

**MINUTES OF THE
VERMONT LEAGUE OF CITIES AND TOWNS
BOARD OF DIRECTORS MEETING
THURSDAY, February 4, 2016**

Members Present: President Cadwell, Vice President Louras, and Members Shepeluk, Beckett, Janssen, Pinsonault, Ramsay, Richard, Safford, Simmons, and Whittaker.

Others Present: Secretary Chris Cole and Michele Boomhower, Director of Policy, Planning and Intermodal Development at the Vermont Agency of Transportation were present to discuss stormwater utility related issues; Dawn Francis, Town Manager of Colchester; Rick McGuire, Town Manager of Williston; VLCT staff members including Karen Horn, and Gwynn Zakov.

Agenda Item #1: Call to order by the President.

President Cadwell called the meeting to order at 12:23 pm.

Agenda Item #2: Additions and Deletions to the Agenda.

Two items were added to the agenda: regulation of soils by the State and a report on the VLCT Joint Investment Committee. On motion duly made by Member Simmons and seconded by Member Shepeluk, the Board unanimously adopted the existing agenda.

Agenda Item #3: Consent Agenda Items.

On motion duly made by Member Simmons and seconded by Member Shepeluk, the Board took the following actions on consent agenda items:

Unanimously approved the minutes of the January 7, 2016 Board meeting, and unanimously accepted the Personnel Report.

Agenda Item #4: Stormwater Utility Fees.

Secretary of Transportation Chris Cole reported that the town highway grant process is now a shorter process, and was amended in response to feedback received by local officials. He also discussed some general information about stormwater utilities and stated that VTrans had historically taken the position that it did not have to pay stormwater utility fees to communities since the department did not receive any services against which to charge a fee. He offered a proposal for consideration by VLCT and its members, which is attached to the minutes.

Member Weinberger joined the meeting at 1:00 p.m.

Agenda Item #5: Review of Legislative Priorities.

Karen Horn and Gwynn Zakov provided an update of the current activity at the State House and discussed a lengthy list of bills that have been heard in the legislature and on which staff has testified. They responded to questions posed by the Board. There was additional discussion

about stormwater utilities, as well as about the siting of energy facilities and the testimony provided by local officials on that issue, marijuana legalization, urban soils regulation, ethics, Medicaid reimbursements to ambulance providers, and establishing the Vermont Police Academy as a law enforcement agency.

There was further discussion about encouraging Board members and other local officials to take the lead on various VLCT policy issues, thus engaging members. Staff will identify areas where assistance is needed and those who might be helpful where volunteers have not come forward.

Agenda Item #6: Reminder about Local Government Day.

Staff reminded about registering for Local Government Day, February 10, and a brief discussion ensued about the agenda for the event and the legislative issues to be discussed at the State House that day.

Agenda Item #7: Other Business.

Member Whittaker updated the Board concerning the information presented at the Joint Investment Committee meeting on Friday, January 29.

On motion duly made by Member Pinsonault and seconded by Member Safford, the Board unanimously adopted the motion to adjourn at 2:50 p.m.

Respectfully submitted,

Maura Carroll
Executive Director

Sec. 1. 24 V.S.A. § 3501 is amended to read:

§ 3501. DEFINITIONS

The following words and phrases, as used in this chapter and in chapter 101 of this title, shall have the following meanings:

* * *

(7) “Stormwater” or “storm sewage” means precipitation and snowmelt that does not infiltrate into the soil, including material dissolved or suspended in it, but does not include discharges from undisturbed natural terrain or wastes from combined sewer overflows ~~“Storm water” or “storm sewage” is the excess water from rainfall or continuously following therefrom.~~

* * *

Sec. 2. 24 V.S.A. § 3615a is added to read:

§ 3615a. STORMWATER UTILITIES; MUNICIPAL STORMWATER UTILITY GRANTS

(a) A system of establishing and applying rates pursuant to this section for stormwater management by a municipality or group of municipalities shall be known as a stormwater utility. A municipality or consolidated sewer district may establish and apply rates pursuant to sections 3615 and section 3507 or 3679 of this title for education and outreach on stormwater management and the planning, construction, maintenance, repair, operation, and other related aspects of managing all or a portion of stormwater infrastructure and practices within the municipality or consolidated sewer district. When establishing and applying rates for stormwater management pursuant to this section, the sewage system commissioners or the board of sewer commissioners shall not be required to show a direct connection between the ratepayer and any service provided.

(b) Stormwater utility rates for property owned, controlled, or managed by the Agency of Transportation shall not exceed the highest rate category applicable to other properties in the municipality and shall be subject to a fifty-percent credit.

Sec. 3. 10 V.S.A. § 1389(e) is amended to read:

(e) Priorities.

(1) In making recommendations under subsection (d) of this section regarding the appropriate allocation of funds from the Clean Water Fund, the Board shall prioritize:

(H) funding to stormwater utilities.

(2) In developing its recommendations under subsection (d) of this section regarding the appropriate allocation of funds from the Clean Water Fund, the Clean Water Fund Board shall, during the first three years of its existence and within the priorities established under subdivision (1) of this subsection (e), prioritize awards or assistance to municipalities for municipal compliance with water quality requirements, and to municipalities for the establishment and operation of stormwater utilities.

EFFECTIVE DATE

This Act shall take effect upon passage.