



VILLAGE OF ESSEX JUNCTION TRUSTEES  
TOWN OF ESSEX SELECTBOARD  
Subcommittee on Governance  
Special Meeting Agenda

2 Lincoln Street  
Essex Junction, VT 05452  
Monday, May 13, 2019  
7:00 PM

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*The Governance Subcommittee consists of two members of the Essex Junction Board of Trustees and two members of the Essex Selectboard. The members will not discuss or take action on any issue outside of the scope of the subcommittee and shall not act as the Town Selectboard or Village Board of Trustees at the meeting.*

1. **CALL TO ORDER** [7:00 PM]
2. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **PUBLIC TO BE HEARD**
5. **BUSINESS ITEMS**
  - a. Selection of Chair and Vice Chair
  - b. Selection of recording secretary
  - c. Schedule future meeting dates
  - d. Identifying next steps for the Governance change initiative
  - e. Discuss Financial Plan for governance change
  - f. Approval of minutes: March 11, 2019
6. **ADJOURN**

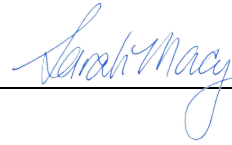
*Members of the public are encouraged to speak during the Public to Be Heard agenda item, during a Public Hearing, or, when recognized by the Chair or President, during consideration of a specific agenda item. The public will not be permitted to participate when a motion is being discussed except when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

Certification: 05/10/2019 *Amitchell*

## Memorandum

**To:** Trustees; Selectboard; Evan Teich, Unified Manager  
**From:** Sarah Macy, Finance Director/Assistant Manager  
**Re:** Options for Tax Equity Plan  
**Date:** May 1, 2019

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### Issue

The issue is to inform the boards about the genesis of a project to model scenarios in a tax equity plan and to solicit feedback on additional scenarios for inclusion.

### Discussion

With a general sense of the potential governance models the joint board will be pursuing for a November 2020 vote, staff has begun work on a tax equity plan. The tax equity plan will consist of a variety of models suggesting different ways to get the money from where we are now to a desired future state. With the help of former Finance Director Lauren Morrisseau we are planning to model the following scenarios based on the governance models presented at the April 9, 2019 joint meeting:

1. Unified Charter, full merge all at once (without any phasing in of rate stabilization)
2. Unified Charter, full merge with tax rates stabilized over 3 years, 5 years, or 7 years and an analysis of the resources available for rate stabilization (e.g. fund balance, local option tax)
3. Full merge with a Special District as described in the 4/9/19 Governance Subcommittee report. This model will show the tax impact for every \$100,000 or \$500,000 raised in the Special District which can be then used in determining which services could be included in a Special District.

For comparison purposes, any tax equity plan will contain a snapshot of the status quo.

### Cost

The cost is limited to staff time and Lauren's billable time (funds budgeted in FY20)

### Recommendation

It is recommended that the Trustees and Selectboard review the planned tax equity models and provide input on additional scenarios they would like to see.

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.

183  
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	+	+	+



## Memorandum

**To:** Governance Subcommittee of the Essex Junction Board of Trustees and Essex Selectboard; Evan Teich, Unified Manager

**From:** Greg Duggan, Deputy Manager *GD*

**Re:** Identifying next steps for the Governance Change Initiative

**Date:** May 10, 2019

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### Issue

The issue is how the Governance Subcommittee will recommend proceeding with next steps leading up to the Governance Change vote in November 2020.

### Discussion

Last month, staff issued a request for proposals for a Public engagement effort regarding potential governance changes in Essex Junction and Essex. No responses were submitted to the RFP.

At the last joint meeting of the Trustees and Selectboard, the Governance Committee agreed to consider options for moving ahead with public engagement. Staff, in order to better understand what might make the engagement project more appealing, reached out to several of the public engagement specialists who received the RFP but did not respond. Responses are attached. General feedback included the following:

- The project sounded interesting and exciting
- The large scope of the project could make it difficult without multiple people who specialize in different areas of engagement
- Certain professionals did not have their partners available to help with the large project
- Timeline, with difficulty of reaching people over the summer and a relatively quick turnaround to provide a report by November 1
- Questions about the budget and uncertainty of what to submit
- Many expressed interest in being involved in some capacity, depending on how the Village and Town decide to proceed; and offered to share any resources they find

Suggestions from the professionals for moving forward include the following:

- Look at larger firms that specialize in planning and engagement
- Break the project into smaller components, hire on an as-needed basis for those pieces
- Organize a team of various specialists
- Look for a Vermont group similar to New Hampshire Listens (<https://carsey.unh.edu/new-hampshire-listens>)
- Hire Public Policy schools
- International Listening Association (<https://www.listen.org/>)
- Extend deadline for report

Other possibilities for consideration, as suggested by board members and staff, include the following:

- Hire a market research firm
- Hire a marketing firm
- Take a grassroots approach and allow residents to do the engagement
- Hire a project manager to oversee a team of specialists

**Cost**

The cost will vary depending on the scope of the project.

