

WEEKLY REPORTS

Checklist
11/14/14

Elizabeth Miller/Alyson Richards

- ☒ Agency of Commerce and Community Development – Patricia Moulton
- ☐ Department of Labor – Annie Noonan
- ☒ Department of Financial Regulation – Susan Donegan
- ☒ Agency of Education – Rebecca Holcombe
- ☒ VT Commission on Lottery – Greg Smith

TBD

- ☒ Agency of Transportation – Brian Searles
- ☒ Agency of Human Services – Harry Chen

Sue Allen

- ☒ Agency of Agriculture – Chuck Ross
- ☒ Agency of Natural Resources – Deb Markowitz
- ☒ Public Service Department – Chris Recchia

Sarah London

- ☒ Department of Public Safety – Keith Flynn
- ☒ Agency of Administration – Jeb Spaulding

Susan Spaulding

- ☒ Boards and Commissions – Susan Spaulding
- ☒ Department of Liquor Control – Mike Hogan

To: Governor Peter Shumlin
From: Patricia Moulton, Secretary - Agency of Commerce and Community Development
Date: November 14, 2014
Re: Weekly Report

PATRICIA MOULTON, SECRETARY:

Just returning home from vacation but I have the following from before I left.

Kitchen Cabinet: Randolph: I held my third “kitchen cabinet” meeting with business from central Vermont and the Upper Valley. Attending were representatives of SBE, Rock of Ages, Agrimark, Wall Goldfinger, Gifford Hospital, GW Plastics, Bear Code, North Hartland Tool and VTC. Being the day after the election, much of the focus was on health care, permitting, workforce, energy and Mike Howe from Bear Code has an issue with the BGS contracting system which I will address to Obie. Again, I was hearing the “death by a thousand cuts” referring to the unknown of health care costs, bills that on the surface seem fine but together adds up to real money (paid family leave, minimum wage, property taxes). Health care was a large focus with some feeling Vermont is “too small a laboratory for us to try this.” There was general consensus that the costs is the biggest concern. Ed Sawyer of SBE was particularly clear he is adding people in Colorado because “the costs of hiring an employee is stable there, unlike here.” He was clear if we have a combined system of payroll and income tax, he will have to pay his folks more to make up for the income tax hike. That will create a differential in his costs of hiring folks in Vermont vs. Colorado or China and Vermont will likely lose. “Universal health care is a good idea but should be pursued nationally” was what I heard from Ed and others. Tom Johansen of GW used the freight train metaphor for health care. When I asked which freight train did they perceive as worse, the one already on the tracks with annual increases and uncontrolled costs, or single payer, the overall agreement was single payer. Several asked about how we are doing on the cost containment side as the Governor was very vocal that we would contain costs before we financed the system. Several concerns for attracting young people to Vermont and the need for a “tech ecosystem” that supported business and professionals to move and remain here. Suggestions were we create a campaign to advertise Vermont jobs out of state. I explained “Great Jobs in Vermont” and pointed them there. However, some advertising dollars for “Great Jobs” would enable us to target certain areas. They also spoke of the need to get more kids in to STEM studies and professions. Also heard complaints about how a single person, be they a neighbor or a state employee, can hold up the permitting process. This stems from Gifford’s prime ag soil issues in Randolph. All were appreciative of the time to speak and be heard.

LUCY LERICHE, DEPUTY SECRETARY

- **Vermont Digital Economy Project:** Lucy participated in a discussion with Ted Brady of USDA RD, Chris Saunders of Senator Leahy’s office, Mark Snelling of the Snelling Institute, Christopher Kaufman-Ilstrup from the Vermont Community Foundation, and Paul Costello from the Vermont Council on Rural Development. This successful EDA funded project included activities ranging from web-based technical assistance for businesses, municipal websites, creation of downtown Wi-Fi zones, and community-based electronic communications systems. The group reviewed accomplishments of the project, inventoried work that remains unfinished, and discussed potential resources for continuing this important rural economic development work.
- **Joint Fiscal Committee:** Lucy gave the committee an update on progress in implementing the Vermont Strong Scholars Program, including a number of legislative changes that we will be recommending in the upcoming session, to which Lucy heard no objections.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Lisa Gosselin, Commissioner

- **Silo Busting: Vermont Roots Migration Project Presentation:** Hosted a “Lunch & Learn” event at ACCD on 11/7 to allow Richard Watts, Cheryl Morse and Jill Hagerty of UVM’s research team to present finding from their recent survey on why Vermonters stay or leave the state. Guess what the #1 reason for staying or returning was? Job – no. Family – sort of... ANSWER? Our working landscape! The findings, culled from more than 3000 participants provide valuable insights. Will work with the team to see how State can help expand and create a

longitudinal study. 58 percent of respondents also agreed to be contacted again so will work to see if “leavers” may be added to Great Jobs outreach list. Participants included representatives from all ACCD departments as well as Aly Richards and participants from other agencies. For more, visit <https://www.uvm.edu/~cemorse/VTRoots/VTRoots.html>

- **Woodstock Digital Festival:** Attended second annual Woodstock Digital Festival on 11/7 hosted by David McGowan (an investor in Yonder) at the Woodstock Inn. The event brought together pioneers in digital storytelling from around the country, including Vermont presenters Yonder, StoryHack, Game Theory and others. McGowan’s vision is to grow the event into the “Sundance” of digital media. Will work with him and others to promote the event to out of state participants.
- **Communications:** Lisa was guest on Vermont Edition on 11/6 talking about how advanced manufacturing has changed and what career and training opportunities are there now. Discussed Vermont Training Program, companies that are hiring (IBM, Mack, GW, etc.), Great Jobs in VT, Vermont Strong Scholars, Manufacturing Day, Career Week, Universal Pre-K and how it will help women get back into the work force. Also edited and, with the help of Laura Peterson, sent out press releases on EB-5’s recent IIUSA award and PTAC’s amazing 300% growth. Lisa will be working more closely with each DED program on a rotating basis to create a communications plan and do releases and target media in the following 8 weeks.
- **Vermont Banking Association:** Lisa spoke to the Vermont Banking Association on 11/12 on the goals established in CEDS and, in particular, how to attract greater investment to Vermont and increase flow of capital to emerging businesses. Asked for volunteers from VBA to serve on 2015 CEDS committee.

BUSINESS SUPPORT ♦ Ken Horseman, Senior Economic Development Specialist

- **Expotech – Montpelier:** The final session with eight companies was held to hear their presentations of the export plans developed over the past three months. The companies worked hard and feedback has been overwhelmingly positive. The program also was featured in a story in this month’s *Vermont Business Magazine*. Congratulations to all the partners that worked so hard to make it work.

FINANCIAL SERVICES ♦ Dan Towle, Director

- **National Workers Compensation & Disability Conference:** Dan will be attending this conference next week in Las Vegas, Nevada. This is the first time in several years that Dan will attend this event. The State of Vermont exhibited at this conference for several years before the conference was moved to another time that conflicted with World Captive Forum. The conference has now been moved again and Dan will be analyzing if it makes sense for the State of Vermont to exhibit at this conference. Workers Compensation insurance is the most common line of coverage in a Vermont captive.
- **Pro Group Captive Management Services:** Dan has been working with this Nevada based captive manager about possibly setting up a Vermont Office. Pro Group has been very active in Nevada and Arizona and is considering expansion possibilities. Dan plans to meet with them next week while in Las Vegas to continue this conversation with other members of Senior Management.

VERMONT EB-5 REGIONAL CENTER ♦ Brent Raymond, Director

- Becky Fu met with South Korean Consulate General.
- Sehyung Lee, Intern with the Department, attended a dinner at UVM to honor South Korean Consulate General.
- Becky Fu completed final logistical prep for MEDICA, and is currently in Dusseldorf, Germany attending MEDICA with Vermont companies who received grants via SBA STEP III and VGTP.
- Brent Raymond assisted Arrow Tech Associates with a Quebec border declaration and tariff issue by placing him in direct contact with Quebec government officials.
- Brent Raymond has been in daily communications with the principles of Timber Creek at Okemo and their counsel at Mintz Levin regarding required materials for review of their potential EB-5 project.
- Brent Raymond has been reviewing Tata Harper legal offering documents and communicating with potential broker/dealers who could assist them with marketing their project if approved.
- Brent Raymond wrote a press release regarding the VT EB-5 RC receiving a national award from IIUSA.
- All of Jay Peak’s projects are still under weekly reporting requirements.
- Seldon Technologies is still under weekly reporting requirements.

VERMONT TRAINING PROGRAM ♦ Beth Demers, Director

- **SSW Erectors:** The company has expansion plans that are about two years away. In the shorter term they are seeking assistance with employee training relating to new quality standards that go along with a crucial certification which will allow them to compete in new markets. Beth will work with Carl on a Vermont Training Program application draft.
- **Super Thin Saws:** The company is considering some vertical integration and possible new markets. Beth and Jess gave an overview of the Vermont Training Program changes and talked through several scenarios for applications. John and Dave will work internally to identify the appropriate project for VTP employee training funding and work with Beth on a draft application.

VTP Applications

- The VTP recently approved a grant for a consortium of Upper Valley businesses to complete their apprenticeship program.
- Beth is currently working with CX Associates (Burlington), Mansfield Heliflight (Milton) and Fab-Tech (Colchester) on draft applications.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT: Commissioner MacKay and Deputy Commissioner Hollar: Commissioner MacKay

- **CDBG-National Disaster Resilience Challenge:** Interagency team met to lay out the next steps for the grant. The team reviewed recommendations from previous reports to see if there was a nexus between the identified unmet needs and any of the report recommendations; discussed potential partners; received an update of conversations with Rockefeller and laid out next steps. The team will send any project ideas that has been communicated in recent months and or individuals/organizations that have expressed interest. Noelle will consolidate and forward to the team so we can review all project ideas and follow up with potential partners. A meeting with Secretaries/Commissioners from other agencies has been set up in early December to provide an update and get their feedback. Noelle also met with Stuart Comstock-Gay from the VT Community Foundation and Gay Symington from High Meadows Fund to discuss the CDBG-NDR competition and discuss the potential for their involvement with the proposal.

Deputy Commissioner Hollar

- **Vermont Affordable Housing Coalition:** Attended the monthly meeting of the coalition at which it discussed its legislative priorities for the upcoming session. In addition, Julie Lowell, Ph.D., formerly of COTS, presented research on the well-being of formerly homeless families three years after they have secured housing. Findings of particular interest were the importance of their relationship with their landlord and their eagerness to “give back” to their community once their lives has stabilized.
- **Hardwick:** Along with Nathan Cleveland and other funders, joined the residents of the Maple Street affordable housing project in Hardwick for lunch. The event was designed as a thank you from Housing Vermont and the Lamoille Housing Partnership for the residents’ patience during the extensive rehabilitation of the property just completed. With VCDP funds among others, HVT and LHP purchased this 16-unit privately-owned property, made extensive energy improvements, made it perpetually affordable and preserved the federal rental subsidies.
- **Farm Labor:** Continued to support an effort led by Diane Bothfeld of the Agency Agriculture, Food & Markets to address wage and housing challenges faced by Vermont’s farm laborers, particularly those from other countries. With Josh Hanford, attended the most recent meeting to discuss educational materials and potential funding sources for improvements to migrant housing.

COMMUNITY PLANNING & REVITALIZATION ♦ Chris Cochran, Director

Partnerships

- **Natural Resources Board:** Chris provided an overview of the state’s designation programs at the group’s annual meeting. The presentation set the stage for a subsequent discussion among the District Commissions on their application of the new Act 250 criteria intended to limit new strip development outside existing settlements, known as 9(L). In related news, two projects plan to use Act 250’s new expedited permitting process for designated downtowns. This change to Act 250 aims to encourage more downtown development by reducing the time and cost of state permitting in these areas.

- **Vermont Planners Association:** The association celebrated its 25th anniversary at their annual meeting at the Shelburne Museum. On behalf of the Department, Faith attended and accepted VPA's 2014 Project of the Year Award for the Vermont Downtown Action Team (VDAT). The project used Federal Disaster Recovery (CDBG-DR) funds to conduct multi-day design workshops to identify a range of ideas to improve the vitality and resiliency of eight communities recovering from the 2011 floods – Barre, Brandon, Brattleboro, Northfield, Waitsfield, Warren, Waterbury and Wilmington.

HISTORIC PRESERVATION ♦ Laura Trieschmann, State Historic Preservation Officer

- **Bennington Fun Fact:** The 1952 elevator at Bennington Battle Monument has made 9,445 trips up and down each year (from April to October). That is an average of 48 trips a day or 6 trips an hour for the 198 days each season the site is open. Well done Otis Elevator Company! The 62-year-old elevator is set to retire in the next two years.
- **Art at the Kent Museum:** Laura met with Hannah Dennison and Olivia Gay to discuss the details related to their exhibit at the Kent Museum this coming spring. The partnership is resulting in donated time and money to repair the front door, tune the piano, and paint the ballroom banquettes. Their active exhibit will have dancers, music, and participatory artworks. It will be open from June 12 to 21. We are most excited and thankful for the donated efforts and thrilled this highly significant building is being used and loved by Vermonters. Also a great thank you to Olivia, the granddaughter of Louise Kent who donated the property, for assisting with the winterizing of the building.
- **DHP Capital Construction Documents:** Laura and Judith prepared the Capital Construction 10-year Planning Documents, which were submitted to BGS on the 12th. The projects included Major Maintenance and Conditions Assessment Reports for the care of our Historic Sites; the Stabilization Fund that allows for deaccessioning of sites that do not meet our mission; our fabulous Historic Preservation and Barn grants that aid in the restoration of significant resources statewide; the Underwater Preserves in Lake Champlain; Unmarked Historic Burials; Roadside Markers; and an elevator for the Bennington Monument.

State Archaeologist

- **Bones Discovered in Burlington:** It was determined that the bones were not human, though the exact species of animal from which they derived could not be determined. It is possible that the bones represent the remains of a pet burial. Based on these findings, Jess concluded that the state does not have any additional archaeological interest in the matter.
- **VCNAA Hearing:** On Wednesday, Jess attended the Vermont Commission on Native American Affairs public hearing on the resubmission of Koasek Traditional Band's application for state recognition. Several members of the public spoke on issues surrounding the application, including the applicant's name, its spelling and its specific uses. Questions were asked of the applicant tribe's representatives, and it was announced that there would be a thirty day written comment period on the recently submitted scholar's report.

State Architectural Historian

- **Vermont College of Fine Arts, Montpelier:** Devin and Jamie met onsite with Bill Kaplan, Senior Vice President, and Jay Ancel, architect, to discuss proposed projects on the campus. They are subject to review under Act 250 and Section 106, and did not contact DHP for review until after completing detailed project plans. The projects involve significantly altering the front façade of Alumni Hall and demolishing a historic garage and replacing it with new construction. As currently designed, the projects do not meet the Secretary of the Interior's Standards for Rehabilitation and will have an adverse effect. Consultation is ongoing regarding how to bring the projects into compliance while still achieving the goals of the college. There is an Act 250 hearing scheduled for November 25, and the goal is to reach consensus on the final design prior to the hearing.

Historic Preservation Grants and Barn Grants

- We received 33 Barn Preservation grant applications from 11 counties this year, requesting approximately \$369,310.00 in matching grant funding, with estimated total project costs at over \$840,000.00. Caitlin and Debbie have been working to process both the recent Historic Preservation grant applications as well as the newly received Barn Preservation grant applications. The Advisory Council will be reviewing and awarding the Historic Preservation grant applications in December and the Barn Preservation grants in February.

VERMONT COMMUNITY DEVELOPMENT PROGRAM ♦ Josh Hanford, Director

New Community Development Specialist (CDS): Happy to report that Claire Forbes will be joining the VCDP team on Monday Nov 17th. She has a strong planning and community development background working in several communities in Southern Louisiana. Please welcome her and don't scare her off with all the perils of WINTER!

