



## Executive Committee Meeting Minutes

Friday, January 14, 2021  
Conference Call

*Executive Committee members present:* M. Tuttle, A. Weinhagen, S. Lotspeich, D. Rugh, C. Bryars, R. Francis, C. Sawyer, E. Vorwald and S. Westa

### 2020-2021 Officers

Meagan Tuttle, AICP  
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Alex Weinhagen  
*Vice President*

Steve Lotspeich, RLA  
*Treasurer*

David W. Rugh, Esq.  
*Secretary*

Vacant  
*Legislative Liaison*

David E. White, FAICP  
*NNECAPA Section Representative*

### At-Large Members

Catherine Bryars, Awards  
*Chair*

Rod Francis  
*VT Downtown Board Alt.*

Chip Sawyer  
*VT Downtown Board Rep.*

Ravi Venkataraman, AICP  
*Professional Development Committee Chair*

Eric Vorwald, AICP

Sue Westa, AICP

*VPA Members:* S. Hadd

*Meeting began at 1:00 p.m.*

### 1. Agenda Modifications

None.

### 2. Announcements

None

### 3. Minutes of December 11, 2020 Executive Committee Meeting

M. Tuttle suggested revisions to the minutes of the December 11, 2020, Executive Committee meeting.

*Action:* Motion to approve the minutes of the December 11, 2020 Executive Committee meeting as revised: 1) A. Weinhagen. 2) C. Bryars.  
*Motion passes unanimously.*

### 4. Treasurer's Report for December, 2020

S. Lotspeich gave the Treasurer's Reports for December. VPA paid C. Sawyer's Downtown Board \$1,000 stipend in December for 2020. VPA ended 2020 on-target with the budget with a balance only \$63.58 higher than anticipated. VPA has yet to receive its share of the profit from the NNECAPA 2020 Conference, which is expected to be roughly \$1,000. This will be on the books as 2021 income. It was clarified that the Downtown Board stipend is paid once per year. S. Lotspeich also explained how the accrual accounting method works and how the numbers are shown on the budget reports.



A section of the  
**Northern New England Chapter  
American Planning Association**  
[nne.planning.org/sections/Vermont](http://nne.planning.org/sections/Vermont)

*The Vermont Planners Association (VPA) is a non-profit advocacy and educational organization of planners and related professionals. We are dedicated to advancing community planning in Vermont at the local, regional, and state levels, to foster vibrant communities and a healthy environment.*

*Action:* Motion to approve the December Treasurer’s Report: 1) D. Rugh. 2) A. Weinhagen.  
*Motion passes unanimously.*

## **5. Committee Reports & Officer Round Table**

### **A. Awards Committee**

C. Bryars gave the report and spoke regarding the transition for the 2021 awards process. The Committee was going to “wait and see” as to whether the ceremony could be held in-person or virtually, depending on whether the NNECAPA Conference is going to be held in-person or virtually. VPA’s awards solicitation and selection process is tied into the NNECAPA awards, so whatever happens with the process and the ceremony in 2021, it would have to be wrapped up by mid-summer, which is roughly when the NNECAPA award process commences. C. Bryars was going to begin the 2021 VPA awards process within the week following the EC meeting.

### **B. Professional Development Committee**

No report.

### **C. Communications Committee**

S. Westa was granted access to the website by APA. However, she hasn’t made any changes since being able to log on and access existing materials. M. Tuttle will give her a website “tutorial.”

### **D. Nominating Committee**

M. Tuttle reported that she has found volunteers for the Nominating Committee, including S. Westa who agreed to be the Executive Committee representative. D. White offered to assist with FAICP nominations.

### **E. NNECAPA**

D. White could not attend but has started organizing a planning committee for the NNECAPA 2021 Conference. If large group gatherings are allowed, we are contractually obligated to hold the conference at the Burlington Hilton. If large group gatherings remain prohibited in the fall, then the contract can be extended by a year. Right now, everyone plans to hold event in-person, though it will likely include some sort of hybrid events with some remote and some in-person components.

NNECAPA is conducting a membership campaign and has reached out to students and other individuals interested in planning throughout northern New England.

NNECAPA is sending out membership invoices this year. For individual members, the dues invoices are coming from APA, and NNECAPA will be sending out membership invoices for

organizational members. With the organizational membership category disappearing for 2022, NNECAPA will need a lot of help reaching out to individuals who had organizational memberships and will need to renew for 2022 individually.

NNECAPA expects a larger number of vacancies in leadership positions due to term limits next year than usual, so it is looking for volunteers for those positions for 2021-22.

#### **F. Legislative Committee**

See Item 6(B), below.

#### **G. Downtown Board Report**

C. Sawyer had no report.

### **6. Old Business**

#### **A. Committee Assignments**

A solicitation went out to members for volunteers with a lack-luster response. M. Tuttle created a committee and appointee reference sheet that lists all the names and locations of committee members. She asked that the EC review to ensure it is correct, and then it is likely the committee roster will be posted on the VPA website, so everyone knows who is volunteering and doing the work.

