

**Lamoille North Supervisory Union
Act 46 Study Committee Minutes
January 6, 2016**

Committee Members Present: Pierre LaFlamme, Peter Ingvoldstad, Raven Walters, David Whitcomb, Ken McPherson, Laura Miller, Bill Sander, Tim Sullivan, Angie Evans, Jeff Bickford
Others Present: Edie Beatty, Steve Sanborn, Michele Aumand, Thad Tallman
Minute Taker: Sue Trainor

1. Call to Order, Approval of Agenda, and Announcements

LaFlamme called the meeting to order at 5:59 p.m. Whitcomb made a motion, seconded by Bickford, to approve the agenda. The motion passed unanimously.

2. Approval of Consent Agenda Items: Board Committee Minutes

Ingvoldstad made a motion, seconded by Walters, to approve the minutes. The motion passed, with LaFlamme abstaining, as he had not attended the meeting.

3. Public Comments

No public comments were made. Sander took the opportunity to ask about funds that were bequeathed in a resident's will to be used specifically by Cambridge Elementary School. He asked Sanborn which ruling would prevail: the terms of the will or the State. Sanborn stated that any money left for a specific purpose would continue to be used for that purpose and, in this case, would remain with the school. He clarified that the money would go to the new district but the use of the funds would have to remain the same.

4. Review Agency of Education Feedback and Take Action

Sanborn informed the Board that the District had received the edited version of the Articles of Agreement from the State. He noted that all but one of the edits made by the State merely involved wordsmithing. The edits did not change the meaning or intent of the Agreements previously approved by the Study Committee. However, the one area that did change involved the issue of proportionality. Sanborn stated he would go through each article to explain the edits.

Article 1: The State made it clear throughout the document that the title of the new district would be Lamoille North Unified Union School District. Additionally, Lamoille Union High School District #18 and the Green Mountain Technology and Career Center would be included in the establishment of the Unified School District. Sander suggested the document should include the Middle School in its language. Beatty stated the legal name of the combined middle and high school was Lamoille Union High School District #18. Sanborn noted that an additional change in all articles was that the term forming districts was used to denote the individual towns.

Article 2: No changes made. Article 3: Added the term 'LUHSD #18'. Article 4: Added the term 'forming districts' and the 'LUHSD #18'. Article 5: No changes made. Article 6: Added

the term 'LUHSD #18'. Article 7: Added the term 'forming districts' and the LUHSD #18. Additionally this paragraph addressed the issue that Sander brought up earlier in the meeting by stating that 'funds previously designated shall remain designated for that purpose.' Article 8: Added the term 'LUHSD #18'. Further, the article explained that the Board would determine the conveyance of property, not the whole district. Therefore, no action would be required by voters.

Article 9: This article dealt with proportionality. The article stated that the Board would be closely proportional to the fraction that its population bore to the aggregate population of all member towns in the District. With that in mind, it would appear that Belvidere would only be allowed $\frac{1}{2}$ a vote under the Committee-proposed structure. The State had challenged the one vote proposed by the Committee. Sanborn made it clear, as did those on the Committee, that was not the intention of the Committee and it was important to them that Belvidere have a full vote. The LUSD's attorney supported the Committee's proposed proportionality structure. Sanborn suggested this could be dealt with by doubling the number of Board members so that Belvidere would be allowed one full vote.

Sanborn asked the Committee if they wanted to continue to push for a full vote for Belvidere under the structure previously proposed. Evans stated Belvidere might vote against the proposal if they were only allowed a $\frac{1}{2}$ vote. Miller stated that other towns might vote against the proposal as well if Belvidere only received a $\frac{1}{2}$ vote as a matter of fairness. Miller believed this was a deal breaker. Sanborn informed the Board that the Addison/Rutland District had the same problem. West Haven, a town in that district, was in the same situation and they stated they would disengage from the process if not allowed a full vote. Sander stated that when the State went through reapportionment it changed the representation to be proportional. Given that example it would seem the State would continue to push for a $\frac{1}{2}$ vote to Belvidere. Sanborn stated, however, that currently no District Board was currently close to proportionality. Bickford stated it had been intentional, throughout the process, that each town have a full vote.