DEPARTMENT OF TOURISM & MARKETING: Megan Smith, Commissioner

- **Vermont Vision for a Multicultural Future:** Megan attended the [Vermont Vision for a Multicultural Future Conference](#). This year several representatives from VTrans and the Vermont State Police participated. The work being done by all three of our agencies has been very much appreciated by the group as a whole. Megan was asked to facilitate two sessions around employee recruitment and retention which produced many suggestions from school superintendents, local and state police forces, and the small businesses in attendance. They capped the conference at 60 people and had to turn away 25 potential attendees, so they are thinking about adding a second conference next year. This is always time very well spent and certainly highlights challenges that we don't necessarily discuss every day in our state. As a result of this meeting VDTM will focus on the [25th anniversary of the American Disabilities Act](#) in summer of 2015. Megan has already arranged a meeting with VDTM staff, [Vermont Adaptive Ski & Sports Association](#), [Vermont State Parks](#) and [Vermont Council on Independent Living](#). VDTM will produce and promote a Google map for all of the accessible assets that we have in the state's recreation venues.
- **Western New England Greenway:** Megan attended the annual meeting of the [Western New England Greenway](#), which is a developing bike route from New York City to Montreal, supported by the three states in-between. Linda McKenna Boxx, came from Pittsburgh, Penn. to share her experience with developing the [Great Allegheny Passage](#) that runs from Pittsburgh to Washington DC. Although this trail was a \$70 million project and is all "off road," the community building and economic development opportunities are very similar. The majority of the work is being done through our National Heritage Partnerships, but we have established a working group which includes Megan. The plan is to move the trail forward as something that we can begin promoting for next summer. Last year, a group rode the final, designated route, starting in the Lake Champlain Islands. Participants were very complimentary of all of the lodging and cultural stops in Vermont. They visited [Shelburne Museum](#), made a side trip to Saratoga, N.Y., then visited [Hildene](#), the [Bennington Monument](#) and many shopping stops along the way. The product we will be promoting is a bicycle touring route with many cultural and historical intersections. The path goes through the Berkshires as well, so the assets of the trail are very rich.
- **Vermont Mountain Bike Association:** Megan also attended the annual meeting of the [Vermont Mountain Bike Association](#) (VMBA). This month is the beginning of the third year of our partnership. Considering the meeting took place on Veteran's Day in the evening in Montpelier, the statewide attendance was impressive. Every club had someone in attendance and the conversation was robust. They were still able to put more than half of the \$230,000 budget into trail building and maintenance, as the organization still only has one staff person. The private sector, including bike shops and the ski areas, are all stepping up with benefits for members which has resulted in a 15% increase of membership. The conversation was about how to get out-of-state riders to buy a membership and if it should become a "pass" or a "key" or a "passport" to make visitors understand that although membership is voluntary, it is important to contribute to the cause.
- **Porter Air:** The marketing team from [Porter Air](#) reached out with a very transparent marketing plan as a result of Megan's meeting with the senior management team of the airline. We were very disappointed last year at the way the money was spent and they clearly understood that concern by the end of the meeting. Last year's performance was disappointing for all of us, but we are committed to making this year the highest ridership of the 4-year relationship. Megan was given a complete breakdown of their spending plan for this year, as well as the partnership Porter has developed with [Burlington International Airport](#) (BTV) for marketing Toronto as a "getaway" destination for Vermonters. We will have much more to come as VDTM meets with [Ski Vermont](#) to discuss the PR efforts suggested by Porter's team. Gene Richards and his staff at BTV have been a huge asset through these sometimes challenging conversations.

Steve Cook, Deputy Commissioner

- **Zipcar:** Through the efforts of Communications Director Laura Peterson, VDTM has established a promotional cooperative campaign with [Zipcar](#). VDTM will film a small production in partnership with Zipcar over the next two weeks. Lt. Governor Phil Scott will appear in this short film.
- **ADARA Advertising Performance:** [ADARA](#)'s (enables us to track visitor information) distant domestic early winter advertising campaign continues to deliver strong performance.

SUMMARY:

- \$15,675 in hotel sales has been directly attributed to the campaign so far (+190% jump in one week). Hotel sales are associated to first party data provider hotel partners only.
- Total Campaign spend to date is around \$6k and with a \$15k in hotel sales gained, this will so far be a 2 to 1 ROI for you. We expect to see growth over the next three weeks.
- 229 travelers who have seen the campaign have confirmed bookings or have traveled to Vermont during the campaign period.

Vertical	Month (UTC)	Bookings	Average Length of Stay	Average Advance Purchase	Average # Travelers	Average Daily Rate (USD)	Total Travelers	Total Room Nights
Flight	OCTOBER	34	3.3	25.9	1.2		41	111
Flight	NOVEMBER MTD	45	4	32.9	1		46	180
TOTALS:		79					87	

Vertical	Month (UTC)	Bookings	Average Length of Stay	Average Advance Purchase	Average # Travelers	Average Daily Rate (USD)	Total Travelers	Total Room Nights	Hotel Sales Attributed*
Hotel	OCTOBER	31	1.5	27.4	2	\$137.84	62	47	\$6,478.48
Hotel	NOVEMBER MTD	51	1.6	30.9	1.6	\$110.80	80	83	\$9,196.40
TOTALS:		82					142		\$15,674.88

- **Orbitz Advertising Performance:** VDTM and [Burlington International Airport \(BTV\)](#) have cooped an advertising campaign to encourage Quebec residents to utilize BTV for their air travel. Since the launch of the campaign we have seen positive results.
 - **From January through the campaign start:** BTV was down 1,049 tickets vs the same timeframe from 2013 (6.5%).
 - **From the campaign start until present:** BTV is UP 177 tickets (3%). This constitutes a 9.5% positive shift in business.
 - **Landing page traffic:** Views - 4,739; Average Time Spent - 69.78 seconds

COMMUNICATIONS ♦ Laura Peterson, Director of Communications

- **Bike Conference:** Laura attended the [National Bicycle Tourism Conference](#) where she learned that bicycle travel and tourism are booming. Among the growth indicators: more states are quantifying the annual economic impact of bike tourism, single-day and short tours are proliferating, self-guided tours are increasingly popular, and North American events are expanding in number and participation. She is developing media plans to promote Vermont's many bike events in the upcoming months.

CULTURAL HERITAGE TOURISM ♦ Catherine Brooks, Cultural Heritage Tourism Coordinator

Support for Businesses and Organizations

- **Ambassador Training:** Catherine has begun uploading video files and PowerPoint files to the [KnowledgeVision](#) website. Once loaded, she syncs the slides to the video and adds printed resources to the page and, coming next, exercises. This process also includes edits to submitted slide shows and other tweaking. Also continuing to work with others on this team – Patrick, David, and Mike, and in IT, Charlie. The go-live date has been moved from November 17 to December 1 to accommodate remaining video, IT, KnowledgeVision and fine tuning the class exercises.

RESEARCH & STATISTICS ♦ Greg Gerdel, Research & Operations Chief

- **Congressional Legislation on Alternative Transportation:** The [Vermont Bike and Pedestrian Coalition](#) is encouraging federal adoption of two bills currently before the House, reporting the following:

“Currently, the law allows those who commute via car to receive almost twice the benefit as those who commute via public transit. HR 2288, the [Commuter Parity Act](#), corrects this matter by making both the transit pre-tax benefit and the parking pre-tax benefit \$220 per month. The bicycle commuter benefit would increase from \$20 to \$35 per month. In addition, bike share memberships would become eligible for the bike benefit.

HR 5276, the [Bike to Work Act](#), makes bike share memberships eligible for the transit benefit so that employees can use the benefit for both bike share and transit. Many bike share users also use transit as bike share helps employees travel the final leg of the trip from the bus or train to their job. Without this provision employees have to choose either the transit benefit or a bike benefit. Many employers don't offer the above benefits now. Passing these two bills into law increases the odds that more employers will offer these benefits to their employees in the future.”

-- Nancy Schulz, VBPC, November 12, 2014

In the long term it appears this legislation will be supportive of Vermont's efforts to enhance the state highway system for bicycle and pedestrian travel.

SALES ♦ Christiane Skinner, Sales Manager, International and North American Markets

- **Bienvenue Québec Marketplace:** Christiane attended this marketplace in Quebec City, October 27-30. She met with 25 tour operators from across Canada. Some Québec tour operators added Vermont products in 2014 and will be doing so again in 2015. Other operators are interested in a combination tour between Vermont and the Eastern Townships of Québec; suggested itineraries will be requested from Vermont industry partners. This is a good time to work on these itineraries because the 2015 Marketplace will be held in Sherbrooke, QC. Reports and leads will be shared with Vermont businesses.
- **World Travel Market:** Christiane traveled to London for [World Travel Market](#), November 3-6. She staffed the [Discover New England](#) (DNE) booth with our United Kingdom rep, Caroline Donaldson-Sinclair and Chris Belanger of [Trapp Family Lodge](#) along with DNE staff and other New England States. She met with 20 tour operators, some bloggers and media. These were great 30-minute appointments where itineraries, lodging and attractions were discussed. Reports will be shared with Vermont businesses.

VERMONT LIFE ♦ Mary Hegarty Nowlan, Editor/Sky Barsch, Associate Publisher

- **Editorial:** The lineup and mix for the Spring '15 issue now in production is coming together as some ideas gain traction and others fall away. Copy for *Cooking in Season* and *Food & Drink* arrived for Spring '15 and reporting was done for *The Arts Spotlight* item for Spring '15. Planning for the Winter '15-'16 issue is underway, prioritizing seasonal needs first, as usual. Gradual reel-in on Summer '15 material is ongoing. An idea for Spring '16 requiring photography this coming April was generated.

CHIEF MARKETING OFFICE ♦ Heather Pelham, Marketing Specialist

- **AAFM Dairy Impact Study:** Heather has been assisting the communications team at the Agency of Agriculture on the roll-out of the results from the Dairy Impact Study compiled by Ken Jones earlier this year. An outside contractor has been engaged to help package the results for different audiences and a questionnaire has been developed (to be conducted by the Castleton Polling Institute) to provide baseline data on consumer attitudes regarding the role of the dairy industry in the greater Vermont experience.

ITS/CONNECT VERMONT ♦ Robert White, ConnectVermont Director

ITS/ConnectVermont

- Started working with LPFM tower owners on getting quotes to decommission LPFM stations.

Future Goals

- Attend Vaisala Navigator RDS website update and training.
- Attend Tri-State Meeting via webinar to discuss 511 base map requirements.
- Attend NGA Cybersecurity Virtual Peer Learning Network Monthly meeting.
- Get quotes from LPFM tower contractors to remove LPFM antennas and coax cables from towers.



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CONFIDENTIAL and PRIVILEGED

To: The Honorable Peter Shumlin, Governor
From: Susan L. Donegan, Commissioner, Department of Financial Regulation
Date: November 14, 2014
Re: Weekly Report

Susan L. Donegan

Insurance Division:

As a follow-up to the Consumer Assistance Section's report last week on quarterly statistics regarding complaints received and monies recovered for Vermonters, we were able to isolate the number of inquiries the department received concerning Vermont Health Connect. Between July 1 and September 30, the department referred only 19 calls to VHC. This low number indicates to us that consumers are aware of the most direct way to contact the exchange for information.

Securities Division:

EB5 Compliance

On Monday, Securities Division staff met with the staff at Agency of Commerce and Community Development to review DFR's proposed EB5 compliance program. It was agreed that DFR will compose the first draft of the memorandum of understanding to be executed between DFR and ACCD. Before the memorandum is signed it will be reviewed by the general counsels at DFR and ACCD as well as submitted to Sarah London. The other details of the compliance program discussed included the creation of two new positions: an examiner and an analyst. The funding of those positions has been discussed with Jim Reardon. DFR will absorb the cost of those positions in the first year until sufficient fees are generated to cover future salaries.



East Gubernatorial Race Results and Their Impact on Regulators (Published in "Insurance Journal," November 13, 2014)

On Nov. 4, 36 states across the country held their gubernatorial elections. In the East region, incumbent governors who were re-elected include Connecticut Gov. Dan Malloy, Maine Gov. Paul LePage, New Hampshire Gov. Maggie Hassan and New York Gov. Andrew Cuomo.

But in Pennsylvania, the Republican incumbent, Gov. Tom Corbett, lost his re-election to Democratic challenger Tom Wolf. And in Maryland, where Democratic Gov. Martin O'Malley is term-limited, Republican candidate Larry Hogan won the gubernatorial race. In Massachusetts, where Democratic Gov. Deval Patrick opted not to seek re-election, Republican Charlie Baker was elected as the next governor.

In Rhode Island, Democratic Gov. Lincoln Chafee did not seek re-election and Gina Raimondo, another Democrat, was elected as the next governor. Additionally, in Washington, D.C., Democrat Muriel Bowser, who beat incumbent Mayor Vincent Gray in the April primary, won the general election.

In the East region, where most insurance commissioners and superintendents get appointed to their posts, the regulators are expected to stay on for the most part, an industry participant forecast.

"I don't see Nov. 4 elections resulting in a draconian change of regulatory leaders in the Northeast/Mid-Atlantic region," said Oyango Snell, counsel, state government relations, at Property Casualty Insurers Association of America.

One change that could take place is in Maryland, where Insurance Commissioner Therese Goldsmith, who was appointed by O'Malley in 2011, will see her four-year term end on May 31, 2015. "We do not expect that she will stay on more," Snell forecast.

In Massachusetts, where insurance commissioner serves at the pleasure of the governor, Governor-Elect Baker's plan for current commissioner Joseph Murphy is unknown at this time, said Snell.

In Vermont, the governor's race will be decided by the state legislature next January in accordance with the state's constitution because no candidate has received a minimum of 50 percent, plus one vote. Still, the legislature is likely to give the election to the Democratic incumbent, Gov. Peter Shumlin, since he received more votes than his Republican challenger. "Tradition dictates that the legislature choose the winner of the popular vote as the winner," said Snell. That means Susan Donegan, commissioner of the Department of Financial Regulation, who serves at the pleasure of the governor, is expected to return as well.

Other than these cases, "the rest, we believe, will probably remain the same" in the East region, said Snell. In Pennsylvania, Snell said it's "more likely than not" that Michael Consedine, who was appointed by Corbett in 2011, will stay on as insurance commissioner, adding that Consedine's national leadership would weigh heavily. Consedine currently serves as vice president at the National Association of Insurance Commissioners (NAIC). He also serves on the Federal Advisory Committee on Insurance and is active in the ongoing efforts by the International Association of Insurance Supervisors to develop global insurance standards.

"It's a significant achievement for the state to have someone at the leadership level at a national organization like NAIC," said Snell.



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**CONFIDENTIAL AND PRIVILEGED
MEMORANDUM**

TO: Governor Peter Shumlin
FROM: Rebecca Holcombe, Secretary, Agency of Education
SUBJECT: AOE Weekly Report
DATE: November 12, 2014

Press Contacts:

- Molly Walsh, Burlington Free Press, sent along several questions on PreK for a Q&A feature this weekend. Jill Remick answered them and provided two reports with further information.
- Howard Weiss-Tisman spoke with Tom Alderman about EQS implementation.
- Ross Brenneman, Education Week, sent several questions regarding post-secondary approval, which Shannon Miller answered.
- Arielle Mellen, Fox Business, called to follow up on Vermont's "new" brownie ban. She was provided with our statement from previous media inquiries regarding that misunderstanding.
- John Fischer spoke with Susan Keese, VPR, re Vermont Center for the Deaf and Hard of Hearing. She had apparently lost or had a poor recording from her previous interview with him.

Public Presentations/Meetings:

Monday: Tom Lovett and Laura Pelosi/St. Johnsbury Academy. Primary topics were:

- 1.** I asked him for suggestions for representation on the Council of Independent Schools. I think Tom is a very good partner, and with all the appointments you have to make, we have a chance to move proactively to improve the relationship between the Agency and Independent Schools, and also to sideline some of the negative players who keep exacerbating affairs. I will have a list of possible names to you as soon as I have time to reach out to them and encourage their interest. Top on my list are people like Mark Tashjian (Burr and Burton), Michelle Simpson-Siegel (new Head of Oak Meadow), Nancy Goodrich (parent of a St. J's student and a teacher at Blue Mt. who serves on Tom's Regional Advisory board), and a parent/board member for the Mountain RED. There are a lot of really high quality folk involved in some of our

independent schools, either as educators or as parents or board members of sending towns. It is time to get them involved.

2. Discussed the declines in enrollment and fiscal pressures on towns like Concord and Danville, Cabot (all of which have reached out to Tom to discuss closing) and the implications for St. J. If one of these schools closed, St. J's could accommodate the students. If more wanted to close and go to St. J, then he would have to build. This is not his first choice. We discussed the possibility of, if one of the local HS was interested, partnering on a specialized STEM academy between a public school and St. J's, as a way of strengthening an alternative site to ST. J, while partnering to provide some extra opportunities to students at St. J that go beyond the current program. I think there is an opportunity here if the politics work out right.

Mon and Wed: phone tag with *Don Collins and Dave Sharpe*, who are both eager to speak, hard to reach and not willing to set ideas on paper or email.

Wednesday: Spoke with the *Executive Board of the Vermont Business Roundtable* for about an hour and a half. In discussion after a presentation, various members advocated for:

- Bringing the data we were using to the legislators
- Establishing performance benchmarks (e.g. target teacher student ratios) against which different systems could be measured
- Fewer districts with clear authority and accountability
- Some oversight board along the lines of boards that review and propose base closings or review and provide oversight to hospitals that could review and make tough decisions and provide oversight (including making recommendations for consolidation/closing of schools or merging of districts into bigger units)
- Better systems and criteria for reviewing school quality and providing systems level feedback

This was a surprisingly supportive and responsive group. I think they could be good allies and ambassadors for us.

