

MISSISQUOI VALLEY SCHOOL DISTRICT TRANSITION BOARD (MVSD)
MEETING MINUTES
MISSISQUOI VALLEY SCHOOL LIBRARY
March 25, 2019
6:30 PM

Present: Transition Board members: Board Chairperson, Chris Shepard (Highgate), Board Clerk, Terri O'Shea (Swanton), Don Collins (Swanton), Bob Berger (Franklin), Devin Bachelder, (Franklin), Steve Scott (Highgate), Denis Boucher (MVU), John Ho (MVU)

Others Present: Julie Regimbal, Superintendent of Schools, Pierrette Bouchard, School Board Secretary, and Channel 15/16 cameraperson. Community Members Jay Denault, Eric Beauregard, Ty Choiniere, Paulette Tatro

Call the Meeting to Order-Julie Regimbal called the meeting to order at 6:33pm.

Board Organization

Julie Regimbal, Superintendent requested nominations for the board chair. John Ho asked if anyone was interested? Don Collins moved, seconded by Terri O'Shea to nominate Chris Shepard as the board chair. The motion was approved on 8-0 vote. Chris asked for vice-chair nominations. Don Collins moved, seconded by Denis Boucher to nominate John Ho as the board vice chair. The board approved the motion 8-0 vote. Chris requested nominations for the board clerk. Denis Boucher moved, seconded by Steve Scott to nominated Terri O'Shea. The board approved the motion 8-0 vote.

Public Comments- None at this time

Name the District

Julie reported that the surveys came in strong for the name Missisquoi Valley School District. The transition board can finalize this as the name of the new unified district. Denis Boucher moved, seconded by Devin Bachelder to name the new district Missisquoi Valley School District. The board approved unanimously.

Articles of Agreement

The board reviewed the Articles of Agreement recommended by the Franklin Northwest Amendment Committee. Denis commented that they did not need articles 8 and 9 from the default agreement so they are omitted in the revised articles. The amendment committee spent a lot of time coming up with final draft that came out of the committee. Jay Denault stated that at the organizational meeting the electorate voted to revisit all the

articles that were passed over to be included in their vote. Denis asked what articles did we need to revisit? Jay replied that he got two legal opinions to include the articles. He stated that the articles should be warned individually including the articles that were passed over by the committee. Bob thinks that we should consider warning the articles individually on their own warnings. Jay prefers that they do vote on all of the articles all at once. He would advise the committee to check the statutes. Have the other articles that were passed over voted on. The default articles are imposed upon us unless we can amend specifically by article. If we vote to approve the articles all at once and the outcome is not positive, then the default articles will come into place. The default articles are imposed upon us unless we vote on an amend articles. Julie said that her legal opinion states that they can vote on all of them at once. Devin Bachelder and John Ho expressed their view against voting a la carte and felt that they should be voted all at once. Devin said that the articles were put together as a comprehensive package and should vote all at once. They expressed concerns about having confusion, having some positive and no votes resulting in a mix of articles moving forward and then does the default articles take the place of the articles that are defeated?

Bob stated that the committee voted on the articles of agreement as a whole. We did not see a need to protect transfer of the property protections because it is covered by the school closure article. Jay wants to include the articles that were passed over. The electorate at the organizational meeting voted to do so on his motion that took place at the end of the meeting. These articles need to be identified. Julie Regimbal explained that the people voted with the understanding it was a straw poll. Jay said it is the duties of the transitional board to warn these and his motion was binding. He asked JP Isabella at the Secretary of State's office and he agreed with Jay that it was a binding motion. Jay wants the board to act on the articles that were passed over by the committee. He said his motion was consistent with Robert's Rules. The electorate gets to review them and approve them. Don Collins pointed out that 75% of the electorate had left to go home when Jay made the motion. Jay said that it was germane to the discussion at hand and the legal opinion he received was that this was a legal vote. Bob Berger said that the moderator clearly stated that this was a straw poll and an advisory vote. Denis is very comfortable that the board's task is to talk about the final draft before them. Jay said that the board is being asked for the board to present the articles that have been passed over. The guidance received is that it is this body's authority to warn the articles of agreement. Chris Shepard

