



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

81 Main Street, 2<sup>nd</sup> Floor  
Essex Junction, VT 05452  
Thursday, May 23, 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. 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 \_\_\_\_\_ *Amitchell*

## Memorandum

**To:** Governance Subcommittee; Evan Teich, Unified Manager  
**From:** Greg Duggan, Deputy Manager  
**Re:** Review of potential focus group providers  
**Date:** May 23, 2019

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### 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

- Brandthorology (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

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**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 GSD  
**Re:** Discussion of process and questions for community survey  
**Date:** May 23, 2019

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### 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.

46 **GEORGE TYLER nominated Raj Chawla for Subcommittee on Governance Recording**  
47 **Secretary, and MAX LEVY seconded the nomination. The nomination passed 4-0.**  
48

49 **c. Schedule of future meeting dates**

50 The Subcommittee members discussed scheduling future meetings, and decided to hold meetings  
51 on the following days, at 7 p.m.:

- 52     ▪ May 23, 2019
- 53     ▪ June 6, 2019
- 54     ▪ June 20, 2019
- 55     ▪ July 18, 2019

56  
57 Additional meetings will be scheduled as needed.

58  
59 **d. Identifying next steps for the Governance change initiative**  
60

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

70  
71 Mr. Levy suggested that the previously released RFP could be broken up into smaller, more  
72 specific tasks, such as survey development and educating and marketing the proposed changes to  
73 the public, with staff completing some of these tasks and outside consultants hired to complete  
74 others.

75  
76 Members of the subcommittee agreed that survey data from the public would be vital to the  
77 governance change initiative, that any surveys fielded could also be used as educational tools,  
78 and that they should attempt to reach as many members of the public as possible.

79  
80 Subcommittee members agreed that staff should be directed to identify potential candidates for  
81 survey development by June, and that members of the subcommittee should think of survey  
82 questions in the interim.

83  
84 Mr. Chawla suggested that, in addition to surveys, holding focus groups would be another  
85 valuable source of information on public sentiment. Focus groups could be better representations  
86 of diverse demographics and communities within the Town and Village, and could also provide  
87 more immediate and actionable data to inform governance change proposals. Mr. Teich  
88 suggested that focus groups could help guide survey development as well, and that the results of  
89 focus group discussions could be used to conduct larger, more targeted surveys. These could, in  
90 turn help guide the Town and Village boards in their decision-making regarding consolidation  
91 initiatives. Mr. Chawla emphasized that any focus groups be well-publicized and that they be

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(DRAFT)**

**May 13, 2019**

92 accessible to all members of the community by holding them at various times (morning,  
93 afternoon, evening) and locations that are on public transit routes. Mr. Duggan noted that the  
94 Heart & Soul initiative conducted a network analysis to target segments of the communities for  
95 participation in focus groups and events, and that something similar could be done to solicit  
96 feedback for this initiative.

97

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

100

101 Next steps:

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

110

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

116

117

118 **e. Discuss financial plan for Governance change initiative**

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

124

125

126 **f. Approval of minutes: March 11, 2019**

127 **MAX LEVY made a motion, seconded by GEORGE TYLER, to approve the**  
128 **Subcommittee on Governance meeting minutes from March 11, 2019. The motion passed 4-**  
129 **0.**

130

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132 **6. ADJOURN:**

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

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137 Respectfully Submitted,



**SUBCOMMITTEE ON GOVERNANCE  
(DRAFT)**

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138 Amy Coonradt  
139 Recording Secretary

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

144

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

DRAFT

## Memorandum

**To:** Governance Subcommittee  
**From:** Evan Teich, Unified Manager  
**Re:** Answers from attorney to governance questions  
**Date:** May 22, 2019

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### 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 *GSD*

**Re:** Differences in water/sewer rates for the Village of Essex Junction and Town of Essex

**Date:** May 23, 2019

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**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.