

Land Access and Opportunity Board - MOU Working Session
June 1st, 2023, 4:00 – 6:00 p.m.
Meeting Facilitator: Jessica Laporte CRO's

Attendee	Present
Board	<ul style="list-style-type: none"> ● Xusana Davis, Office of Racial Equity ● Kirsten Murphy, Vermont Developmental Disabilities Council ● Pasifique Nsengiyumva, US Committee for Refugees and Immigrants (USCRI)
Board Alternates	<ul style="list-style-type: none"> ● Rev. Mark Hughes, VRJA
Guests & Public:	<ul style="list-style-type: none"> ● Francis from VHCB ● Robert Appel, Attorney

Agenda & Notes

1. Meeting Convened by Facilitator, Jess Laporte	
<p>2. Feedback / Questions and Discussion of MOU Draft 3 from Attorney Robert Appel</p> <p>NOTE: the live editable version here & Word version will be emailed again after the 6/21 call</p>	<ul style="list-style-type: none"> ● I. PURPOSE <ul style="list-style-type: none"> ○ What is VHCB's EIN and fiscal status? <ul style="list-style-type: none"> ■ VHCB is an independent entity - not the same as VT state. ■ Does not have 501(c)3 status therefore would not be able to receive grants with that requirement ○ Relationship to VHCB - LAOB would not be considered a program of VHCB. <ul style="list-style-type: none"> ■ <i>Example</i> with some similarities is the The Farm and Forest Viability program of VHCB that has an independent advisory board. Program with unique funding source. <ul style="list-style-type: none"> ● Advisory Panel - decides how funding works and is distributed ○ For the purposes of the MOU, <i>Consultant</i> is used to discuss staff and contractors responsible for the functions of this board ● II. TERMS OF AGREEMENT <ul style="list-style-type: none"> ○ Added language to clarify the terms of separation - what LAOB and VHCB are required to do in order to responsibly terminate ● III. LEGAL AND FINANCIAL BASES <ul style="list-style-type: none"> ○ ADD Legal basis for VHCB

- As VHCB doesn't have 501(c)3 status
 - INFO From Robert - [EIN, Secretary of State Registration, etc.] I think this is better off as a comment. We need to find VHCB on the Sec of State's business registry. This requires more research.
- #5 - don't need specific approval to apply for funding in order to solicit funding
 - Does VHCB have requirements to oversee revenue sources? Can there be a preemptive sign-off? Are there information
 - Technically/administratively someone at VHCB would have to sign-off on the grant, contract or revenue source in order receive it with EIN
 - Potential conflict - if LAOB is in competition with VHCB for funding and VHCB blocks them from applying → important to have independent counsel.
- IV. STATEMENTS OF UNDERSTANDING
 - 1) Personnel Administration -
 - VHCB is not a state employer has their
 - 1) Personnel Administration - LAOB shall
 - Executive Director vs. Manager
 - 6/1 MOU session Samantha expressed why ED terminology
 - #4 (Kirsten) - Concern about the chain of decision-making and staff management between the LAOB board
 - What is the LAOB Board
 - LAOB Board has budget authority over the LAOB budget - which has hiring implications but they will not manage/supervise/evaluate/hire staff
 - This section establishes the hierarchy for hiring and decision-making around ED and then through to staff as internal to LAOB as an entity (separate from VHCB)
 - Ideally LAOB will have
 - Expectation - LAOB staff would work/follow consistently with HR Handbook BUT the functions would be completed in the insular LAOB system (Board, ED, etc)
 - Example: VHCB requires monthly check-ins
 - ADD - VHCB cannot relegate/deploy LAOB staff to new purposes/roles/responsibilities even in emergency circumstances
 - Example: VHCB has a staffing gap and the LAOB staff has that skill (eg. graphic design) on an on-going and/or unclear timeline
 - Examples of VHCB staff activities - VHCB hope the LAOB staff would BUT would be up to LAOB

	<ul style="list-style-type: none"> ● 2 ALL staff meetings per month ● Annual Staff retreat ● Handful of celebrations each year ● Trainings (professional development) <ul style="list-style-type: none"> ■ Robert to ADD language to guide this ■ Xusana need strong enough language to layout decision process and/or is actionable ○ <u>1) Personnel Administration</u> - VHCB shall <ul style="list-style-type: none"> ■ No comment from board members ■ Francis highlighted that if LAOB employee is non-compliant with personnel policies or required reporting, VHCB would need to be able to intervene. ■ INFO: VHCB has its own set of personnel policies and procedures which are separate and apart from that of the State. LAOB consultants will be employees of VHCB (Robert) ● <u>V. Fiscal Administration</u> <ul style="list-style-type: none"> ○ This section establishes that LAOB staff can spend \$\$ as they see fit to fulfill their mission and budget as laid out to VHCB ○ <u>V. Fiscal Administration</u> - LAOB shall <ul style="list-style-type: none"> ■ Does VHCB have fiscal rules? Francis - yes, and also there are additional <ul style="list-style-type: none"> ● LAOB will be apart of the audit process ● Concerned that all reporting and spending are compliant with accounting practices ■ ADD LANGUAGE referring to policies <ul style="list-style-type: none"> ● Xusana - there is often a grey area between policy and interpretation <ul style="list-style-type: none"> ○ Eg. Stipends for participants vs. W-9 and contractors, etc. ● Jess - eg. ABC test for contractors vs. requiring EIN for someone to be considered as a contractor ○ <u>V. Fiscal Administration</u> - VHCB shall
<p>3. Key points related to LAOB Staff Hiring</p>	<p><u>NOTE:</u> All these preferences, requests and guidelines are being gathered from LAOB and will all likely require discussion with VHCB to understand requirements/revisions</p> <ul style="list-style-type: none"> ● Executive Director vs. Manager - decision-point on how to term the principle staff and the organizational structure ● Does LAOB want to be able to make hiring, evaluation and firing decisions independent of VHCB? N ● Do we want a clause VHCB Communications oversight

4. Gathering and confirming questions for VHCB	<ul style="list-style-type: none">● Does VHCB have requirements to oversee revenue sources? Can there be a preemptive sign-off? Are there information● What is the “fee schedule” or mechanism VHCB will use to calculate administrative/overhead costs (that will come out of the LAOB budget)?
5. Gathering and confirming next steps	<ul style="list-style-type: none">● Robert to ADD LANGUAGE where indicated in the document● Questions will be sent to VHCB and discussed at 6/26 meeting● An additional Working Session is needed to get through IV-VII - likely to be scheduled for next week.
6. Meeting Adjourned at 6:05pm	