



NATURAL RESOURCES BOARD
Dewey Building
National Life Drive
Montpelier, Vermont 05620-3201

NATURAL RESOURCES BOARD MEETING
Tuesday, December 9, 2014
MINUTES

PRESENT

Ronald A. Shems, Esq., Chair
William Boyd Davies, Esq., Member
Martha (Marty) Illick, Member
Don Sargent, Member, (participated by telephone)
Gail Fallar, Alternate Member, (participated by telephone)

STAFF

Lou Borie, Executive Director
Melanie Kehne, General Counsel
Peter Gill, Associate General Counsel
Greg Boulbol, Associate General Counsel, (participated by telephone)
Aaron Brondyke, Permit Compliance Officer
Kimberley Lashua, Administration Manager
Donna Seckington, Administrative Secretary

ALSO ATTENDING

Kate McCarthy, Sustainable Communities Director, Vermont Natural Resources Council
David White, President at White & Burke Real Estate Investment Advisors, Inc.

The Vermont Natural Resources Board convened at approximately 9:34 a.m. on Tuesday, December 9, 2014 at the Dewey Building Conference Room, National Life Drive, Montpelier, Vermont; Chair Ron Shems presiding. Chair Shems welcomed everyone to the meeting and introduced everyone.

1. Approval of Minutes

Bill Davies moved to approve the minutes of the November 18, 2014 meeting as printed with no correction. The motion was seconded by Marty Illick and approved by the Board by a 4-0-1 roll call vote:



Ronald A. Shems, Esq., Chair - Yes
Bill Davies, Esq., Member - Yes
Marty Illick, Member - Yes
Don Sargent, Member - Yes
Gail Fallar, Alternate member - Abstained

2. Office and Budget Update

Lou Borie gave a brief budget update. Due to a further revenue shortfall, the Administration has asked Agencies to further reduce their FY15 budgets and our additional reduction is \$13,000. NRB is looking to further reduce the FY15 savings in telephone, computers, meals, travel and mediation and that would save about \$13,000.

3. Update to Criterion 9(L) Procedure - Discussion and Action

Melanie Kehne provided an overview of possible revisions to the Criterion 9(L) Procedure. Staff will continue to work on the language to address concerns raised by some commenters. This is a work in progress.

No action was taken.

4. Master Plan/Partial Findings – Discuss Draft Rule and Comments

Lou Borie and Peter Gill reviewed comments received on the draft rule. The Board heard additional comments from David White. The Board directed staff to make any necessary changes to the draft rule for review at the next meeting.

5. Act 250 Rules – continue reviewing possible amendments

Melanie Kehne gave an overview of the possible revisions to the Act 250 Rules. Kate McCarthy and David White also provided comments. The Board instructed staff to revise the rules draft, including deletion of the draft rule defining “contributes to” for Criterion 9(L). These suggestions will be incorporated into the next draft. A telephone meeting is tentatively set for December 16 for a vote to commence rulemaking.

6. Appeals, enforcement, litigation and attorney-client privileged or work product memoranda (Executive Session)

The Board did not go into executive session. Greg Boulbol gave an update on the recent trial on the Killington Master Plan appeal, which he attended on behalf of the Board.



7. Action on Pending Appeals and Enforcement Matters

No action was taken.

8. Other Business – Scheduling

The Board discussed its next meeting scheduled for December 16, 2014 to discuss and vote on commencing rulemaking on revisions to the Act 250 Rules, including Rule 21 on Master Plans and Partial findings. The December 16 meeting will be by phone conference. Arrangements will be made to warn the meeting and provide for public participation and attendance.

9. Adjournment

At approximately 11:28 a.m. Bill Davies moved to adjourn. Marty Illick seconded the motion, and it was approved by unanimous roll call vote:

Ronald A. Shems, Esq., Chair - Yes
Bill Davies, Esq., Member – Yes
Marty Illick, Member – Yes
Don Sargent, Member - Yes
Gail Fallar, Alternate Member - Yes

Respectfully submitted,



Ronald A. Shems, Esq., Chair

Approved by the Board at its December 16, 2014 meeting.