

PSCTF Special Meeting-20230921_100240-Meeting Recording

September 21, 2023, 2:02PM

18m 32s

NB **Neal, Barbara** 0:03

And someone just joined.

OK, I am calling this meeting of the public Safety Communications task force to order.

 **Jim Morgan** joined the meeting

NB **Neal, Barbara** 0:16

It is 1003 on September 21st and I'm Barbara Neil.

The meetings being recorded and the recording will be posted on the Task force web page following the meeting.

Quick roll call Commissioner Morrison is here.

Paul White is here.

WP **White, Paul** 0:32

Good morning.

NB **Neal, Barbara** 0:34

Morning.

Umm Jim Mack is here.

Morning, Jim and myself for task force members.

JM **James Mack** 0:39

Your.

NB **Neal, Barbara** 0:43

Uh, we do not have Michael Wright, Mike Dungeness, or Ron Kummetz at this point, but we do have a quorum.

Also joining us is Sonny Johnson filling in for Kelly Audette and a few members of the public.

I see.

Umm.

If you'd like to introduce yourself in any affiliation you'd care to share, I'll go around the room here.

I'll start with Philip Sisk.

 **Phillip Sisk** 1:10

Good morning.

Bill says here for mission critical partners.

Thank you.

 **Neal, Barbara** 1:14

Thanks for joining us, Derek.

 **Darek Wieczorek** 1:18

Hi.

Good morning David Storek with Altiris together with Jim Morgan and Richard Townsend.

 **Neal, Barbara** 1:25

OK, great.

 **Morrison, Jennifer** 1:25

Got it.

 **Neal, Barbara** 1:26

Well, welcome to you all.

OK, I don't see any other members of the public on the call.

So we'll move to approval of the agenda.

Sounds like maybe you do have a change, Commissioner.

 **Morrison, Jennifer** 1:38

No, I don't have a change to the agenda.

 **Neal, Barbara** 1:41

OK.

Does any other task force member have a change to the agenda?

Alrighty, hearing none, we will consider the agenda approved and move on to public comment.

I think we could allow about 5 minutes for public comment as anyone from the public wish to speak.

OK, seeing no hands, we will move on to.

The next section of the agenda, so discuss the big RFP bidder questions and responses and also on the updated agenda, we added a discussion of the content of the draft legal services RFP.

And I'll just do my standard reminder of earlier discussions from the task force that it's unusual to publicly discuss the contents of an RFP while it is open for bidding and the public discussions of the contents could disrupt the RFP process by injecting comments and statements outside of the RFP that could influence the bidding process.

So that said, that's the reminder that in order to move into executive session, the task force must first find a finding, make a finding that premature general knowledge of the responses to the questions.

And in this case, the content of that draft RFP would put the task force at a substantial disadvantage.

Is there such a motion? Yep.



Morrison, Jennifer 3:20

Barb, can I?

Can I separate the two?

Uh, I don't.



Neal, Barbara 3:25


Umm, sure.



Morrison, Jennifer 3:26

I don't believe we need to go into executive session to talk about the RFP for legal services.


NB **Neal, Barbara** 3:31
OK.

 **Morrison, Jennifer** 3:31
I don't believe it will put us at a substantial disadvantage, so if we can separate the two, I'd like to discuss the legal uh, the RFP for legal services first, which I believe we can do an open session if the group sees fit and then take up the second issue of the big RFP.

NB **Neal, Barbara** 3:36
OK.
OK.

WP **White, Paul** 3:45
Correct.

NB **Neal, Barbara** 3:47
Umm.
Fair enough then.
So let's just umm, I'm sure you'll all remember my introductory reminders about what we have to do.
But why don't we just move then to a discussion of the legal services RFP and then when we're ready, we'll go into the executive session at the at the appropriate time.
That makes sense.

 **Morrison, Jennifer** 4:11
Yeah, I I would like to share my screen with the members of the task force in any members of the public who wanna see it, to see the draft that my team has worked up in incorporating much of the feedback that Kim Cheney offered for this relatively straightforward RFP to secure legal services.
And I also wanted to remind members of the task force that whatever we approve as a draft still has to get the approval of the Attorney General.
It is up to the attorney general as to whether or not we are allowed to go higher, independent legal counsel so.

