an abbreviated and optimal list of potential governance models?

42 d. How do we arrive at that recommendation?

- 43 e. Is it our task to recommend a timeline leading up to a Nov. 2020 vote?  
44 f. Open discussion/work session to produce draft documents, lists, schedules, and/or timelines  
45 agreed upon in steps 2 - 5.  
46

47 The Subcommittee agreed that the goal of this meeting is to review the six remaining governance  
48 models with the intention of revising and combining where able and appropriate. The Subcommittee  
49 would then provide recommendations to both boards on which governance models could be presented  
50 to the public for discussion and eventual adoption by vote.  
51

52 Each governance model was reviewed as follows:

- 53 I. Hybrid Governance Model: Once discussion of this model ensued it became apparent that it  
54 was a potential board structure, and not a governance model. The model was temporarily  
55 set aside.  
56

57 Before reviewing the subsequent models, the Subcommittee referred to the criteria for governance  
58 models developed, revised, and approved at previous meetings. The list of criteria (as approved at the  
59 Subcommittee's 11/14/2018 meeting) is:

- 60 • Better integrated planning
- 61 • Better relations
- 62 • Better transparency
- 63 • Diversify tax base
- 64 • Economic and overall sustainability
- 65 • Eliminate duplication
- 66 • Equal representation
- 67 • Eventual single tax rate
- 68 • Improves communication
- 69 • Maintain a high level of service
- 70 • Maintain Heart & Soul values
- 71 • Maintain public safety
- 72 • Makes public participation easier
- 73 • Makes voting easier
- 74 • Preserve identity
- 75 • Speaking with one voice, and having a seat at the table in relevant issues and bodies
- 76 • Tax equity

77

78 The Subcommittee discussed at length the appropriateness of each criterium and whether some of  
79 them were too subjective. They settled on the following as the final list of criteria to assess each  
80 governance model:

- 81 • Better integrated planning
- 82 • Improves administrative efficiency
- 83 • Equal representation

- 84 • Eventual single tax rate
- 85 • Improves communication
- 86 • Reduces the number of times residents vote
- 87 • Makes public participation easier
- 88 • Preserves identity
- 89 • Speaking with one voice, and having a seat at the table in relevant issues and bodies
- 90 • Tax equity
- 91 • Equal access to resources

92

93 The Subcommittee returned to reviewing the governance models and ranking them based on the newly  
94 established criteria. A chart of the rankings is attached and is made an official part of these minutes.

95 They also discussed the possibility of wards or voting districts, and how representation would be  
96 affected by each model.

97 II. Unified Town Charter Model: Members agreed a unified municipality would require dissolving  
98 the Village charter. Consensus was that if this model were chosen the Town charter should also  
99 be dissolved and a new charter be created so that one municipality does not have the  
100 appearance of “taking over” another.

101 IV. City Charter Model: Members discussed this option next. They felt that there were few  
102 differences between a city charter and a unified town charter, with the exception of a  
103 mayor/council board structure with its attendant at-large election of a mayor. The  
104 Subcommittee decided they would not recommend a city charter model to the joint boards as  
105 they had heard very little input from residents that they preferred to become a city.

106 III. Special District Model: Members discussed at length the possibilities for tax equity and  
107 representation presented by this model. It would require the conversion of the Village charter  
108 into a special district, while also maintaining that all special district residents would also be  
109 Town residents. The special district would include only non-essential services like recreation and  
110 libraries. It was also proposed that a second district just for the Town outside the Village be  
111 created for Town library and rec departments. The Subcommittee had numerous questions  
112 about this model; George Tyler will reach out to attorney Dan Richardson for further guidance.

113 V. Status Quo: Members felt that it will be important to provide the public with a baseline from  
114 which to judge any governance model options presented, and so they ranked the status quo—  
115 the existing municipal agreements between the Village and the Town—using the same criteria.  
116 In the near future when public outreach begins, a clear description of the status quo will be  
117 provided to the public so residents can determine how changing to other models could affect  
118 them.

119 VI. Separation: The Subcommittee opted not to recommend the separation of the Village from the  
120 Town as both municipalities have directed both the Subcommittee and the Unified Manager to  
121 continue working towards consolidation.

122

123 After reviewing all the governance models, the Subcommittee confirmed that it will recommend to the  
124 joint boards that they present three options to the public to consider: a unified town charter model, a

125 special district model, and the status quo model. However, if the full boards determine that they want  
126 to add back in any of the models that the Subcommittee rejected, they can do that.