Thursday and Friday: *At the CCSSO policy conference in San Diego.* I will be back Sunday. Meetings will include:

- A session with Secty. Duncan that should give us some sense of where he wants to head in the next three years
- Meetings with other chiefs on new accountability models
- Meetings with SBAC about performance level setting, which may garner some national attention. CA has now used our letter as the premise for pushing back on reporting models. Good to finally have company. People are happy to write VT off, but CA is the gorilla in the room, so this is a huge step forward for us.
- Session on assessments, which may give us insight into where/how to push for a reduction in testing.

FYI, we have begun seeding our congressional team with talking points in anticipation of movement on Perkins (CTE) reauthorization, the Higher Ed Act and No Child Left Behind.

Emerging Issues

Note for Susan Allen and Scott Coriell: We have hired **Stephanie Brackin**, currently the Department for Public Safety PIO, as our new Web manager. She will also assist me with communications and social media. DPS sent out a press release about it Friday, but I wanted to be sure you knew she would be with us. We are thrilled.

School Safety Incident

There was an incident at Randolph HS last week, in which two students were reported to the police by a parent who was worried they were planning a violent attack at the school. The incident was reported the evening before, but for some reason, the students appeared at the school the next morning. The superintendent (Brent Kay) ordered a lock down and called the police, who arrested the students. The good news is that the school's safety precautions worked exactly as planned, and the incident was handled smoothly and without injury. The threat was real, which reminds us all that even in VT, scary things can happen. We have been working with public safety, through our shared school safety liaison, to do a post mortem and glean what we can to inform practices at other schools and for law enforcement.

Child Nutrition Programs Update

The Summer Meals Programs in Vermont have ended and show increases in both the number of sites and the number of meals and snacks served.

During the summer, the 90,000 students enrolled in school lunch and breakfast programs would not have access to regular meals if the 68 sponsors around VT did not offer summer meals and snacks through the Summer Food Service Program or their local school's meal service through the Seamless Summer Option program. This year Vermont saw the number of feeding sites increased by 10% and an increase in all meal types served. Leadership, training and TA provided to sponsors and programs by Nancy Lewis, the Agency of Education's Summer Food Service Consultant, and strong advocacy work by Derrick Lambert of Hunger Free VT, resulted in continued growth in feeding students and children throughout the summer months. Average daily attendance of over 8300 youngsters at sites in July resulted in an increase of 16% over last year. Some of the larger sponsors of the summer meals programs, Barre SU, Middlebury, Milton and Burlington, saw increases in the numbers meals served ranging between 40% and 51%. Many of these sponsors found that serving meals later in the day, lunches and suppers, resulted in serving more children.

Data for the last two years is listed below.

	2013	2014	% Change
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Sponsor Types and Sites		# Sponsors	# Sites	# Sponsors	# Sites	
Schools:	Sponsors	40		39		-03%
	Sites		176		197	+12%
Government:	Sponsors	3		3		0%
	Sites		5		6	+20%
Private Non-Profit:	Sponsors	15		15		0%
	Sites		49		55	+12%
Residential Camps:	Sponsors	13		11		-08%
	Sites		18		15	-17%
Totals:	Sponsors	71		68		-04%
	Sites		248		273	+10%

Total meals 2013: **371,250** 2014: **417,345** %Change: **+12%**

Year	Breakfast	Lunch	Supper	Snack
2013	133,891	204,830	16,952	15,577
2014	145,906	231,289	21,575	18,575
% Change	+09%	+13%	+27%	+16%

Rebecca

CONFIDENTIAL and PRIVILEGED

To: Governor Peter Shumlin
From: Greg Smith, Executive Director, VT Lottery
Date: Nov 14, 2014
Re: Weekly Report

Status of Governor's Priorities: .

none

Legislative Issues/Contacts:

Appeared before LCAR for lottery game rule change. No issues.

Press Issues/Releases/Contacts:

none

Significant Events/Meetings:

none

Evolving Issues:

none

Summary of Key Agency Department Activity:

Regular work effort this week. We have decided on two candidates that will fill our open positions and expect them to start in the next 2-3 weeks.

Meeting with the owners or regional managers for our chain accounts over the next three weeks to discuss store results. First one held with Maplefields was quite positive and will result in new marketing opportunities within underperforming stores.

Executive Director's Commentary:

We decided yesterday to delay the start date for the new consoles by one week. Intralot, our gaming vendor, had not resolved a dozen errors that would affect the customer experience and our ability to promote the game by giving "free play" vouchers. I am working with our AAG to review the errors/delays to determine if we have damage claims against them for non-performance. Our original contract only lists specific damage measurements for system down time relating to sales and does not address programming delays and failure to complete work to our specifications or statements of work. On a positive note – the game play and customer experience will be great when live. The look great and play well, and the new agents are ready to promote them.

OFFICE OF THE SECRETARY

Phone: (802) 828-2657

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Executive Privilege

TO: Governor Peter Shumlin

FROM: Deputy Secretary Sue Minter

DATE: Friday, November 14, 2014

SUBJECT: VTrans - Confidential Report to the Governor

NOTES FOR GOVERNOR

Construction Season Winding Down

Vermonters will begin to see less construction (and inconvenience) on their roads as our construction season winds down. Many major long-awaited road resurfacing projects, from Route 12 in Northfield to the App Gap, are finally coming to fruition and we are receiving some appreciative (rather than frustrated) comments. I hope you hear them, too. It is clear that our “Fast Fix 14” extra spring paving investment has made a positive difference (remember how bad our roads were last spring?) and hopefully sets us in good stead for the winter ahead. Our District Garages are very busy prepping for winter: getting equipment tuned up, producing brine, employing and training new plow drivers, along with completing guardrail and striping needs.

New England Regional Transportation Collaboration

Freight Planning

Last week I spoke at a New England Forum on Freight in Cambridge, MA, along with Transportation CEOs from CT and RI, and their designees from MA, NH, ME (where the CEO spot is vacant). Organized by the FHWA New England Freight Group, the event included important issues relevant to our region: freight choke points and ports of entry; truck weights, safety and parking issues; maritime transport and trade; hazardous materials transport, etc. There was reflection upon (and accolades for) our successful regional pursuit of passenger rail investments of \$250 Million (joint regional ARRA and TIGER rail funding), and a renewed sense of the importance of this regional collaboration moving forward. This is particularly relevant to our voice in the next Congress, where the next phase of Transportation Re-authorization is likely to gain momentum (with either a revenue fix, or another “punt”, needed by May for the Federal Highway Trust Fund).

Transportation Climate Initiative

Another regional transportation leadership collaboration is the Transportation Climate Initiative, which brings together 11 Northeast States. This effort, supported through the Georgetown Climate Change Center, is modeled off REGGI, and brings together Environmental and Transportation state leadership to discuss regional climate mitigation strategies. Our update this week centered on the concept of a regional funding proposal through a “Cap & Trade” scheme on petroleum (at the refinery or wholesale level). Funds leveraged through this process would be devoted toward transportation climate mitigation (transit, EVs, rail, etc.) California is actively putting this in place (by adding petroleum to their Cap & Trade program), and it may be a topic for future consideration with your New England Governor’s group. More on this later as the concept is further refined.

AASHTO Conference – National Coalition Building

I will be attending the National AASHTO conference with Chris Cole and Rich Tetreault next week. Last year this event was held in Denver, just 1 month after our post-flooding Colorado visit, and Vermont received significant recognition for our peer support. Team VTrans will continue enhancing our role as a member of this organization and, among other things, building our coalitions with New England and small states to have a strong and coordinated voice in Congress. I also will be discussing the White House Task Force work within an AASHTO subcommittee focused on “Severe Weather” Preparedness (which is code for “Climate Change”, which no one is allowed to discuss).

NOTES FOR STAFF

White House Task Force Report

Several members of our team worked diligently to do final edits, in very short order, to the draft document. I pushed hard to include a Shumlin quote and a Vermont call-out box, as well as several Vermont/Irene photos. Fingers crossed that they make it into the final draft. This is (supposedly) going to be released on Monday. We will try to include some of this into the Transportation Presser on Tuesday.

Transportation and Water Quality, Climate

St. Albans Stormwater Tour

I will be taking a tour on Friday, along with local officials, of VTrans and municipal projects to address stormwater mitigation. As you know, this is the heart of the transportation sector investment into the TMDL/Lake Champlain Clean Up initiative and I want to have a deeper/hands-on understanding of these projects (in advance of the legislature). I am reaching out to the St. Albans Messenger to try to also attract some media attention and interest to this element.

Lake Champlain Basin: Citizens Advisory Council (CAC)

On Monday I will be meeting with the CAC about our transportation strategy on TMDL with an emphasis on both state (VTrans) investments as well as the issue of local roads and Best Management Practices.

UVM and Legislative Climate Policy Research Summit

I am participating on 2 panels for this summit next week at UVM. This is a collaboration of UVM and the Legislative Climate Caucus to link UVM research with state policy. We will be reviewing and commenting upon UVM research in rural road maintenance and water quality, as well as climate preparedness.

DMV Counter Services

The Montpelier DMV counter services will be closing at 4:30 PM Wednesday, November 26th and re-opening at noon on Monday, December 1st to complete final construction of its new counter services area. Installation will be completed over the Thanksgiving holiday weekend to limit service outages for customers. Once complete, DMV's new counter services area will allow for a higher level of customer service and staff satisfaction.

Privileged and Confidential
Memorandum

To: Peter E. Shumlin, Governor
From: Harry L. Chen, M.D., Acting Secretary of Human Services
Re: AHS Weekly Report
Date: November 14, 2014

Highlights:

VDH:

March of Dimes 2014 Premature Birth Report Card – Vermont receives an “A” pg. 2
Testimony to HCOC – update on the substance abuse components of Act 195 pg. 2
OPHP/EMS Update - Health Ops Center remains level 3 - equipment & training materials distributed pg. 2

DMH:

Vermont Psychiatric Care Hospital (VPCH) Update – currently at 22 patients pg. 3
Emergency Evaluations pg. 3

DAIL:

Blue Cross Blue Shield of Vermont (BCBSVT) to announce new partnership soon pg. 3
Death of Rutland man with disabilities still under investigation pg. 4

DOC:

Population Report pg. 4
Meeting with Rep. Greshin regarding release of high risk offenders pg. 4

DCF:

VCAB Report Released pg. 5

DVHA:

CGI Hosting Agreement – DVHA unable to extend pg. 5
Vermont’s All-Payer Database Update pg. 5
Vermont Health Care Workforce Symposium pg. 6
Hub & Spoke Meeting – discussed possible collaboration between two organizations pg. 6

Secretary’s Message

I am pleased to present the AHS weekly report. Much activity is centered around the beginning of Open Enrollment (OE) at VHC on Saturday. The press roundtable this past Wednesday went well and was pleasantly “boring.” We emphasized the extraordinary work that has occurred while the site was down to prepare for OE. We continued to sign Vermonter’s up. We have over 228 AHS and DII employees prepared to fill the holes, if any, in our resource needs. The response by SOV employees exceeded our expected need. All of the activities are voluntary and will ensure that we can meet our needs without burning through dollars with our contractors. Additionally, we highlighted our considerable progress in CoC’s working with Optum and the sites improved security, usability and efficiency. We have also made considerable progress streamlining our back office workflows to dramatically improve efficiency. All of our considerable testing has been successful and I can say,

“we are ready for open enrollment.” When asked about the difference today from last year’s rollout, an IT manager remarked that he is worried about the “unknown” rather than the “known”; that is clearly a better place to be! Finally, we have a roadmap for getting VHC to where we all expected it to be though 2015. There are realistic timeframes and scopes associated with this roadmap. I expect considerable discussion about the path forward given our budget situation and the recent election, but have seen nothing to dissuade me from our current course. We continue to research our alternatives as a required exercise and will have more information soon. All in all, I am impressed with the focus and positive energy at VHC. It would be my goal going forward to keep things moving in that direction.

Vermont Department of Health (VDH)

March of Dimes 2014 Premature Birth Report Card:

Vermont has the lowest preterm birth rate (8.1 percent) in the nation according to the March of Dimes 2014 Premature Birth Report Card release last week. Vermont was one of only five states to receive a score of “A”, and has received the highest score on the report card for the past seven years in a row.

Ebola Waste

Environmental Health staff have reached out to all Vermont Hospitals to ensure capabilities to appropriately handle and dispose of waste associated with suspected or confirmed Ebola patients in accordance with State and Federal requirements.

The Centers for Disease Control and Prevention has issued guidance on the cleanup and decontamination of non-medical/residential settings. This guidance has been reviewed by the VDH and shared with partners. A list of companies in Vermont that can provide cleanup and decontamination services has been compiled, should their services be needed.

Legislative Testimony

Deputy Commissioner Barbara Cimaglio will be testifying before the Health Care Oversight Committee on November 20th. The topic is an update on the substance abuse components of Act 195, and information about what we are doing related to overdoses. DVHA Deputy Commissioner Aaron French will also testify with Deputy Commissioner Cimaglio. Jill Mazza Olson Olson, Vermont Association of Hospitals and Health Systems, and Chief Michael Schirling, Burlington PD, will also be testifying in this same segment.

Office of Public Health Preparedness and Emergency Medical Services (OPHP/EMS) Update

The VDH Health Operations Center remains activated to level 3 managing statewide Ebola preparedness and response.

Personal Protective Equipment and training material was sent to all Vermont ambulance services to help them prepare for a case of Ebola.

Safe and Competent Opioid Prescribing Education (SCOPE) Conference

On November 15th, the Board will again partner with Boston University School of Medicine to offer a CME on safe and effective prescribing of opioid pain medications. Over 100 participants have registered for the event, which will take place in Burlington. I will provide welcoming remarks to attendees.

Department of Mental Health (DMH)

Vermont Psychiatric Care Hospital (VPCH)

As of today there are 22 patients at the VPCH. The hiring of temporary staff continues. As the reduction of in-patient acuity happens and more temporary staff are hired, additional beds will become available.

From Saturday, November 8th through Wednesday morning, November 12th, there have been a total of 16 individuals looking for placement on in-patient psychiatric units. Of the 16; 7 were adult Emergency Examinations (EEs)/Warrants, two were EE minors, three were court ordered, two voluntary adults and two voluntary minors. As of Wednesday morning, there were two adult EEs, two minor EEs, one court ordered, one adult voluntary and one minor voluntary waiting. Five EE adults, two court ordered adults, one voluntary adult and one voluntary minor have been placed. Of the two adults waiting, one has been for close to 2.5 weeks due to conflicts between the treatment team, in-patient team and the emergency department doctor. The other adult is new as of Tuesday Evening. The two minor EEs that have been waiting are due to lack of beds at the Retreat at this time. One has been waiting since November 9th and the other since November 10th. The one adult voluntary has been waiting since the evening of November 11th and the one court ordered has been waiting since November 10th.

Representative Ann Pugh

Representative Ann Pugh called regarding client issues. Commissioner Dupre replied that the DA is aware of the situation and is working with the family. She also asked about Brattleboro Retreat and children waiting for beds. Commissioner Dupre is looking into this.

WCAX

WCAX is doing a series on Depression. DMH Medical Director Dr. Batra has been featured. There have been three episodes this week and it is posted on WCAX's website.

Rutland Mental Health Services (RMHS)

A meeting with the Board of RMHS is being scheduled to discuss DMH & DAIL concerns.

Emergency Involuntary Procedures Review Committee (EIP)

The Emergency Involuntary Procedures (EIP) Review Committee met again on Wednesday. It was well represented and the meeting went well overall.

Emergency Evaluations

Second certifications continue to be completed electronically through Telehealth and psychiatrists at VPCH. Since it began on November 1st, there have been over a half dozen completed thus far. As a reminder, the procedure is only used when a person is being held in an Emergency Department for more than 24-hours and a psychiatrist is not available at the facility.

Department of Disabilities, Aging and Independent Living (DAIL)

Blue Cross and Blue Shield of Vermont (BCBSVT) to announce new partnership soon

Invest EAP, the employee assistance program (EAP) operated by the Division of Vocational Rehabilitation, will begin partnering with BCBSVT to offer our EAP to an even broader cross-section of Vermont employers. This will ensure that even more Vermonters are provided this important

prevention and early intervention service through their workplace. Ensuring that more Vermonters are covered by our EAP will result in improved health outcomes and reduced healthcare expenditures.

Death of Rutland Man with Disabilities

The death of a 32-year-old Rutland man with disabilities is still under investigation. No further information is available at this time.

