



RUTLAND REGIONAL PLANNING COMMISSION

RRPC EXECUTIVE FINANCE COMMITTEE

MONDAY, SEPTEMBER 9, 2024, 5:00 PM

MEETING DETAILS

Virtual: [Teams Meeting](#), Call in: 1-802-440-1368, Meeting ID: 382 346 158#

In-Person: 16 Evelyn Street, Second Floor, Rutland, VT 05701

MEETING AGENDA

- 5:00 CALL TO ORDER AND INTRODUCTIONS
- 5:01 APPROVAL OF SEPTEMBER 9TH AGENDA
- 5:03 APPROVAL OF JUNE 10TH MINUTES
- 5:05 OPEN TO PUBLIC
- 5:10 JUNE & JULY 2024 FINANCIALS
- 5:20 EXECUTIVE DIRECTOR'S REPORT
- 5:30 SEPTEMBER BOARD OF COMMISSIONERS AGENDA
 - FY26 MEMBER DUES
 - REVIEW FY25 MEETING DATES
 - REVIEW BROWNFIELDS POLICY
 - REVIEW RRPC BYLAWS
- 6:00 ADJOURN

Questions? Need special accommodations?
Contact: Devon Neary at devon@rutlandrpc.org or (802) 775-0871.



RUTLAND REGIONAL PLANNING COMMISSION

RRPC EXECUTIVE FINANCE COMMITTEE

MONDAY, JUNE 10, 2024, 5:00 PM

MEETING DETAILS

LOCATION

Virtual: [Teams Meeting](#), Call in: 1-802-440-1368, Meeting ID: 382 346 158#

In-Person: The Opera House, 67 Merchants Row, Rutland, VT 05701

ATTENDANCE

Committee: Erika Berner, Bob Gibbs, Laura Black, and Larry Courcelle

Other: Devon Neary and Mary Kay Skaza

MEETING MINUTES

CALL TO ORDER

The meeting was called to order by Chair Berner at 5:04 PM.

APPROVAL OF JUNE 10TH AGENDA

Motion by Courcelle to approve the June 10th Agenda. Second by Gibbs. Approved by voice vote.

APPROVAL OF MAY 13TH MINUTES

Motion by Gibbs to approve the May 13th Minutes. Second by Courcelle. Approved by voice vote.

OPEN TO PUBLIC

None present.

APRIL 2024 FINANCIALS

Mary Kay Skaza provided the April 2024 financials. For informational purposes only.

EXECUTIVE DIRECTORS REPORT

Devon was voted to be the next Chair of Vermont Association and Planning and Development Agencies (VAPDA). This will be a substantial lift but also allow the RRPC to have a prominent voice in statewide planning and development funding, initiatives, and policies.

The RRPC move to 16 Evelyn Street is going well. Karen Hill has been working hard to line up our vendors to ensure a smooth transition with limited interruptions. The physical move is planned for June 20/21. The full staff will be in the new office by the 26th.

The RRPC Open Meeting Law Training on June 26th will be held at 16 Evelyn Street. There are currently more than 60 people registered for the event.



RUTLAND REGIONAL PLANNING COMMISSION

JUNE BOARD OF COMMISSIONERS AGENDA

The Executive Committee reviewed the FY25 Nominating Committee, FY25 Work Plan, FY25 Budget, FY25 Employee Benefits, and updates to the RRPC Bylaws and Employee Handbook. Skaza and Neary provided an overview of the various elements and answered questions from the Committee. **Motion by Black to direct the Executive Director to investigate paternity/maternity paid leave benefits and provide a recommendation to the Executive Committee in September. Second by Gibbs. Approved by voice vote.**

Motion by Black to recommend to the full board approval of the FY25 Budget and Work Plan and the proposed updates to the RRPC Bylaws and Employee Handbook. Second by Courcelle. Approved by voice vote.

EXECUTIVE SESSION

Motion by Berner to enter into executive session after making a specific finding that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage due to labor relations agreements with employees. Second by Gibbs. The Executive Finance Committee entered into executive session at 7:10PM and left the executive session at 7:41PM.

ADJOURN

Adjourned at 7:42PM.

Respectively submitted by Devon Neary



To: Executive Finance Committee, RRPC Board of Commissioners

From: Devon Neary, Executive Director

Date: September 4, 2024

Subject: Update to Town Membership Dues Structure

Background:

The Rutland Regional Planning Commission (RRPC) has long relied on a "flat fee" rate for town membership dues. While this approach has been consistent, it has become increasingly inequitable, particularly for our smallest towns. Additionally, the revenue generated from this flat fee structure does not align with the financial demands of the RRPC's growing budget.

Analysis:

I have conducted a cost analysis comparing membership dues structures from other Regional Planning Commissions (RPCs) across the state. The findings indicate that RRPC is an outlier in its use of a flat fee. Other RPCs have adopted a formula-based approach, with structures ranging from simple population-based formulas to more complex models that consider factors such as the equalized education grand list.

Moreover, most RPCs have instituted a clear policy that includes automatic percentage increases based on either a flat rate or the consumer price index. These adjustments ensure that dues remain aligned with the cost of living and the financial needs of the RPC.

Recommendation:

After careful consideration of the alternatives, I recommend adopting **Alternative #1**:

- **Alternative #1:** Implement a membership dues structure based on a rate of \$1.00 per capita for each town.
 - **Expected Outcome:** This model would more than double our current total dues, contributing approximately 3% to the overall budget - \$60,068.00.
 - **Benefits:** This increase would enable the RRPC to offer enhanced services to member towns, including the potential subsidization of town plans, which would be particularly beneficial for smaller municipalities.

Conclusion:

Transitioning to a formula-based dues structure will not only promote fairness and equity among our member towns but also ensure that the RRPC has the necessary resources to continue providing high-quality services. I urge the Executive Finance Committee to consider this proposal for inclusion in the upcoming budget discussions.

Please review the attached cost analysis for further details. I am available to discuss this recommendation in more detail at your convenience.

