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. Review of potential focus group providers (staff)
   b. Identify people, groups, and priority questions for focus groups
   c. Discussion of process and questions for community survey
   d. Approval of minutes: May 13, 2019
6. **READING FILE**
   a. Responses from Dan Richardson re: governance questions
   b. Differences in water/sewer rates for Village of Essex Junction and Town of Essex
7. **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: 05/21/2019
Memorandum
To: Governance Subcommittee; Evan Teich, Unified Manager
From: Greg Duggan, Deputy Manager
Re: Review of potential focus group providers
Date: May 23, 2019

Issue
The issue is informing the Governance Subcommittee about projected costs and availability of market research professionals to organize focus groups around governance proposals.

Discussion
As a way to gather input from residents about potential governance change proposals, the subcommittee wanted to explore the possibility of using focus groups to begin soliciting public input, educating residents, and informing the legislative bodies as they further hone governance change options.

In speaking to market research professionals, staff believes there should be six to 10 focus groups with six to 10 people per group. A larger, kick-off focus group could also be used to gather input and shape questions for the smaller groups. The groups could include target demographics as well as any other residents who wish to participate and are available at different times. Staff and elected officials would find participants, provide meeting space, provide incentives (food or otherwise), and provide background materials about the governance change project.

Market research professionals also suggested that a community-wide survey conducted prior to the focus groups could provide feedback that focus group participants could explore in more depth.

The following firms expressed interest in conducting focus groups, surveys, or both; some firms would like more information before submitting a proposal:

Surveys
- Brandthropology (Burlington, VT) – Provided a quote for surveys
- Marketing Partners, Inc. (Burlington, VT) – Potentially interested in surveys
- OCM (Shelburne, VT) – Potentially interested in surveys

Focus groups and surveys
- American Research Group (Manchester, NH) – Potentially interested in focus groups and surveys
- Growtrends (Plattsburgh, NY) – Potentially interested in focus groups and surveys
- Matrix Marketing (Burlington, VT) – Provided a quote for focus groups and surveys
- Red Sapphire Consulting (Burlington, VT) – Will provide a quote for focus groups and surveys
- KSV (Burlington, VT) – Will provide a quote for focus groups and surveys

Alternatively, staff or volunteers could conduct focus groups and surveys in-house, or seek to hire an intern at a low cost. This would limit the cost to incentives for participants ($1,800 to $5,000), but would take the process out of the hands of a third-party and potentially lose the perception of impartiality.

Cost
If the municipalities were to hire a market research professional, preliminary cost estimates range from $1,500 to $3,000 per focus group, plus an additional cost for a report. The municipalities would also
provide incentives to participants. With an incentive cost of $50 per person, the total cost is estimated at a low of $10,800 for six groups of six people; and a high of $35,000 for 10 groups of 10 people.

Combined with one or two surveys, the entire public engagement effort is likely to cost $25,000 to $50,000, depending on the extent of the work.

The Purchasing Policy requires sealed bid processes for purchases greater than $40,000.

**Recommendation**
This memo is for informational and discussion purposes. The Governance Subcommittee may wish to recommend that the Board of Trustees and Selectboard authorize the hiring of a firm to organize and host focus groups and surveys.
Memorandum
To: Governance Subcommittee; Evan Teich, Unified Manager
From: Greg Duggan, Deputy Manager
Re: Identifying people, groups, and priority questions for focus groups
Date: May 23, 2019

Issue
The issue is for the Governance Subcommittee to identify people and groups to participate in focus groups about governance change, and to identify priority questions for those focus groups.

Discussion
If the Village and Town decide to use focus groups to inform the governance change options, it will be useful to identify segments of the population that should be included in the focus groups. A potential list could include the following:

- Village residents
- Town-outside-the-Village residents
- Retirees and seniors, such as Senior Center members and senior bus riders
- Parents of school-age children
- High school students
- 20-somethings
- New Americans
- Volunteers from Village and Town boards/commissions/committees
- Parks and Recreation users
- Library patrons
- Homeowners
- Apartment dwellers
- Target demographics of the US Census Complete Count Committees (single parents, lower income individuals, etc.)