Public Hearings on Alzheimer's Disease Planned for Early January

At the request of the Governor's Commission on Alzheimer's Disease and Related Disorders (AD/RD), Reps. Pugh and French along with Senator Pollina have agreed to hold a public hearing to shine a spotlight on this growing concern in Vermont. They will highlight the state's plan to improve public awareness, early detection and support for family caregivers. No specific legislative initiatives are anticipated.

Department of Corrections (DOC)

Population:

The department's incarcerated population averaged 2,071 for the previous week. The male population averaged 1,905 with 340 being presentenced. The female population averaged 167 with 40 being presentenced.

Meeting With Representative Greshin:

Commissioner Pallito and Cullen Bullard met with Representative Adam Greshin on November 12th at the State House. The topic of discussion pertains to the release of high risk offenders, particularly those who are released at the maximum of their sentence. This discussion is driven by the release of Richard Laws. Mr. Laws is a high risk offender who plans to reside in the Waitsfield community upon release. He will be released at his maximum release date in April, 2015.

In recent years, the Statute has changed on certain cases regarding maximum sentences, etc. The changes enhance maximum sentences in certain cases. This discussion is an evaluation of the cases that were sentenced prior to many of the changes which occurred in 2008.

Correctional Academy Graduation:

Friday, November 14th will be the 129th Graduation class from the VT DOC Correctional Academy. This class will have 17 graduates to add to our Correctional Officer staff across the state.



Vermont Department of Corrections Honor Guard

On Veteran's Day, the DOC Honor Guard had the privilege to honor those who have served our great country alongside members and friends of VFW Post #771 in Springfield, VT. On behalf of the Honor Guard, we thank those who have given some and especially those who gave all for our great nation. We are lucky to have members who have served our country not only in the Honor Guard, but in DOC itself: Maria Godleski - Community Correctional Program Supervisor, Ben Webster - PREA Training & Compliance Monitor, Michael Koehler - CFSS NSCF, Caleb Lefebvre - COII NSCF - US Army, Jeff Heath - COI SSCF, Jason Knight - COII CRCF - US Army, Paul Maskell - COI SSCF - US Arm.



Department for Children and Families (DCF)

VCAB Report Released

The Vermont Citizen's Advisory Board (VCAB) released its report regarding the deaths of two infants this past Monday. The report was sent to the Attorney General's Office and the State's Attorney's Office for review. The Attorney General's Office has approved release of the report; we are awaiting the State's Attorney's response. It is anticipated that the report will be released to the public through a press release early next week.

Department of Vermont Health Access (DVHA)

CGI Hosting Agreement

DVHA's general counsel prepared and sent a letter to CGI requesting DVHA's option to renew the current hosting agreement for one year starting January 1, 2015. CGI promptly sent a response letter advising DVHA could not extend the hosting agreement.

Vermont's All-Payer Database Update

The Vermont Healthcare Claims Uniform Reporting and Evaluation System (VHCURES) is changing vendors. The Green Mountain Care Board (GMCB) recently selected Human Services Research Institute (HSRI) to collect and manage the commercial, Medicaid and Medicare claims and eligibility data retained in VHCURES. The contract start date will be mid-2015.

Under the previous contract with Onpoint Health, AHS/DVHA received quarterly extracts which are loaded onto an Agency SQL server environment for approved state staff to access the data. AHS/DVHA also retained the encrypted and password protected hard drive on which the data was transferred to us, for sharing with contractors working on behalf of AHS/DVHA/State. A new aspect that HSRI brings to the state in terms of collecting and managing the VHCURES data is they will

provide an analytical environment for approved state staff to access and query the data. Contractors working on behalf of AHS/DVHA/State will access the data via the analytical environment as well. What is not clear as of yet, is whether AHS/DVHA will continue to receive extracts for hosting in an AHS server environment. The Agency absolutely needs these extracts.

We must continue to own this data and have access to it via state servers and database structure.

Vermont Health Care Workforce Symposium

A symposium on Vermont's Health Care Workforce was held on November 10th at the Sheraton in Burlington. The symposium garnered attendance from over 100 people in a wide range of public and private stakeholders, including state staff from various AHS departments, hospital executives, human resource/recruitment staff for health workers, clinicians from a wide variety of specialties and backgrounds, and policy experts.

The symposium featured nine speakers from a variety of backgrounds, companies, and states from across the United States. The topics discussed included retooling the healthcare workforce in a reform environment, experiences in transforming care delivery, and highly integrative health systems/teams and what we can learn from them.

Hub & Spoke Meeting

VDH Deputy Commissioner Barbara Cimaglio and DVHA Chief Medical Officer Dr. Tom Simpatico facilitated a two hour meeting between HowardCenter Executive Director Bob Bick and UVM Psychiatry Chairman Bob Pierattini to discuss a possible collaboration between these two organizations in the service of moving stabilized individuals from the Chittenden Hub (HowardCenter) to the primary care practitioners of UVM Health Services (approximately 400 PCPs).

UVM agreed to create a system which would build upon existing UVM resources augmented by two addictionologists. This would supply a backup to the Chittenden Hub and would facilitate the efficient transfer of stabilized patients from the Chittenden Hub to the UVM primary care physicians, thus helping to eliminate the waiting list in Chittenden County and thereafter maintaining open access. This plan would help the Chittenden Hub to focus on unstable patients, allow a greater number of people to be referred for treatment and would help create a standard in Vermont in which opiate replacement therapy for stabilized patients would become a staple part of primary care practice. The sheer number of UVM primary care physicians provides a significant opportunity to support the growing number of buprenorphine and methadone treated individuals.

Both Bob Bick and Dr. Pierattini were enthusiastic about this model. DVHA has made a budget request for \$250,000 that would support the two addictionologists. UVM is ready to proceed once the funding has been approved.

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Chuck Ross, SECRETARY

STATE OF VERMONT
AGENCY OF AGRICULTURE

Confidential and Privileged

TO: Gov. Peter Shumlin
FROM: Chuck Ross, Secretary of Agriculture
RE: Weekly Memo
DATE: November 14, 2014

Secretary's Top Issues

Solar Installations on Farms

Deputy Secretary Bothfeld met with the Commissioner of the Tax Department to discuss solar installation on farms and the Use Tax Abatement program (Current Use). Solar installations that power the farm exclusively will be considered farm buildings and the land under the solar array will continue to qualify for current use. Solar arrays that power the farm, are net metered to multiple non-farm dwellings and those that power the farm and sell power to the grid will be based on % of power produced and sold.

Seizure of Abused Animal

Animal Health field staff accompanied Woodstock Police on a humane investigation of a horse farm that resulted in seizure of the horses due to unacceptable husbandry conditions.

Preparation for Upcoming FDA Visit

Assistant State Veterinarian worked with Local Foods Administrator to prepare for the upcoming FDA visit regarding the FSMA supplemental rules. Activities include a visit a cheese producer in Hardwick and a rule listening session at the Vermont Law School on Monday, November 17th. The two Agency staff also prepared for upcoming interviews of candidate for the Produce Safety Coordinator position, which needs to become a funded, full time staff position to help prepare the Agency and the state for FSMA implementation.

Extra Meat Inspection Days Anticipating Increased Thanksgiving Slaughter

Meat inspection staff is providing extra days of slaughter inspection enabling the State Inspected poultry establishments to process this seasons turkeys for the wholesale market to meet the demand for inspected fresh Vermont Turkeys

November Dairy Farm Counts

The dairy farm count for November is 874 dairy farms milking cattle, 26 milking goats and 4 milking sheep. This is the same number of farms as last month.

Vermont remains EAB-free

Statewide surveys conducted in 2014 did not detect this invasive insect anywhere within Vermont, and it had not been detected prior to 2014.

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Chuck Ross, SECRETARY

STATE OF VERMONT
AGENCY OF AGRICULTURE

Confidential and Privileged

TO: Gov. Peter Shumlin
FROM: Chuck Ross, Secretary of Agriculture
RE: Weekly Memo
DATE: November 14, 2014

Status of Governor's Priorities:

Press

State Veterinarian, Kristin Haas, spoke with veterinary colleague, Dr. Eileen Wolfe, in preparation for her interview with WCAX regarding issues surrounding raw milk. Haas instructed Wolfe to direct any questions regarding VAAFM's role in regulating this sector to the Agency for follow up.

Significant Events/Meetings:

- A meeting of the Vermont Livestock Care Standards Advisory Council was held this week. To date, the Council has raised over \$2,000 in sponsorship funding for the compilation of best management practices that will be distributed to those individuals whose livelihood calls on them to make decisions that impact the well-being of livestock. Council members also discussed the fact that livestock shelter, on-farm slaughter and expanded sales of raw milk are topics that may come before the legislature this session and therefore may require Council input. The Council is planning an orientation meeting for pertinent legislators in February 2015.
- State Veterinarians Haas and McNamara attended an initial scoping meeting sponsored by the Department of Emergency Management and Homeland Security. The meeting provided an opportunity for contractors hired by FEMA to collect information that will inform their efforts to develop a statewide emergency plan focused on mass evacuation. VAAFM would have a responsibility in the plan for ensuring that evacuees' pets are safely transported and sheltered during an emergency event.
- State Veterinarian, Kristin Haas, received information from a veterinarian licensed in Kentucky regarding a 10 month old dairy heifer that was imported into Vermont without the required Bluetongue and Anaplasmosis testing. Although the heifer was commingled with other bovine at the sale in Kentucky immediately prior to import into VT, she originated from Texas, which requires that she be tested before import. These situations occur relatively frequently in conjunction with animals that travel around the country for fairs and livestock that are imported into Vermont after being purchased at sales/auctions. The animal will be quarantined at the recipient VT facility until the testing is completed.
- Animal Health field staff accompanied Woodstock Police on a humane investigation of a horse farm that resulted in seizure of the horses due to unacceptable husbandry conditions.
- Assistant State Veterinarian participated in a call with the Vermont Congressional Delegation regarding potential comments on the supplemental FSMA rules. The call reviewed specific areas of concern for both VAAFM and producers and processors – these may be things that the CD can raise back in Washington or provide in official rule comments.
- Assistant State Veterinarian worked with Local Foods Administrator to prepare for the upcoming FDA visit regarding the FSMA supplemental rules. Activities include a visit a cheese producer in Hardwick and a rule listening session at the Vermont Law School on Monday, November 17th. The two Agency staff also prepared for upcoming interviews of candidate for the Produce Safety Coordinator position, which needs to become a funded, full time staff position to help prepare the Agency and the state for FSMA implementation.

- Susan James and Steven Nicholson were in Middlebury on November 13, 2014 to review a new design of bulk milk trailer. The new tanker was designed by Agrimark, Inc. The design has the manholes used for inspection and cleaning located on the lower side of the tank so that entry and cleaning can be done without the risk of climbing on top of the tanker. It also provides for sampling of the tanker loads of milk while standing on the ground and sampling through a specially designed port. They reported it looked very promising.

Evolving Issues:

- Animal Health received two more tissue residue case investigations from the FDA. One involved neomycin in a bob veal calf and ceftiofur in a dairy cull cow.
- State Veterinarian, Kristin Haas, is researching whether New Guinea Singing Dogs (NGSD) may receive rabies vaccine products that are labeled for use in “dogs and cats”. The taxonomy of NGSDs is debated and the science is unclear as to whether they are a breed of domestic dog, feral dogs or wild dogs such as the Australian Dingo and the African Wild Dog. One Vermonter owns NGSDs and has inquired about rabies vaccinations for those pets.

Summary of Key agency Department Activity

Administration:

Act 250 – 9(B) Criterion Review

During the month of October, the Agency issued 7 review letters for proposed projects that triggered review under criterion 9(B) under Act 250. Of the review letters sent, 4 projects did not require any mitigation due to findings that indicate *de minimis* impacts to primary agricultural soils or soils did not meet the definition. The review findings for 2 projects indicated that 12.93 acres of on-site mitigation is acceptable to mitigate for proposed impacts. It should be noted that for one of those projects, the Applicant proposed preserving 8.33 acres of active farmland while only 3.88 acres were required to satisfy the requirements. The Agency filed one Entry of Appearance and review letter for a project that was discovered on the ANR Agenda. The Agency is not in agreement with the Applicant’s assertion that 8.7 acres of soils mapped as “statewide” soils do not meet the definition of primary agricultural soils. In addition, the Agency executed two Mitigation Agreements for a total of \$12,990 for two applications reviewed in previous quarters.

Municipal Day Participation

The Act 250 Coordinator participated in the Agency of Natural Resources’ State Government Municipal Day on November 13th. The Agency presented an introduction to Criterion 9(B) in the “Multi-Agency Introduction to Municipal Involvement in Act 250” workshop. Fifteen participants including planners, zoning administrators and town engineers, attended this workshop.

Deputy Secretary Bothfeld met with the Commissioner of the Tax Department to discuss solar installation on farms and the Use Tax Abatement program (Current Use). The Tax Department is working on a guidance document on solar installations on farms. Solar installations that power the farm exclusively will be considered farm buildings and the land under the solar array will continue to qualify for current use. Solar arrays that power the farm, are net metered to multiple non-farm dwellings and those that power the farm and sell power to the grid will be based on % of power produced and sold – the arrays would not be considered farm buildings but depending on the percentage of power the land may or may not be part of current use. The final category is arrays located on farm land where none of the power produced is used on the farm but sold to the grid. In that case the arrays are not considered farm buildings and the underlying land does not qualify for the current use program. Tax department will share their draft with the agency of agriculture in the near future.

Deputy Secretary Bothfeld lead state partners and ag organizations in the continuing work on Farm Labor Housing. Jenn Hollar ACCD, Annie Noonan, DOI and David Englander Health Department all attended and provided information on their areas of expertise. The working group has produced a draft set of guidelines for farm labor housing as well as wage and hour issues for farm owners and farm laborers. This document will be further edited by the working group and prepared for distribution in the new year. Training of interested farm organizations, lenders, conservation groups and dairy cooperatives to present this information to farmers will occur in early January. The work has been moving forward well on an issue that could be quite volatile.

Food Safety and Animal Health and Consumer Protection:

Meat Inspection:

- Meat Inspection is continuing to work on required Self-Assessment documentation for the Federal Food Safety and Inspection Service as part of maintaining the “At Least Equal To “ status to enable to continue with the program and maintain 50/50 funding
- Meat inspection staff is providing extra days of slaughter inspection enabling the State Inspected poultry establishments to process this seasons turkeys for the wholesale market to meet the demand for inspected fresh Vermont Turkeys
- Consulted with Ag Mediation officials concerning requirements of an inspected slaughter operation and concerns from neighbors that do not know that standards exist for the humane handling of all animals while on official premises
- Process continuing for obtaining Federal LINC PASS identification for all meat inspection personnel to enable access to federal systems for carrying out official duties for both the State and Federal Inspection Programs. Process includes fingerprinting and FBI background checks

Animal Health:

- Animal Health updated license renewal forms for fairs, pet shelters, and the humane euthanasia program and provided them to the licensing section.
- Animal Health staff compiled information for the performance based budgeting initiative for the first quarter of the fiscal year.

Dairy:

- St Albans Cooperative Creamery is in the process of purchased McDermott’s Inc., Vermont’s largest milk hauling company. This should have little effect on day to day workings of either company. The Agency will be following up with to make sure that there is no disruption of service to the farmers or compromises to food safety.
- The dairy farm count for November is 874 dairy farms milking cattle, 26 milking goats and 4 milking sheep. This is the same number of farms as last month.

Agricultural Resource Management:

Small Farm Operation (SFO) Operation Programs:

- Meeting on Monday with water quality division inspectors and supervisors to discuss improved inspection data gathering.
- Wednesday, went with representatives of NRCS and our Agency engineer, Rob Achilles, to talk to a farmer in Fairfield about needed upgrades to his manure system, barn yard and pasture access laneway. An organic dairy I’ll return with a pasture specialist to help improve his pasture management.
- Also visited a farm in Westford to gather information about his farming operation and ascertain if there was any manure contamination risk, in response to a neighbor’s concern.

Medium Farm Operation (MFO) and Large Farm Operation (LFO) Programs:

- Staff conducted two inspections of MFOs in Orleans County for compliance with the MFO General Permit. One inspection was conducted with a representative from ANR. Ground water monitoring samples were also taken as part of these inspections.
- Staff attended a meeting a water quality partner meeting for the Lake Memphremagog watershed.
- Staff are continuing to draft a responsiveness summary related to a public information meeting held for a LFO in Addison County that has requested a permit amendment which would allow the farm to construct additional animal housing and increase their herd size.
- Staff are drafting inspection reports and memos for complaint investigations, enforcement actions and ongoing inspections.