Attachments: Cost Analysis of Membership Dues Structures

Cost Analysis of Membership Due Structure

| REGIONAL TOWNS | POPULATION | ALT #1 | ALT #3 | CUR RATE | NRPC (3%) | MARC | CVRPC | TRORC (3%) | WRC (CPI) |
|--------------------------|---------------|--------------------|--------------------|------------------|------------------|------------------|------------------|-------------------|-------------------|
| | 2020 CENSUS | \$1.00 | \$1.25 | \$1,000 | \$1.23 | \$1.40 | \$1.38 | \$1.68 | \$2.74 |
| BENSON | 974 | \$974.00 | \$1,168.80 | \$1,000 | 1207.76 | 1363.6 | 1344.12 | 1636.32 | 2668.76 |
| BRANDON | 4129 | \$4,129.00 | \$4,954.80 | \$1,000 | 5119.96 | 5780.6 | 5698.02 | 6936.72 | 11313.46 |
| CASTLETON | 4458 | \$4,458.00 | \$5,349.60 | \$1,000 | 5527.92 | 6241.2 | 6152.04 | 7489.44 | 12214.92 |
| CHITTENDEN | 1237 | \$1,237.00 | \$1,484.40 | \$1,000 | 1533.88 | 1731.8 | 1707.06 | 2078.16 | 3389.38 |
| CLARENDON | 2412 | \$2,412.00 | \$2,894.40 | \$1,000 | 2990.88 | 3376.8 | 3328.56 | 4052.16 | 6608.88 |
| DANBY | 1284 | \$1,284.00 | \$1,540.80 | \$1,000 | 1592.16 | 1797.6 | 1771.92 | 2157.12 | 3518.16 |
| FAIR HAVEN | 2736 | \$2,736.00 | \$3,283.20 | \$1,000 | 3392.64 | 3830.4 | 3775.68 | 4596.48 | 7496.64 |
| HUBBARDTON | 735 | \$735.00 | \$882.00 | \$1,000 | 911.4 | 1029 | 1014.3 | 1234.8 | 2013.9 |
| IRA | 368 | \$368.00 | \$441.60 | \$1,000 | 456.32 | 515.2 | 507.84 | 618.24 | 1008.32 |
| KILLINGTON | 1407 | \$1,407.00 | \$1,688.40 | \$1,000 | 1744.68 | 1969.8 | 1941.66 | 2363.76 | 3855.18 |
| MENDON | 1149 | \$1,149.00 | \$1,378.80 | \$1,000 | 1424.76 | 1608.6 | 1585.62 | 1930.32 | 3148.26 |
| MIDDLETOWN | 794 | \$794.00 | \$952.80 | \$1,000 | 984.56 | 1111.6 | 1095.72 | 1333.92 | 2175.56 |
| MOUNT HOLLY | 1385 | \$1,385.00 | \$1,662.00 | \$1,000 | 1717.4 | 1939 | 1911.3 | 2326.8 | 3794.9 |
| MT. TABOR | 210 | \$210.00 | \$252.00 | \$1,000 | 260.4 | 294 | 289.8 | 352.8 | 575.4 |
| PAWLET | 1424 | \$1,424.00 | \$1,708.80 | \$1,000 | 1765.76 | 1993.6 | 1965.12 | 2392.32 | 3901.76 |
| PITTSFORD | 2862 | \$2,862.00 | \$3,434.40 | \$1,000 | 3548.88 | 4006.8 | 3949.56 | 4808.16 | 7841.88 |
| POULTNEY | 3020 | \$3,020.00 | \$3,624.00 | \$1,000 | 3744.8 | 4228 | 4167.6 | 5073.6 | 8274.8 |
| PROCTOR | 1763 | \$1,763.00 | \$2,115.60 | \$1,000 | 2186.12 | 2468.2 | 2432.94 | 2961.84 | 4830.62 |
| RUTLAND CITY | 15807 | \$15,807.00 | \$18,968.40 | \$1,000 | 19600.68 | 22129.8 | 21813.66 | 26555.76 | 43311.18 |
| RUTLAND TOWN | 3924 | \$3,924.00 | \$4,708.80 | \$1,000 | 4865.76 | 5493.6 | 5415.12 | 6592.32 | 10751.76 |
| SHREWSBURY | 1096 | \$1,096.00 | \$1,315.20 | \$1,000 | 1359.04 | 1534.4 | 1512.48 | 1841.28 | 3003.04 |
| SUDBURY | 545 | \$545.00 | \$654.00 | \$1,000 | 675.8 | 763 | 752.1 | 915.6 | 1493.3 |
| TINMOUTH | 553 | \$553.00 | \$663.60 | \$1,000 | 685.72 | 774.2 | 763.14 | 929.04 | 1515.22 |
| WALLINGFORD | 2129 | \$2,129.00 | \$2,554.80 | \$1,000 | 2639.96 | 2980.6 | 2938.02 | 3576.72 | 5833.46 |
| WELLS | 1214 | \$1,214.00 | \$1,456.80 | \$1,000 | 1505.36 | 1699.6 | 1675.32 | 2039.52 | 3326.36 |
| WEST HAVEN | 239 | \$239.00 | \$286.80 | \$1,000 | 296.36 | 334.6 | 329.82 | 401.52 | 654.86 |
| WEST RUTLAND | 2214 | \$2,214.00 | \$2,656.80 | \$1,000 | 2745.36 | 3099.6 | 3055.32 | 3719.52 | 6066.36 |
| TOTAL | 60,068 | \$60,068.00 | \$72,081.60 | 27,000.00 | 74,484.32 | 84,095.20 | 82,893.84 | 100,914.24 | 164,586.32 |
| Budget Percentage | | 3.00% | 3.60% | 1.35% | | | | | |

PROPOSED : MUNICIPAL ASSESSMENT RATE OPTIONS FOR FY 26
(July 1, 2025- June 30, 2026)

| Municipality | 2020 Population | Current Assessment 1.1948 | Recommended Option (3% overall increase)* | |
|-----------------|--------------------|---------------------------------|--|----------------|
| | | | \$1.2306 | \$\$ Change |
| Alburgh | 2,106 | 2,516 | 2,592 | 75 |
| Bakersfield | 1,273 | 1,521 | 1,567 | 46 |
| Berkshire | 1,547 | 1,848 | 1,904 | 55 |
| Enosburgh | 2,810 | 3,357 | 3,458 | 101 |
| Fairfax | 5,014 | 5,991 | 6,170 | 180 |
| Fairfield | 2,044 | 2,442 | 2,515 | 73 |
| Fletcher | 1,346 | 1,608 | 1,656 | 48 |
| Franklin | 1,363 | 1,629 | 1,677 | 49 |
| Georgia | 4,845 | 5,789 | 5,962 | 173 |
| Grand Isle | 2,086 | 2,492 | 2,567 | 75 |
| Highgate | 3,472 | 4,148 | 4,273 | 124 |
| Isle La Motte | 488 | 583 | 601 | 17 |
| Montgomery | 1,184 | 1,415 | 1,457 | 42 |
| North Hero | 939 | 1,122 | 1,156 | 34 |
| Richford | 2,346 | 2,803 | 2,887 | 84 |
| St. Albans City | 6,877 | 8,217 | 8,463 | 246 |
| St. Albans Town | 6,988 | 8,349 | 8,599 | 250 |
| Sheldon | 2,136 | 2,552 | 2,629 | 76 |
| South Hero | 1,674 | 2,000 | 2,060 | 60 |
| Swanton | 6,701 | 8,006 | 8,246 | 240 |
| Total: | 57,239 | \$68,389 | 70,438 | \$2,049 |

3% Increase over FY 26

Employment Cost Index for New England (US Bureau of Labor Statistics) 6/23-6/24
increase of 3.5%

MUNICIPAL ASSESSMENT POLICY

ADOPTED BY THE NRPC BOARD OF COMMISSIONERS (12/18/13)

MUNICIPAL ASSESSMENT POLICY

Each year, the NRPC assessment rate will be raised by 3% or the percent change in the employment cost index for New England (US Bureau of Labor Statistics), whichever is lower. In years where population figures are adjusted the per capita rate will be set so that the total amount collected will increase by a similar percentage.