Focus groups will be asked key questions about potential governance changes. Sample questions may include the following:

- What would make each governance change concept succeed?
- What are potential roadblocks to success (e.g., taxation, representation, etc.)?
- What questions need to be answered before a merger vote? After a successful merger?
- What other issues should we be aware of?

Cost
N/A

Recommendation
This memo is for discussion purposes.
Memorandum
To: Governance Subcommittee; Evan Teich, Unified Manager
From: Greg Duggan, Deputy Manager
Re: Discussion of process and questions for community survey
Date: May 23, 2019

Issue
The issue is for the Governance Subcommittee to discuss a community survey around governance change.

Discussion
The Governance Subcommittee is considering a two-part effort to engage the public on governance change options: focus groups and surveys. The focus groups will also be discussed at the May 23 Governance Subcommittee meeting.

Staff sees two approaches to conducting statistically significant surveys that complement focus groups:

1. Two surveys
   One survey could be conducted early in the process, either right before the focus groups to try to gather information that focus groups could consider more comprehensively; or after the focus groups, to verify focus group feedback amongst a wider audience.

   A second survey could be conducted later, after governance change options are more fully formed, to help inform the community’s preferred option to take to a vote in November 2020.

2. One survey
   The Selectboard and Trustees could use feedback from focus groups to better form the governance change options, and then conduct a single survey about those options to help inform the community’s preferred option to take to a vote in November 2020.

In option 1, the early survey could have a mix of yes/no questions and open-ended questions that may be similar to focus group questions.

The later survey could be much more specific. For instance:

- Which of the three Governance Change options are you likely to support in a vote in November 2020: A, B, C, none.

Cost
$3,000 to $8,500 for one survey, depending on the number of responses and the desired confidence level. This is a preliminary estimate, and staff expects to have additional estimates at the Governance Subcommittee meeting.

Recommendation
This memo is for discussion purposes.
VILLAGE OF ESSEX JUNCTION TRUSTEES  
TOWN OF ESSEX SELECTBOARD  
SUBCOMMITTEE ON GOVERNANCE - SPECIAL MEETING  
May 13, 2019

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

ADMINISTRATION: Evan Teich, Unified Manager; Greg Duggan, Deputy Manager.

OTHERS PRESENT: Irene Wrenner

1. CALL TO ORDER
Mr. 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 7:01 p.m.

2. AGENDA ADDITIONS/CHANGES
Mr. Duggan noted that staff received additional feedback on non-responses to the recent Request 
For Proposals (RFP) for a public engagement effort regarding potential governance changes, and 
would like to include it in Business Item #5.

MAX LEVY made a motion, and RAJ CHAWLA seconded, to include additional feedback 
in Business Item #5. The motion passed 4-0.

3. AGENDA APPROVAL
GEORGE TYLER made motion, and ANDY WATTS seconded, that the Subcommittee on 
Governance approve the agenda as amended. The motion passed 4-0.

4. PUBLIC TO BE HEARD
Ms. Wrenner stated that it is critically important that both the Town outside the Village and the 
Village be represented on this Subcommittee.

5. BUSINESS ITEMS
a. Selection of Chair and Vice Chair
Mr. Teich called for nominations for the Subcommittee on Governance Chair.

MAX LEVY nominated George Tyler for Subcommittee on Governance Chair, and 
GEORGE TYLER seconded the nomination. The nomination passed 4-0.

Mr. Tyler called for nominations for the Subcommittee on Governance Vice Chair.

GEORGE TYLER nominated Max Levy for Subcommittee on Governance Vice Chair, 
and ANDY WATTS seconded the nomination. The nomination passed 4-0.

b. Selection of the recording secretary
Mr. Tyler called for nominations for the Subcommittee on Governance Recording Secretary.
GEORGE TYLER nominated Raj Chawla for Subcommittee on Governance Recording Secretary, and MAX LEVY seconded the nomination. The nomination passed 4-0.

c. Schedule of future meeting dates
The Subcommittee members discussed scheduling future meetings, and decided to hold meetings on the following days, at 7 p.m.:

- May 23, 2019
- June 6, 2019
- June 20, 2019
- July 18, 2019

Additional meetings will be scheduled as needed.

d. Identifying next steps for the Governance change initiative
Mr. Tyler began the discussion on next steps for the governance change initiative by noting that formal bids on the RFP were not received, but that feedback was received on why no bids were submitted. He also outlined the issues and potential roadblocks that would cause the public to vote against a consolidated governance structure for the Town of Essex and Village of Essex Junction. These issues include tax equity between the Town and Village, representation on boards for the Town and Village, and issues of identity. He also outlined the timeline for developing a consolidation plan/proposal, which would entail developing a proposal to refine the charter between now and the end of the calendar year so that changes could be publicized and circulated by spring/summer 2020 for a fall 2020 ballot vote.

