

VT Tax Structure Commission
Friday, December 14, 2018
10:30 A.M - 2:30 P.M.

Approved Minutes

Present: Commissioners – Deb Brighton, Stephen Trenholm and Bram Kleppner. JFO Staff: Stephen Klein, Catherine Benham, Joyce Manchester, Mark Perrault, Graham Campbell, Sorsha Anderson, Doug Farnham-Department of Taxes, Peter Sterling, Chief of Staff, Julie Lowell – policy analyst, Public Assets Institute.

Call to order: Ms. Benham called the meeting to order at 10:31 A.M.

10:31 AM: Introductions of Key Staff - Doug Farnham, Graham Campbell, Joyce Manchester, Mike O’Grady, Catherine Benham, Stephen Klein, Sorsha Anderson

10:40 A.M. Review Proposed Agenda and Meeting Facilitation – Meeting will be facilitated by Ms. Benham and organizational issues moved to the end of the meeting.

10:45 A.M. Review of Application of Open Meeting Law and Public Records Act/Pay and Reimbursement – Michael O’Grady discussed the history and practical application of the Open Meeting Law. He explained the Commission is a public body and is subject to Open Meeting laws. Emails are allowed for sharing of information, but not for discussion or commission action. Members may have a meeting and take formal action by electronic means, such as skype. Electronic meetings must still be warned and indicate a designated place for the public to gather. The commission will not have regular meetings, so all meetings are designated as ‘Special Meetings’. Mr. O’Grady recommended using press releases as the warnings and indicated minutes must be taken at each meeting. He then discussed the limits of executive session.

Public Record Act: Commission is subject to Public Record Act. Ms. Brighton asked about the extent to which documents must be made available while they are works in progress. Mr. O’Grady responded that in the event of a Freedom of Information request, current drafts may need to be made available.

Pay and Reimbursement: Mr. O’Grady gave a short overview of commissioner pay and expenses.

11:00 A.M. Experience of Former Blue Ribbon Tax Commission – item delayed until Mr. Costa’s arrival.

11:00 P.M. Discussion of Process and Logistics

Committee Charge, Walk-through of Statute - Stephen Klein, Joint Fiscal Office, provided a walk-thru of the Statute language. There was discussion on the history and development of the statute.

11:05: Blue Ribbon Tax Commission: Michael Costa, former Staff director of the Blue Ribbon Tax Commission, began his presentation on his experience with the Blue Ribbon Tax Commission. He first shared lessons learned:

- Think about tomorrow, not just today
- Include policy makers along the way
- Prioritize!

- Focus on rules, not exemptions
- Two types of public policy, simple and fair – hard balance
- Frame the problem you are trying to solve as early as possible
- Develop a strong, formal work plan
- Be mindful of the legislative calendar
- Leave enough time for a public hearing on the draft of the final report

Ms. Benham talked about the difference of the charge between the Blue Ribbon Commission and this Commission. Mr. Farnham offered his thoughts on the process and potential limitations during the session. Mr. Costa shared an overview of the process of the BRTC used in choosing a chair/vice chair. Mr. Trenholm asked if they were required to elect a chair/vice-chair – a request was sent for Mr. O’Grady to return to the meeting to provide guidance on this issue. Ms. Benham discussed a legislative change that was made to the BRTC charge in 2010.

11:40 Budget Overview - Ms. Benham gave an overview of the budget and the budget process. Discussion of what work is shared and what is personal confidentiality.

11:50 - Offer made for public comment: none

11:51 - Discussion of Possible Timeline/Work Plan - Stephen Klein - February 15 deadline on the work plan can be a short memo. Mr. Trenholm suggested they focus on meeting the staff candidates today and focus on the work plan and budget during the January 8th meeting. There was a general consensus on this.

11:55: Upcoming Meetings – January 8th from 4:00 PM – 6:00 PM at the Statehouse. Specific location TBA.

12:00 P.M. – Mr. O’Grady returned for questions. Mr. Trenholm asked about the requirements to elect a chair and vice-chair. Mr. O’Grady explained that a strict interpretation of the statute suggests electing the chair/vice-chair. Mr. Kleppner made a motion to nominate Deb Brighton as the chair. Ms. Brighton accepted the nomination. All in favor. Mr. Kleppner then nominated Stephen Trenholm as vice-chair. Mr. Trenholm accepted the nomination. All in favor.

12:10 P.M. Mr. Trenholm made a motion that the commission move into executive session pursuant to 1 V.S.A., 313(a)(3) to discuss the appointment or employment or evaluation of a public officer or employee. All in favor.

The Commission came out of executive session at 3:17 P.M. Adjournment.

Upcoming agenda items: workplan, budget

Respectfully submitted,

Sorsha Anderson
Staff Associate, Joint Fiscal Office