- Staff are assisting AAFM IT staff with the development of web based GIS mapping that will allow easier access to mapping technologies for the Agency. This is super awesome!!
- Staff are working with ARM Division engineering staff to assist with development and implementation of BMPs on several MFOs and LFOs. The construction season is in full swing, but the end is nearing and we are working with farms to wrap projects up for the season.
- Staff have been processing grants and payments from farms for winter cover cropping and manure injection through the Farm Agronomic Practices (FAP) Program.
- Staff are processing grants for the Capital Equipment Assistance Program (CEAP) which provides financial assistance to farms to purchase innovative cropping and manure management equipment.
- Staff are continuing to process LFO permit applications and permit amendments. There are several farms that have submitted permit applications for building, expansion and general operation. Secretary Ross recently signed a LFO permit for a MFO that is increasing herd size which required the farm to apply for a LFO permit.
- Staff are continuing to work on the water quality section of the new water quality database.

Conservation Reserve Enhancement Program (CREP):

- Staff visited a SFO in Addison County to evaluate CREP eligibility of riparian areas of the farm. We met with NRCS staff and UVM grazing specialist, as the farm is hoping to convert hay fields to rotationally grazed pasture. Determined areas not eligible as they are already well forested, but pointed out that excluding these areas (all fields currently meadow) via EQIP fence will help with farms' EQIP ranking and discussed where laneways and stream crossings and other fencing would likely be needed/eligible via EQIP.
- Continued work on conservation plans, maps and other CREP paperwork. Prepared for upcoming site visits.
- Met with VELCO representatives to confer on stream ford and gate opening widths needed for planning CREP fence and stream crossing within power line ROW in order to accommodate VELCO's management and maintenance needs.
- Flagged out CREP fence at SFO in Williston and walked with fence contractor to discuss installation details.
- Staff put together two CREP proposals for crop fields in Bridgewater on N. Branch of Ompompanoosac. ARS from White River presented two sustainable CREP alternatives, but landowner opted for narrower Trees for Streams option offered via local Conservation District and Partners for Fish and Wildlife.

Plant Industry:

- Ginseng and Nursery rule rewrites - the proposed amendments to the ginseng and nursery rules were presented to the Legislative committee on Administrative Rules (Nov 13), and were accepted by the committee without comment. Therefore, the amendments to these rules will become final pending final filing with the Secretary of State, expected sometime in late November or early December. Substantive changes include moving the opening date for American ginseng harvest season from August 20 to September 1, increasing the minimum age for ginseng certification from 5 to 10 years, and a permit provision to allow out of season collection or collection of underage wild ginseng in instances where a population of plants is in immediate danger of destruction due to development. Other minor changes were made reflecting statutory and administrative changes since the rules were last reviewed in 1988. These rules will be in effect for the 2015 nursery and ginseng seasons.
- Marijuana Listening Sessions – On Wednesday, November 12, Administration Secretary Spaulding held a listening session/public hearing on whether to consider legalization of recreational marijuana in Vermont. This hearing was conducted as part of the study commissioned by the legislature in the 2014 session (Act 155, section 8a). Testimony was taken from citizens from around the state via interactive television. Opinions ranged from strong support for legalization without conditions, to recommendations that the Legislature proceed with caution on the matter, to requests that marijuana not be legalized at all. The final Rand corporation report on marijuana legalization is anticipated by mid-January, and will incorporate suggestions received during the hearing.
- Emerald Ash Borer update – Emerald ash borer (EAB), a serious pest of ash species introduced to North America in 2002, has been confirmed in two additional New Hampshire counties (Rockingham and Hillsborough). As a result, these two counties are now subject to quarantine and restrictions on movement of ash material from these areas, as well as all hardwood firewood.

- Massachusetts and Connecticut, states where EAB has been present in discrete areas but not statewide, have both elected to expand their quarantines to cover the entire states. Massachusetts' expansion will become effective on November 17, and Connecticut's on December 5. As a result, ash material and hardwood firewood from both states, regardless of whether the producing county is actually infested, will be subject to USDA restrictions on movement and distribution interstate.
- **Vermont remains EAB-free.** Statewide surveys conducted in 2014 did not detect this invasive insect anywhere within Vermont, and it had not been detected prior to 2014. Movement of ash material and hardwood firewood within and out of Vermont remains unrestricted at the federal level, although various state rules (NY, NH, ME, CT) require treatment and certification of firewood from Vermont (as they do from other states and Canada).

Secretary's Comments:

Press: Participated in Vermont Edition interview on Vermont Public Radio to discuss the Food Safety Modernization Act and the upcoming visit from the FDA.

Meetings:

- Met with Keurig (Green Mountain Coffee) and other members of VT State Gov. to discuss possibilities for Keurigs engagement in Vermont's clean water goals.
- Met with Tom Vogelmann, the UVM Dean of the College of Agriculture and Life Science
- Participated in the Green Mountain Dairy farmer's meeting at the St. Albans Cooperative Creamery
- Met with Nancy Mathew, the new Dean of UVM's Rubenstein School and Sarah Sprayregen, Senior Developer of the UVM Foundation.
- Met with Vermont Vendors for the Big Eastern States Exposition

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Deborah L. Markowitz
Agency Secretary

Justin G. Johnson
Deputy Secretary

**State of Vermont
Agency of Natural Resources**

CONFIDENTIAL and PRIVILEGED

To: Governor Peter Shumlin
From: Deborah Markowitz, Secretary, Agency of Natural Resources
Date: November 14, 2014
Subject: ANR Weekly Report

Governor Level Issues:

Municipal Day: Thanks for joining us for Municipal Day. Your remarks were very well received. I was interested in the fact that all of the questions related to climate change. The rest of the day went smoothly – with nearly 100 people attending.

EVERYTHING ELSE:

Press Issues/Releases:

Waterbury Dam Draft 401 Issued: DEC issued a media release on the draft water quality 401 certification decision regarding future operations of GMP's Waterbury Hydroelectric Project. Under this decision, the Waterbury Reservoir would be maintained at the current summertime level year-round to protect water quality, habitat, and recreational use of the reservoir, and meet Clean Water Act standards. A final decision will be issued by December 11.

Water Quality Rules Issued: DEC issued a media release on the updated Vermont's water quality standards to better protect our rivers, streams, lakes and ponds. The revised rules accomplish this through limiting phosphorus nutrient pollution, and updating limits for toxic pollutants and E.coli bacteria. These standards are the foundation for the State's efforts to protect, maintain, enhance, and restore water quality. The changes strengthen the State's ability to ensure clean water for fishing, swimming, drinking, and boating.

New Conservation License Plates: Gov. Peter Shumlin, the VTFWD, and the DMV unveiled three new conservation license plates, responding to public demand for a revamp of the popular plates. The new designs include a loon, a brook trout, and a white-tailed deer. The new plates will replace the old catamount and peregrine falcon plates. They can be ordered online at www.tinyurl.com/VtConservationPlate and picked up at the Montpelier DMV.

Emergency Vehicles: The state of Vermont has new tools at its disposal to assist first responders to identify and combat several hazards in the state. The Vermont Division of Emergency Management and Homeland Security funded two vehicles that will assist in Chemical, Biological, Radiological, Nuclear, and Explosives (CBRNE) monitoring and responding to other potential incidents. The vehicles will also allow the Vermont Department of Forests, Parks & Recreation to respond to requests from communities to fight wildland fires. One truck will be housed in the northern part of the state, while the other will be in the south in order to assure a timely response. On Nov 12, VT DEMHS and FPR held a media event featuring these vehicles at the ANR regional office complex in Essex Junction.

Significant Events/Meetings:

Moretown Landfill (MLI): The Attorney General's office filed a "complaint" with the Superior Court, Washington Division regarding alleged solid waste, air pollution, stormwater, and discharge violations from Moretown Landfill's operations over the past several years prior to their closure in 2013. The filing of this complaint comes after the AG's Office reached out to MLI to settle the matter without any response

Colaceci Tire Transfer Station (Hardwick/Wolcott): Robert Colaceci, owner/operator of Vermonters Helping Vermonters tire transfer station, has an expired certification and has not responded to DEC's NOAV to cease operations and clean up the waste tires. As the Solid Waste Program proceeded towards drawing upon the financial assurance to close and cleanup the 11,300 tires, they learned the bank is unable to locate any money. Research continues, and a formal request for the funds will be sent.

SUMMARY OF KEY DEPARTMENT ACTIVITY

Office of Planning and Legal Affairs (OPLA)

Elizabeth Mine Solar: The developer of the proposed Elizabeth Mine solar project has engaged legal counsel; their new attorney, Geoff Hand, has contacted OPLA regarding the forthcoming Section 248 process and pre-file engagement. A meeting is scheduled for Nov18 to discuss the operational burden and legal liabilities of the site with Green Mountain Economic Development Corp., the prospective owner; the goal being to help get GMEDC comfortable with the long term ownership of the facility . OPLA will schedule a subsequent scoping meeting with the applicant to review the overall site and transmission plan in advance of their filing with the PSB.

Intervale Solar: OPLA staff participated in a meeting with Encore Redevelopment, the DEC regional wetlands ecologist, and DEC regional floodplain manager focused on a proposed 500kw group net metered solar facility at the conserved Intervale Foundation farm property in Burlington. The site Encore prefers is within the flood fringe, is frequently inundated with standing water during seasonal flooding, and has been delineated as Class II wetland and buffer. The site also has high cultural resource sensitivity, so it may be difficult for the applicant to adequately secure the arrays during a flood. While the floodplain issues may be manageable, Wetlands staff suggested the preferred site may not be permissible and recommended Encore look for alternative sites outside of the Class II wetland, which appear to be present nearby. Encore is hesitant to move the project due to an estimated \$5,000 to \$10,000 in costs associated with extending power to the drier site; however, the cost to extend power may be less than the soft costs and permitting associated with building in the wetland. Complicating matters, the entire property is subject to a conservation easement held by Vermont Land Trust, VHCB and the Ag Agency, which may restrict commercial activity on the property.

UVM/ANR Service Learning and Internship Coordinator: UVM has hired Margaret Burke as their new coordinator of service learning and internships at ANR. Margaret will work out of UVM's Rubenstein School, but spend at least a day a week at ANR working directly with staff on identifying, developing, and supporting service learning opportunities. Margaret and other UVM staff will meet with ANR on Nov 14 to finalize an initial work plan, and once Margaret is a bit more settled, she will begin to meet with Department managers and leadership to discuss opportunities for service learning across the Agency.

Environmental Conservation

RGGI States Comment to EPA: This week the RGGI states submitted their joint comments on EPA's proposed Section 111(d) regulations for existing power plants. The comments endorse EPA's proposal in general and offer recommendations for improvements that would make the program more effective and more equitable nationwide. ANR Deputy Secretary Johnson and Public Service Board Chairman Volz submitted the comments on behalf of the state.

VELCO and Power Line Alignment: This week, DEC provided technical advice to the Vermont Electric Power Company (VELCO) in Rutland. VELCO needs to route power lines over the closed Waterbury talc mine and is concerned about the hazard of hidden mine shafts. A U.S. Geological Survey map of the mine was provided to VELCO along with a detailed oral explanation of the map features. VELCO will use the map to constrain the locations of the power lines.

Salvage Yard Meetings: DEC staff met with groups of salvage yard owner/operators in Rutland and Williston on the draft salvage yard rules. A meeting is also scheduled in St. Johnsbury. The main points of concern voiced by attendees were: permits not "running with the land" (concern a yard won't be able to be sold and continue operating as a yard); amount of used oil or tires allowable on-site before financial assurance is required; and overlap with solid waste rules (transfer facilities and e-waste collection). We'll consider these concerns as we finalize the rules.

Solar Remains a Possibility at Upper Valley Closed Landfill: On Nov 4, DEC staff repaired a monitoring well at the Upper Valley Landfill and met with two members of the Thetford Conservation Commission. The Town remains interested in developing a solar farm on the site, but ownership of the landfill parcel is difficult to ascertain. The property appears to be in the estate of the late owner, but there are no trustees or family members. The Vermont Law School is assisting on attempting to sort out the legal issues.

Fish & Wildlife

Aquatic Organism Passage Grant: Staff developed State Wildlife Grant Sub-recipient Agreements for the Connecticut River Watershed Council, Friends of the Mad River and Trout Unlimited to conduct culvert assessments and contract engineering design for aquatic organism passage enhancements. These organizations also work with US Fish and Wildlife Service, US Forest Service, and other state and federal agencies on aquatic organism passage issues. Partnering with these organizations improves the effective use of limited natural resource funds to identify and implement aquatic organism passage improvement projects.

Berlin Pond Population Data: Staff set gill nets in Berlin Pond to assess fish populations and obtain age estimation structures from yellow perch. Berlin Pond is currently under a 'test water' designation, which will expire in 2015. Staff will use this information to inform future regulations and management decisions.

Youth Weekend: Youth weekend was relatively quiet with few violations. Most violations were from the adults and not the youth. One of our wardens heard the shot taken by a very excited young lady and had the privilege of helping to dress her deer and drag it out.

Baiting Case: Wardens finally charged baiting suspects on the Massachusetts line. Wardens were there to witness the suspects start in VT then go into MA and illegally shoot a deer with a rifle. This resulted in weapons offenses and illegal hunting violations in MA and three civil tickets, two criminal tickets and one citation in VT. They should have never come back into VT with that illegal deer.

Forest, Parks and Recreation

Forest Legacy: State Lands Administration staff are meeting this week with representatives of the U.S. Forest Service including an appraiser this week in Vermont to conduct site visits at several pending Forest Legacy projects as part of the appraisal process for these properties. FPR staff met this week to discuss management needs and challenges associated with two large Forest Legacy fee-acquisition projects: Molly's Falls Pond (pending), and Dowsville Forest addition to Camel's Hump State Park (proposed). Both properties are large tracts with a variety of established recreation uses and natural resource values. The Department will be pursuing the establishment of a "management endowment" with our partners to help address the many management needs associated with these significant additions.

ANR PILOT: The legislatively-required report on ANR PILOT is nearly finalized and will be submitted to the legislature by the end of this week. The report will describe two options for moving forward, both of which have the effect of slightly reducing the overall PILOT amount over the current year's amount and moderating future PILOT increases while improving overall fairness and consistency for municipalities. Under both options, more towns will see reduced PILOT funding, though some towns will see significant gains.

State Parks Capital Planning: Planning continues on several major capital construction projects including the day use areas at Bomoseen State Park and Alburgh Dunes. With those projects underway this spring and the Mt. Ascutney ongoing work completed, the existing FPR capital appropriations will have been significantly committed.

ANR Lab: Trish Hanson, Forest Biology Lab Entomologist, continues to participate in planning for the new ANR/AAFMM laboratory. Both agencies will benefit from the planned specimen archive room which will house wet and dry collections outside of immediate work areas, minimizing exposure to preservatives and fumigants, while freeing up work spaces for current projects.

Red Pine Decline: Barbara Schultz, Forest Health Program Manager, spent a day with UNH researcher and PhD student, Mike Simmons, looking at unhealthy red pine stands in Rutland County. Unexplained decline and mortality of red pine has been reported throughout New England, including scattered locations in Vermont. Mike is heading a research project to determine the cause(s). The rapid progression and pattern of mortality suggest that an aggressive pest or pathogen may be involved.

Future of Thetford Hill State Forest: Diana Frederick, Stewardship Forester, met with Ed O'Leary, Forestry District Manager, Ethan Phelps, Park Regional Manager and Craig Whipple, Director of State Parks to discuss plans for the Thetford Hill State Park campground, situated within Thetford Hill State Forest. There may be interest from the Town of Thetford Recreation Committee to operate the campground. Ethan will be meeting with Town of Thetford officials in the near future to discuss potential options.

WMA Management Partnership: Springfield staff, led by Jane Lazorchak from F&W, had a productive field meeting at the Daisy Turner Homestead on Turner Hill WMA with The Windham Foundation and the Preservation Trust of Vermont. The three parties are working together to forge an agreement to allow WF and PT to own and manage the homestead so ANR can focus resources on WMA management and wetland enhancement and to solve access problems for the WMA.

Flood Resiliency: Stewardship Forester Tim Morton began the process of laying out a completely revised skid road network at Knapp brook WMA to move woods roads out of the stream drainages and wetland areas onto the uplands accompanied with allowing key lowland roads to re-vegetate. This was an item identified for wetland protection and flood resiliency adaptation in last year's LRMP and will be accomplished over 4 harvest units.



Privileged and Confidential

MEMORANDUM

To: The Honorable Peter Shumlin, Governor
Sarah London, General Counsel

From: Christopher Recchia, Commissioner

Date: November 14, 2014

Subject: Weekly Report

Governor Level Issues:

Status of Priorities and Cases of Interest:

VY: We are still waiting for a proposed settlement agreement on EPZ, expected perhaps this weekend or early next week. At last Thursday's NDCAP meeting Entergy verbally presented their idea considering financing "all or part of" the SFM costs through a line of credit instead of seeking to use the NDT.