Mr. Levy suggested that the previously released RFP could be broken up into smaller, more specific tasks, such as survey development and educating and marketing the proposed changes to the public, with staff completing some of these tasks and outside consultants hired to complete others.

Members of the subcommittee agreed that survey data from the public would be vital to the governance change initiative, that any surveys fielded could also be used as educational tools, and that they should attempt to reach as many members of the public as possible.

Subcommittee members agreed that staff should be directed to identify potential candidates for survey development by June, and that members of the subcommittee should think of survey questions in the interim.

Mr. Chawla suggested that, in addition to surveys, holding focus groups would be another valuable source of information on public sentiment. Focus groups could be better representations of diverse demographics and communities within the Town and Village, and could also provide more immediate and actionable data to inform governance change proposals. Mr. Teich suggested that focus groups could help guide survey development as well, and that the results of focus group discussions could be used to conduct larger, more targeted surveys. These could, in turn help guide the Town and Village boards in their decision-making regarding consolidation initiatives. Mr. Chawla emphasized that any focus groups be well-publicized and that they be
accessible to all members of the community by holding them at various times (morning, afternoon, evening) and locations that are on public transit routes. Mr. Duggan noted that the Heart & Soul initiative conducted a network analysis to target segments of the communities for participation in focus groups and events, and that something similar could be done to solicit feedback for this initiative.

Mr. Levy suggested that survey development could occur in tandem with holding focus groups, in order to use time most efficiently.

Next steps:

- Staff will research firms that could recruit for and conduct focus groups for the initiative;
- Staff will simultaneously research firms or organizations that could conduct surveys regarding the initiative;
- Subcommittee members will develop a list of priority questions for the focus groups prior to the subcommittee’s May 23 meeting;
- Subcommittee members will develop a list of demographic areas and communities to target with the focus groups and survey for discussion at the subcommittee’s May 23 meeting.

Mr. Watts had a number of legal questions regarding whether tax districts can have their own libraries, whether different water districts need separate governance, and voting procedures around charter changes, noting that the state legislature is currently working to clarify language in statute regarding process for charter changes in Bennington. Mr. Teich offered to pass Mr. Watts’ questions to Dan Richardson, the Town and Village’s special counsel on governance.

e. Discuss financial plan for Governance change initiative

The Subcommittee briefly discussed the financial plan for the governance change initiative. Mr. Tyler noted that the financial plan is currently in the process of being drafted, and that he will direct staff to specifically look at the different water and sewer rates for the Town and Village, based on interest from members at tonight’s meeting regarding the differences between the two.

f. Approval of minutes: March 11, 2019

MAX LEVY made a motion, seconded by GEORGE TYLER, to approve the Subcommittee on Governance meeting minutes from March 11, 2019. The motion passed 4-0.

6. ADJOURN:

MAX LEVY made a motion, seconded by RAJ CHAWLA, to adjourn the meeting. The motion passed 4-0 at 9:05 p.m.

Respectfully Submitted,
Amy Coonradt
Recording Secretary

Approved this______day of_______, 2019

(see minutes of this day for corrections, if any)
Memorandum
To: Governance Subcommittee
From: Evan Teich, Unified Manager
Re: Answers from attorney to governance questions
Date: May 22, 2019

Issue
The issue is informing the governance subcommittee of responses from attorney Dan Richardson about questions related to governance.

Discussion
At the last Subcommittee on Governance meeting the following questions were posed. Dan Richardson has provided answers, included below.

1. There was an amendment in 2017 to Vermont statute regarding the charter change process that says that voters need to be given the opportunity to vote up or down on each section of the charter that is changed {17 V.S.A 2645:7(B)(i)}. The very next clause (ii) comments about “long or unwieldy” changes that might be handled differently.

