

# Bennington County Regional Commission

## EXECUTIVE COMMITTEE

### MINUTES

**February 26, 2021**

**8:30 AM**

**BCRC Offices - 210 South Street, Bennington  
and Via ZOOM**

<https://us02web.zoom.us/j/81137432560>

Call in: +1 929 205 6099

Meeting ID: 811 3743 2560

Present: Cinda Morse, Janet Hurley, John LaVecchia, Suzanne dePeyster, Dimitri Garder, James Salerno, Dan Monks, Jim Sullivan (Director), Bill Colvin (Assistant Director), Jeff Such (Southern Vermont CUD, Guest)

1. Minutes of December Meeting

Motion to approve as presented by LaVecchia. Second by Monks. Passed unanimously.

2. Personnel Policy – Proposed Amendment regarding Medicare Coverage

Sullivan presented a proposed amendment to the Personnel Policies (attached) that would specify that for any employee receiving Medicare health insurance benefits, the BCRC will cover the full cost of the part A/B premium and an amount equal to 50% of a BCRC-selected supplemental “Advantage” plan, while allowing the employee to apply that amount of money to a supplemental plan of their choice. The Committee discussed the proposal, noting Sullivan’s concern that there is no policy covering the issue of contributions toward Medicare and supplemental coverage now and that there is both a potential for inconsistency and an apparent equity issue since other employees receive fewer benefits at higher cost (and employees who are covered by other policies, such as a spouse’s policy, receive no contribution from the BCRC). Committee members generally felt that the proposal was appropriate and deferred to the Director’s discretion on the matter, although dePeyster felt that the additional coverage/benefit might be beneficial in attracting and retaining employees.

Motion by Monks to approve the amendment to the Personnel Policies, with an effective date of January 1, 2022. Second by Morse. Passed with six in favor, dePeyster abstaining.

3. BCRC Bylaws – Proposed Amendment regarding Terms of Office

Sullivan and Hurley discussed a draft amendment to the BCRC Bylaws, changing the term of office for officers and the elected interest group representatives from one year to three years. The proposed amendment is attached. It was agreed that there is a good argument to be made for longer terms given interest level and voting challenges. Noted that anyone can resign mid-term and the Commission can hold a special election (provided for in existing language in the Bylaws). A vote to adopt this amendment requires a 45-day notice so it could be done at the May meeting of the Commission (coincident with the election of new officers). The Committee agreed to present the proposed amendment to the Commission at the March meeting with a possible vote scheduled for the annual meeting in May.

4. Office Relocation – Summary and Budget

With the office relocation now complete, Sullivan presented an overview of the costs, effect on budget, and longer-term impacts. Here is a breakdown of costs attributable to the move:

**\$1,000** +/- charge on our security deposit from 111 South Street for damage (mostly repainting walls damaged when we had to remove some pictures and other items that took off some paint.

**\$1,900** extra month's rent (December at 210 South to allow time for the move while we still were occupying, and paying for, 111 South).

**\$2,900** for the moving company.

**\$3,200** new carpet (BCRC paid for carpet, the building owner paid for complete repainting of our office suite as well as miscellaneous minor improvements).

**\$4,300** IT and phone line work (E-Enable and Comcast).

**\$13,300** total relocation costs.

The new office lease (all costs considered) is about \$1,300/month less than the old office lease (all costs considered). The savings over the remaining six months of our current FY 2021 budget is, therefore, about **\$7,800**.

The net budget effect of the relocation equals (roughly) the total cost of the relocation minus the lease savings = **\$5,500** adverse impact on the FY 2021 budget. The upside, of course, is the **\$15,600** estimated positive impact on the FY 2022 budget.

Sense is that the new office is working out fine, although most work remains remote. Remote work seems to be going ok; the staff has started using MS Teams to try to stay better connected between staff meetings. We upgraded or replaced a few computers during the move and subsequent wiring of the office (costs noted in the totals above), which hopefully means fewer hardware/repair costs over the next couple of years. We do have to buy a new large-format plotter (planning to purchase an HP t730).

The newly created shared conference room (just down the hall from our office) is big – probably could hold about 30 people comfortably – so we will (someday) be able to use that for meetings and it allows us to consider creating another private office in our in-suite conference room if we feel that is necessary at some point in the future.