VGS: As a follow-up to the meeting with you yesterday, I called Melanie Peyser to discuss productive next steps and we agreed to block off some time on Monday the 24th if possible for a meeting with Liz, me and Justin (or Deb) and 3 or 4 of her folks. She feels they would be prepared by then to discuss things that would be helpful to them.

Telecommunications Plan: We are finishing up the revised final report in the next week. It addresses the major criticisms we got on the first draft.

Total Energy Study: We are reviewing a final draft of this report and will send it over to Liz

early next week to make sure you all understand what it says and our messaging about it.

Meetings this Week:

Nov 10 – Chris meets with AG and Amy Shollenberger, holds conference call with Vermont members of Texas Low Level Radioactive Waste Compact Commission, attends Governor’s Cabinet Meeting; Darren guest lecture at VLS; Darren participates in REV legislative policy committee meeting; Darren and Asa meet with Ellen Burt, Stowe Electric

Nov 12 – Chris and Darren meet with Enel; Chris and Ed McNamara meet with VELCO;

Nov 13 – Chris attends Governor’s meeting with Melanie Peyser et al re: ANGP; Chris BTV meeting with Tim Ashe; Chris meeting with Mary Powell at GMP; Darren and Ed McNamara attend 5th floor meeting on NE Clean Power Link; Darren meets with Rep Botzow

Nov 14 – Chris/AFS Energy meeting re Biomass

Meetings next Week:

Nov 17 to Nov 22 – Chris attends biomass meetings in Upper Austria

Nov 18 – Darren and Asa participate in UVM legislative conference on climate change

Nov 19 – Darren moderator at Housing Conference, meets with AIV, attends Governor’s Energy and Environment meeting

Media: 7DVT article on solar

Everything Else:

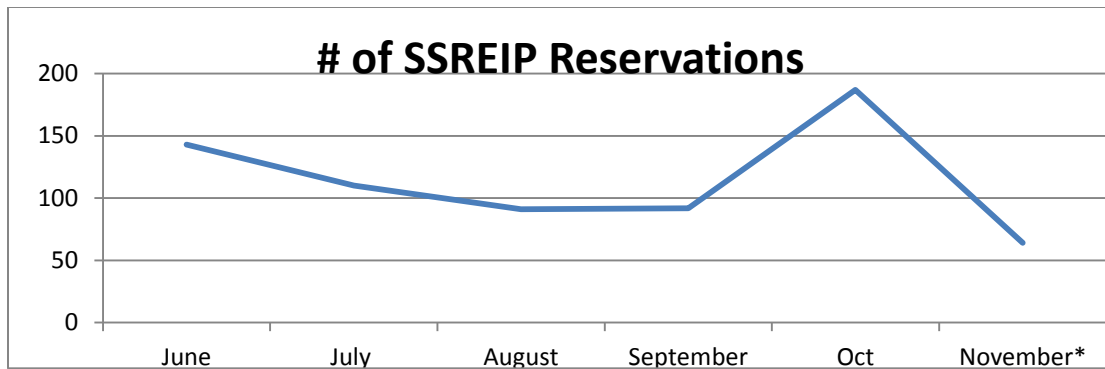
PERD

Residential and Commercial Building Energy Standards (RBES & CBES) – Code Update

- PSD legal council filed the PSD response to LCAR’s objection and will appear at the LCAR hearing on 11/13 to answer any further questions regarding. Then LCAR will make a final ruling (most likely with the objection standing) and we can file the adopted rule.
- Final Drafts of RBES and CBES are being prepared for ICC review.

Clean Energy Development Fund

- **SSREIP**
 - This week’s payments were for 12 PV systems (74kW total) and one solar hot water system for a total of **\$18,876** in incentives.
 - The first 3 pellet boiler incentive applications were received this week.
 - Overall reservations made a big jump for October – largely due to increasing the installer cap. Here is a graph showing the reservations over the last 5 months – including the 1st week of Nov:



- Windham County Solar Finance Program
 - Continued revisions to RFP to solicit proposals from Windham County financial institutions to provide credit enhancements for residential solar PV installations; learned that at least one bank in Brattleboro is interested in applying

Renewable Energy Items

- Chris Conover of New England Hydropower asked if we would set up a meeting with Sens. Ayer and Bray. The Sens. are happy to know about the project, but it appears the best next step is to connect Chris with the Town of Middlebury. Reaching out through VECAN to do that.
- Attended call with Jim Sullivan of BCRPC, David Hill of VEIC, and Andi Colnes of VEIC to discuss the scope and budget for the RPC energy plans work. VEIC may need up to \$10k-\$15K per region to do detailed modeling work as part of their larger DOE grant. That may require further cuts in the RPCs' budgets or scopes, or elimination of one of the three RPCs from the project. Jim and David will go back and look at their bottom lines and individual line item costs. The next call will be Friday, 11/14 at 10 a.m.

Standard Offer

- Drafted and filed with the Public Service Board recommendations for "avoided cost caps" to be used in the standard offer solicitation process for both small wind and solar PV. The caps, which are intended to be representative of the price a utility would otherwise pay for that particular technology, are effectively ceiling prices for responses to the RFP. After leading a working group of interested stakeholders including utilities and REV members to vet proposals, the Department is proposing caps of \$0.155/kWh for solar PV and \$0.253 for small wind, based on outcomes of cash flow models. A draft of comments was provided to stakeholders in advance, but no comments were received.
- Participated in Agency of Ag working group attempting to calculate avoided costs for farm methane. These avoided costs are not "caps" similar to solar PV or small wind because all farm methane projects are statutorily outside the cap and thus accepted. The discussion outlined data needs and sources and a process for coming to resolution within approximately 3 weeks-1 month.

Net Metering

- Presented to a Public Service Board workshop the results of the Department's net metering study. This presentation marked the kick-off of the Board's net metering redesign process. Comments are due to the PSB on 11/19 with regard to the structure of the redesign process.
- Applied to NREL for technical assistance associated with net metering re-design process. A determination will be made in early December.

Net Metering Activity 11/1/14- 11/7/14

	Registrations*	Applications	CPGs Granted
Count	36	0	40
kWAC	216.985	0.00	230.880
Ave Size kW	6.0273	0.00	5.772

Cumulative Capacity of Registrations and Applications Submitted

Year To Date		Total Since 1999	
2013 kW	2014 kW	1999 – 2014 kW	% of 15% CAP
11655.59	18072.36	56603.08	~ 37.74%

*Note: As of April 1st projects up to 15kW are now eligible for the registration process. Prior to this change, systems larger than 10kW were required to file an application.

Heating Fuel

- Crude Oil prices continue to decline now at \$78.48 v. \$81.26 a week ago
- The natural gas market has traded higher now at \$4.475 v. \$4.124 a week ago.

Other

- Staff updated number of thermal efficiency retrofits completed statewide as of 2013 for High Meadows Fund gathering of participants in the Thermal Efficiency Task Force on November 11th as shown below.

Total Units Retrofitted (as of 2013)							
	2008	2009	2010	2011	2012	2013	Total (per program as of 2013)
EVT	298	480	644	952	1,132	1,162	4,668

BED		3	2	8	7	2	22
VGS	164	239	176	171	214	207	1,171
WAP	1,427	1,570	1,832	1,722	1,773	1,100	9,424
VFEP			66	1,005	445	249	1,765
	2008	2009	2010	2011	2012	2013	
<i>Cummulative Statewide Total (annual)</i>	1,889	2,292	2,720	3,858	3,571	2,720	
<i>Cumulative Statewide Total (running)</i>	1,889	4,181	6,901	10,759	14,330	17,050	

Engineering

VY Implements New NPDES Permit

State Nuclear Engineer was notified on November 7 that VY has completed and installed all plant computer programming necessary to implement its new National Pollutant Discharge Elimination System (NPDES) permit issued by the VT Agency of Natural Resources on October 13. VY began operating under the new NPDES permit at 3 PM on November 6. VY had until November 13 to implement and comply with the new permit.

Texas Low Level Radioactive Waste Commission Teleconference

The State Nuclear Engineer participated on a conference call with the Vermont Compact (Peter Bradford, Jane O'Meara-Sanders and Dick Saudek) who were interested to learn if any decommissioning activities in the near future were likely to dramatically increase the amount of Low Level Radioactive Waste that VY ships to the disposal site on an annual basis. Based on information currently available, the amount of Low Level Waste from VY to be shipped is likely to remain similar to that associated with power generation for the next 1 to 2 years. However, we agreed to find out whether the upcoming drainage of systems (as part of VY's transition to "cold & dark") will dramatically increase the amount of Low Level Waste generated at VY. The Compact Commissioners indicated that they would like to have similar conference calls every 2 months or so (coinciding with Waste Commission meetings).

VY to Conduct Drill Testing Post-Shutdown Emergency Response Organization

On Wednesday, November 12, VY staff will conduct another site emergency drill to test the functioning of the Emergency Response Organization (ERO) proposed for implementation subsequent to VY's final shutdown in December. The main purpose of this drill (and several recent drills) is to allow all members of VY's post-shutdown operational (i.e. SAFSTOR) organization to become qualified in ERO roles proposed in a Licensing Amendment Request summarized in Entergy Letter Bvy 14-018 that is currently under review by the NRC. While there will be no State participation in this drill, the State Nuclear Engineer will monitor feedback from the drill for any potential concerns regarding the new ERO's functioning. A similar drill scheduled for December 3.

2014 Vermont Gas Systems Addison Transmission Pipeline Construction

Vermont Gas Systems Vice President Jim Sinclair informed Engineering that VGS will be terminating its relationship with the current contractor of the ANGP project, Over and Under Piping Contractors Inc. The company expects this contractor's construction activity will end prior to Thanksgiving. The company has not yet selected a replacement to complete the "main line" portion of Phase I of the project, however several companies have indicated interest and availability for the construction season of 2015. Engineering continued to witness construction activities in Colchester and Essex during this report period. These activities included pipeline installation adjacent to Rt. 289. Currently, over 27,679' of pipeline have been completed.

ISO-NE 2014 Regional System Plan

ISO-NE released its 2014 Regional System Plan (RSP) on November 6, 2014. The main impact to the VT transmission system is the need for some additional reactive sources (capacitors or synchronous condensers), one set of which is suggested for the Bennington area. The other area of concern in VT is the 115 kV line from Ascutney to Coolidge, which is under study for the need to re-conductor the line. On a regional basis, insufficient natural gas pipeline capacity is the top concern as more generators are burning gas instead of using coal, oil, or nuclear sources.

Regional Policy

NECPUC meeting with ISO-NE Board of Directors

- On November 7 NECPUC commissioners and staff working on regional matters met with the ISO-NE Board of Directors and the NEPOOL sectors.
- The meeting with the ISO-NE board focused on the following issues:
 - Demand response in wholesale markets – the states wanted more information about what ISO-NE was planning in response to the D.C. Circuit Court of Appeals decision that FERC did not have jurisdiction to require demand response's participation in the energy market. ISO-NE responded that FERC had not required any changes to its market rules and was not proposing any changes unless ordered by FERC. ISO-NE also noted that states may need to take over responsibility for incorporating demand response into planning and link collective state efforts to the regional process, although ISO-NE indicated that it would likely insist on minimum threshold requirements regarding performance requirements, deliverability, and dispatchability before agreeing to integrate state-run demand response into the regional planning process.
 - Cybersecurity – states suggested that it and ISO-NE should ensure that information gathered by each entity is shared appropriately and wanted to ensure that NECPUC was familiar with the actions being taken by ISO-NE to address cybersecurity concerns. ISO-NE agreed that an improved information sharing process would be beneficial.
 - Gas-electric issues – states raised concerns about what ISO-NE was planning on doing to address the impact on reliability of winter-time gas constraints. ISO-NE

responded that it has not been able to come up with a market-based solution that maintains its core principle of fuel neutrality, and seemed to refuse to consider anything that was not fuel neutral. One member of the ISO-NE board stated bluntly that its mission is to keep the lights on and it will pay whatever it takes to do so; it should be the states that address price concerns.

- Distributed generation forecast – states expressed concern that ISO-NE is moving too slowly to incorporate distributed generation into the planning process. ISO-NE indicated that it will continue to work on the issue but not as quickly as the states may like. However, ISO-NE also indicated for the first time that there is a large class of distributed generation that is simply too small to participate in the wholesale markets and ISO-NE must change its approach to dealing with these resources.
- Transmission cost caps – states noted that Order 1000 requires competition in transmission planning and, in order to meaningfully compare competing transmission projects, there must be some way to ensure that cost estimates are accurate. ISO-NE stated that transmission owners are the ones with authority over cost issues related to the transmission tariff.
- States' discussions with NEPOOL focused on the following issues (due to the schedule, staff was only able to meet with three of the six sectors):
 - A majority of Transmission Owners strongly suggested that the New England Governors' Infrastructure Initiative was needed to control wholesale prices. The TOs also agreed to assist states with pushing for incorporating distributed generation into the planning process. Finally, the TOs also raised concern that the existing stakeholder process was not working adequately and ISO-NE was not taking stakeholders' views into account when developing new proposals.
 - Efficiency providers raised concerns with ISO-NE's last minute changes to the Forward Capacity Auction qualification process that resulted in decreases in the amount of new energy efficiency that was qualified for the next FCA.
 - Public power raised concerns about whether wholesale markets were meeting the needs of ratepayers and discussed strategies for forcing a meaningful conversation on the issue.

New England Governors' Infrastructure Initiative

- State and NESCOE staff had a call with FERC staff to discuss the concept of a voluntary electric transmission tariff that would support a Clean Energy Delivery Commitment Model. This approach is an attempt to require delivery of energy without a power purchase agreement, as the transmission tariff would act in place of a PPA. The tariff would obligate the owner of the transmission facilities to deliver a set amount of energy during certain periods of time and the transmission owner would have to make arrangements with a power supplier to fulfill the tariff commitments.
- The transmission costs (which would have energy costs included) would be paid for by ratepayers in states that agreed to issue an RFP. So far, only Connecticut and Massachusetts have indicated they would likely participate. Rhode Island and New

Hampshire are withholding judgment, and Vermont and Maine have said they will not be participating.

- FERC staff were mostly collecting information during the call but expressed skepticism that any transmission owner would actually respond to an RFP.

UVM Energy Conference

- Richard Watts at UVM is putting together a two-day conference titled “Power from the North” to discuss the history, current situation, and potential future relationship of energy ties between Vermont and Quebec. The conference is scheduled for March 23 and 24. Staff are working with UVM to develop the sessions and identify potential speakers.

Public Advocacy

Addison Expansion—Docket 7970—Vermont Gas met with the Commissioner and staff to discuss condemnations for Phase I. There are currently no petitions pending as the ones that had been filed have either been settled or withdrawn. The Company is ready to proceed with approximately 20 more, but is making renewed efforts at settlement and mediation. No decision has been made on the issue of requesting equitable possession following a finding of necessity.

Addison Expansion Phase 2—Docket 8180—Solar Haven Farm is due to file its surrebuttal testimony on November 14. It purportedly will respond to our rebuttal testimony on renewable natural gas.

Vermont Gas Penalty Investigation—Docket 8328—In a Procedural Order issued on November 6, the Board denied intervention to Mrs. Peyser and CLF. The Board directed the remaining parties-VGS and the Department-to submit a proposed schedule which would include dates for VGS and Department testimony, with discovery on each. The Board reiterated that the requested testimony include answers to the questions posed by the Board. The schedule is due on November 13 and the Department is considering how best to respond to the Board’s directive that we file detailed factual testimony. The only “fact” witnesses that the Department has available on these issues are the Commissioner and the lawyers on Docket 7970.

VY License Amendment Request – NRC 50-271-LA – The Atomic Safety and Licensing Board held a prehearing conference. Oral argument addressing the admissibility of the Department’s contention will be held telephonically on December 1, 2014.

New England Clean Power Link Project – No Docket – The petitioner has asked to meet with PSD counsel on November 20th to discuss its HVDC electric transmission line petition, which is scheduled to be filed with the PSB on December 8th. The PSD has gathered the contact information and plans to contact the select boards of each town or city impacted by the transmission line and offer to meet with them, as required by statute.

Poles Treated with Pentachlorophenol – Docket 8310 – The PSB Clerk copied the PSD on its letter informing Ms. Peyser of the steps taken to address the utility pole placement, namely opening the general investigation into best management practices for the use of treated poles (this docket) and requiring VGS to implement a soil management plan to guard against potential contamination from construction activities in the vicinity of utility poles (Docket 7970).