**Recommendation**

It is recommended that the Governance Subcommittee discuss next steps leading up to the Governance Change vote in November 2020.

## FEEDBACK ON REASONS FOR NON-RESPONSES TO GOVERNANCE RFP

*(feedback from professionals is paraphrased, unless in quotation marks)*

### A

- Big project
- High level of detail required for application; was not willing to put in the amount of time required to provide the detail with the risk of not getting the project
- Tricky to figure out who would be supervising and giving guidelines on the project; unsure of what to expect from board members
- Challenge to guess what people want out of the project, and how to price accordingly (i.e., townwide mailing; others may know how to price mailing, but not forums)
- OPTIONS:
  - Look at larger firms that specialize in planning and engagement, i.e. DuBois & King
  - Break project into smaller components, hire as needed based on what needs to be done
  - WILLING TO HELP WITH SMALLER, MORE SPECIFIC TASKS
- No responses could give Village and Town more freedom as we proceed
- Not unusual for facilitators/mediators to avoid blind RFPs

### B

- Really big project, and this person felt they did not have the skillset to address some of the requests. Specializes more in person-to-person engagement, and didn't feel competent for the larger data collection.
- Wasn't thrilled with selection process for a previous RFP in Essex
- This project feels like more of a collaborative proposal
- Quick turnaround with the report due in November

### C

- Exciting project; the other professionals this person would normally partner with were not available.
- This person specializes in public meetings; others are better at surveys, web/online work, etc. This person could do that work, but not as easily.
- Unavailable from mid-August to mid-September
- Would be interested in working as part of a broader team

### D

- Moved out of country

- “Reviewing the RFP my biggest concern would be that I think the timeline (and time of year likely) pose a big challenge. Getting a firm under contract and setting up basic project infrastructure (engagement plan and communications platform and initial info pieces) would likely take you through June and then you are into the summer, which I imagine would be a challenge. You could do some education at community events and such but it may be until late summer/early fall until you get people's attention. You'd need a pretty robust set of in-person and online activities over a pretty short period of time (Sept to Oct) in order to get the level of participation you are looking for and to deliver a report by November. Likely, it would take some close coordination with existing community partners and networks to pull of a significant participation effort.

“And even with the best of intentions, there will be some who will criticize why such a big decision is being rushed. (I'm saying this without any knowledge of the governance subcommittee's work and how well it is known in the community so perhaps I'm overblowing this issue). I appreciate the desire to tie it to 2020 so I would try to think about if there is any way to make the timeline to the final report longer.

“As for the budget, that may or may not be a sticking point depending on what it is and the firm. In my experience, some out of region firms probably won't do an intensive participation process for a budget under \$40-50k. I think someone with a pre-existing community connection (and who is largely seen as trusted) would likely do best as the existing knowledge and relationships would help him/her/them get off the ground faster.”

## E

- Was excited about project, just what this person wanted to do
- Business partner was away for five weeks; reluctant to take on alone
- Had responded to another RFP in Essex and felt that project went to someone who had put in a lower quality proposal
- Tight timeline for the project
- OPTIONS:
  - Would love to work on this project in some fashion
  - NH Listens – is there a similar Vermont group?
  - Public Policy schools – hire admin to work with schools, students on project
  - International Listening Association

Governance  
Subcommittee  
5/13/19

5d

## FEEDBACK ON REASONS FOR NON-RESPONSES TO GOVERNANCE RFP

RECEIVED AFTER 5/10 PACKET DISTRIBUTION

**E**

"The reason I didn't respond is because I am focusing on the writing and training parts of my work right now; I am not seeking new facilitation projects at this time.

"I'm sorry you didn't receive responses to the RFP/Q; I'm sure that's frustrating. I wish you the best of luck with this important effort."

**G**

- Bigger than was able to handle as one person
- Huge project
- Way the RFP was worded, some questions about how committed the boards are to pursuing and enacting change. ("help craft and select one preferred option"); concerns that the boards could scrap the project
- Was busy with other stuff and did not have time to submit proposal
- Observation that Essex uses facilitators a lot, and wonders if (Select)board is able to make a decision
- LIKES:
  - giving 3 options, finding out what public wants
  - having the facilitator work with the subcommittee and staff
- OPTIONS:
  - Narrow the scope of work; too much for one person
  - Hire several people and create a team