Jeff Such, Southern Vermont Communication Union District Chair, gave a status update on the CUD and described a few places where the BCRC might be able to provide some assistance, one involving their need for a commercial lease for a physical office space. Agreed to communicate further on these issues and see how we can support the CUD.

5. Financial Manager Position – Update and Budget

Amanda Stevens hired in January as the new financial manager. She began work the last week of January and has had an opportunity to train a little with Stacey and quite a bit with the part-time bookkeeper we retained to maintain basic AR/AP/payroll functions during the interim. She is moving things along and learning as she goes.

Costs associated with this staff transition = job ad + new computer + interim bookkeeping and associated training + carrying Stacey's insurance for one month (payment for her consulting support, which has been great) = **\$9,434**.

Savings (over the course of the balance of FY 2021) = salary (1/2 of \$5,000 difference between Amanda and Stacey salary) + insurance (Amanda's policy for one person vs. family policy for Stacey) = **\$9,214**.

Net budget effect = **\$220** adverse impact on FY 2021 budget. As with the office relocation projection, however, we can anticipate a positive impact on the FY 2022 budget of over **\$15,000**, but that amount is more speculative because of factors not yet known (possible changes to insurance status, salary adjustment,...).

6. Community and Economic Development Report – Bill Colvin

In addition to ongoing work under the BCIC contract and COVID-19 business response work, our community and economic development program has attracted some interesting new projects including reuse studies for the Energizer plant (funded by a VT DEC Brownfields planning grant and a VT DHCD municipal planning grant) and the SVC (now SVHC) property – which we are calling the “SVHC/Everett Estate Reuse Study” (funded directly by SVHC). Colvin discussed those projects, the BCRC's role, and the benefit of being able to draw on expertise across the entire BCRC staff – in both planning and economic development. He noted the potential for collaborating with Shires Housing on a community-wide housing needs assessment using some of the planning funds for the Energizer project. Colvin also summarized BCRC input on the Vermont State College restructuring where we, along with the SW Vermont Chamber, emphasized the importance of maintaining availability of programs in our region, especially for workforce development and, in particular, in support of the need for nursing staff at SVMC.

Further discussion with Jeff Such about the S. VT CUD, their projected path forward, funding opportunities, and need for collaboration with entities such as the BCRC. Noted that Jonathan Cooper has been providing some support for the CUD and that our VISTA (present and future) will be available as well.

7. Progress Reporting – Jim Sullivan

Transition Planning – Sullivan reported on his efforts to transition certain responsibilities to other staff, based on the assessment of their skills/interests completed earlier at the request of

the Committee. Sullivan noted that he has been spending considerably more my time on “management” issues than on project work, which is appropriate and providing him with more time to monitor the transition. Colvin noted recent successful collaboration with himself, Sullivan, and Bryars on organizational issues, and also observed that MS Teams has been helpful in allowing everyone to work together (and, Sullivan noted, to make it easier for the Director to provide timely and meaningful direction on projects).

- BCRC/BCIC – Thanks to Colvin and the BCIC board we have gotten to the point where, functionally, we are one organization. The BCIC functions effectively in the background while the BCRC’s community and economic development committees and staff have become much more prominent. Likely that with the BCRC taking a lead role in projects that link planning and economic development, more opportunities will come to the BCRC to do work in either or both areas.
- Putnam Project – Phase I nearing completion and future phases are likely to go forward, but timing is uncertain. As Phase I moved to and through construction, our role became much more limited. Colvin has established himself as the local go-to person for the project and that role may become more prominent (again) with needed planning and ramp-up for future phases. We will need to be assertive in insisting that such support work is adequately compensated. Understanding and sorting out our role in coordinating financial aspects of the relationships between project partners and funders is a challenge for the new financial manager, but she is reaching out to project partners to ensure that everything is attended to.
- Engagement – Covid continues to present challenges with getting ourselves in front of groups and organizations, but we have done a good job staying in the news, with BCRC staff and projects featured in numerous articles in local newspapers and on public access television. Staff also have done interviews with Digger that have gotten some attention for the BCRC. Sullivan, as well as other staff have continued to meet with municipal planning commissions, select boards, trustees, energy committees, and other regional groups via zoom. Additionally, interactions with the business community around the region are continuing, with special thanks to Jonathan for assisting with, and procuring grants for, a number of local businesses.

