

Bradford Energy Committee Meeting
Monday Jan 17th 7:00 PM

Virtual meeting

<https://us02web.zoom.us/j/83575568271?pwd=aWI5bUcrYTNjMnpjdDRlcmxsaE5sUT09>

Present, Ed Wendell, Tom McBride, Susanna Lewis, Nancy Jones and Stu Ross

Draft Minutes 1/7/22

The minutes for the January 7, 2022 meeting were approved.

Mission Statement

Tom McBride circulated the following BEC mission statement prior to our meeting. This was composed after reviewing Energy Committee mission statements from many other Vermont towns. The statement Tom drafted was unanimously approved and will be posted on our website. Additional information is to appear along with the adopted mission statement on the website and this will be updated (without alteration of the mission statement) at intervals. The additional information includes a description of current projects, the names of committee members, our meeting schedule, agendas and accepted minutes for past meetings.

Bradford Energy Committee

We are a subcommittee of the Bradford Conservation Commission. The Energy Committee's mission is to promote actions in Bradford that reduce greenhouse gas emissions and energy costs for the town, its residents, and its businesses. Working with state, local, and regional stakeholders and resources, we will initiate and facilitate programs that promote energy conservation, increased energy efficiency, and the generation and use of clean energy.

Solar arrays: size limits in the town plan

As decided at our last meeting, Stu Ross collaborated with Tom McBride to compose a letter describing our committee's reservations about size limits being imposed on solar installations in the upcoming Town Plan. A copy of this letter, delivered to the Planning Commission (Jan 10), was sent to all BEC members. Stu reported that the Chair of the Planning Commission, Marcey Carver, acknowledged receipt and noted that the Planning Commission will not have energy on their agenda at their upcoming January 18th meeting.

Bradford Energy Committee Webpage

The webpage will be managed by Marcey Carver on our behalf.

ARPA Funding for energy projects

Susanna attended a webinar by the Vermont Council on Rural Development entitled "ARPA And Your Town - Getting Involved and Maximizing the Opportunity" held on January 14th. She reported that just days earlier (January 10), the Interim Final Rule from the Treasury Department governing how ARPA funds can be spent had been superseded by the "Final Rule". The most significant change is that money can be accepted by towns as "Revenue Replacement" and put into the town's general fund. This effectively frees up constraints on how the money can be spent.

Relevant links:

- A recording of the webinar is archived at <https://www.vtrural.org/leadership/workshops>
- Best ARPA spending information for VT recipients is at <https://www.vlct.org/resources/american-rescue-plan-information>
- Advice on the new rule at <https://www.vlct.org/news/arpa-treasury-issues-final-rule-%E2%80%93-take-moment-pause>
- Municipalities may submit questions at ARPA@vlct.org
- Full text of the final rule at <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule>
- The Covid-19 local action tracker shows how various town are spending ARPA funds at <https://www.nlc.org/resource/covid-19-local-action-tracker/>

Vecan Low-income presentation Jan 19th

Ed Wendell circulated the link for the webinar registration [VECAN 2022 Workshop Series - VECAN](#)

Two Rivers, ESCO/Green memo

Nancy Jones reported that the energy audit is proceeding as planned.

The Green Procurement Policy that Greg Martin brought before the Selectboard, has become a Memorandum of Understanding. Even so, this is considered a step in the right direction.

One revision to the Memorandum accepted by the Selectboard is of significance to our committee. We are tasked with reviewing purchases proposed by Department heads for large capital improvements. We do not yet have a copy of the agreed-upon memorandum of understanding, nor do we know what defines a large (rather than otherwise) capital improvement. Ed will convey the Memorandum and associated forms to the Committee before our next meeting. At that point we will be able to discuss the technicalities of how the Green Procurement Policy is to be implemented.

Open meeting highlights

Nancy reports that the Energy Committee is not strictly in compliance with the open meeting law, because we have been holding virtual-only meetings. However, the Senate has recently revised the rule barring virtual-only meetings due to omicron, and the house will vote soon. Consequently, we decided to hold off for a short while before changing our current practice of virtual-only meetings.

Another possible violation regards our email communication. Stu mentioned that his recent email exchange with committee members, at which he transmitted a copy of the letter he was sending to the Planning Commission (fulfilling a decision at our previous meeting) was consistent with directives on page 11 of *A Guide To Open Meetings (2019)* on the Secretary of State website <https://outside.vermont.gov/dept/sos/Municipal%20Division/a-guide-to-open-meetings-january-2019.pdf>

The guide states that:

The law also specifically permits use of group email or other electronic communication to schedule a meeting, organize an agenda, or distribute materials to discuss at a meeting.

A caution, noted by Tom, is that an email might be sent to a subset of committee members (comprising less than a quorum, and therefore not considered a “meeting”), and not violate the open meeting rule, but if a committee member who was not on the original email were to be apprised of the discussion and add a comment a week later, that action would retroactively convert the exchange into a meeting and create a violation.

A third violation is that the open meeting law stipulates how soon minutes are to be available:

Minutes are public records and must be made available for public inspection and copying after five calendar days from the date of the meeting.

Our practice has been to accept Minutes for a given meeting at the next meeting to follow. This has meant that no Minutes were ready for circulation any earlier than four weeks after a meeting has taken place. We have recently shortened the interval between meetings to two weeks, but this is still not compatible with the rule. In order to comply, we would have to accept the Minutes of a business meeting by convening an interim email meeting, and give advanced public notice of this extra meeting, and generate and approve Minutes of the same.

Fulfilment of the open meeting requirements for Minutes seems to require extreme measures: we do not post drafts minutes and so we cannot approve the minutes within five days without either flouting the open meeting law or triggering an endless loop of meetings and minutes. Other constraints were acknowledged as legitimate and will be accommodated. Attention will be given to advanced posting of a paper copy of the agenda at three sites, the agenda will be posted on our website once the website is functional, and the routine notification of our Agenda in the Journal Opinion will be investigated. We are committed to transparency and will be mindful that unscheduled communications that include the entire committee will be limited to scheduling, organizing an agenda, or distributing materials. At our virtual meetings, any member of the public is free to join, and we will ensure that these visitors will be able to hear and see participants.

Other Business

Our meetings had been scheduled for 10:00 AM the first Monday of the month and 7:00 PM the third Monday of the month. A motion to change first-Monday meetings to 11:00 was seconded and passed unanimously.

Nancy Jones mentioned that Norwich Solar has been awarded the contract by the State to install charging stations in Bradford. The sites are not those that the energy committee would have preferred. Nancy will speak to Geoff Martin about this.

Our Next Meeting will be on February 7th at 1pm (an exception, the regular meeting time for the first Monday of the month is at 11:00 AM)