#### **B. 2021-2022 Legislative Activities**

A. Weinhagen gave a summary of the Legislative Committee's composition for 2021. A. Weinhagen is the Chair for now, but he will be divvying up the workload among all committee members, of which there are about 15. The Committee's first meeting of 2021 is the morning of the 15<sup>th</sup>, but the Committee did meet in December. S. Murray and A. Weinhagen will review new bills and determine whether there is a planning nexus. F. Ingulsrud will then take that information and include it in weekly legislative reports to membership, which F. Ingulsrud will write and distribute to membership.

VPA's legislative intern is Daniel Jarrad, who has started work and has been on the job since January 6<sup>th</sup>. He is shared between VNRC, Vermont Conservation Voters and VPA. VPA provides intern with information on bills that VPA would like to track, and the intern then listens in on legislative committee meetings and takes notes, which he then forwards to each organization. Based on the content of the notes of legislative committee meetings, the VPA Legislative Committee will evaluate whether VPA should get involved on a particular bill. As far as the intern's workload, the majority of it is tracking bills that VNRC is interested in since VNRC has a greater interest in a broader range of bills, which usually number around 150. Typically, VPA only asks the intern to follow a few dozen bills with only three or four of significant or substantial interest that need to be tracked closely. The Intern provides

surveillance and reporting out from various legislative committee meetings, but the intern does not develop strategy or provide testimony.

The Legislative Committee expects that Act 250 reform and parts of S.237 from last year that did not get passed might be resurrected this year. The intern knows about those two issues, and there may be more but it's still quite early in the legislative session.

The Legislative Committee will discuss how to be more active and stay on top of key bills and issues in 2021-22 session. Roughly half or two-thirds of each Committee meeting will be going through bills that are being considered. The other half of meetings will be a policy discussion regarding which bills or issues VPA will want to get out in front of and take a lead on, including identifying VPA or Committee members who can testify or participate on those issues.

As to actual pending legislation, Governor Scott mentioned Act 250 reform in his "state of the state" address, and we know he is interested in creating an exemption for development in designated downtowns. Something on this may advance in this portion of the biennium. Another pending bill is S. 14 is technical correction to provision in S.237 that prohibits restrictive deeds, covenants and agreements regarding land development, which is too broad, although intent was good. Its language is being trimmed so that the prohibition on restrictive deeds, covenants and agreements apply solely to accessory dwelling units and development of existing small lots, not to all land development as enacted last session. The bill would prohibit HOAs from creating deed restrictions that restricts development of existing small lots and accessory dwelling units any more than state statute. This provision – 27 V.S.A. § 545 - will not apply to home occupations or other types of land development. This will pass out of committee and on to larger Senate tomorrow. It should move over to the House very quickly. There are not too many other "hot button" issues at this point, but EC members should keep an eye on weekly updates for more information.

M. Tuttle discussed the broader legislative process and how to stay on top of things. Communicating to membership seems to be good with weekly legislative reports on bills being tracked and moving forward. The other side of the communication spectrum – i.e., between the organization and legislators themselves – is tentative depending on capacity of Committee members to provide testimony on behalf of the organization, especially since there's no Legislative Liaison this year. While arguably there is a broader base of support as far as now having a whole Committee to pull volunteer from, there is an issue of whether the workload is too heavy. A. Weinhagen is hopeful that Committee has a little more leeway from the EC so Committee members can testify when asked by members of the Legislature.

Current VPA legislative protocols are outdated and from 2007. VPA does indeed engage in some lobbying. Also, it does provide testimony on pending legislation even if not specifically requested from legislators, which is what old legislative protocols say. E. Vorwald expressed the need for clarity on whose behalf VPA members are testifying – e.g., whether on behalf of their employer/municipality or on behalf of VPA. Longer term, these protocols should be updated to reflect current practice for VPA's legislative activities.

The Committee did have question regarding who takes “official VPA positions” on bills. Those positions need to go before the EC, and the positions are usually put in writing and then reviewed by the EC over email when responses are needed faster than our meeting schedule allows. One benefit of not having a Legislative Liaison is that it can empower more members to testify, which may be more effective than just having one VPA member testifying on everything. While many members will testify as representatives of their communities, legislators also recognize them as members of VPA, even if they are not testifying with that particular “hat” on that day.

C. Sawyer remarked that the experience with S.237 last year was a good test, which VPA passed. While lots of individual members testified for their own communities or their employers, VPA was also able to participate and advocate effectively. VPA could assist members in being active and participating on issues of greatest concern. He suggested that VPA members type up their written comments and then include a request to testify at the end and send it to all legislators on the particular legislative committee considering a bill. While members of the Legislature think VPA speaks for all local planners, if local planners and VPA members distributed their comments and provided testimony on behalf of their communities, then it will become clear that there is a difference between VPA’s official position as an organization and the individual opinions of members and their communities. This is largely because VPA typically issues a position paper on a topic in conjunction with any testimony, so it would be relatively easy to compare VPA’s position paper to the comments of VPA members who testify individually. One key that VPA members need to remember when testifying is to clearly identify whether they’re testifying on their own behalf, on behalf of their communities or employers, or on behalf of VPA. The Committee knows how to keep members updated through the legislative reports, question is now how to keep them engaged.

