



Mailing Address:
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STATE OF VERMONT
JOINT FISCAL COMMITTEE
1 Baldwin Street
Montpelier, Vermont 05633-5701

MEMORANDUM

To: James Reardon, Commissioner of Finance & Management

From: Rebecca Buck, Staff Associate *RB*

Date: April 27, 2006

Subject: Status of Grant and Donation Requests

No Joint Fiscal Committee member has requested that the following items be held for review:

JFO #2255 – \$394,657 grant from the U.S. Department of Justice, Office of Justice Programs to the Department of Public Safety. These grant funds will be used to upgrade the Vermont Incident Based Report System (VIBRS) network utilized by approximately 80 Vermont law enforcement agencies.
[JFO received 03/28/06]

JFO #2256 – Donation of eight (8) All Terrain Vehicles from the Vermont ATV Sportsman's Association to the Department of Fish and Wildlife. The ATV's have an approximate total value of \$44,000 and will be used by the law enforcement unit of the Department.
[JFO received 03/28/06]

In accordance with 32 V.S.A. §5, the requisite 30 days having elapsed since these items were submitted to the Joint Fiscal Committee, the Governor's approval may now be considered final. We ask that you inform the Secretary of Administration and your staff of these actions.

cc: Linda Morse
Kerry Sleeper
Thomas Torti
Wayne Laroche

BUDGET AND MANAGEMENT
TEL.: (802) 828-2376
FAX: (802) 828-2428

FINANCIAL OPERATIONS
TEL.: (802) 828-2311
FAX: (802) 828-2147



STATE OF VERMONT
DEPARTMENT OF FINANCE AND MANAGEMENT
109 STATE STREET
MONTPELIER, VERMONT 05609-0401

TO: Representative Martha Heath, Chair of the Joint Fiscal Committee

FROM: Jim Reardon, Commissioner of Finance & Management

DATE: April 12, 2006

SUBJECT: VASA ATV Donation Acceptance

I am writing to acknowledge a mistake made by the Department of Fish and Wildlife (F&W) in the JFC grant acceptance process. Unfortunately, F&W accepted and has been using eight all terrain vehicles from the Vermont ATV Sportsman's Association (VASA) without approval. Like you, I was unaware that F&W had accepted and begun to use the ATVs and I approved the AA-1. I am extremely disappointed and will work closely with F&W to prevent this from happening again.

The department now understands its error and will take steps to ensure this doesn't happen again in the future. In the past, a lack of communication existed between the F&W business office and departmental employees with better knowledge of grant specifics. Going forward, after the AA-1 form is completed by the business manager, it will be thoroughly reviewed for accuracy by all the affected parties within F&W before beginning submitted.

Please let me know if you have any additional questions or concerns. I assure you that I will do everything in my power to ensure this error does not happen again.

From: Rebecca Buck
To: Obuchowski, Michael
Date: 4/11/2006 7:35:49 AM
Subject: RE: ATVs

Obie: I just wanted to bring you up to date. I've been talking with the budget analyst (Sarah Clark) on the 5th floor to see if we can arrange a face to face with you and Colonel Rooks this week. Our thinking is that he could then talk to you about how he arrived at the \$30/yearly/ATV operating expenditure and also address the enforcement contract.

Then if you are still are not comfortable with this item, you'll know we did best we could to obtain answers. --
Becky

CC: Klein, Steve

From: "Clark, Sarah" <Sarah.Clark@state.vt.us>
To: "Rebecca Buck" <rbuck@leg.state.vt.us>
Date: 4/6/2006 1:14:37 PM
Subject: RE: ATV donation

Jim and I talked about Rep Obuchowski's other questions yesterday. I did get more information from F&W. They have a contract agreement with VASA to provide enforcement services for \$15,000. This contract expired on 12/31/2005. However, they are currently negotiating an agreement with VASA for 2006 for \$30K. These are the operating funds that Colonel Rooks referred to.

Colonel Rooks confirmed his rough estimate of \$30/year to run an ATV. He did research on fuel mileage for ATV's and was unable to come up with anything more concrete. Therefore, \$30/year is his rough estimate of what it costs F&W to run an ATV each year. They are apparently extremely fuel efficient vehicles.