I just wanted to throw that out there, but if it with your consent, if you all agree that that would be OK to discuss in public session, I would like to share my screen so we can discuss the draft RFP for legal services.

 **Mike Doenges** joined the meeting

 **9b98087e-d554-4740-b297-36c41191b479** joined the meeting

 **Neal, Barbara** 5:09

Umm I I guess I I would like to understand how discussing the draft RFP at the legal services, you know the content would be different than discussing the draft content of you know the big RFP and the little RFP which we did hold an executive session. We are, are we not introducing a a?

 **Morrison, Jennifer** 5:29

It.

It's to me this is a really generic legal service that many there, there's no technical specs, there's no the scope of the work is pretty common in the legal field.

 **Neal, Barbara** 5:34

Uh.

 **Morrison, Jennifer** 5:47

To me, there's nothing.

Particularly.

 **White, Paul** 5:51

There's no.

Yeah, there's nothing.

There's nothing that any potential bidder could claim was proprietary.

It's just it's it's law, it's law, it's law.

 **Morrison, Jennifer** 5:56

Right.

Nothing proprietary in here.

NB **Neal, Barbara** 6:00

OK, alright.

Well, that I'll defer to that then.

I just wanted a little clarification on that.

 **Morrison, Jennifer** 6:06

OK, everybody good with me sharing my screen to talk about this RFP.

WP **White, Paul** 6:11

Yes.

 **Morrison, Jennifer** 6:11

OK, very good.

NB **Neal, Barbara** 6:13

I see the the mayor has joined us.

JM **James Mack** 6:13

Center.

NB **Neal, Barbara** 6:15

So you're aware?

 **Morrison, Jennifer** 6:16

Yes.

OK, can.

9 **9b98087e-d554-4740-b297-36c41191b479** 6:18

And for those of us who don't have a school, can we get an email copy of the slide deck or whatever it is?

 **Morrison, Jennifer** 6:25

It's not a slight deck, it's just a draft.

It's marked draft UM.

I can try and do that, but let me let me get through this first.

Hold on.

OK.

 **9b98087e-d554-4740-b297-36c41191b479** 6:39

And.



Morrison, Jennifer 6:42

Even hold bond.

I'm trying to do that.

Actually, I don't want to do that while I'm sharing my screen.

So, Barb, I'm going to share this dock with you, even though it's just a draft sitting on my uh thing.

Can you try and send a word version or a PDF version to Steven?



NB Neal, Barbara 7:00

Umm.

 **9b98087e-d554-4740-b297-36c41191b479** 7:06

And if it if y'all, would oblige a public comment we got in late and others had trouble logging into last meeting too.

So ohh after Jens done.



Morrison, Jennifer 7:16

Can we come back to that?

Because I'm in the middle of sharing my screen, I'm fine with coming back to public hearing.



9b98087e-d554-4740-b297-36c41191b479 7:19

Sure.

Yeah, sure.



Morrison, Jennifer 7:21

If if you want Barb.

NB **Neal, Barbara** 7:23

Yes.

Yeah, we can do that.

 **Morrison, Jennifer** 7:24

OK.

All right, so I did not bother you all with the template language that comes with the standard state contracts and the procurement office because the the meat of this is the scope in the background, the the RFP by DPS on behalf of the public Safety Communications Task Force is seeking to establish contracts with one or more entities that can provide professional legal services to the task force as it oversees and manages the transition to a statewide reliable, secure and interoperable public safety communications system and fulfills the requirements established in and it cites the portions of the Act.

The task force is seeking legal services for providing general legal services to the task force, including compliance with open meeting law and advising the task force during executive sessions of its regularly scheduled meetings advising the task force regarding municipal law, intermunicipal agreements and municipal relations generally as applicable to the task forces duties set forth in sites the law.