The NRPC Board may adopt an increase that is greater than this amount. Reasons for a higher increase will be detailed in any recommendation from the Finance Committee to the Board of Commissioners, after consultation with the Executive Committee. Potential reasons include known or anticipated decreases in funding from other sources that would impact an NRPC program, or funding a special project or program supported by the municipalities.

The NRPC Board may adopt an increase that is less than this due to known increases in funding that will alleviate the need for municipal contributions. Reasons for a lower increase will be detailed in any recommendation from the Finance Committee to the Board of Commissioners.

BACKGROUND

NRPC has two flexible sources of funds: municipal assessments and regional planning funds provided from the State of Vermont.

Municipal Assessments

Of these two sources, the municipal assessment funds are the most flexible- they are provided to the RPC with the trust that they will be used wisely for local and regional planning and implementation programs. Once received by the municipalities, these funds are controlled and managed by the NRPC. They are used to match other grants sources, make up shortfalls or reductions in grants and contracts and help to support our ongoing operations and professional staff. State officials and legislators look to municipal assessments (both the rate and the overall participation) as one indicator of the success of a regional planning commission.

Through this policy NRPC seeks to ensure that municipal assessments continue to be an integral part of the NRPC budget, that the buying power of this resource is not diminished over time, and that the funds continue to keep pace with the increasing state and federal interest in higher percentages of local match.

Setting the Assessment Rate

The NRPC bylaws require that the municipal assessment rate be set each year by a vote of regional commissioners. For many years, Commissioners were reluctant to raise the rate, as the goodwill of maintaining a level request was more valuable than the amount of money each increase would bring to NRPC. This led to the municipal assessment becoming less and less

effective as a source of funds, in terms of buying power and as a portion of the NRPC budget. This coincided with reductions in regional planning funds and higher match requirements on both state and federal dollars. Because of this, the NRPC Board has voted to increase the assessment in recent years. In order to attain consistency in approach for future years, the NRPC Board has adopted this policy to guide its decisions in future years and allow municipalities to anticipate and plan for future budget requests.

Municipal Assessment History

| | Per Capita Rate | Dollars Raised | Increase |
|------|-----------------|----------------|------------------------------------|
| FY16 | .99 | \$53,999.00 | \$1,472.00 |
| FY15 | .96 | \$52,527.00 | \$2,735.00 |
| FY14 | .91 | \$49,792.00 | \$1,799.00 |
| FY13 | .88 | \$47,993.00 | \$1,430.00 (new Census population) |
| FY12 | .89 | \$46,563.00 | \$1,570.00 |
| FY11 | .86 | \$44,993.00 | \$0 |
| FY10 | .86 | \$44,993.00 | \$2,092.00 |
| FY09 | .82 | \$42,901.00 | |

Regional Planning Funds

The regional planning funds provided by the State of Vermont are set in statute as a percentage of the property transfer tax. This 'formula' amount is regularly reduced by the legislature when passing the yearly State budget. The overall amount provided to regional planning is further distributed to the RPCs based on a funding rule that allocates dollars based on population, number of municipalities and portion of the overall state property transfer tax. Expenditure of these dollars is somewhat flexible, but increased scrutiny and accountability has led to tighter restrictions and more detailed guidance on how these funds can be spent. Therefore these funds are not as flexible as municipal assessment dollars. These pass through grant dollars are managed by the Agency of Commerce and Community Development- Department of Housing and Community Development through a yearly contract.

| | |
|------|--------------|
| FY15 | unknown |
| FY14 | \$239,814.00 |
| FY13 | \$217,985.00 |
| FY12 | \$217,985.00 |
| FY11 | \$217,985.00 |
| FY10 | \$228,542.00 |
| FY09 | \$228,861.00 |

FY24 to FY25 Municipal Assessments

TABLE 1

Approved by the Board 10/18/2023

| EEG List | | EEG List | | 2022 - 2023 | 2022 - 2023 | CCRPC FY24 | 2.5% Increase | | | |
|------------------|----------------------|----------------|----------------------|----------------|----------------------|--------------|------------------|------------------|----------------|--------------|
| Municipality | January 2022 | % of County | January 2023 | % of County | \$ Change | % Change | Assessment | CCRPC FY25 | FY24 - FY25 | FY24 - FY25 |
| | | | | | | | | Assessment | \$ Change | % Change |
| Bolton | 1,528,800 | 0.59% | 1,750,400 | 0.61% | \$ 221,600 | 3.18% | \$1,542 | \$1,632 | \$90 | 5.86% |
| Buels Gore | 32,440 | 0.01% | 43,170 | 0.01% | \$ 10,730 | 16.70% | \$33 | \$40 | \$8 | 23.04% |
| Burlington | 53,953,580 | 20.68% | 59,397,390 | 20.54% | \$ 5,443,810 | -0.70% | \$54,410 | \$55,384 | \$974 | 1.79% |
| Charlotte | 10,105,840 | 3.87% | 11,477,300 | 3.97% | \$ 1,371,460 | 2.39% | \$10,191 | \$10,702 | \$510 | 5.01% |
| Colchester | 27,808,240 | 10.66% | 30,578,680 | 10.57% | \$ 2,770,440 | -0.81% | \$28,044 | \$28,512 | \$469 | 1.67% |
| Essex Junction | 13,112,830 | 5.03% | 14,714,415 | 5.09% | \$ 1,601,584 | 1.21% | \$13,225 | \$13,720 | \$495 | 3.74% |
| Essex Town | 18,691,270 | 7.17% | 20,071,435 | 6.94% | \$ 1,380,166 | -3.24% | \$18,848 | \$18,715 | -\$133 | -0.70% |
| Hinesburg | 7,208,670 | 2.76% | 8,190,790 | 2.83% | \$ 982,120 | 2.43% | \$7,270 | \$7,637 | \$368 | 5.06% |
| Huntington | 2,581,290 | 0.99% | 2,992,560 | 1.03% | \$ 411,270 | 4.38% | \$2,603 | \$2,790 | \$187 | 7.19% |
| Jericho | 7,693,090 | 2.95% | 8,477,770 | 2.93% | \$ 784,680 | -0.60% | \$7,758 | \$7,905 | \$147 | 1.89% |
| Milton | 13,661,600 | 5.24% | 14,898,800 | 5.15% | \$ 1,237,200 | -1.65% | \$13,777 | \$13,892 | \$115 | 0.83% |
| Richmond | 5,792,780 | 2.22% | 6,794,510 | 2.35% | \$ 1,001,730 | 5.49% | \$5,842 | \$6,335 | \$494 | 8.45% |
| St. George | 1,045,290 | 0.40% | 1,134,620 | 0.39% | \$ 89,330 | -2.13% | \$1,054 | \$1,058 | \$4 | 0.36% |
| Shelburne | 18,153,380 | 6.96% | 21,091,190 | 7.29% | \$ 2,937,810 | 4.58% | \$18,307 | \$19,666 | \$1,359 | 7.42% |
| South Burlington | 39,678,250 | 15.21% | 43,513,840 | 15.05% | \$ 3,835,590 | -1.09% | \$40,014 | \$40,573 | \$559 | 1.40% |
| Underhill | 4,841,150 | 1.86% | 5,217,630 | 1.80% | \$ 376,480 | -2.86% | \$4,882 | \$4,865 | -\$17 | -0.35% |
| Westford | 2,953,500 | 1.13% | 3,143,440 | 1.09% | \$ 189,940 | -4.16% | \$2,978 | \$2,931 | -\$47 | -1.59% |
| Williston | 24,428,580 | 9.36% | 27,213,550 | 9.41% | \$ 2,784,970 | 0.49% | \$24,635 | \$25,375 | \$739 | 3.00% |
| Winooski | 7,592,490 | 2.91% | 8,486,720 | 2.93% | \$ 894,230 | 0.82% | \$7,657 | \$7,913 | \$257 | 3.35% |
| TOTAL | \$260,863,070 | 100.00% | \$289,188,210 | 100.00% | \$ 28,325,140 | 9.79% | \$263,070 | \$269,647 | \$6,577 | 2.50% |