Perhaps a meeting with Colonel Rooks and Rep Obuchowski would help answer any other questions. What do you think?

Sarah

-----Original Message-----

From: Rebecca Buck [mailto:rbuck@leg.state.vt.us]
Sent: Thursday, April 06, 2006 12:27 PM
To: Clark, Sarah
Cc: Steve Klein
Subject: ATV donation

Sarah--

Below is an e-mail I just received from Obie and my response to him.

He is questioning the cost of \$30/year to run one of these ATV's and also questioned who approves the \$30,000 for enforcement from VASA. I mentioned these to you in our conversation yesterday (or was it Tuesday??). If you want a copy of that e-mail with his additional questions, I'd be happy to forward it to you. In any event, I'm not sure who to go thru and decided you might be of help while Obie awaits his copy of the Jim Reardon letter and mulls all this over.
Thanks--Becky:::

Ok. In the meantime I'm following up on the outstanding questions regarding gas and oil figures as well as the additional funding from VASA for enforcement. Will get back to you with that info. --Becky

>>> Michael Obuchowski 4/6/2006 12:00 PM >>>
Still of mind to put on hold. Talked with Jim Reardon yesterday. Waiting for copy of his letter. Still have outstanding questions as explained in earlier email. Thank you.

From: Rebecca Buck
To: Obuchowski, Michael
Date: 4/4/2006 9:49:54 AM
Subject: Re: JFO #2256 questions you asked; the response from F & W

Following a conversation this morning with the budget analyst in Finance and Management, Steve talked with Representative Heath. As a result of that conversation we have asked that Finance and Management Commissioner Jim Reardon talk with you about the status of the above item.

CC: Klein, Steve

From: Michael Obuchowski
To: Rebecca Buck; Steve Klein
Date: 4/3/2006 2:19:08 PM
Subject: Fwd: FW:

Question gas and oil figures. How can the units be in use if not accepted yet by JFC? Where, what and who approves the additional \$30,000 for enforcement from VASA? Thank you. Inclined to put this one on hold unless there are some pretty good answers.

>>> "Yacono, Sher" <sher.yacono@state.vt.us> 4/3/2006 10:58 AM >>>
Representative Obuchowski,

Below is a response from Colonel Rooks to your questions regarding the donation of ATV's. Please let me know if you require anything further.
Thank you.

State Game Warden provide the primary ATV enforcement throughout the state.

The ATV's being donated by VASA will become the property of the Fish and Wildlife Dept. and therefore the maintaince and gas expenses will be ours. These ATV's have 4 cycle motors that are very fuel efficient, I estimate that the fuel cost associated with each unit will be less than \$ 30.00 a year. Unlike a snowmobile, there is little maintenance required for ATV's.

In addition, VASA is providing an additional \$ 30,000.00 to pay expenses associated with ATV enforcement.

In many cases it is more cost efficient to run the ATV as opposed to vehicle patrol.

The life expectancy of an ATV is about 10 years.

The donated ATV's are already in use, see attached photo.

The ATV's are assigned two per supervisory district and shared amongst the warden's. Most often they are in the back of their pickup truck available when necessary.

Please let me know if you have any further questions.

R.Rooks

Col. Robert J. Rooks
Vt. Fish & Wildlife
Director of Law enforcement

Rep. Obuchowski has the following questions regarding JFO #2256 (donation of 8 ATV's to Fish & Wildlife):

1) On the AA-1 Form, item 10 (budget information) states there is no increase in expenditures associated with this donation: what about gas

and maintenance associated with these ATV's?