Charter Cable CPG Renewal – Docket 7820 - The Department, Charter and VAN continue to engage in settlement discussions, which are progressing positively towards a MOU. The parties are participating in a phone conference on November 12th to address open issues. The Board will be scheduling a technical hearing for the first week of December. If a settlement is reached, the parties will prepare a MOU and Joint Proposal for Decision.

SED Rate Case – Docket 8074 – SED filed the business process review final report submitted by Lummus Consultants with the Board. SED and the Department will file a timeline and process recommendations for implementation of the business process review recommendations with the Board by December 17.

Mountain Water – No Docket – Mountain Water has filed a proposed revised tariff (and edits to the rate schedule as required by the revisions to the tariff) that clarifies the terms and conditions for service and the terms for the installation of individual usage meters in dwellings within multi-unit buildings currently served by a master meter. Petitioner requests the proposed revisions become effective December 26th.

Vermont Water Utilities Rate Increase – Tariff 8517 – The PSD is finalizing edits to the water company's rules, along with its disconnection notice. The PSD anticipates recommending the PSB approve the 46% rate increase with the changes to the rules and disconnection notice. The PSD recommendation is due December 16th.

Woodstock Aqueduct Company – Tariff 8535 – The petitioner has responded to the finance department questions and has provided its rules and its disconnection notice for PSD review. CAPI has provided edits to the rules and the disconnection notice. PSD is reviewing the remaining responses. The PSB has requested the PSD recommendation by December 16th.

Telecommunications

VTel Projected Coverage – PSD staff prepared a list of the 8069 locations that presently lack access to broadband from a fixed provider, but that are within the VTel wireless ARRA-funded service territory. Of these, 2183 locations lack broadband service from mobile providers as well.

Maps for PSD Website – PSD Telecom and Planning divisions each seek interactive maps on the PSD website. VCGI indicated that it would cost \$10,000 for the PSD to adopt the Geocortex software employed by other state agencies. PSD staff has inquired about whether the NTIA grant funding for broadband mapping, which expires soon, could be used to cover all or a

portion of this cost.

FairPoint Broadband Data – VCGI is analyzing the 10,348 locations that have been marked served by FairPoint but that are not listed in the most recent FairPoint submission. Previous analysis indicated that approximately 700 of these are not marked served by any other provider. Further research has determined that this number is actually 3,756. VCGI is preparing data about when all 10,348 were marked served so that this can be provided to FairPoint for review.

FairPoint IRP Technical Hearing – The Public Service Board held a technical hearing in the FairPoint Incentive Regulation Plan proceeding on Monday. The Board appeared unconcerned with the actual IRP and more concerned with recent service quality and customer care issues. Witnesses for FairPoint and Department staff were asked only a few questions about the actual plan. One issue important to the Board was the exclusion of line extension rates under the Plan. Division staff gave testimony stating the Department does not object to the tariffing of line extension rates.

Telecommunications Plan – The final edits on the Telecommunications Plan were completed this week and sent to ACCD's marketing team. Staff is continuing to review the document for lay-out features such as call outs and boxes. ACCD is working on the final product.

Shoreham Rate Increase – Shoreham Telephone Company Inc. raised its basic service rate to meet the FCC floor for Universal Service support. The new rate is \$15.00 per month. That rate includes local measured service. The rate increase is in response to an FCC order raising the minimum amount telephone companies can charge and still receive Universal Service Funding. The Division expects most incumbent exchange companies to raise its rates within the month.

Westmore Planning Commission and Selectboard Joint Meeting with VTel – On November 10th the Department attended a public meeting regarding a proposed telecommunications facility at 319 LaCross Lane in Westmore, Vermont. This proposed tower is in the 45-day notice pre-filing period before VTel submits its application to the Public Service Board.

The Planning Commission and Selectboard members used this meeting as an opportunity to gain information from VTel and from the public attendees. Attendees expressed concerns about the need for the facility. VTel explained that its proposed tower will serve 920 rooftops, of which 47% are RUS addresses, meaning they are un- or underserved. VTel stated that its information is taken from USDA RUS 2009 data. Meeting attendees contended that the data is old and incorrect and that there exist no un- or underserved areas in Westmore (note: one attendee indicated she has no broadband access, and this proposed tower would not serve her). VTel expressed that even if the town is not underserved, the tower would deliver the benefit of competition. Meeting attendees asserted that Westmore already has broadband competition: FairPoint and Great Auk offer broadband to the area, and AT&T provides cell coverage.

Meeting attendees requested that VTel investigate co-location on the Great Auk tower or on a multi-carrier tower at the Orleans Country Club. They also requested that VTel consider a site across Lake Willoughby where a landowner already has already located a tall structure (a wind turbine possibly). The Town is considering whether to request that the Department hire an expert. The Department explained that the Town would want to tailor its request to express specifically what it was looking for and that the Department would focus on § 248a criteria. The Department explained in lay terms that according to statute (§ 248a(o)) the Department may retain experts “to provide information essential to a full consideration of an application,” but the Department explained that hiring an expert “shall not oblige the Department or the personnel it retains to agree with the position of the municipality.”

Finally, a few attendees expressed concern about the health risks from radiofrequency radiation, mentioning headaches to cancer.

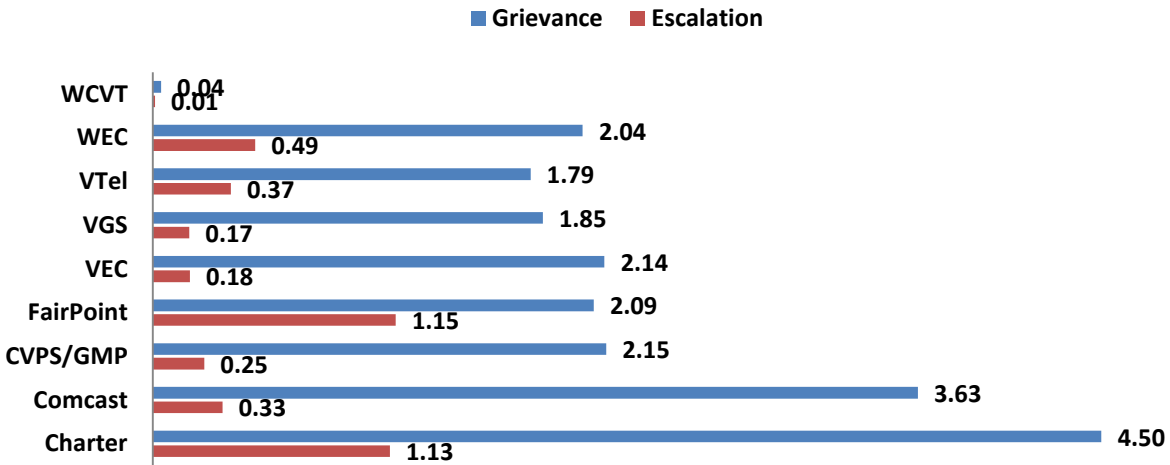
Wireless Telecommunications Facilities (248a) Report –

A summary of activity in the past week about wireless telecommunications facilities:

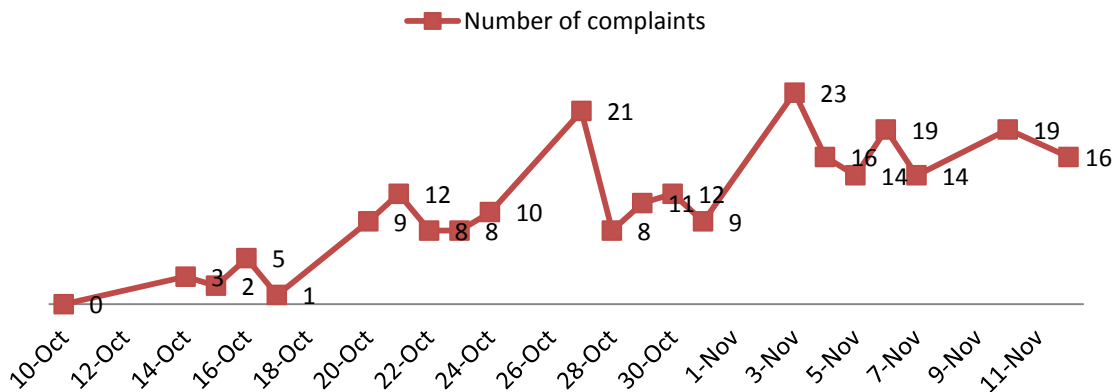
Date	Applicant/Location/Type of Filing	Brief Synopsis and if applicable DPS recommendation to the Public Service Board
11/7/2014	AT&T/Townshend/full project application	AT&T is working with the town to address some of the town’s concerns regarding the proposed 120’ monopine; the Board granted permission for DPS to submit comments after an update from AT&T
11/7/2014	Vt RSA No. 2-B2 (US Cellular)/Springfield/ <i>de minimis</i> modification	Addition of three antennas to US Cellular’s facility at 190-feet high on an existing 290-foot tall guyed lattice tower; DPS recommended approval.
11/12/2014	AT&T and American Towers (ATC)/Killington/project of limited size and scope	100' custom stealth tower; AT&T and ATC worked with the town to come up with a custom design camouflaging AT&T’s and up to three future carriers’ antenna arrays behind colored fiberglass panels, and the tower is topped with panels bearing the town’s insignia; DPS recommended approval.

CAPI

Complaints Investigated, by Company per 1000 customers January 1 - present, 2013



FairPoint Complaints Beginning 5 days before strike to present



CONSUMER COMPLAINTS

Complaint topics included, but were not limited to:

- FairPoint:
 - (25) wait time in phone queue
 - (27) delay in repairing phone service
 - (16) delay in repairing DSL service
 - (6) service order delay
 - (1) closing repair ticket without complete repair
 - (2) service cancellation

- (2) Lifeline discount
 - (4) other
- (1) Broadband availability
- (1) Scam call threatening disconnection to BED customer
- Question about location of fiber optic line locations

POST CPG WIND COMPLAINTS

Kingdom Community Wind (1), for noise



State of Vermont
Department of Public Safety
103 South Main Street
Waterbury, Vermont 05671-2101
www.dps.state.vt.us

To: The Honorable Peter Shumlin
From: Keith Flynn, Commissioner of Public Safety
Date: November 14, 2014
Subject: Weekly Report

DEMHS

As of 11/10, the W. Africa traveler was allowed to self-monitor and further observation by law enforcement is no longer required. The voluntary quarantine is due to conclude on the 17th.

A press conference was held with Commissioner Flynn at Forests, Parks and Recreation in Essex. The purpose was announcing the two new CBRNE/Wildland response vehicles.

The Quebec-Vermont Cross Border Workshop planning meeting was conducted. This is in advance of the December workshop to be held in VT.

Field audit follow-up was conducted on the Grand Isle County Mutual Aid Association programmatic monitoring.

The Green Mountain Council of the Boy Scouts of America has requested utilization of CERT teams for the 2015 Boy Scout Spring Camporee. It is expected that 2,000 people will attend the event and the CERT team will support traffic control efforts.

The Fairpoint strike continues. DEMHS continues to monitor the strike and participate in daily conference calls with the Department of Public Service and the Fairpoint president of Vermont operations.

Fire Safety

The Division received \$3.3 Million in new plan review construction valuation collecting \$17,500.00 in permit fee revenue.

Fire Safety Director exchanged an email with Representative Warren Van Wyck-Gov Ops Committee regarding plan review delays in his district. This is the run down on the constituent Robert Feuerstein issue,

Received 7/15/13, issued 7/17/13 = 2 day wait

Received 8/14/13 issued 8/19 /13 = 5 day wait

Received 12/9/13 issued 12/9/13 = same day, no wait

Received 8/1/14 issued 8/14/14 (Field Review) 13 day wait

Received 10/17/14 – pending – 25 day wait (will be taken care of Friday)

Received 10/17/14 – pending- 25 day wait (will be taken care of on Friday)

VSP

A Troop

17 arrests, 5 DUI

Suicide in Westford, 58 year old depressed male killed himself by CO poisoning in the garage using a lawn tractor.

Two drug cases at CCCC, bupe in the mail.

Sex assault case at CCCC involving a CO and up to 3 female inmates

Continued work on assist to Barre Town PD on suspicious death of a 31 year old special needs male. The caregiver is the suspect.

B Troop

16 arrests, 6 DUI

Rebecca Rodger's sister asked for a welfare check on Rebecca due to some disturbing text messages. Troopers went to Rebecca's residence, made entry, but were unable to locate her. While troops were searching for her, two men located her parked on a back road. She had hose attached to her exhaust and piped inside her running vehicle. She voluntarily agreed to MH services.

Troops responded to a report of a female who shot herself in the head at her Sutton home. Upon their arrival, Stacy Spencer was still alive with a gunshot wound to the head. Stacy died en-route to the hospital. Case is being investigated.

Troops received a call from people who were watching the neighbors three year old. The baby started having a medical issue so they called rescue and state police. Baby transported. Billings was found at local hotel with a known drug dealer. Admitted to smoking pot. DCF notified and baby released to another family member.

Pursuit involving man just released from NH jail.

Death investigation W. Burke. Female died and was under Hospice care, Doctor initially was going to sign off on certificate, but changed mind due to History of Abuse in the 1970's and 80's that could have contributed to the death. Case pending autopsy results (Annis)

C Troop

18 arrests, 5 DUI

Executed three separate consent searches of vehicles. Two of the searches resulted in civil possession tickets.

Follow up with US Attorney's office regarding heroin overdose death (Daniel Grant); prosecution declined.

New Case: 17 year old female gave birth and advised it was the result being raped by an 18 year old male. City of Rutland. Victim Interviewed. Interview attempted with Perpetrator.

New Case/Assist: 11 year old female reports being sexually abused by her mother's 32 year old boyfriend. Town of Poultney. Interviews conducted. Arrest made for Aggravated Sexual Assault and Lewd and Lascivious Conduct.

Agency assist Windsor PD with possible suicidal subject who sent a letter to Central

D Troop

18 arrests, 3 DUI

Conducted a mv stop on I91 in Rockingham; 0099 done; 1 arrested for DUI-Drugs, Poss of Heroin and Poss of a narcotic; 2nd arrested for Poss of Heroin and Poss of a narcotic.

Tpr. arrested one at SSCF as a Fugitive from NH.

Tpr. responded to a reported subject out of control and assault in Cavendish; upon arrival, Tpr. arrested one for Simple Assault, Unlawful Restraint (held victim inside a bathroom), Unlawful Trespass and Disorderly Conduct.

Shooting investigation, Royalton. F. Phelps cited for Agg Assault

Arson

Residential Fire Investigation in Middlesex. Middlesex FD responded to residence the previous night for a Co2 alarm activation. Source of Co2 could not be located and FD instructed the family to leave. At 0400 the FD is called back for a fully involved structure fire at the residence. Investigation determined the fire originated in the attic and was associated with construction being done in the area of origin. Sgt. Lamothe investigated and the fire is not considered suspicious.

Fire Investigation in Royalton involving a barn and a house. The fire started in the barn and extended to the house. The FD did not call until after they used an excavator to remove hay and level the barn. The FD was not going to call but the fire chief was employed by the farm owner and wanted a neutral third party to make the determination. The fire is not considered suspicious and the fire may have started as a result of spontaneous combustion in the hay or a heating lamp used for livestock. Sgt. Otis investigated.

Fire Investigation in Waitsfield. Fire occurred at a small cabin behind a residence. There was no power to the cabin but it did have a wood stove. The fire was not reported by the owner until after the cabin had collapsed. The owner was letting a female stay in the cabin for free. When the owner first discovered the fire he did not call the fire department because he suspected the female may have been making "meth" and did not want to get her in trouble. There were also some "suspicious" text messages received by the female before the fire was reported. Sgt. Smith investigated. Determined the fire was the result of the wood stove. No evidence of meth being made and after extensive interviews it was determined no criminal act had occurred.

Fire Investigation in Burlington. Fire occurred at a sorority house on the UVM campus. No injuries as a result of the fire. Burlington FD believed they had determined the area of origin but needed assistance with electrical arc mapping and tracing of the circuit. It was determined the fire was the result of a faulty fan unit in one of the bathrooms. Sgt. Hill and Sgt. Lamothe conducted the investigation.



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Jeb Spaulding, Secretary

**PRIVILEGED AND CONFIDENTIAL
MEMORANDUM TO THE GOVERNOR**

TO: Governor Peter Shumlin

FROM: Secretary Jeb Spaulding

DATE: November 14, 2014

SUBJECT: Confidential Report to the Governor

BUILDINGS AND GENERAL RESOURCES

Of Interest to 5th Floor from BGS Directors:

195 Colchester lease to Fletcher Allen: Requested project info and found that UVM and FA are tightly aligned. Project is 38 months, \$187M and realigns the FA building to the UVM campus. FA is interested in 195 Colchester and wants to perform some structural analysis. Steering to Facilities to work with them on analysis effort. Recommending attempting to close on the revision language in the deed as part of any lease.