Each town is assessed dues using their percentage of the Equalized Education Grand List. Their amount is determined by taking the total dues and multiplying it by the municipality's percentage of the total Grand List.

Equalized Education Grand List can be accessed at the Vermont Department of Taxes <https://tax.vermont.gov/document/pvr-annual-report-2022-data-ed-mun-eq-grand-list-pdf>

Essex/Essex Junction split per Margeurite Ladd, 9/28/2023
 Total – 2,932,117,339.00 assessed 2023 EEG Cobmined \$ 34,785,850
 Town – **57.70%** - 1,691,677,456 assessed
 City – **42.30%** - 1,240,439,883 assessed



RUTLAND REGIONAL PLANNING COMMISSION

BOARD OF COMMISSIONERS FY25 MEETING SCHEDULE

| MONTH | DATE | Calendar Year | TOPIC |
|-------------------------|--------------|--------------------------|--------------------------------|
| COMMITTEES MEET 6:00 PM | | FULL BOARD MEETS 7:00 PM | |
| SEPTEMBER | Tuesday 17th | 2024 | |
| OCTOBER | Tuesday 15th | 2024 | |
| NOVEMBER | Tuesday 19th | 2024 | |
| DECEMBER | Tuesday 17th | 2024 | Audit Review & Christmas Party |
| JANUARY | Tuesday 21st | 2025 | |
| FEBRUARY | Tuesday 18th | 2025 | |
| MARCH | Tuesday 18th | 2025 | |
| APRIL | Tuesday 15th | 2025 | |
| MAY | Tuesday 20th | 2025 | |
| JUNE* | Tuesday 17th | 2025 | Annual Work Plan & Budget |

*ANNUAL MEETING



RUTLAND REGIONAL PLANNING COMMISSION

EXECUTIVE FINANCE COMMITTEE FY25 MEETING SCHEDULE

| MONTH | DATE | Calendar Year | TOPIC |
|-------------------------|--------------------------|--------------------------|---|
| COMMITTEES MEET 6:00 PM | | FULL BOARD MEETS 7:00 PM | |
| SEPTEMBER | Monday 9 th | 2024 | Meeting Dates & Member Dues |
| OCTOBER | Tuesday 15 th | 2024 | |
| NOVEMBER | Tuesday 12 th | 2024 | |
| DECEMBER | Monday 9 th | 2024 | Combined EFC/Full Board Audit Review & Christmas Party |
| JANUARY | Monday 13 th | 2025 | |
| FEBRUARY | Monday 10 th | 2025 | |
| MARCH | Monday 10 th | 2025 | |
| APRIL | Monday 14 th | 2025 | |
| MAY | Monday 12 th | 2025 | |
| JUNE* | Monday 9 th | 2025 | Annual Work Plan & Budget |

*ANNUAL MEETING

BROWNFIELDS REUSE PROGRAM

PROJECT ENROLLMENT POLICY

Rutland Regional Planning Commission

ADOPTED: XXX

STATEMENT OF PURPOSE

The purpose of the Project Enrollment Policy is to ensure that decisions regarding the allocation of state and federal funds managed by the Rutland Regional Planning Commission (RRPC) through the Brownfields Reuse Program (the Program) are made publicly available and meet the goals of the Program. The process is designed to foster a collaborative dialogue between stakeholders across the Rutland Region and maximize the efficacy of the Program.

PROGRAM STAFF

The Brownfields Program Manager is responsible for day-to-day operations of the Program. All programmatic aspects of the Program within the RRPC, unless otherwise specified, will be carried out by the Brownfields Program Manager. Financial management of the Program will be supported by the Finance Manager, and leadership decisions may be made by the Executive Director.

ENROLLMENT REQUESTS

Information regarding the availability of funds through the Program is publicized on the RRPC website, as well as through regular outreach to local governments, nonprofit organizations, property owners, and potential developers.

To be considered for enrollment into the Program, an applicant must complete and submit:

- A. Owner Participation Agreement
- B. Site Nomination Form

The Brownfields Program Manager may provide technical assistance to potential applicants as they submit these initial forms.

Upon proper completion of forms A and B, the Brownfields Program Manager will determine if the potential new project is likely to meet current threshold requirements for EPA and/or State of Vermont funding.

If the Brownfields Program Manager believes the potential new project will meet these threshold requirements, the site will be brought forward for evaluation by the Brownfields Committee at its next meeting.

If the Brownfields Program Manager believes the potential new project will not meet these threshold requirements, the applicant will be notified, and an explanation will be given for why the potential site is not appropriate for the Program.

BROWNFIELDS COMMITTEE

The Brownfields Committee is a standing committee of the RRPC Board of Commissioners, which operate under the RRPC Bylaws.

PROJECT EVALUATION

The site evaluation process, which will take place at the Brownfields Committee meeting following the project enrollment request, will begin as follows:

1. Does the potential new project align with the goals of the Brownfields Reuse Program?

The potential new project will be discussed and graded by the Steering Committee on its alignment with the following criteria:

- Consistency with Town Initiatives
- Consistency with Regional Initiatives
- Feasibility for Redevelopment
- Attractiveness to Companies/Developers
- Environmental Concerns
- Geographic Equity
- Additional Program Objectives

Each Committee member will score the potential project on the above criteria using a standardized rubric. Scores will be averaged together, and the project's final grade will be made public following the meeting.

A standardized threshold score will be established through the rubric, and projects that meet this threshold score will advance further in the evaluation process.