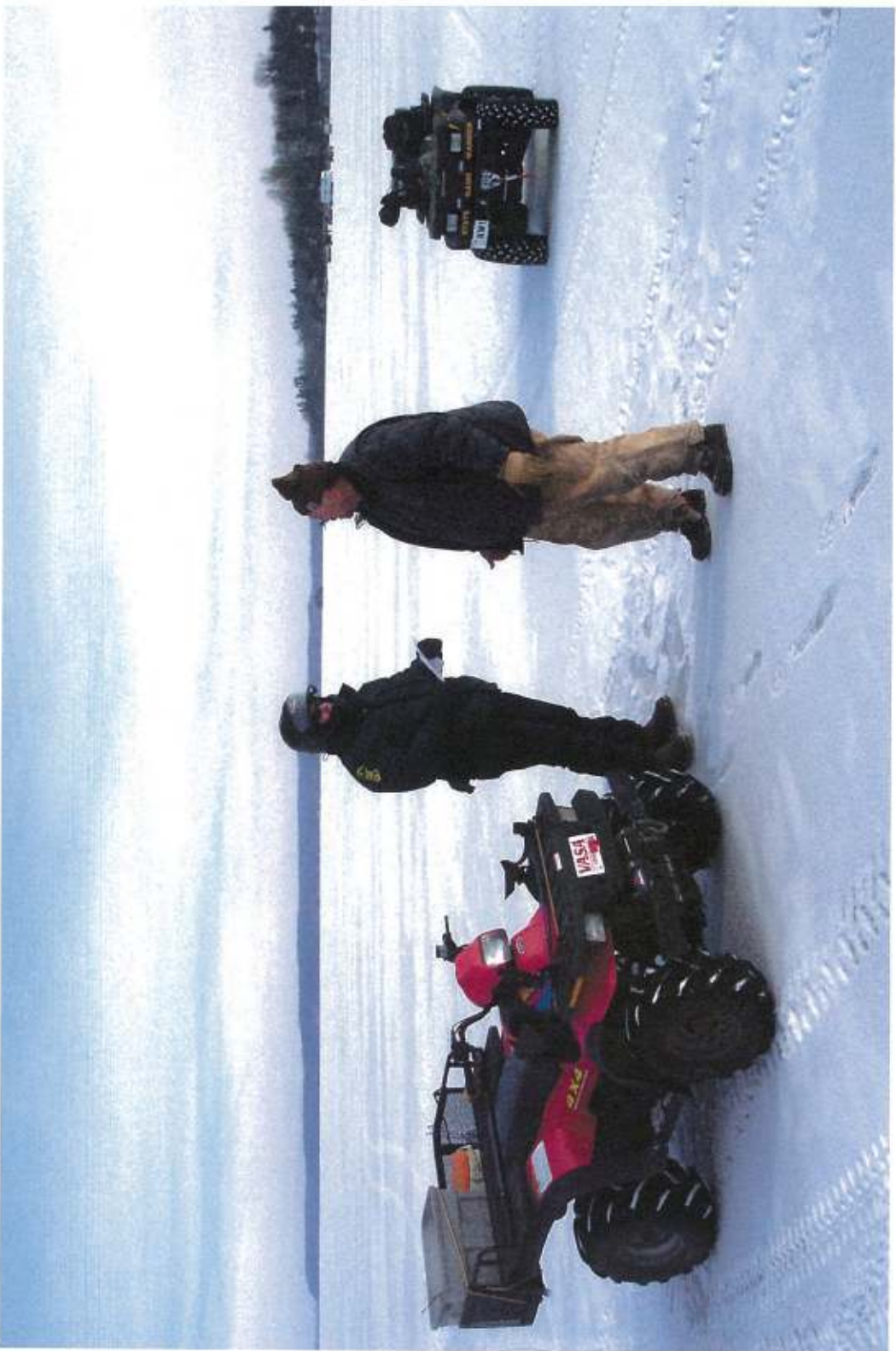
2) How much "new" gas and "new" maintenance is associated with these 8 new ATV's?

3) What is the "life" of these vehicles?

4) Are these ATV's already in use?

5) Where are they or will they be specifically located? At the home of a warden, at a state police barracks?

Please cc me on your response to Representative Obuchowski. Thanks
--Becky



From: Rebecca Buck
To: Yacono, Sher
Date: 3/31/2006 8:41:14 AM
Subject: Questions from Rep. Obuchowski regarding JFO #2256

Rep. Obuchowski has the following questions regarding JFO #2256 (donation of 8 ATV's to Fish & Wildlife):

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- 3) What is the "life" of these vehicles?
- 4) Are these ATV's already in use?
- 5) Where are they or will they be specifically located? At the home of a warden, at a state police barracks?

