

Subject: Advice on ACFC conduct

From: Ian Stokes <istokes@gmavt.net>

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To: Daniel Schmidt <schmidt.danielpaul@gmail.com>, Richmond Town Forest <richmondtownforest@gmail.com>

CC: Bard Hill <bard.hill@richmondvt.org>

Good morning Daniel,

I talked at some length yesterday with Bard Hill about several aspects of the ACFC. Overall, he was evidently wanting to ensure that we are all aware of process and procedures, and raised four areas of concern. There have been problems in the past. I did try to assure him that the ACFC members are now well aware of the governance of Town Committees, though it's helpful to review them with all members of the ACFC. I'm copying this to Bard Hill – hoping I've got everything correctly.

1. Open Meeting Laws: Bard emphasized the legal requirement that all business and discussion among a quorum of members must be in the public meeting forum. In practice email communications most commonly raise potential concerns. While developing meeting agendas can be an exception, 'reply-all' or emails addressed to a number of members constituting a quorum are generally an infraction, certainly if they involve discussion. I cited the example of communication of information to ACFC members, such as forwarding an email coming to the RichmondTownForest email address. Such an email to all ACFC members is OK, and we agreed that it should always include a caution such as: "Do not use 'reply-all' or write other responses to this email that would constitute non-public discussion among ACFC members".

We also noted that the ACFC should not hold an Executive Session except within the specific constraints identified in State Law.

2. Financial Management: All expenditures must be made via the Town administration – the ACFC cannot authorize financial transactions, contracts, etc. on its own. Problems have occurred in the past.

3. Zoning for development in the Andrews Community Forest: It has been clear for some time that any 'development' within the Forest must be in accordance with Town and any other regulations, and overseen by the DRB. Precedents in other Towns, and precedents not complying with Richmond's Zoning and other regulations must not be used to justify future actions.

4. Trail construction: Bard raised the case of the Dana's Climb trail. This was evidently constructed without the required oversight, and such actions can have serious consequences. I noted that I have questioned its status during ACFC meetings, and I have not been able to find any record of the origins of this trail. ACFC members should be made aware that correct procedures must be followed. Bard also mentioned that our maps ought to show existing trails etc. including the former VAST trail and forestry roads (as is now the case).

After covering these four issues I emphasized that I and others very much appreciate the Select Board engagement with the ACFC, especially the very helpful joint meeting held in August and interactions between the Committees, Conservation Commission and Select Board since then. And I thanked Bard

for initiating yesterday's phone call.

So we, as co-chairs should ensure that these matters are brought to the attention of all ACFC members, even though we probably now already recognize them.

Ian