

FINAL

**ADDISON COUNTY REGIONAL PLANNING COMMISSION
EXECUTIVE BOARD MEETING**

January 23, 2013

BUSINESS MEETING:

The Addison County Regional Planning Commission's Executive Board held its monthly meeting at the regional planning commission's office in Middlebury with the Chair, Harvey Smith, presiding. Harvey began the meeting at 6:40 p.m.

ROLL CALL

Bridport

Bristol Bill Sayre

Lincoln

Middlebury Fred Dunnington

New Haven Harvey Smith

Ripton Jeremy Grip

Whiting Ellen Kurrelmeyer

STAFF

Adam Lougee, Director

Harvey opened the meeting and requested that the Board discuss the audit first to accommodate ACRPC's Accountant Vance DeBouter, who would be calling into the meeting. The Board consented to the change and Harvey requested that Vance discuss the audit.

Audit Review:

Vance explained that although the final numbers showed a loss, from an accounting perspective the Commission's books were in good shape and that he found no material weaknesses in procedures or misstatements in reporting. After a discussion with Vance, including a period where the Executive Director left the room, the Executive Board approved the draft of the audit to be shared with the full Commission at its February meeting and voted upon at that time.

Minutes:

Ellen Kurrelmeyer moved to accept the November minutes since there was no meeting in December. Jeremy Grip seconded the motion, which passed unanimously.

Treasurer's Report:

The Board reviewed the Treasurer's report. Adam noted that ACRPC's balances remain strong and that receivables are good. He noted that revenues and expenses are nearly even and that he intends to keep working on that fact. Adam also reminded the Board

that this year the commission passed a budget with several projected grant sources in it that the commission had not secured. Several of those assumptions have not proved true, as we were not awarded the grant anticipated. However, ACRPC has secured several other grants that the budget did not anticipate. Adam noted that he intended to bring a more complete financial report to the February Full Commission to provide an accurate projection of where he believes we will land at the end of the year. **Ellen moved to accept the Treasurer's report as presented. Jeremy seconded the motion, which all approved.**

Committee Reports:

Local Government Committee: No Meeting. The Committee will meet with Middlebury on February 4th.

ACT250/248: Ellen reported that no new application had come into the commission since the last full commission meeting. She did, however, note the items relating to Vermont Gas and Whistlepig, LLC on the agenda below.

Natural Resources: The natural resources meeting was cancelled due to illness.

Energy: The Energy Committee held a public meeting kicking off the 2013 Home Energy Challenge, an initiative where towns compete to create efficiency improvements to 3% of the housing stock within each town. To date, 10 towns in the Addison Region are participating.

Transportation Advisory Committee: The TAC met and discussed aviation easements (Easements to allow planes to fly over a property and keep that property clear of tall objects in the flight path at each end of the runway.) at Middlebury Airport, the RFP's for the TAC's planning projects and the Transportation grant the Region has put in with the Town of Starksboro for an aquatic organisms passage on Route 116 at the High Knob Brook.

OLD BUSINESS

Audit: See above.

Vermont Gas Update: Adam summarized the current status of this application. He noted that a pre-hearing conference was scheduled for January 30th. That conference will largely set the schedule of the proceeding before the PSB for the coming year. Adam noted that he would attend the hearing on behalf of ACRPC. Adam intends to file a Motion to Intervene on behalf of ACRPC shortly. The intervention will encompass the topics covered in the Committee reports and the motions adopted by the Commission at its December meeting. Adam also noted that the information that he had received indicated that Vermont Gas had been working with the Town of Monkton to reroute the line and that Vermont Gas has announced that it will file a rerouted line location.

Fred Dunnington also reported that Middlebury had met with Vermont Gas representatives and that they were working on things that needed to be completed to accommodate the distribution network within Middlebury and the location of the gate station within Middlebury.

WhistlePig, LLC Update. WhistlePig, LLC makes whiskey on a 450 acre farm in Shoreham. They have filed for a jurisdictional opinion to exempt a proposed distillery, rye growing and storage operation from Act 250 under the Agricultural exemption. They have also applied for an Act 250 permit to cover their existing bottling operation and storage. Adam attended that pre-hearing conference largely because of the Commission's interest in the jurisdictional issue surrounding when does value added agriculture qualify for the exemption from Act 250. Adam informed the executive Board that Whistlepig was an interesting case. He noted he felt that Whistlepig was the type of enterprise that ACRPC wanted to support and encourage in order to promote the use of the working landscape in an era when dairy farming will not continue to be the dominant force it now is. He also noted that he felt the opposition to Whistlepig was largely a NIMBY reaction and had very little substance behind their objections to the operation given its current and likely scale. That being said, Adam noted that WhistlePig has currently been operating and that its current operations likely triggered Act 250 jurisdiction. Leaving the question of whether that current jurisdiction to attach to the future operations, which would likely qualify for the exemption, had they happened first. After a long discussion, the Board instructed Adam to write a letter supporting the agricultural exemption as a way to support the working landscape and value added production. The Board also approved Adam's request to discuss the impact of adding water to agricultural crops and how that would impact the jurisdictional rule requiring that >50% of a final product be principally produced on the farm in order to qualify for the agricultural exemption. The Board supported the position that water should not be calculated into the production equation on either side of the argument. Therefore, adding 51% water to something would not make it an agricultural product produced on a farm even if all the water came from a spring on the farm. Conversely, adding water to an agricultural product produced on the farm to make a juice or tea or beer, would not preclude it from being an agricultural product principally produced on the farm. Adam noted he would create the letter and file it by the February 25th deadline.

Other: None.

NEW BUSINESS

Committee Assignments for New Commissioners: Adam asked the Executive Board if they would consider allowing new members to join committees as they came on. He noted Jamie Dayton of Addison had expressed interest at the last full Commission meeting. Adam noted he should also speak with David Ludwig of Lincoln. The Executive Board approved Commissioner Dayton's requests for Committee Assignments. Adam noted he would follow-up with Commissioner Ludwig.

Mid-year Report to the Agency of Commerce: Adam distributed the mid-year report he had provided to the Agency of Commerce. He wanted the Board to know the things that the Agency was most concerned about. After a brief discussion regarding the Agencies priorities, particularly with Act 250, the Board moved on.

Memo to Towns for Their Annual Report. Adam distributed the report that he sent to each clerk in the region requesting that they include the report within their town annual report. Adam noted about half the towns include the report. He also noted it is a general synopsis of our areas of work over the previous fiscal year.

Other: None.

ADJOURNMENT

Ellen moved to adjourn. Jeremy seconded the motion. All approved and the meeting adjourned at 8:50 p.m.

Respectfully submitted by:

Adam Lougee