Projects that do not meet this threshold score will not be further considered, and the applicant will be notified of this following the meeting. Applicants may re-apply to the Program at any time in the future.

For projects continuing in the site evaluation process, the Brownfields Committee will consider:

2. Is there funding available for the potential new project?

Current projects will be prioritized for funding, and new projects will only be taken on if the Brownfields Committee believes there is enough funding available for all current projects to be completed.

If the Steering Committee votes affirmatively that funding is available for the potential new project, it will be recommended for approval to enter the Brownfields Reuse Program.

PROJECT ENROLLMENT

Following the Steering Committee meeting at which the new project was approved, the Brownfields Program Manager will submit the necessary forms to the EPA and/or State of Vermont to begin the funding allocation process.

The opinion of the Steering Committee that a project can receive funding does not reflect the opinion of the EPA or the State of Vermont, and projects recommended by the Steering Committee may still be ineligible for funding due to EPA and/or State of Vermont requirements.

PROJECT WAITLIST

If the Steering Committee believes funding is currently unavailable, the potential new project will be placed on a waitlist, and the applicant will be notified of this following the meeting.

If multiple projects are brought for evaluation in a single Steering Committee meeting, projects scoring higher will take priority for funding.

The score of projects on the waitlist will determine their priority for future funding, provided project conditions have not substantially changed. Funding availability for projects on the waitlist will be re-evaluated at subsequent meetings of the Brownfields Committee.

ENVIRONMENTAL PROTECTION AGENCY AND STATE OF VERMONT PROVISIONS

In the event of a policy conflict, all applicable provisions of the Environmental Protection Agency and the State of Vermont will supersede the policies outlined in this document.

All policies and procedures left unspecified in this document will follow the provisions of the Environmental Protection Agency, the State of Vermont, and the Rutland Regional Planning Commission.



Brownfields Reuse Program

New Site Evaluation Form

RRPC Brownfields Committee

Meeting Date:

Project Name:

Project Location:

Brief project description:

Rank each of the following criteria on a scale of 1 to 5.

1 = Poor 3 = Average 5 = Exceptional

1. Consistency with Town Initiatives

| Category | Ranking | % of Total Score |
|---|---------|------------------|
| The site has been identified as a priority by the public, local government, and other leaders within the community. | | 8 |
| Redevelopment is consistent with the goals of the Town Plan. | | 6 |

2. Consistency with Regional Initiatives

| Category | Ranking | % of Total Score |
|--|---------|------------------|
| Plans for the site are aligned with the goals and policies of the Regional Plan. | | 3 |
| Redevelopment is consistent with the Future Land Use Map within the Regional Plan. | | 6 |
| Redevelopment follows Smart Growth principles. | | 3 |

3. Feasibility for Redevelopment

| Category | Ranking | % of Total Score |
|---|---------|------------------|
| The current property owner is ready and willing to participate in the brownfields process. | | 8 |
| Property is accessible such that it can support the commercial, industrial or residential uses stemming from redevelopment. | | 3 |
| There are no major zoning or other land use restrictions preventing redevelopment. | | 5 |

4. Attractiveness to Companies/Developers

| Category | Ranking | % of Total Score |
|---|---------|------------------|
| A developer is already interested and plans for redevelopment have been sketched out. | | 6 |
| Project falls within a geographic location allowing for access to tax incentives for redevelopment. | | 2 |
| Project is expected to have a reasonable and relatively low cleanup cost. | | 6 |
| Utilities are available on-site. | | 3 |
| The location and site characteristics are physically attractive, or could be with redevelopment. | | 3 |

5. Environmental Concerns

| Category | Ranking | % of Total Score |
|--|---------|------------------|
| Redevelopment has the potential to reduce current risks to human health and the environment. | | 6 |
| Proposed future uses will continue to protect the environment. | | 5 |
| Existing infrastructure will be reused through the redevelopment process. | | 3 |

6. Geographic Equity

| Category | Ranking | % of Total Score |
|--|---------|------------------|
| Project is in an area of the Region that has received relatively little funding through the Brownfields Reuse Program. | | 4 |

7. Additional Program Objectives

| Category | Ranking | % of Total Score |
|---|---------|------------------|
| Project has the potential to increase tax revenue within the community it is located in. | | 4 |
| Redevelopment includes one or more of the following: housing, job creation, business retention and expansion, and/or mixed-use development. | | 8 |
| Site is not too contaminated (or too complicated for the Program to address with available resources). | | 6 |
| Site is highly visible and can be seen and accessed for demonstration purposes and/or for outreach and education regarding the Brownfields Reuse Program. | | 2 |

Total Score (Multiply each ranking by corresponding %, and add together): _____ (≥60% funding threshold)

Date: _____

Additional Comments: _____



BYLAWS

RUTLAND REGIONAL PLANNING COMMISSION

EFFECTIVE: ~~JUNE 18, 2024~~ SEPTEMBER 17, 2024

TABLE OF CONTENTS

| | |
|--|----------|
| ARTICLE I. LEGAL BASIS..... | 1 |
| ARTICLE II. NAME AND AREA | 1 |
| ARTICLE III. PURPOSES | 1 |
| ARTICLE IV. MEMBERSHIP | 1 |
| ARTICLE V. APPOINTMENT OF COMMISSIONERS | 1 |
| Section 501: Regular and Alternate Commissioners | 1 |
| Section 502: Regional Partners | 2 |
| Section 503: Ex-Officio Member | 2 |
| ARTICLE VI. VOTING | 2 |
| Section 601: Municipal Votes | 2 |
| Section 602: Regional Partner Votes..... | 2 |
| Section 604: Ex-Officio Votes..... | 3 |
| ARTICLE VII. MUNICIPAL APPROPRIATIONS TO THE COMMISSION | 3 |
| ARTICLE VIII. OFFICERS AND OTHER ELECTED OFFICIALS | 3 |
| Section 801: Officers | 3 |
| Section 802: Proposed Nomination | 3 |
| Section 803: Nominations and Election..... | 3 |
| Section 804: Terms of Office | 3 |
| Section 805: Duties | 4 |
| ARTICLE IX. STAFF | 4 |
| Section 901: Composition..... | 4 |
| ARTICLE X. Equal Employment Opportunity Policy..... | 4 |
| ARTICLE XI. MEETINGS | 5 |
| Section 1101: Frequency of Meetings | 5 |
| Section 1102: Additional Meetings | 5 |
| Section 1103: Notice | 5 |
| Section 1104: Minutes..... | 5 |
| Section 1105: Quorum | 5 |
| Section 1106: Action | 6 |
| Section 1107: Procedure | 6 |