Please cc me on your response to Representative Obuchowski. Thanks
--Becky

CC: Klein, Steve; Obuchowski, Michael

From: Bill Russell
To: Michael Obuchowski; Rebecca Buck
Date: 3/31/2006 10:03:19 AM
Subject: Re: Regarding JFO #2256 (ATV donation to F & W)

Obie,

The there could be a conflict of interest here. The reason for the law requiring the legislature's approval of grants and donations to the state is to require the legislature to make this determination, not the agency receiving the gift. The legislature may find there is no conflict, or if there is a conflict it is not significant. In any event, under the law the legislature must make the call, and give its permission. But, you know this, I'm sure.

Bill Russell

>>> Rebecca Buck 3/31/2006 9:48 AM >>>

Steve has referred your question regarding "conflict of interest" to Bill Russell. I have supplied him with a copy of my cover memo and the donation submission. Bill will be in touch with you. --Becky

CC: Steve Klein

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To: Rebecca Buck; Steve Klein
Date: 4/3/2006 2:19:08 PM
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Please cc me on your response to Representative Obuchowski. Thanks
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STATE OF VERMONT
JOINT FISCAL COMMITTEE
1 Baldwin Street
Montpelier, Vermont 05633-5701

MEMORANDUM

To: Joint Fiscal Committee Members

From: Rebecca Buck, Staff Associate *RB*

Date: March 30, 2006

Subject: Grant and Donation Requests

Enclosed please find two (2) requests which the Joint Fiscal Office recently received from the Administration:

JFO #2255 – \$394,657 grant from the U.S. Department of Justice, Office of Justice Programs to the Department of Public Safety. These grant funds will be used to upgrade the Vermont Incident Based Report System (VIBRS) network utilized by approximately 80 Vermont law enforcement agencies.

[JFO received 03/28/06]

JFO #2256 – Donation of eight (8) All Terrain Vehicles from the Vermont ATV Sportsman's Association to the Department of Fish and Wildlife. The ATV's have an approximate total value of \$44,000 and will be used by the law enforcement unit of the Department.

[JFO received 03/28/06]

The Joint Fiscal Office has reviewed these submissions and determined that all appropriate forms bearing the necessary approvals are in order.

In accordance with the procedures for processing such requests, we ask you to review the enclosed and notify the Joint Fiscal Office (Rebecca Buck at 802/828-5969; rbuck@leg.state.vt.us or Stephen Klein at 802/828-5769; sklein@leg.state.vt.us) if you would like any item(s) held for legislative review. Unless we hear from you to the contrary by April 13 we will assume that you agree to consider as final the Governor's acceptance of these requests.

cc: Michael Smith, Secretary
James Reardon, Commissioner
Linda Morse, Administrative Assistant
Kerry Sleeper, Commissioner
Thomas Torti, Secretary
Wayne Laroche, Commissioner

INFORMATION NOTICE

The following items were recently received by the Joint Fiscal Committee:

JFO #2255 – \$394,657 grant from the U.S. Department of Justice, Office of Justice Programs to the Department of Public Safety. These grant funds will be used to upgrade the Vermont Incident Based Report System (VIBRS) network utilized by approximately 80 Vermont law enforcement agencies.
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JFO #2256 – Donation of eight (8) All Terrain Vehicles from the Vermont ATV Sportsman's Association to the Department of Fish and Wildlife. The ATV's have an approximate total value of \$44,000 and will be used by the law enforcement unit of the Department.
[JFO received 03/28/06]

To: Becky - 2483
From: Sarah

The Vermont ATV Sportsman's Association, Inc. (VASA) is please to support the Law Enforcement initiative your department has implemented to address the improper use of ATVs on public and private lands and to provide capabilities to patrol the emerging ATV trail system as required. To this end, VASA had procured eight (8) new ATV units for the Department's Law Enforcement Division, and have provided same to your Sandbar Maintenance unit for outfitting for service with your wardens.