suggested moving forward with the articles before us. There is a possibility of a year delay. What is our timeline if there is a vote to delay? Julie explained that we have until July 1, 2019 for implementation of the articles and if there is a delay, the proposed legislation would implement them the following year on July 1, 2020. Jay asked why can't we ask the voters to approve each one? He recommended that the board review the law. Chris asked the board if they wanted to go over each article individually or approve them as a whole? Jay continued to state that some articles were missing and should be reviewed. The board asked him to state what articles were missing. Jay referred to the articles that he had brought forth to the amendment committee during the committee meetings. The articles that were missing are: Transfer of forming district real estate, budget disbursement tax rate, Indebtedness reserve fund and withdrawal of a union school district. Chris asked again if the board wanted to review the articles on hand individually or as a whole? *John Ho moved to approve the amendment committee draft of the articles of agreement, seconded by Bob Berger.* Discussion. Don Collins asked on the closure article why does the board have to be involved if moving all grades to another school would be considered closure and so would be subject to the protections identified in Article 4b. He is bringing the concern from someone in the community about a $\frac{3}{4}$ board vote. Julie explained that the board has the authority to decide whether or not to warn that. Devin added that with a $\frac{3}{4}$ board vote, that at least a board member from that town would need to vote for the closure before it can move forward. John believes that this puts in place a check and balance. Don Collins and Terri O'Shea both disagreed with the $\frac{3}{4}$ board vote and felt it was too high a bar. Jay pointed out that Franklin will incur an increased tax rate as a result of this merger and with taking on Capital Debt as in Article 5 Indebtedness, Including Capital Debt, it will climb even more. Terri noted that Article 9 also includes a $\frac{3}{4}$ vote by the board. Chris asked when does the board want to put these articles of agreement up for a vote? The initial board will meet for the first time on May 1st. Bob expressed his concern with the pending lawsuit and if we bring these articles to the electorate and if we vote for them, then we are consenting by voting to merge. These articles are better than the default articles. The legislature is proposing a delay to be decided by the elected board. He felt it was in the best interest of the communities to wait. Denis stated that we can approve it now, otherwise, it will fall under the elected board's jurisdiction to approve the articles of agreement. Julie stated that at such time when the articles pass, than the elected board could appoint the extra three board members to fill the additional three vacancies. If the board wishes, we could wait for the budget vote in June to approve the

articles of agreement. Denis expressed concern that the longer we wait, that they could get voted down. Jay stated that the public wants the next three board members to be voted in. Jay continued to insist on adding his articles and that it was a legal motion and not a straw poll. Several board members stated that the Moderator clearly stated that it was a straw poll. Don Collins stated that if there was to be a decision, that a legal opinion would lean with the Moderator's call of a straw poll. John wants to move forward the articles that the Articles Amendment Committee worked so hard for. Eric Beauregard suggested adding three names to the article to elect board members in case the nine member board article passed. Julie stated that the deadline to submit signed petitions was today. Bob suggested adding to the article only in the case of an imposed merger. The board voted 8-0 in favor of the Articles of Agreement as presented by the Amendment Committee.

Warn the District Board Members Election

The board discussed setting an informational meeting date. The board decided to have two informational meetings. They needed one of the informational meetings to be within ten days of the voting day on April 30th. Swanton will be meeting on April 17th and MVU on April 18th. The week before the April 30th vote is school vacation and Julie will be at a conference on the first several days of the week before. After contemplating several dates, the board decided to have one of the informational meetings on April 27th at 10am at MVU. After eliminating many evening dates, the board chose April 15th at 6pm at MVU for the second informational meeting. April 15th is not within the ten days of the voting day but as long as they met the requirement of one informational meeting within the time frame, they felt it was important to have a second opportunity to inform the communities. Franklin was having their informational meeting on April 16th for their local budget vote at the town school on April 30th. The board reviewed the warning. Julie spoke to Wendy about having another voting location besides the school as they did not want to close schools for a second time this year. Ty Choiniere offered that they could have it at the Highgate Arena because Highgate's town clerk office does not have the parking available for the community. He asked if all of the Articles of Agreement needed to be on the warning and the ballot? He thought that the articles of agreement could be available for people perhaps in the voting booth. The board talked about how to re-word Article II on shall the voters of the Missisquoi Valley School District replace the Articles of Agreement imposed by the Agency of Education State Board order with the following Articles amended by the Missisquoi

Valley School District Board. Bob proposed the following " in the case of a Missisquoi Valley School District forced merger, shall the voters replace the default Articles of Agreement imposed by the Agency of Education State Board Order with the following Articles Amended by The Missisquoi Valley District board (for reference the articles below). Should this pass, this article does not imply consent of a forced merger". The board wants to seek a legal opinion on whether all of the articles need to be on the ballot or whether it can be attached or available at the voting booth. Terri O'Shea moved, seconded by Bob Berger to approve the revised warning as Bob proposed above for the April 30th vote with an informational meeting on April 27th at 10am at MVU and adding the April 15th informational meeting at 6pm at the MVU Library. (The board stated that Julie should get the article wordsmith by legal counsel and add the second informational meeting to the warning if legal.) The board voted 8-0 to approve the motion.

Future Meeting Agenda and Dates

Julie explained that it is the transition's board's responsibility to prepare the merged budget and have it ready so that after the election of the initial board, the newly elected board can approve the merged budget and have it ready to be warned immediately at their first meeting. The time line is going to a June 4th date for a budget vote. Terri O'Shea requested a copy of the Highgate, MVU, Swanton and Franklin's expenditure budgets prior to their next meeting date where they will be working on a merged budget. Things that were important to each board is included in the budget. Someone suggested changing the next April 3rd SU Board meeting into a transitional board meeting to be held in Franklin starting at 6:30pm. They will be working on the merged budget. Julie will prepare a preliminary checklist for the work that needs to be completed, an overview of what needs to be done. The board decided to meet the following week on April 10th at 6:30 pm as well.

Next meeting dates: April 3, 2019 in Franklin and April 10th in Highgate at 6:30 pm.

Adjournment

Denis Boucher moved, seconded by John Ho moved to adjourn at 8:47pm. The board approved 8-0 vote.

Respectfully submitted,

Terri O'Shea, Board Clerk

Submitted by Pierrette Bouchard, School Board Secretary