Assisting with recommending and developing governance structure or structures for multi member municipal entities seeking to provide regional dispatch services consistent with the law.

The Big bill, which instructs the task force to develop findings and recommendations. It goes on to quote the law examples of potential structures.

May include union municipal districts, interlocal contracts, fire, mutual aid Systems, County Sheriff contracts with member towns and or municipal regional planning districts.

Legal experience in the following areas is desired.

One advising Vermont municipalities on issues of municipal governance and administration to familiarity with Vermont police, fire or emergency medical provider legal structures and operations 3.

Familiarity with other intergovernmental structures identified above, or familiarity with state or federal grant administration and the state RFP process, including compliance with Vermont grant requirements set forth by the Agency of

Administration and five compliant with the open meeting law and related topics affecting public bodies in Vermont.

That is the scope and the rest of it appalled, and it sits right inside the template from the procurement office, and I would welcome feedback at this point from Task Force members.

 **White, Paul** 9:57

Does the the rest of that template get into at all?

You know, I mean I assume we want a Vermont attorney, somebody who's here that knows our landscape.

 **Morrison, Jennifer** 10:07

Well, they have to be.

 **White, Paul** 10:07

I assume I assume that the that's right.

 **Morrison, Jennifer** 10:08

They have to be admitted to the bar, right?

 **White, Paul** 10:10

That's that's I guess I assume that's would be in the template.

 **Morrison, Jennifer** 10:14

I'll find out.

 **Neal, Barbara** 10:19

Is there a am I gathering that there's a separate legal services template that's separate from other templates?

And the RFP process, yeah, OK.

 **Morrison, Jennifer** 10:28

Yes.

OK.

Any other feedback from members of the task force?

I would like to thank Mr Kim Chaney for his input.

That was we incorporated into this and are just a reminder to Task force members that once we approve a draft, it still has to go to the Attorney General's Office for approval to have outside counsel.

Counsel.

So I'm going to stop sharing my screen at this point.

Umm.

And it I I would make the motion that this be the draft accepted draft for the scope and background of the legal counsel RFP and that our procurement team move ahead with placing this into the RFP template and forwarding to the Attorney General's Office.

 **Mike Doenges** 11:27

So moved.

 **White, Paul** 11:29

I'll second.

 **Neal, Barbara** 11:30

So I'll seconds.

 **James Mack** 11:31

Ohh yeah.

 **Neal, Barbara** 11:33

Excellent.

Umm.

 **Morrison, Jennifer** 11:36

Any any discussion?

 **White, Paul** 11:43

When I assume when we get responses back, we will assemble like we have with these other two RFP's and look at them as a group.

It would be another words, it would be us making the decision, not the Attorney General's office.



Morrison, Jennifer 11:59

That's correct.

I mean, listen, that's correct as far as I know, at this moment I've I've been wrong before in my assumptions.



White, Paul 12:04

I yeah, right.

Right, have a wheel.



Morrison, Jennifer 12:13

OK, I don't see any other discussion.

So go ahead, Barb, let's call the question.



Neal, Barbara 12:19

OK.

All in favor of the motion on the floor.

Say aye, raise your hands and easier.

Thank you.

I see all the task force members have their hands raised.



James Mack 12:26

I.



Neal, Barbara 12:30

You got that sunny.

OK.

Excellent.

Now we go back to public comment is that the?



Morrison, Jennifer 12:41

We'll have the group.

NB **Neal, Barbara** 12:42
The will of the group.

 **Morrison, Jennifer** 12:44
Sure.

NB **Neal, Barbara** 12:45
OK, Steven, when we asked for public comment earlier, no one raised their hand. I'll give you an opportunity to go first and then I'll just do a double check with the remainder remaining people.
So Steven, go ahead.

9 **9b98087e-d554-4740-b297-36c41191b479** 12:59
Yeah, uh, phone, phone call Inns don't get an opportunity to raise their hand, but I was late anyway.
Uh.
I took a call from Kim Chaney to let him know it was a little bit of confusion, Sonic clarified the difference of between the two agendas that were sent out for me this morning.
Thank you.