ARTICLE XII. COMMITTEES.....6

Section 1201: Composition.....6

Section 1202: Membership6

Section 1203: Committee Chairs6

Section 1204: Meetings7

Section 1205: Powers and Duties7

ARTICLE XIII. MUNICIPAL SERVICE AGREEMENTS8

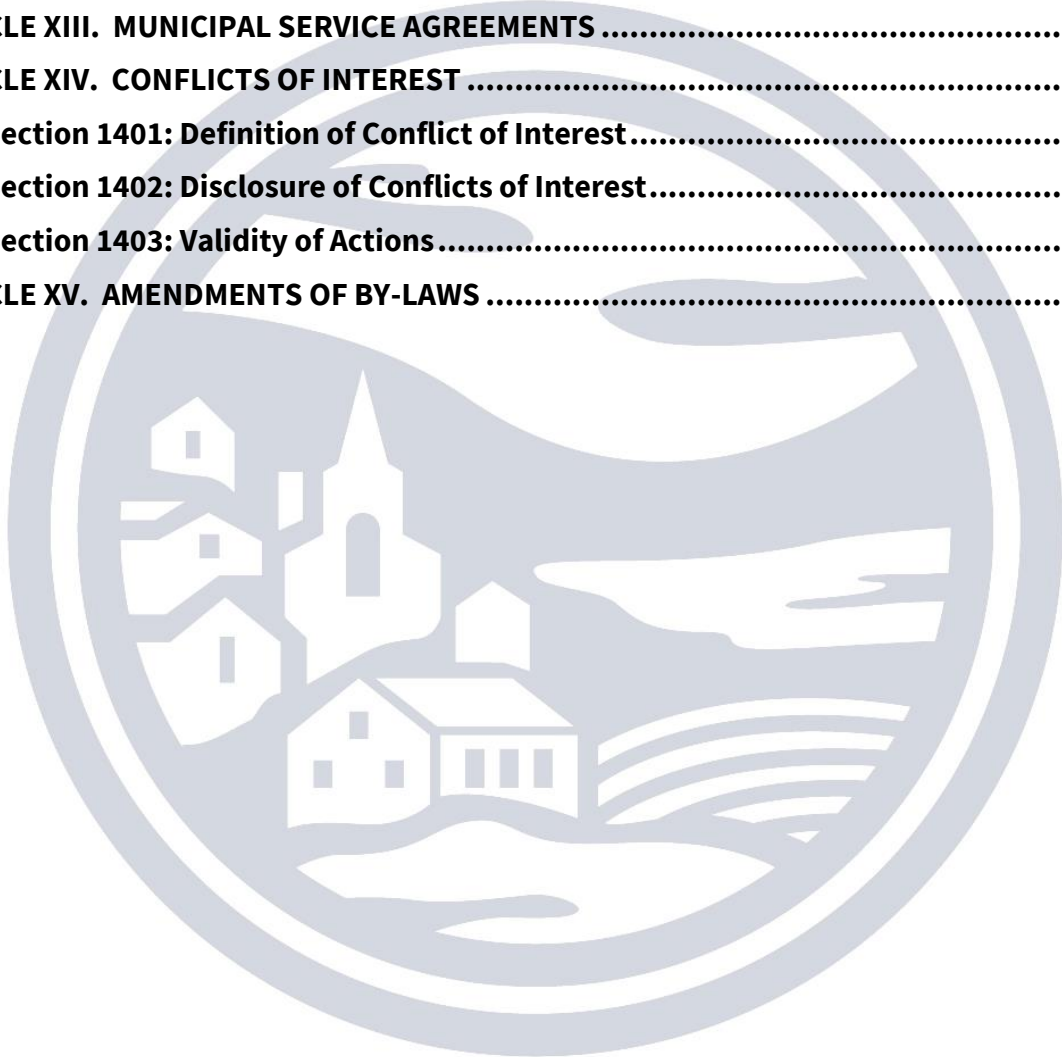
ARTICLE XIV. CONFLICTS OF INTEREST10

Section 1401: Definition of Conflict of Interest.....10

Section 1402: Disclosure of Conflicts of Interest.....10

Section 1403: Validity of Actions.....11

ARTICLE XV. AMENDMENTS OF BY-LAWS11



Pertinent to the administration of any organization are its By-Laws. Since a regional planning and development commission is a legally constituted body having important powers and duties, such formal rules of procedure are necessary in order that a concise record of the Commission's actions will be maintained, and that the procedural rights of persons and individuals will be clearly established when doing business before the Commission. The following represents the By-Laws of the Rutland Regional Planning Commission as amended at a legally constituted meeting on June 18, 2024.

BYLAWS

ARTICLE I. LEGAL BASIS

The legal basis for regional planning and development commissions is 24 V.S.A., Chapter 117, as amended from time to time, the Vermont Planning and Development Act, hereinafter referred to as the Act.

ARTICLE II. NAME AND AREA

The name of this regional planning and development commission shall be the Rutland Regional Planning Commission, hereinafter referred to as the Commission.

ARTICLE III. PURPOSES

The purposes of the Commission shall be to promote mutual cooperation and coordination among area municipalities, organizations, and interests and engage in other activities as are appropriate, encouraged or specifically permitted by the Act.

ARTICLE IV. MEMBERSHIP

All municipalities in Rutland County, except the Town of Pittsfield, shall be considered voting members of the Commission.

ARTICLE V. APPOINTMENT OF COMMISSIONERS

Section 501: Regular and Alternate Commissioners

The legislative body of each member municipality may appoint one Regular Commissioner, who may hold any office in the Commission except for paid positions.

An Alternate Commissioner may be appointed by the legislative body to serve in the absence of a Regular Commissioner except that said Alternate shall not assume the office of Committee

Chair of the Regular Commissioner nor participate on the Executive Committee in place of the Regular Commissioner.

The municipality shall annually certify in writing the names of the Regular and Alternate Commissioners whether or not the same person continues to serve in that capacity. Such certification shall be filed with the RRPC by June 1, of the previous fiscal year in which such appointment becomes effective on a form to be provided. The municipality shall promptly fill any vacancy in either position.

Commissioners will not be compensated by the RRPC for their service as Commissioner. Reimbursement for reasonable expenses incurred in serving in their official capacity as Commissioner shall not be considered compensation.

Vacancies shall be filled by the legislative body of the municipality where the vacancy occurs, and such appointments shall be for the length of the unexpired term of the position vacated.

Section 502: Regional Partners

The Commission may include representatives from up to five organizations that shall typically represent regional partners identified by the Commission.

The Executive Committee may identify regional partners and request an organization to select an individual to represent that regional partner. Organizations may appoint an Alternate to serve in the absence of the Regular appointee.

Section 503: Ex-Officio Member

The Chamber & Economic Development of the Rutland Region and the Rutland Region Workforce Investment Board shall each be able to appoint one individual to represent the organization on the Board of Commissioners. There shall be no limit on the number of terms the Ex-Officio Member may serve.

ARTICLE VI. VOTING

Section 601: Municipal Votes

Only Regular and Alternate Commissioners are allowed to vote – only one vote per municipality if both are present.

Section 602: Regional Partner Votes

Regional Partner representatives shall not have voting powers.