8. Other Business and Adjourn

Noted a need to take a look at the Regional Plan and any amendments that may be appropriate at this time. Briefly discussed update process value of public involvement, as well as consideration of areas of possible conflict with municipal plans.

Meeting adjourned at 9:56 AM.

Respectfully submitted,

Jim Sullivan  
Director

Proposed Amendment to the BCRC Personnel Policies – February 26, 2021.  
Amendment to take effect January 1, 2022.

### Group Medical Insurance Coverage

Medical insurance is offered through the VT Health Exchange. Employees are eligible on the 7<sup>th</sup> (seventh) day following the commencement of employment. The BCRC assumes 100% of the premium costs for regular full-time employees and their families equivalent to the BCRC Standard Plan choice, which may include an employer contribution to a Health Saving Account. Any employee who chooses a plan other than the BCRC Standard Plan is able to handle their portion of the premium as a payroll deduction, which can be made pre-tax. BCRC's contribution towards the premium is determined annually by the Board of Directors.

Medicare: For any BCRC employee receiving health insurance benefits through Medicare, the BCRC will pay 100% of the cost of the Medicare Part A/B premium and up to 50% of the cost of a BCRC selected supplemental Medicare Advantage Plan (Parts C and D), provided that the total BCRC contribution shall not exceed the amount that a single full-time employee would be eligible for under the Group Medical Insurance Coverage offered through the VT Health Exchange. An employee may choose a plan other than the BCRC selected supplemental plan and apply the amount of the employer contribution to the cost of that alternative plan, with any additional cost handled as a payroll deduction.

Part-time employees working 20+ hours per week are eligible for health coverage. Employees are eligible on the 7<sup>th</sup> (seventh) day following the commencement of employment. The employer contribution is available on a pro-rated basis. This is handled as a payroll deduction, which can be made pre-tax. BCRC's contribution towards the premium is determined annually by the Board of Directors.

If an employee leaves the BCRC, insurance coverage will continue until the last day of the month that employment ended.

# **BCRC BYLAWS**

## **ARTICLE I LEGAL BASIS FOR THE COMMISSION**

24 V.S.A., Chapter 117, Vermont Municipal and Regional Planning and Development Act constitutes the legal authority for the establishment, existence, duties and responsibilities of the Commission.

## **ARTICLE II NAME**

The name of this organization shall be the Bennington County Regional Commission (BCRC).

## **ARTICLE III PURPOSE**

The general purpose of the Bennington County Regional Commission shall be to guide the implementation and continuation of the regional plan and to assist member towns and villages while promoting community and economic development, the quality of life for residents of the region, and protection of the region's critical natural and cultural resources. The BCRC shall have all the powers conferred upon it by law.

## **ARTICLE IV MEMBERSHIP, REPRESENTATION, AND VOTING**

### ***Section 1 Membership***

All municipalities including the towns and villages of the Bennington Region shall be considered members of the BCRC. These municipalities are: Arlington, Bennington, Dorset, Glastenbury, Landgrove, Manchester, Manchester Village, North Bennington Village, Old Bennington Village, Peru, Pownal, Rupert, Sandgate, Shaftsbury, Stamford, Sunderland, and Woodford. Additional municipalities may be admitted to membership by an affirmative majority vote of the Commissioners voting.

### ***Section 2 Representation***

Representation on the BCRC shall be by the Commissioners. The legislative body of each member municipality shall appoint one Commissioners for a term specified by the legislative body. Each town and village also shall appoint a Co- Commissioner. If a municipality fails to appoint a Commissioner to serve on the BCRC, the chairperson of that municipality's planning commission shall be considered to be the Commissioner until such time that an official appointment is made by the municipality.

The Community and Economic Development Committee of the BCRC (currently the board of directors of the regional development corporation for Bennington County), shall designate up to five representatives from its membership to serve as Commissioners. Those Commissioners shall include members from communities or businesses representing the region's geographical diversity and shall be entitled to vote on all matters coming before the Commission, consistent with statutory limitations.