Be it known that VASA understands and wholly supports the fact that the ATVs will be used in the routine conduct of the Warden's duties in the field and not solely used for ATV enforcement. We feel that this will be a well used asset for the Wardens and allow them greater rapid mobility in their assigned regions.

All of the appropriate paperwork, including Certificates of Origin will be delivered to your office and are currently being procured by VASA Trails Coordinator Danny Hale.

On behalf of the entire VASA Family of members and officers, I am delighted to be working with you and your Wardens and anticipate that this donation will have broad and profound effects of the capabilities of your team and the compliance with the laws of our state.

Todd D. Sheinfeld
Executive Director
Vermont ATV Sportsman's Association, Inc. (VASA)
Office: (802) 229-2997
Cel: (802) 249-8633
director@vtvasa.org

Post-it® Fax Note	7671	Date	3/30	# of pages	▶ 1
To	SARAH	From	Fonda		
Co./Dept.		Co.	FTW		
Phone #		Phone #			
Fax #		Fax #			

STATE OF VERMONT
GRANT ACCEPTANCE FORM

JFO #
2256

DATE: March 9, 2006
DEPARTMENT: ANR/Fish & Wildlife (F&W)

GRANT/DONATION (brief description and purpose):

This is a donation from the Vermont ATV Sportsman's Association Inc (VASA) of eight all terrain vehicles (ATV's). The ATV's will be used for enforcement activities by F&W's Law Enforcement Unit. If the donation is not accepted, F&W will have to purchase the ATV's using F&W license funds.

GRANTOR/DONOR: Vermont ATV Sportman's Association (VASA)

GRANT PERIOD: N/A

AMOUNT/VALUE: Approximately \$44,000 (\$5,000 to \$5,500 each)

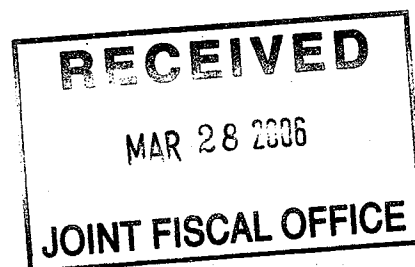
POSITIONS REQUESTED (LIMITED SERVICE): 0

ANY ON-GOING, LONG-TERM COSTS TO THE STATE: F&W will have to pay for the operation and maintenance of the ATV's.

COMMENTS: I recommend approval of the grant.

DEPT. FINANCE AND MANAGEMENT:
SECRETARY OF ADMINISTRATION:
SENT TO JOINT FISCAL OFFICE:

(INITIAL) SL/JS
(INITIAL) MB
(DATE) 3/23/06



STATE OF VERMONT
REQUEST FOR GRANT ACCEPTANCE
 (use additional sheets as needed)

FORM AA-1
 (Rev. 9-90)

1. **Agency:** Agency of Natural Resources
 2. **Department:** Fish and Wildlife
 3. **Program:** N/A
 4. **Legal Title of Grant:** N/A
 5. **Federal Catalog No.:**
 6. **Grantor and Office Address:** Vermont ATV Sportsman's Association Inc.
 P.O. Box 650
 7 East State Street
 Montpelier, VT 05601

7. **Grant Period:** From: N/A To:

8. **Purpose of Grant:** (attach additional sheets if needed)
 VASA has donated eight (8) All Terrain Vehicles (ATV's) for use by the Department's Law Enforcement Unit.

9. **Impact on Existing Programs if Grant is not Accepted:**
 This equipment will need to be purchased using Department License Funds.

10. **Budget Information:**

	(1st State FY) FY 200 6	(2nd State FY) FY 200 7	(3rd State FY) FY 200 8
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EXPENDITURES:

Personal Services	\$	Equipment Donation, No Increase in Expenditures	
Operating Expenses	\$	\$	\$
Value of the Snowmobile	\$	\$	\$
TOTAL	\$	-	-

REVENUES:

State Funds:

Cash	\$	\$	\$
In-Kind	\$	\$	\$

Federal Funds:

(Direct Costs) (Value of Snowmobile)	\$			
(Statewide Indirect)	\$	-	\$	-
(Department Indirect)	\$	-	\$	-

Other Funds:

	\$	\$	\$	-
TOTAL	\$	0	\$	0

Federal funds will be allocated to these appropriation expenditure accounts:

Appropriation Nos.