Section 604: Ex-Officio Votes

Ex-Officio members shall not have voting powers.

ARTICLE VII. MUNICIPAL APPROPRIATIONS TO THE COMMISSION

The Commission may receive and expend monies from any source.

Contributions from Member municipalities shall be approved annually by the Commissioners from member communities.

ARTICLE VIII. OFFICERS AND OTHER ELECTED OFFICIALS

Section 801: Officers

The officers of the Commission shall include a Chair, Vice-Chair, and Treasurer; other elected officials shall include one At-Large member of the Executive Committee.

All officers and elected officials are to be elected from Commissioners appointed in accordance with Section 501.

Section 802: Proposed Nomination

Prior to the June Annual Meeting, the Chair shall appoint a Nominating Committee made up of three (3) Commissioners. The Nominating Committee will prepare a slate of nominations for all officers, standing committee chairs and vice-chairs, and the at-large member of the Executive Finance Committee. This slate of nominations will be presented at the annual meeting in June. Candidates shall be Regular Commissioners and may be nominated from the floor.

Section 803: Nominations and Election

The officers of the Commission and standing committee chairs and vice-chairs shall officially be elected at the June meeting of the Board of Commissioners. The election shall be by the affirmative vote of a quorum. In the case where a candidate for a position does not receive a majority of the votes cast, a run-off vote shall be taken, between the individuals receiving the first and second highest number of votes.

Section 804: Terms of Office

The terms of office of all officers and other elected officials shall begin on the first day of the month following the meeting at which they are declared elected and shall end June 30 of the following year or until their successors have been elected and installed. No officer or other elected official may serve more than three consecutive terms in any one office.

If any office, or other elected position, is vacated, such vacancy shall be filled at the next Commission meeting. Candidates for such vacancy shall be nominated from the floor. If no candidates are selected, the Chair of the Commission may serve temporarily until filled or until the next annual election. Officers so elected are to hold office only for the balance of the current year or until their successors are elected and installed. Election to fill a vacated office shall not deny a person from serving an additional three consecutive terms in that office.

Section 805: Duties

The Chair shall call and preside over regular and special meetings of the Commission and the Executive/Finance Committee and shall perform such other duties as are customary to the office.

The Vice-Chair shall serve as Chair in the Absence of the Chair.

The Treasurer shall perform such duties as are customary to the office.

The Treasurer shall be bonded for the faithful performance of the duties of the office if and when so voted by the Commission in an amount to be determined and approved by the Commission. The premiums for such a bond shall be paid from Commission funds.

ARTICLE IX. STAFF

Section 901: Composition

The staff of the Commission shall include an Executive Director hired by the Executive Finance Committee. The hiring of other staff shall be determined by the Executive Director. The Executive Director will establish staff duties and compensation at the time the position is created or filled and as needed by the Commission.

ARTICLE X. Equal Employment Opportunity Policy

It is the policy of the Commission that no employee, person seeking employment or having business with the Commission shall be discriminated against for reasons of race, color, national origin, religion, sex, sexual orientation, gender identity, genetic information, place of birth, physical or mental condition, age, ancestry, protected hairstyles (such as braids, cornrows, locs, twists, Bontu knots, afros, wigs, headwraps and other head coverings), veteran status, or status as a disabled veteran, or otherwise protected under applicable state law, except where sex or age is a bona fide occupational qualification.

Please refer to RRPC's Employee Handbook for additional information regarding Equal Employment Opportunity.

ARTICLE XI. MEETINGS

Section 1101: Frequency of Meetings

Meetings will be held on the 3rd Tuesday of each month at a time and place to be determined by the Commission. Changes from this procedure may be made, when necessary, by the Chair. Notification shall be in accordance with Section 1103 and Vermont Open Meeting Law.

A Calendar of meetings may be adopted on an annual basis at the September meeting and documented on the RRPC website.

Section 1102: Additional Meetings

Additional meetings may be called by the Chair in conformance with Section 1103 and the Open Meeting Law.

Section 1103: Notice

Notice of all meetings of the Commission shall be given not less than five days prior to such meetings to all Commissioners, Municipal Planning Commission Chairs, Chairs of Selectboards, Mayors, and President of the Board of Aldermen for member municipalities.

Notice of emergency meetings may be given by telephone or e-mail, with the approval of the Commission Chair, but in no case less than 24 hours prior to the meeting.

Section 1104: Minutes

A written record of all Commission and Committee meetings and agendas shall be available to the public.

Section 1105: Quorum

The presence of 10 Commissioners shall constitute a quorum for the transaction of general business at meetings of the Commission and business relating to approval of local plans, confirmation of local planning efforts, Annual Work Plan adoption, bylaws, budgets and the formula for contributions from member communities.

Commissioners may participate by telephone or virtually and be considered present for the purposes of a quorum. A quorum once present shall be considered a quorum for the entire meeting.

No quorum is required for committee action.

Section 1106: Action

Except as otherwise required, all actions by the Commission shall be by a quorum of Commissioners present. Action on Minutes may be taken even in the absence of a quorum.

Section 1107: Procedure

Except as otherwise provided in these By-laws, the most recent edition of Roberts' Rules of Order shall govern in any questions of parliamentary procedure.

All meetings are public meetings and shall be open to the public. Meetings conducted in executive session shall occur only as allowed by law.

ARTICLE XII. COMMITTEES

Section 1201: Composition

The standing committees of the Commission shall be the Executive/Finance Committee, the [Brownfields Committee](#), the Community Committee, the Regional Committee, and the Transportation Advisory Committee (TAC).

All Commissioners shall serve on at least one standing committee. This does not apply to TAC, as TAC operates under a separate by-law.

At the discretion of the Chair of the Commission, ad hoc or special committees may be created.

Section 1202: Membership

Commissioners may, at their discretion, elect to participate on more than one committee.

The Chair may appoint any person, who is not a voting member of the Commission, to serve on any standing or ad hoc committee. Such persons shall not be eligible to serve as Chair of the standing or ad hoc committees.

The Chair of the Commission may be an Ex-officio member of all committees.

Section 1203: Committee Chairs

The Chair of the Commission shall serve as the Chair of the Executive Committee. [Brownfields](#), [Community](#), and [Regional](#) Committee chairs and vice-chairs, elected at the June annual meeting, will continue to serve the following fiscal year until replaced or resigned.

Section 1204: Meetings

Each Committee Chair shall call committee meetings with notification to the Chair of the Commission.

Section 1205: Powers and Duties

All Committee actions, except as noted below, shall be forwarded to the Board of Commissioners for final action.

