



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

**NATURAL RESOURCES BOARD**  
**Minutes of the Monthly Meeting of the Board**  
**TUESDAY, June 14, 2016**  
**9:00 am**

**Location of Meeting:**

NRB – Dewey Building  
1 National Life Drive  
Montpelier, Vermont 05620-3201

**Present at Meeting:**

**Board Members**

Diane Snelling, Chair  
Dominic Cloud, Member  
William Boyd Davies, Esq., Member  
Martha (Marty) Illick, Member  
Don Sargent, Member

**Staff**

Lou Borie, Executive Director  
Gregory Boulbol, General Counsel  
Peter Gill, Associate General Counsel  
Aaron Brondyke, Enforcement Officer  
Kimberley Lashua, Administration Manager  
Jessie Davignon, Legal Technician  
Mack Jones, Legal Intern

**Absent from Meeting:**

Alexandra Pastor, Program Technician

The regular meeting of the Natural Resources Board was called to order at 9:03 AM on June 14, 2016 at NRB – Dewey Building by Diane Snelling.

**I. Approval of the Minutes**

The minutes of the previous meeting were distributed prior to today's meeting for review. A motion to approve the minutes of the Tuesday, May 10, 2016, meeting was made by Bill Davies, with the following five corrections:

- On page 2, section 2. First paragraph, line 1, reads "Diane opened." remove the word "opened."
- On page 2, section 2. Second paragraph, line 1, insert "the" between "that Economic."
- On page 2, section 3. Second paragraph, line 3, replace the word "it" with the word "was."



- On page 3, section 4. Second paragraph, line 2, replace the word "resumed" with "consideration of."
- On page 3, section 5. Second paragraph, line 3, replace the word "defining" with the word "developing."

The motion was seconded by Diane Snelling (as ratified at the 7/12/16 board meeting) and was unanimously approved.

## **II. Opportunity for public comment on non-agenda items**

No attendees from the public were present at today's meeting.

## **III. Criterion 9F – Corrected CBES Stretch Guidelines**

Pete Gill informed the full Board that a minor error was discovered in the CBES Stretch Guidelines. With the assistance of the Department of Public Service, the error has been corrected and the revised version of the CBES Stretch Guidelines and 9F Procedure was approved by the Chair of the Board. Bill Davies made a motion to ratify the Chair's decision to approve the revised version of the 9F Procedure and CBES Stretch Guidelines. Marty Illick and Dominic Cloud seconded the motion simultaneously and the Board approved the motion unanimously.

## **IV. NRB, Office, and Budget Updates**

Lou Borie introduced the Board's summer legal intern Mack Jones from Vermont Law School, and welcomed Tanya Davis to the staff in Springfield.

Budget: Staff are preparing to close out the current fiscal year. The Board appears to be on target to meet its Special Fund revenue goal.

## **V. The Process of Entering Executive Session**

Greg Boulbol and Mack Jones discussed the appropriate motions required for entering executive session.

Bill Davies asked them to clarify the distinction between executive session and deliberative session. Greg and Mack agreed to draft a clarifying memo for the Board's next meeting.

Moving forward, Diane asked the attorneys to remind the Board of the appropriate protocol for entering executive session. The Board agreed to list cases that will be topics of discussion at executive session on future Board meeting agendas.

## VI. Executive Session

Dominic Cloud made a motion finding that premature disclosure of discussions regarding the Snyder Taft Corners and True North Wilderness appeals would clearly place the Board at a substantial disadvantage in accordance with 1 V.S.A. Section 313(a)(1) and (6). Motion seconded by Don Sargent and unanimously approved.

Dominic Cloud made a second motion to receive legal advice while in executive session. Don Sargent seconded, and the motion was unanimously approved.

The Board came out of executive session at 10:02 am with an amendment to the Second Motion, ***to invite all Staff to stay during executive session***, which was unanimously approved.

## VII. Other Business


Diane Snelling gave an update on the upcoming Commission trainings. She also discussed deliberative discussions which will be set at our already scheduled Board Meetings.

An Amicus Brief has been filed by the State of California with regard to the analysis of property ownership for regulatory land use purpose, and the State of Vermont was asked to sign on. The Vermont Attorney General's Office sent a copy of the brief to the Board to review and provide feedback. Greg Boulbol is reviewing this brief on behalf of the Board.

Bill Davies requested that a copy of the brief be sent to the Board Members, and made a motion to advise the Chair to notify the AG's office of the NRB's position on the brief. The motion was seconded by Marty Illick and unanimously approved.

The meeting was adjourned at 10:13 AM by a Motion of Bill Davies and seconded by Marty Illick. All unanimously approved.

Respectfully submitted,

  
Diane B. Snelling, Chair

Approved by the Board at its July 12, 2016 meeting.

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