Amounts

\$
\$
\$

11. Will grant monies be spent by one or more personal service contracts?

YES NO

If YES, signature of appointing authority here indicates intent to follow current guidelines on bidding.

12a. Please list any requested Limited Service positions:

Titles	Number of Positions
None	
TOTAL Positions	0

12b. Equipment and space for these positions:

- Is presently available.
- Can be obtained with available funds.

13. Signature of Appointing Authority

I certify that no funds have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant.

W. A. [Signature] 02/14/06

 (Signature) (Date)
 Commissioner, Department of Fish and Wildlife
 (Title)

14. Action by Governor:

- Approved
- Rejected

[Signature] 3/22/06

 (Signature) (Date)

15. Secretary of Administration:

- Request to JFO
- Information to JFO

[Signature] 3.9.06

 (Signature) (Date)

16. Action by Joint Fiscal Committee:

- Request to be placed on JFC agenda
- Approved (not placed on agenda in 30 days)
- Approved by JFC
- Rejected by JFC
- Approved by Legislature

(Dates)

 (Signature) (Date)

**Department of Fish and Wildlife
Business Office
103 South Main Street
10 South
Waterbury, VT 05671-0501
802-241-3704**

To: Sarah Clark, Budget Analyst
Finance & Management

From: Sherri A. Yacono, Business Manager

Date: February 13, 2006

Subject: AA-1: Donation – 8 ATV's

Please find attached the AA-1 package for the above subject. We have received a donation of eight all terrain vehicles (ATV's) with the approximate cost of \$5,000 to \$5,500 each, for a total donation of approximately \$44,000. These ATV's will be used by our Law Enforcement Unit.

If there are any questions, please call me at 241-3704. Thanks for your assistance.

Sherri

FEB 23 2006

2005 All Terrain Vehicle Inventory

(Donated by VASA)

To: Major David Lecours

From: Warden Curtis Smiley

Date: Feb.06.2006

Subject: ATV VIN Numbers

1. VIN # 4XACD32A55B686967 - CENTRAL DISTRICT
Model Description: ATV-05, MAG 330, 4X4, SILVER
Model: A05CD32AA
2. VIN # 4XACD32A65B409955 - CENTRAL DISTRICT
Model Description: ATV-05, MAG 330, 4X4, SPORTSMAN GREEN
Model: A05CD32AB
3. VIN # 4XACD32A55B686970 - SOUTHERN DISTRICT
Model Description: ATV-05, MAG 330, 4X4, SILVER
Model: A05CD32AA
4. VIN # 4XACD32A05B686763 - SOUTHERN DISTRICT
Model Description: ATV-05, MAG 330, 4X4, SILVER
Model: A05CD32AA
5. VIN # 4XACD32A35B683436 - NORTHWEST DISTRICT
Model Description: ATV-05, MAG 330, 4X4, MOSSY OAK NEW BREAKUP
Model: A05CD32AC
6. VIN # 4XACD32A65B683351 - NORTHWEST DISTRICT
Model Description: ATV-05, MAG 330, 4X4, MOSSY OAK NEW BREAKUP
Model: A05CD32AC
7. VIN # 4XACD32A65B675069 - NORTHEAST DISTRICT
Model Description: ATV-05, MAG 330, 4X4, MOSSY OAK NEW BREAKUP
Model: A05CD32AC
8. VIN # 4XACD32A25B678583 - NORTHEAST DISTRICT
Model Description: ATV-05, MAG 330, 4X4, SPORTSMAN GREEN
Model: A05CD32AB

Clark, Sarah

From: Yacono, Sher
Sent: Wednesday, March 01, 2006 1:35 PM
To: Clark, Sarah

Sarah,

The ATV's are ours! We've got the titles. So please go ahead and process the paperwork for joint fiscal. Thanks!