McPherson stated it could be said that the Union had decided to round up in this case rather than involve $\frac{1}{2}$ votes. He believed that would be totally defensible. He encouraged the Administration to argue for the Committee's decision. Sanborn stated their lawyer felt the same way. Ingvaldstad asked if the Committee wished to have a plan ready for an at-large member alternative if the State Board said no to a full vote for Belvidere. Beatty informed the Board she believed the Agency wanted LUSD to move to a different model. She stated there had been a lot of work behind the scenes on this issue and they would continue to push for the Committee's proposed model.

Article 10: No changes made. Article 11: Added the term 'forming districts' and 'Unified School District'. Article 12: Added the term 'forming districts' and 'LUHSD #18'. Article 13: No changes made. Article 14: Added 'LUSHD #18'. Articles 15, 16, 17 and 18: No changes made. Article 19: Added information about Modified Union Districts. Article 20: Sanborn explained changes in this article were, again, more wordsmithing. Article 21: edits were made to clarify the intent of the article.

Sander asked if funds previously designated needed to be ratified by the electorate. Sanborn stated they did. Discussion continued with recommendations being given to work with a town lawyer to transfer land to the town prior to the vote on Act 46. McPherson was concerned about conservation easements in his town and asked what the provisions were for dealing with unclear ownership or restricted ownership. Sanborn explained that title searches would need to be done before selling to the new union. McPherson asked if there was a provision for the existing boards to assist with that or would the unified union be responsible. Sanborn explained \$130,000 would be available as part of a transition grant and he expected that a good chunk of that money would go to legal fees. He reminded the Committee that the new board would be elected and working before any property was officially conveyed, with July 1, 2017 being the date the property would be conveyed. Beatty further explained that if a town conveyed properties prior to that date it would be the fiscal responsibility of the community. Whitcomb suggested that towns convey their property at the upcoming Town Meeting. In response to concern about the time it would take to do the legal research to convey property, Sander noted that Vermont land records were atrocious. The conveyance could simply state, "refer to previous deed".

Sander then made a motion to accept the edited Articles of Agreement, seconded by Bickford. The motion passed, with Whitcomb voting against the motion.

Whitcomb then asked what language should be used in the petitions for those running for the new Board. Sanborn stated that as soon as the Agency of Education and Secretary of Education approved the Articles, he would draft the petitions and warnings. He would have samples available at the next meeting on January 26th. It was noted that all town clerks should be trained prior to the election on the voting requirement.

Walters asked about the next steps and communication to voters. Sanborn stated that would be on the January 26th agenda. He noted that informing the public would be very important. Whitcomb stated that a number of the informational forums had been filmed and could be viewed on a resident's computer. Discs could be made and provided to voters if they wished to be more informed of the issue. M. Aumand stated she would follow up on this.

Thad Tallman asked when the Committee would receive an answer as to whether Belvidere would be allowed a vote. Beatty stated that this Committee would recommend one seat would have one vote. If the State said no to that, the Administration would come back to the Committee. They should know the decision by January 19th. Ingvoldstad asked if Tallman would like a copy of the decision. M. Aumand will provide that to Tallman. Sanborn also stated that with the election being on April 12th, there still would be time to return to the State with another suggestion. Sander suggested going to court if that matter were not approved. Sanborn stated he agreed.

5. Next Steps, Meeting Dates

The next meeting would be held on January 26th. At this time, discussion involved placing Act 46 on the Town Meeting Agenda so as to further inform the voters on what was at stake.

Whitcomb suggested warning it as “Discussion Only”. Beatty noted it was important that Act 46 Study Committee members be at the Town Meeting to answer any questions that came up.

6. Adjourn

Whitcomb made a motion, seconded by Sander, to adjourn the meeting. The motion passed unanimously and the meeting ended at 6:54 p.m.