In addition, other persons representing specific interest groups, identified by the BCRC Executive Committee, may be admitted as non-voting members by an affirmative majority of Commissioners voting. Persons so elected shall serve for a ~~one~~-three-year term, which may be extended ~~year-to-year~~ by reappointment.

The Chair of the BCRC or his/her designee shall be the representative to the State Council of Regional Commissions. The representative shall attend meetings of the Council and report to the BCRC on the Council's activities. Other duties of the representative shall be as defined by the Council.

### ***Section 3 Voting***

Each town and village is entitled to one vote on any matter before the BCRC, which shall be cast by the Commissioner or, if the Commissioner is not present or able to vote, by the Co-Commissioner. In the event that both the Commissioner and Co-Commissioner from the same municipality cast votes on a matter, only the Commissioner's vote shall be accepted. Except as stated below, any issue brought before the BCRC may be decided only by an affirmative majority of the Commissioners voting. Approval of the Regional Plan and confirmation or approval of municipal plans and processes must receive the requisite number of Commissioner votes required by 24 VSA Chapter 117.

The BCRC Executive Committee or the Executive Director may decide that any vote may be taken by postal and/or electronic ballot (email) prior to the next meeting of the BCRC, by mailing or emailing such votes to the office of the BCRC.

## **ARTICLE V MUNICIPAL APPROPRIATIONS TO THE BCRC**

Member municipalities of the BCRC shall appropriate funds to support the regional planning and development services it provides. The proportion of the expenses of the BCRC to be borne, respectively, by the member municipalities shall be in a ratio which takes into account population based on the latest U.S. Census or other official population estimates, and other factors designed to achieve greater equity, as determined by the Executive Committee.

## **ARTICLE VI OFFICERS AND STAFF**

### ***Section 1 Officers and Executive Committee***

The officers of the BCRC shall include a Chair, Vice-Chair, Secretary and Treasurer. The BCRC shall elect its officers from among its members (Commissioners and Co-commissioners are eligible to hold any office). The Executive Committee of the BCRC shall consist of the officers and three additional members, one appointed by the Chair from among the membership and two appointed by the Community and Economic Development Committee from among the members of that Committee designated to serve as Commissioners.

## *Section 2 Staff*

The staff of the BCRC may include an Executive Director and other necessary administrative and technical staff as the BCRC determines. Responsibilities and polices pertaining to all staff positions shall be as defined in the BCRC's Personnel Policies.

## *Section 3 Nomination of Officers*

A Nominating Committee of three Commissioners shall be appointed by the Chair of the BCRC at least 60 days in advance of the BCRC meeting held in May of each year. The Nominating Committee shall render its report of nominations to fill the officer positions at least twenty days prior to the May meeting. The Nominating Committee may nominate one or more Commissioners for each office.

The report of the Nominating Committee and a ballot shall be mailed to all Commissioners not less than 15 days in advance of the May meeting. Commissioners are privileged to vote for or nominate any qualified person whether or not he or she be nominated by the Nominating Committee.

## *Section 4 Election of Officers*

The officers of the BCRC shall be elected by the affirmative written ballots of a majority of the Commissioners voting. The ballots shall be cast and counted, with the results of the ballot ascertained and announced at the May meeting of each year.

## *Section 5 Terms of Office*

The terms of office of all officers shall be three years, beginning immediately after the May meeting of each year at which they are elected and ending immediately after the May meeting of each year at the end of their three-year term; but officers shall hold office until their successors have been elected and installed.

The terms of the three appointed members of the Executive Committee shall serve from the time of their appointment through the end of the subsequent May meeting be three years from the time of appointment, and may be reappointed or replaced with a new Commissioner appointed; said members may be replaced or reappointed at any time by the entity responsible for each respective appointment; the BCRC Chair or the Community and Economic Development Committee.

## *Section 6 Vacancies*

In the event that any office is vacated, such office may be filled by a majority vote of the Commissioners voting at the next BCRC meeting. Officers so elected are to hold office only for the balance of the current term or until their successors are elected and installed.

Vacancies among either of the three appointed members of the Executive Committee may be filled through a new appointment by the entity responsible for each respective appointment; the BCRC Chair or the Community and Economic Development Committee.