   Dan do you have a read on this? Or, do we have to have multiple yes/no votes since the Town Charter has 10 subchapters and 45 sections?
   A: 17 VSA 2645 (a)(7)(B)(i) only applies to certain sections of the Charter. Voters are allowed for a YES/NO proposition if too unwieldy without redline. Our case would fall in this area as the entire charter is to be changed.

2. Is Library governance up to the respective Library Trustee Boards? I would assume that the future combo of Selectboard and Village Trustees would continue to set the budgets but the Library Trustees decide how to spend it.
   A: Yes, Library governance is up to the Library once they are created (by Charter – even a new charter) as long as the Charter gives them that authority (could be a municipal library/department of the Village/Town/City). They can have 5 or 7 members. Once they are created then yes, they are in charge of how money that is budgeted is spent.

   22 VSA 141-146 covers the establishment and maintenance of libraries. Section 143 is really the one to look at.

3. Is it up to the Library Boards to decide whether to merge?
   A: No.
   Who needs to act and how to have Brownell follow the merger?
   A: The Village Board and Selectboard need to decide in the Merger Plan what they wish to do not only with Brownell but also of Essex Free. They could be a non-profit or a special District. But, they cannot create themselves or dissolve themselves.

   How or who decides how their Trustees are elected given the goal of tax equity?
   A: The Charter can cover this (ET: what does tax equity have to do with this? Do you mean representation?).
Does something need to be done to define governance of the Brownell Library and or the Essex free Library?
A: They should decide what direction they want to go and what their options are.

4. Can a Tax district run a library?
A: Yes, it can be a sole service district but libraries are odd creatures and statutes need review. Sec. 110 deals with consolidation/merger of libraries.

5. Regarding representation, it is our understanding that it needs to be either at-large or proportional.
A: No, there are other options.

It is also our understanding that any representational districts would need to be within 10% of each other.
A: Some wide disparity is allowed but must be mindful. Dan will follow up with the Secretary of State on this.

Given that, is it possible to set representational district boundaries at the Village’s border? Current population numbers put 9,271 residents in the Village and 10,494 outside the Village which results in a difference greater than 10%.
A: Charters can change when population changes trigger them. Montpelier is a good example of this. Boundaries of districts can change every 5 years.

6. Is it possible to have separate voting in a special tax district?
A: Yes, but it may not make sense.

This would allow us to set special tax district boundaries at the Village border and have a separate budget vote(s).
A: Yes, but again it may not make sense.

Can we have coincident representation districts?
A: Cannot just make them both by Charter, must be by the vote of the electorate.

Can have a special tax district without having an explicit budget vote by the residents of that district.
A: No.

7. If we want to keep the rates (water/sewer) separated, do we have to form water/sewer districts and account for the need for water commissioners.
A: No, you can run it by the Board as its commissioners.

If so, how does that work in relation to the same concerns relative to representational districts since, again, they wouldn’t necessarily overlap.
A: This is done all the time in many places, especially where costs of operations have a wide disparity.
Also offered was that timing would be very important. Need to make our local legislators aware of what we are seeking and to make it their priority for it to go through the Government Operations Committee because delays can happen.

**Cost**
None.

**Recommendation**
This memo is for informational purposes.
Memorandum
To: Governance Subcommittee; Evan Teich, Unified Manager
CC: Sarah Macy, Finance Director/Assistant Manager
From: Greg Duggan, Deputy Manager
Re: Differences in water/sewer rates for the Village of Essex Junction and Town of Essex
Date: May 23, 2019

Issue
The issue is informing the Governance Subcommittee about differences in Village and Town water and sewer rates.

Discussion
The Governance Subcommittee had asked staff to explore the reasons for why water and sewer rates differ between the Village of Essex Junction and Town of Essex. Although staff had hoped to have an analysis for the May 23 subcommittee meeting, the issue is proving more complex than expected.

The Village and Town use different budgeting methods, and the TriTown Agreement results in unusual accounting methods. Staff will continue working on this project.

Cost
N/A

Recommendation
This memo is for informational purposes.