Executive/Finance Committee:

Composition:

The Executive/Finance Committee shall consist of the Officers, and the Chairs of Standing Committees, except for the TAC, and the At-Large Member

Duties:

- A. Provide guidance to the Executive Director.
- B. Provide leadership to standing and ad hoc committees through the coordination, facilitation and integration of activities including, but not limited to the development of the Annual Work Plan, the preparation, review and modification of Commission policies and mission statement, etc.
- C. Act for the Commission between regular meetings and when immediate action is required, and proper notice under Section 1103 of the Bylaws cannot be given for a special Commission meeting; in this instance a quorum of greater than fifty percent of the Committee must be present to transact any business.
- D. Recommend policies for the effective operation of the Commission.
- E. Propose and review amendments to these by-laws.
- F. Recommend the annual budget and any amendments thereto.
- G. Recommend contributions from member communities.
- H. All actions of the Executive/Finance Committee except for those covered by Paragraph C above and those involving confidential personnel items shall be forwarded to the

Board of Commissioners for final action. No action of the Executive/Finance Committee shall have the effect of over-ruling prior action of the Commission.

Brownfield Committee Duties:

A. Evaluate new requests for brownfields funding.

B. Provide local and regional perspectives to ensure conformance with program criteria.

Community Committee Duties:

A. Review local plans for consistency with the goals of the Act and compatibility with other plans and prepare recommendations on local plan approvals.

B. Review local planning efforts to recommend confirmation in accordance with the Act.

Regional Committee Duties:

A. Undertake the review and revision on a continuing basis of the Rutland Regional Plan, unless otherwise assigned to an ad hoc committee.

B. Review and prepare positions on Act 250 applications and Section 248 Public Service Board Petitions.

C. Coordinate Commission activities with other regional organizations.

Transportation Advisory Committee Duties:

A. Foster intergovernmental and local cooperation on transportation issues.

B. Monitor and, when necessary, participate in, transportation policy making activities on the Local, State and Federal levels.

C. Participate in Vermont Project Selection and Project Prioritization (VPSP2) and make recommendations to the Vermont Agency of Transportation on regional transportation needs and projects as appropriate.

ARTICLE XIII. MUNICIPAL SERVICE AGREEMENTS

The RRPC may enter into municipal service agreements to promote cooperative arrangements and coordinate, implement, and administer service agreements among municipalities, including arrangements and action with respect to planning, community development, joint

purchasing, inter-municipal services, infrastructure, and related activities; and exercise any power, privilege, or authority - capable of exercise by a municipality as necessary or desirable for dealing with problems of local or regional concern.

Participation by a municipality in a municipal service agreement with the RRPC shall be voluntary and only valid upon appropriate board action as set forth in 1 V.S.A. § 172 and other applicable provisions of law, including the Open Meeting Law by the legislative body of the municipality. To become effective, a municipal service agreement shall be executed by the Executive Director of the RRPC and of each of the legislative bodies of the municipalities who are proposed parties to the service agreement. The agreement may include other parties as may be relevant to a particular service. Any modification to a service agreement shall not become effective unless approved by all parties to the service agreement, including the legislative bodies of all involved municipalities. Such modifications shall be in writing, with a copy provided to all parties to the agreement.

A municipal service agreement shall describe the services to be provided and the amount of funds payable by, and/or a formula for allocating costs to, each municipality that is a party to the service agreement. Service of personnel, use of equipment and office space, and other necessary services may be accepted from municipalities as part of their financial support and shall be clearly documented in the annual budget for the service approved by the parties to the agreement.

When deemed appropriate by the participating municipalities and the RRPC, a service agreement may include a governance committee made up of representatives of the participating municipalities and RRPC. If a governance committee is formed, the service agreement shall include appropriate details regarding the responsibilities, voting rights and financial obligations of each member.

All service agreements shall contain a termination date unless some other method of termination is expressly provided in the agreement. Service agreements shall also contain a provision describing how parties may withdraw from the agreement prior to the termination date. The method of withdrawing from and/or terminating a service agreement shall generally be the same as the process for entering such an agreement - i.e., by majority vote of the members of the legislative body, subject to other applicable provisions of law. If, however, the service agreement involves multi-year financial obligations or other contractual obligations have been incurred in reliance on the service agreement, the withdrawing party shall withdraw only upon satisfaction of those obligations or mutual written agreement regarding the process to satisfy the same:

- A. The withdrawal provision of a municipal agreement with one municipality shall provide for at least 30 days' notice unless otherwise provided in the agreement.

- B. The withdrawal provision of a municipal agreement with multiple municipalities shall provide for at least six months' notice prior to the beginning of a fiscal year unless otherwise provided in the agreement.

Nothing within this section shall limit RRPC's ability to enter into contracts or agreements to provide services with other entities or governmental organizations, including those serving multiple municipalities.

The Executive Director shall prepare a recommendation to the RRPC Executive Finance Committee regarding any potential municipal service agreements and, if entered into, report on their status, the services provided, and funding arrangements, as appropriate. The Executive Finance Committee shall make recommendations to the RRPC concerning entering into, withdrawal from, and/or terminating municipal service agreements.

ARTICLE XIV. CONFLICTS OF INTEREST

Section 1401: Definition of Conflict of Interest

A conflict of interest will be deemed to exist whenever a Commissioner is in the position to approve or influence RRPC policies or actions which involve or could ultimately harm or benefit financially:

- A. the Commissioner;
- B. any member of the Commissioner's immediate family (spouse, parents, children, brothers or sisters, spouses of these individuals, close relatives) or other person close to the Commissioner who would benefit from the policy or action; or
- C. any organization (excluding the municipality) in which the Commissioner or person in sub section (b) above is a director, trustee, officer, member, partner, employee or more than 10% shareholder.

Service on the board of another not-for-profit organization does not constitute a conflict of interest *per se*.

Section 1402: Disclosure of Conflicts of Interest

A Commissioner shall disclose a conflict of interest:

- A. prior to voting on or otherwise discharging their duties with respect to any matter involving the conflict which comes before the board or any committee;
- B. prior to entering into any contract or transaction involving the conflict;

C. as soon as possible after the Commissioner learns of the conflict.

Section 1403: Validity of Actions

No action or decision by or approved by the RRPC in which one or more of its Commissioner[s] have a substantial financial interest, shall be either void or voidable for this reason alone or by reason alone that such Commissioner, or of a committee of RRPC which the Commissioner served, where the Commissioner's votes are counted for such purpose if the material facts as to such Commissioner's interest in such action are disclosed in good faith or known to the Board or committee, and the Board or committee authorizes such action by a vote sufficient for such purpose without counting the vote or votes of such interested Commissioner. A Commissioner's presence during the vote may be counted in determining the presence of a quorum at a meeting of the Board or committee which authorizes such action. At the time of the discussion and decision concerning the authorization of such action, the interested Commissioner should not be present at the meeting.

ARTICLE XV. AMENDMENTS OF BY-LAWS

Proposals to amend or repeal any portion of these bylaws may be submitted by any Commissioner to the Executive/Finance Committee for review and comment.

A proposed amendment or repeal shall be given, pursuant to Section 1103, with the recommendation of the Executive/Finance Committee. Such an amendment shall be voted on at the next regular meeting of the Board of Commissioners.