Gas-line protest:

- Panic alarm test scheduled
- Employee training being arranged for 5th floor staff and will expand to other floors
- SOW for elevator enhancements in review.

Pending property dispositions that need attention - 195 Colchester, 43 Randall, Wasson & Stanley, 62 Pierpoint, Needleman condo and Rockingham DPS (appraisal received), West Brattleboro DPS (appraisal received)

39 applicants for Security Director – reviewing applications

Montpelier 122 State Street Heat Plant: The oil burner has been setup and tested on both woodchip boilers. During the operation of the oil burner, we found that the rated horsepower is less than expected, approximately half. This was not expected and there was no detail in the purchase order. The contractor is looking for the correct size. The contractor agrees the horsepower is not as designed and will have a boiler technician on site this week to address. Once the burner is corrected, the contractor will work on installing the wear bars in three inclined screw conveyors.

Westminster New Public Safety New Building: The Town has provided a draft permit and there are still issues that conflict with Title 24 VSA §4413. Jeff sent a response back to the Town on Monday, waiting for the Town to follow up.

Significant Events/Meetings:

Joint Fiscal Committee – Steve Klein, JFO, covered the below Fair Market Value issue in his report to the JFC at a meeting held on Wednesday. He is urging a change in the statute to put the emphasis on reporting not approval.

Education Finance – Met with Bill Talbott and Wanda Minoli to discuss education (capital funding) and its use to incent district consolidation.

Building Communities Grants Program Meetings – Met with the Regional Economic Development Committee, which include Senator Mullin, Rep. Botzow and Kiersten Bourgeois on Thursday, November 13th to review grant applications. Meeting with the Recreational Grant Committee is scheduled for tomorrow and the Human Services/Educational Grant meeting is on Tuesday, November, 18th.

FINANCE AND MANAGEMENT

Commissioner Reardon, Deputy Commissioner Clark and the budget analysts continue the FY 2016 departmental budget meetings. This week the budget office met with the Vermont Veterans' Home and the Department of Labor. Budget meetings are almost complete.

Commissioner Reardon presented to the Joint Fiscal Committee on a variety of issues included potential needs for budget adjustment and the FY16 estimated budget gap.

Commissioner Reardon is attending the Fall meeting of the Governmental Accounting Standards Advisory Council.

HEALTH CARE REFORM

Waiver Update

Work group meeting - On Thursday, Devon met with DVHA and GMCB staff to discuss the 1332 State Innovation Waiver and the All-Payer Waiver. At the meeting, Devon updated the staff on the three federal inter-agency meetings, Treasury meetings, and the letter of agreement sent to CCIIO. They also discussed the upcoming meeting on November 25th with CMCS to discuss Medicaid eligibility issues. Specifically, Vermont is proposing to streamline most Medicaid eligibility determinations through tax information. The group also discussed the integration of the 1332 State Innovation Waiver and the Medicaid Waiver and avoiding duplication in reporting requirements. Devon will collect a list of

specific questions around eligibility and streamlining the 1115 Medicaid Waiver and 1332 State Innovation Waiver process from the group to give to CMCS prior to the meeting, since this approach worked well with Treasury. GMCB staff and Anya updated the group on the All-Payer Waiver process.

Tax Technical Working Group

On Thursday, Devon met with the Tax Department's Tax Technical Working Group to talk about tax issues under the Affordable Care Act. Devon presented Vermont Health Connect's outreach plan for dealing with the premium tax credit reconciliation and answered questions about ACA tax issues.

Federal Meeting

11/6 inter-agency call - Last Thursday, the team held a federal inter-agency meeting with CCIIO, CMCS, CMMI, OMB, the Office of the Actuary, Treasury and DOL. Devon and Robin presented on how Green Mountain Care will satisfy the non-financial components of the 1332 State Innovation Waiver. We have a meeting with CMCS scheduled and are in the process of scheduling a joint meeting with the economists at Treasury, the Office of the Actuary, and OMB to further refine federal funding assumptions. DOL also requested a meeting, which we are in the process of scheduling. At the next CCIIO meeting, scheduled for November 17th, the team will request confirmation on the nonfinancial aspects of the 1332 State Innovation Waiver and get an update on the letter of agreement submitted in late October.

HUMAN RESOURCES

Legislative Issues/Contacts:

Testified before the Joint Fiscal Committee providing an update on the position pilot program. The position pilot was authorized in the big bill last session – it in essence authorizes four organizations (BGS, AOT, DEC and DCF) to create positions based upon organizational need within the parameters of their budget. JFC was generally receptive to the report, but expressed concern as to the long term ability to fund newly created positions. The organizations involved are being thoughtful in their use of the pilot authority and I anticipate they will be called upon to testify in detail about the financial impacts/economic efficiencies realized through use of the pilot. VSEA is in favor of the pilot and supports its expansion to other Agencies/Departments.

Testimony provided by the Administration to JFC on the Vermont Veteran's Home recommended a reduction in the bed licensure to 130 beds and to staff accordingly. The VVH is currently staffed for 150 beds. VVH and DHR are assessing what this change would mean in terms of current staff. Anticipate VSEA will actively oppose Administration's proposal.

Significant Events/Meetings:

Meeting with Agency of Education regarding HR services. The meeting was positive but it was clear the AOE has many concerns about the HR services they receive. Working on a plan to adjust our staffing levels in support of AOE and provide AOE with some supervisory and management training.

Meeting of the VSERs Board. Discussion with State Treasurer about possible changes to our approach regarding returning employees to work when not found permanently disabled and exploring the existing statutory authority to offset disability retirement benefits based upon earning potential.

Meeting on wellness incentive ideas for upcoming year. Tentative plan is to offer incentives for employee physicals, health self-assessments and blood pressure/cholesterol screenings. From data we have, it appears we will target some enhanced efforts at the AOT and DOC populations. We are required to bargain the incentives.

Emerging Issues:

With the realignment of our investigations unit with field operations, we are exploring opportunities to cross-train staff and shift duties to better meet customer needs and perhaps realize some vacancy savings in our budget.

Engaged in conversations with AHS and DII about development/procurement of statewide training/registration software. Our goal would be to partner with AHS and utilize the software in support of the new training center.

JFO asked what we are planning re: the Cadillac Tax under the ACA. We indicated that the plans are negotiated with the unions, so though we have thought about what can happen, we haven't made any decisions on this issue.

Working on some ACA implementation issues with VTHR. Lots of lingering questions around what constitutes and employee under the ACA – the IRS rules/interpretation are not clear. This could have implications relative to our temps and contractors as we do not offer them health benefits. Consolidating questions and will consult with the AGO.

Received notice from Finance that the proposed budget of \$488K to fit up and staff the new Workforce Development training initiative has been approved. According to Finance, the initial plan was to cover the FY'15 costs via the General Fund but that is no longer under consideration given the state of the General Fund. The current plan is to cover the cost with internal service funds and invoice agencies and departments or cover the cost in the Budget Adjustment, likely funded through excess receipts.

INFORMATION AND INNOVATION

Status of Governor's Priorities:

Healthcare

- Healthcare:
 - Optum has delivered a large and unsustainable quote to the state for ongoing security services of the health services enterprise platform. The State security team is working to review vendors and develop a cost competitive model.
 - Security spending for 2015 has been defined in a business case that is circulating the committees in the next week. This needs approval ASAP to start rolling out services and transition off of a short term Optum contract ending on 12/31.
- The Pharmacy Benefits Management (PBM) project is on track from a security perspective. The vendor has provided security details that demonstrate positive competencies.

- Health Services Enterprise (HSE): We've developed a project manager (PM) Scorecard to be used for evaluating PM's assigned to Healthcare initiatives. The results will be recorded and combined with other activities related to overall vendor management of the three contractors providing PM staff to HSE.

Evolving Issues

Security Operations

- Along with other projects such as Tax's FAST and DVHA's VHC the CISO continues to evaluate scope for a managed security service to provide 24x7x365 coverage for some operational aspects of security.
- The evaluation work of this task is being combined with Healthcare to ensure an Enterprise approach and greater efficiencies are obtained.

LIBRARIES

TAXES

Legislative Update:

Technical Tax Working Group Meeting: We held our quarterly meeting with the practitioner group, largely focused on the VTax project. They are generally very enthused, although sometimes glossing over the huge leap in improved function to detailed hopes and dreams for an ideal future state. One real concern for this tax season is whether/how quickly the software vendors that practitioners use will do the work on their end to develop the necessary Vermont specific forms – the Department is reaching out to them, but there are national challenges this year.

A huge shadow is being cast on this filing season by the delay in Congress in acting on the so-called “extenders” – 55 tax breaks including bonus depreciation and the qualified production deduction. This is threatening to push back the start of the filing season to February (the IRS ideally opens filing in mid-January). This is a parallel to 2013, which did disrupt our processing to some extent – not an ideal circumstance the year that we launch our new system for corporate and business income.

For practitioners, the extender delays mean that they have some clients sitting on capital purchases pending the outcome. One practitioner described how the extenders can drop a capital intensive client's tax bill over \$800,000. Anecdotally, the practitioners cited some national chatter that capital gains will pick up this year because mutual funds have run through their losses – they will have those mutual fund statements mid-December and will plan estimated payments by year end accordingly to get the fed deduction for state taxes (a glimmer of hope). The practitioners uniformly reported a sense that their business clients generally were doing well profit wise (although not necessarily hiring). One guessed 3-5% growth for clients. One practitioner independently reported what we had surmised from our data – that 2013 was a banner year for exercising stock options (some of which were reported as withholding), and that he is not seeing that activity in 2014.

Top 100: We are sending out “hard” letters to the first set of likely candidates for the lists. We have our first letter from a law firm, threatening suit if we publish – on behalf of a client who did not appeal an assessment, but is collaterally attacking our judgment on the grounds that the income in question is not subject to VT taxation. We will be researching how other states handle this particular circumstance.

Operations:

VTax: The third and final pass of end to end testing is being completed, and the project remains on track to GoLive on Dec. 8th.

CONFIDENTIAL MEMORANDUM TO GOV. PETER SHUMLIN

From: Susan Spaulding
Date: November 14, 2014
RE: Boards and Commissions Update

NOTES:

Vermont State Housing Authority: Mary Miller suggesting asking Dems who lost in the southern part of Vermont as a way of saying THANK YOU FOR RUNNING ... if they are interested.

Joann Erenhouse, Bennington 2-2 – Lost by less than 100 votes
Anne Gallivan, Rutland-Windsor – Lost by 200 votes
John Moran, Windham-Bennington – Lost by 40 votes
Michelle Fay, Caledonia 3 – VERY close race

BC RECORD						
Last name	first name	City	Board/Commission	Initial appt	ending date	Comments
Vacancy			VSHA		2/28/2018	
Feinberg	Caryn	Shelburne	VSHA	3/26/2001	2/28/2018	Assisted by VSHA, recipient of
Hover	Caprice	Rutland	VSHA	10/16/2001	2/28/2016	
Miller	Mary	Waterbury Ctr	VSHA	1/1/1998	2/28/2015	
Richardson	Cory	E Montpelier	VSHA	10/9/2007	2/28/2018	
Ryan	Linda	St. Albans	VSHA	12/31/2011	2/28/2019	
Troiano	Jo Ann	Montpelier	VSHA	3/1/1982	2/28/2017	

Vermont Humanities Council: There is one vacancy and one term that ends 12/31 that is not eligible for reappointment. Peter Gilbert and Chair Bill Biddle have recommended:

Sarah Dopp from Burlington. She has been a member of the Chittenden County Historical Society since 1980, President on 3 occasions. Founded the So. Burlington Land Trust in 2003 and is the President.

Rolf Diamant from Woodstock. He recently retired from a 37 year career with the National Park Service where he was the founding superintendent of the Marsh-Billings-Rockefeller National Historical Park.

BC RECORD						
Last name	first name	City	Board/Commission	Initial appt	ending date	Comments
Alic	James	Ludlow	Vermont Humanities Council	12/11/2013	12/31/2016	
Griffith	Traci	Williston	Vermont Humanities Council	12/13/2011	12/31/2014	
Harrington	Elaine	Montpelier	Vermont Humanities Council	9/4/2013	12/31/2017	
Wells	Robert	So. Londonderry	Vermont Humanities Council	9/4/2013	12/31/2017	
Vacancy			Vermont Humanities Council		12/31/2018	

Appointments Made This Week

International Trade and State Sovereignty Commission:

REAPPOINTED: David Anger, So. Burlington

REAPPOINTED: Steven Shepard, Georgia

Connecticut River Watershed Advisory Commission:

APPOINTED: Kurt Staudter, Springfield

New England Interstate Water Pollution Control Commission:

APPOINTED: David Dean, Westminster

Water Well Advisory Committee:

APPOINTED: Jennifer Gould, Lyndonville (Well Driller)

Consumer Advisory Council for Health Care Reform:

APPOINTED: Shayla Livingston, Hinesburg

Dept of Aging & Independent Living Advisory Board (DAIL) :

REAPPOINTED: Janet Cramer, Brattleboro (Aging rep)

REAPPOINTED: James Coutts, Swanton (Regional)

Board of Public Accountancy:

REAPPOINTED : Joshua Partlow, Swanton (CPA)

REAPPOINTED: Thomas Shortle, Rutland (CPA)

Board of Allied Mental Health Practitioners:

REAPPOINTED: Tammy Austin, Middlebury (Marriage & Family Therapist)

REAPPOINTED: Wendy Magee, Moretown (Public Member)

Board of Barbers & Cosmetologists:

APPOINTED: Celeste Moulton, Barre (Cosmetologist)

REAPPOINTED: Jon Somes, Newport (Cosmetologist)

REAPPOINTED: Judith Wernecke, Berlin (Public Member)

Board of Dental Examiners:

APPOINTED: Sally Buell, Shelburne (Hygienist)

REAPPOINTED: Gerald Therberge, Brattleboro (Professional)

Board of Funeral Service:

APPOINTED: Daniel Coane, Montpelier (Public Member)

APPOINTED: Michael Donahue, So. Hero (Professional)

Board of Land Surveyors:

REAPPOINTED: Joseph Flynn, Jericho (Professional)

REAPPOINTED: Susan Senning, Duxbury (Public Member)

REAPPOINTED: Timothy Short, Middlebury (Professional)

Board of Nursing:

REAPPOINTED: Douglas Sutton, Ferrisburgh (RN)

Board of Pharmacy:

APPOINTED: James Heal, Putney (Professional)

Board of Private Investigative & Security Services:

REAPPOINTED: James Eckhardt, Chittenden (Combo, mostly security)

Board of Psychological Examiners:

APPOINTED: Marilyn Turcott, Montpelier (Professional)

APPOINTED: Richard Barnett, Wolcott (Professional)

Board of Radiologic Technology:

REAPPOINTED: Jane Alsofrom, Burlington (Licensed)

Board of Real Estate Appraisers:

REAPPOINTED: Linda Retchin, Shelburne (Public Member)

CONFIDENTIAL and PRIVILEGED

To: Governor Peter Shumlin
From: Michael J. Hogan, Commissioner of Liquor Control
Date: November 14, 2014
Re: Weekly Report

Status of Governor's Priorities:

- Fine tuning budget numbers for FY16.
- Listened with interest on the VIT panel discussion on marijuana that Jeb moderated. I thought it was very balanced in the comments. Looking forward to reading the report from the Rand Corp.
- Oregon, Alaska, Washington D.C. passed marijuana measures. Oregon will implement their system similar to the way we sell alcohol in Vermont.
- Sales were up +6.56% for October. November looking good so far!

Legislative Issues/Contacts/Updates:

- Miscellaneous clean up language for Title 7.

Press Issues/Releases/Contacts:

- Nothing

Significant Events/Meetings: Next Board Meeting 12/10/2014 - Enforcement Hearings.

Evolving Issues:

- ERP/POS Project underway. Excellent Progress! Recent meeting with vendors and staff working through the particular functions of the front end and back end systems. Testing new registers next week.
- Preliminary review of department processes for potential licensing and enforcement system. Considering using VIC as they are very familiar with our business processes to help with a statement of work.
- Planning an alcohol symposium for December 3 for policy makers, licensees, and industry partners.
- Working with VIC on break open ticket reporting process. Prototype has been developed. Should be beneficial to Tax and DLC to gauge the amount of tickets sold and who they are being sold to. Working with Tax and should roll out this reporting process in January 2015.

Summary of Key Department Activity:

- Reviewing internal controls with staff and department committee.
- Looking closely at more cross training for some of our divisions.
- **Commissioner's Commentary:** Have a great weekend.