Vacancies in the position of Commissioner or Co-Commissioner shall be filled by the legislative body of the municipality where the vacancy occurs.

### *Section 7 Duties of Officers and Staff*

The Chair shall call and preside at meetings of the BCRC and shall, except as otherwise provided, create and discharge standing committees and special committees and serve as a non-voting ex-officio member of all committees, except in the case of a tie when he or she shall vote and shall perform such other duties as are customary to the office.

The Vice-Chair shall act as Chair in the absence or incapacity of the Chair.

The Secretary shall perform such duties as are customary to the office, including responsible direction of such secretarial duties as are assigned by the Bylaws.

The Treasurer shall perform such duties as are customary to the office, including responsible direction of such financial duties as are assigned by these Bylaws. The Treasurer as a customary duty of the office is authorized by the BCRC to borrow such funds as are required for its operation in anticipation of annual revenues. The Treasurer shall be bonded for the faithful performance of duties if and when so voted by the BCRC in an amount to be determined and approved by the BCRC. The premiums for such a bond shall be paid from BCRC funds.

The Executive Committee shall assist and act on budgets, financial reports, contracts, audits, regulatory proceedings, legal matters, and other duties of the BCRC provided, however, that any significant actions shall be reported to the full BCRC and such actions shall be subject to rescission or amendment by the Commissioners.

Standing and special committees may be established as provided for in these Bylaws to provide guidance and assistance in any program or Commission function. Membership on these committees may include commissioners and other individuals with an interest in the work of the committee.

The Executive Director or designee shall be in charge of the office and all other employed staff, shall conduct a regional planning and development program, subject to the approval of the BCRC within the framework of 24 V.S.A., Chapters 117 and 76, and shall be in charge of all general correspondence of the BCRC. In addition to the duties as Executive Director for the BCRC, the Executive Director shall assist the offices of Secretary and Treasurer, and in this capacity shall be responsible for keeping minutes of all meetings of the BCRC; shall notify Commissioners of the election to office or appointment to committees; shall receive all money due the BCRC; shall prepare an annual budget, including estimated revenues and expenditures for the fiscal year; shall disburse the funds in accordance with the budget and as authorized by the Treasurer, and shall keep accounts which shall at all times be open to inspection of the BCRC and which shall be submitted for an annual auditing as

prescribed by the officers. The Executive Director shall further undertake such other duties as the BCRC shall assign and shall follow its instructions.

### ***Section 8 Equal Employment Policy***

It is the policy of the Bennington County Regional Commission that no person seeking employment or having business with the BCRC shall be discriminated against for reasons of race, religion, color, sex, sexual orientation, gender identification, disability status, or place of national origin. The BCRC adheres to its duly adopted Title VI Public Participation Plan for Non-Discrimination in Federally Assisted Programs.

The Executive Director shall take affirmative steps to ensure that this policy is followed.

### ***Section 9 Annual Reports***

The Executive Director shall prepare annual written reports which shall be presented to the BCRC and all member municipalities at a consistent time each year.

## **ARTICLE VII MEETINGS**

### ***Section 1 Regular Meetings***

There shall be a meeting held on the third Thursday of May each year, which shall be the annual meeting. There shall be at least five other meetings held each year at a time and place to be determined by the BCRC.

### ***Section 2 Additional Meetings***

Additional meetings may be called by the Chair or by a petition signed by a majority of the Commissioners.

### ***Section 3 Notice of Meetings***

At least seven days prior notice of all meetings of the BCRC shall be given by the Executive Director, Chair, or Secretary to all Commissioners.

### ***Section 4 Minutes of Meetings***

Minutes of all meetings of the BCRC shall be kept by the Secretary or Executive Director.

### ***Section 5 Quorum***

Representation from a majority of Commissioners or a majority of municipalities shall constitute a quorum for the transaction of business at meetings of the BCRC.

## **ARTICLE VIII AMENDMENTS OF BY-LAWS**

These By-Laws may be amended, altered, changed, added to or repealed by the affirmative vote of a majority of the members at a meeting of the BCRC upon 45 days' notice of the proposed amendment, alteration, change, addition or repeal.