JS **Johnson, Soni** 13:18
Yes, my.
Yeah, I mean, I'll do, I hope you got it.

9 **9b98087e-d554-4740-b297-36c41191b479** 13:20
I I heard several people had difficulty getting into the meeting a couple days ago and I don't know.
I don't have the facility to examine the background links or figure out why that happened, but I would just caution that you know people did voice that.
I don't know whether we can test these links before meeting time.
Uh, that might be the suggestion worth exploring.
But that's just for the record.
I think I want to commend Jenna's taking the initiative and getting that RFP draft

together.

Umm, one thing that came to mind, I think, she said.

Reliable and I don't know whether the statute says result reliable versus resilient.

It's kind of inconsequential but.

In in in the Descope and background beginning.

I think that's probably enough for now, the.

Time is of the essence to try to have y'all just go.

I wonder the fact that this RFP in the scope of the need for legal services was not really discussed.

I'm glad you did this walk through and open session.

Umm, but the proposal to discuss it?

Executive session before the task force is even, uh, talked about, you know, municipal, regional governance expertise or, you know, fire mutual aid.

I mean, there's horror stories that about how far mutual hates is running things in central Vermont.

 **Mike Doenges** left the meeting

9 **9b98087e-d554-4740-b297-36c41191b479** 15:00

So, uh, I guess I would encourage all to do more open public homework on these things.

Uh, again in the interest of time, I commend Jen's initiative and getting this ready and I the next one in the hopper is the financial study.

Uh, a funding sources which I've sent to some of you to deliberate and decide where to prioritize it, but that's probably good for now.

Thank you.

NB **Neal, Barbara** 15:31

OK.

Thank you, Steven.

One more opportunity.

Is there anybody else that would like to make public comment?

OK, seeing none will jump back to uh.

The next agenda item, which is the big RFP bidder questions and responses and where we left off was whether or not there is a motion to make a finding that

premature, general knowledge of the responses to these questions would put the task force at a substantial disadvantage is there.



Morrison, Jennifer 16:09

I would make that motion that we go into executive session for the narrow purpose of finalizing our answers to bitter questions, and that we emerge from executive session to take action.



James Mack 16:16

Like.

I'll second that.



Neal, Barbara 16:26

Thank you, Jim.

Actually, I'm sorry.

Let me do I think I've called this a point of order.

Right, Paul, first Gen, we need to make the finding about the the premature general knowledge.



Morrison, Jennifer 16:37

We have to.



Neal, Barbara 16:42

So would you like to withdraw that motion and?



Morrison, Jennifer 16:45

I I would like to withdraw it and put it on the shelf and bring it right back out.



Neal, Barbara 16:48

Yep, OK.



Morrison, Jennifer 16:49

Whip it right back out as soon as we make the first fine day.



Neal, Barbara 16:52

OK.

So umm, is there a motion to make a finding that premature general knowledge of the response to the bitter questions would put the task force at substantial disadvantage?

 **White, Paul** 17:06

I will make that motion.

 **Neal, Barbara** 17:07

Thank you, Paul.

 **James Mack** 17:08

I'll second.

 **Neal, Barbara** 17:10

Thank you, Jim.

And is there any discussion?

Hearing none, all in favor say aye and or raise your hand.

 **White, Paul** 17:23

Hi.

 **Morrison, Jennifer** 17:23

Aye.

 **Neal, Barbara** 17:24

I all the task force members have indicated I and we the task force has made that finding.

Now, Jen, I believe you have a motion on his shelf.

 **Morrison, Jennifer** 17:37

Sonny's got it in the transcript.

That motion is off the shelf and on the field.

 **Neal, Barbara** 17:39

OK.

OK.

JM **James Mack** 17:46

And seconded.

NB **Neal, Barbara** 17:48

And seconded Jim.

And then a vote to move into executive session under the conditions that are stated in the motion.

All in favor?

I all the task force members are in favor and we will move to executive session at 10:20.

JM **James Mack** 18:02

Beautiful.

WP **White, Paul** 18:03

Right.