A question was raised as to whether the VPA EC can split the Legislative Liaison stipend among multiple people. Unfortunately, this doesn’t really work because there is only one registered lobbyist on behalf of the organization. Also, the Legislative Liaison position has a benefit in that legislators know that the Liaison is the point person for VPA and that they should reach out to the Liaison when the legislators want a particular perspective on the bills they are considering. So, the question remains about what to do about volunteer lobbyists. The organization needs to investigate what responsibilities it needs to comply with as far as lobbying registration when there’s more than one person representing the organization or testifying on the organization’s behalf. The Secretary of State has some knowledge about these issues, and it is debatable whether someone who is volunteering to testify really is considered a lobbyist. R. Francis suggested we use the Legislative Liaison stipend to reimburse mileage for those who would travel for in-person testimony. Also, the money could be used for some legislative research or to take a position paper and turn it into a presentation to catch legislators’ attention.

As far as priorities are concerned, the EC’s priority is Act 250 reform and that is what we want to be tracked most heavily. The EC suggested that a Legislative Committee member be designated to stay focused on this legislation. It would be good to have someone to also track housing issues. The issue there is that it will be tough for VPA to come to an organizational consensus on housing issues, but that may be because housing legislation always raises zoning issues, and within VPA there is a great diversity of membership viewpoints on zoning issues, not to mention

a host of zoning problems in members' communities. M. Tuttle will follow-up with A. Weinhagen and EC members on the Legislative Committee after its meeting tomorrow.

A draft survey to membership on legislative priorities has been circulated for EC review and eventual distribution. M. Tuttle developed an action plan for next steps as far as VPA's legislative activities are concerned. It will start with the survey, then will involve items like discussing views of past Legislative Liaisons, consultation with other partner organizations, exploring the role of the legislative intern, etc. M. Tuttle asked EC members to provide feedback to C. Bryars and R. Francis on the survey, as well as feedback on how to move forward to improve and clarify the organizations activities.

From there, the EC expressed general support for evaluation of VPA's legislative program by using a new, ad hoc committee. A. Weinhagen, C. Bryars, M. Tuttle, R. Francis and C. Sawyer volunteered for the ad hoc committee, and the legislative program evaluation will become a regular agenda item going forward as there are updates. Most of the work will be shifted to the new committee, however, which frees up the EC to address other business.

## **7. New Business**

### **A. NNECAPA Administrative Support for 2021**

The NNECAPA EC leadership conducted a review of the contract for the Chapter Administrator. S. Marchant then met with N. Kilbride to go over her scope of services in her contract and whether it needs to be updated or revised. S. Marchant and N. Kilbride are currently engaging in contract negotiations. VPA can expect N. Kilbride will assist with membership management, renewal of organizational memberships and direct billing for the same. She also will assist with generating the Treasurer's Report and transferring funds to and from NNECAPA. N. Kilbride will also likely be able to support conference registrations for Section-level events like webinars or a spring conference if given sufficient notice. The bulk of her contract work is her support and assistance with the NNECAPA conference.

Generally, N. Kilbride is providing more work than what NNECAPA is compensating her for. As a result, the parties are fine-tuning the contract now and trying to set out very clear expectations on job duties and what she can and cannot do for each State section's events. There was a challenge over the term of the last contract with dividing labor up with many volunteers to assist N. Kilbride than the volunteers would drop large tasks on her at almost the last minute. It is important to remember that N. Kilbride's job is as an event planner, so she has other clients and other events that need to take priority at certain times of the year, especially since she plans her event calendar roughly a year in advance. As a result, it is best if VPA can plan events when it will need her assistance well in advance. If people want her help doing something more than running a Constant Contact database, then planners need to be cognizant of her workload and be better about alerting her to the need for assistance well in advance.

## **B. 2021 Chapter Retreat**

M. Tuttle gave some background on the spring NNECAPA retreat, which has been going on for 3 or 4 years now. Originally it was held to discuss the reorganization, but it has continued every year since. Usually it is held in-person in the White Mountains, but it's now going to be held virtually on April 1 & 8, 2021, from 8:30 a.m. to noon. M. Tuttle is working with other section presidents to discuss the agenda for the retreat. One topic will be the structure of NNECAPA's EC with respect to legislative liaisons since the legislative liaisons in NHPA and MAP are also up in the air. From a workload perspective, that simply may not be the best organizational structure.

### **8. Adjourn**

The meeting was adjourned at 3:10 p.m. The next meeting is a Zoom meeting at 10:00 a.m. on February 12<sup>th</sup>.