127  
128 The Subcommittee then returned to discussing board structure. Members considered the possibilities  
129 presented by a board elected at-large, the establishment of two or more wards or voting districts, and  
130 whether the governing board should have an even or odd number of members. Members agreed the  
131 board should be no larger than seven members, with five members being ideal. Discussion centered on  
132 three potential structures:

- 133 1. At-large board membership: The municipality would have a single governing board. Each  
134 member would be elected at-large, meaning they would not represent a certain  
135 geographical area, but rather the entire municipality. There was agreement that while board  
136 members elected at-large represent the entire municipality in the legal sense, but Ms.  
137 Wrenner argued they would not in theory, because it would not be fair for some residents  
138 to be represented by someone who does not live near them.
- 139 2. Two wards, same number of representatives from each ward, even number of board  
140 members: This is the Hybrid Governance Model that was discussed earlier. The municipality  
141 would be divided into two wards, using the current Village and Town outside the Village  
142 boundaries. Each ward would elect the same number of representatives, and the total  
143 number of board members would be an even number. It was suggested that with this  
144 model, the representatives from each ward could make decisions regarding business related  
145 only to their ward. There were questions as to the legality of that approach, and that it  
146 should be researched. This model would require some kind of tie-breaking solution in the  
147 event that a vote is split. One option is for the chair to vote only in the event of a tie.  
148 Another option is to kill the motion if the tie cannot be broken. More research is needed to  
149 determine whether there are other options in the event of a tie.
- 150 3. Two wards, same number of representatives from each ward, plus one at-large member:  
151 The municipality would be divided into two wards, using the current Village and Town  
152 outside the Village boundaries. Each ward would elect the same number of representatives.  
153 In addition, there would be one at-large member of the board. This structure would ensure  
154 an odd number of board members. But it would also subject one board member to have to  
155 campaign throughout the entire community, while the other members would campaign only  
156 in their own wards.

157  
158 Members agreed that in all of these structures, the board would elect its own chair from amongst its  
159 members. The Subcommittee also ranked these board structures according to how they address the  
160 number of times residents must vote, whether they make participation easier, and whether they  
161 achieve equal representation. A chart of the rankings is attached and is made an official part of these  
162 minutes. The Subcommittee will recommend these three board structures to the joint boards along with  
163 their recommendations for governance models, with the understanding that final decisions about  
164 whether to present these options to the public will be made by the full boards and not by the  
165 Subcommittee.

166 The Subcommittee then discussed a timeline going forward. There is general agreement that the  
167 presidential election of November 2020 would be an optimal time to hold a vote on a new governance  
168 model since historically voter turnout is very high at that time and would ensure maximum voter  
169 participation in the process. Greg Duggan shared that, according to the Town Clerk, a warning for a  
170 November 2020 vote would have to be finalized and approved by August 2020. In order to allow enough  
171 time for public outreach and education, the joint boards would need to determine which governance  
172 model to present to the public by April 2020.

173  
174 Mr. Tyler compiled a list of public outreach tasks. Mr. Levy stressed the importance of a Town-wide  
175 survey mailed to each home. Other options included a series of facilitated public meetings (similar to  
176 what the Town used for the recent firearms discussion), explanatory documents, a public web page, and  
177 the use of PlaceSpeak for additional survey and feedback opportunities. Ms. Haney recommended using  
178 some successful tactics employed during the Heart & Soul process, particularly neighborhood  
179 conversations. She also recommended creating an RFP for a public outreach professional. Mr. Duggan  
180 stated staff will prepare language calling for an RFP and present it at the next joint board meeting on  
181 April 10<sup>th</sup>. The Subcommittee decided to offer itself to the joint boards as the body that could interview  
182 potential outreach professional candidates.

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184 6. ADJOURN

185  
186 Ms. Haney moved to adjourn and Ms. Wrenner seconded. The meeting adjourned at 11:38 a.m.

187  
188 Submitted by Elaine Haney, Subcommittee Secretary

**Governance Models Rankings**

	Unified Charter Model	Special District Model	Status Quo	Notes
Better integrated planning	+	+	-	
Improves administrative efficiency	+	-	-	
Equal representation	0	0	0	Not addressed since board structure is a separate discussion
Eventual single tax rate	+	-	-	
Improves communication	+	0	-	
Makes public participation easier	+	+	-	
Reduces the number of times we vote	+	+	-	
Preserves identity	-	+	0	
Speaking with one voice, having a seat at the table in relevant issues and bodies	+	+	-	Allows better communication of the municipality to outside bodies like CCRPC or the state legislature.
Tax equity	+	+	-	
Equal access to resources	+	-	-	

**NOTES**

This is a comparison between governance models.  
 += Yes  
 - (minus) = No  
 0 = neutral

**Board Structure Rankings**

**Board structure options (chair elected by body in all options)**

	All members at-large	2 wards, even # members	2 wards + 1 at-large
Equal representation	+(voted 3-1)	+(voted 4-0)	0 (because of at-large)
Makes public participation easier	+	+	+
Reduces the number of times we vote	+	+	+