NB **Neal, Barbara** 18:09

In the other meeting link, we'll see you there.

 **Morrison, Jennifer** left the meeting

9 **9b98087e-d554-4740-b297-36c41191b479** 18:16

Can I just ask how many Members are present here?


 **Neal, Barbara** left the meeting


9 **9b98087e-d554-4740-b297-36c41191b479** 18:19

Is it only four?

WP **White, Paul** 18:23

Uh, yeah.

 **9b98087e-d554-4740-b297-36c41191b479** 18:24
Everybody's already left.


 **White, Paul** 18:25
Mayor Mayor Don just had jumped in briefly, and then he jumped back out again.

 **Johnson, Soni** stopped transcription


PSCTF Special Meeting-20230921_102918-Meeting Recording


September 21, 2023, 2:29PM


3m 18s

 **Morrison, Jennifer** 0:05
Just like that.
Here we are.

 **Neal, Barbara** joined the meeting

 **White, Paul** 0:08
I'm tired from all that running back and forth.

 **Morrison, Jennifer** 0:10
It's a lot of running between meetings.

 **Neal, Barbara** 0:11
Yeah.
Between between rooms?
That's right.
OK, excellent.
Are we all back?



Morrison, Jennifer 0:18

Uh, Mike.

Don Jess is not back.

He hopefully will be coming back, but we still have a quorum with the four of us.



Neal, Barbara 0:23

OK.

OK.



Morrison, Jennifer 0:26

There could be him now.



Neal, Barbara 0:27

There he is. Yeah.



Doenges joined the meeting



Neal, Barbara 0:31

OK.

So we are back.

Is there a motion regarding next steps for the big RFP bidder questions and responses?



Morrison, Jennifer 0:42

And move that, we advance the answers to bitter questions to the procurement division for final formatting and public posting as per the usual process that they undergo.



White, Paul 0:56

2nd.




Neal, Barbara 0:58


All seconds.


Any further discussion?


OK, all in favor.


 **Doenges** 1:08
I.


 **White, Paul** 1:08
I like.


 **Neal, Barbara** 1:09
I see all task force members have voted in favor, so we will advance the big RFP bitter questions and responses as stated in the motion.
OK.
We are on to set next meeting date.

 **Morrison, Jennifer** 1:29
So Madam Cochair, this would be a regular meeting. I presume.
Our next meeting date would be our regular meeting.

 **Neal, Barbara** 1:36
Yeah, yeah.
I think we're done with special meetings for now.

 **Morrison, Jennifer** 1:40
For now, and I believe it was the desire of the group to try to identify a day of the week and a time that could be recurring.

 **Neal, Barbara** 1:50
Yes.

 **White, Paul** 1:51
Yeah, I thought we had set 11:15 on Wednesdays, but since we picked that date and time, I don't think we've actually used it.

 **Morrison, Jennifer** 1:58


I know.


Umm, that's fine by me.


Wednesday the 27th at 11:15 would be agreeable, and then we can determine whether that's in weekly or every other week.


Cadence next week, once we figure a few more things out.


 **Darek Wiczorek** left the meeting


 **Neal, Barbara** 2:19
OK.


 **Morrison, Jennifer** 2:21
Does that work?

 **Neal, Barbara** 2:21
That works for me.

 **Morrison, Jennifer** 2:24
Mike, Don, just does that work for you 11:15 on Wednesday the 27th?

 **Doenges** 2:28
Yes.

 **Morrison, Jennifer** 2:29
All right, let's hold 90 minutes.
Not sure we'll need it, but that should be sufficient hold for task.
Force meeting.
Sonny, are you able to send that out?
Or at least communicate to Cali to send it out.

 **Johnson, Soni** 2:42
Yes, I am.
I can.

 **Morrison, Jennifer** 2:44

She appreciate you.

Thank you.

Very good.

 **Neal, Barbara** 2:50

OK.

Anything else?

Or are we ready to adjourn?

 **Morrison, Jennifer** 2:57

I'll make the motion to adjourn.

 **White, Paul** 2:59

I'll second test.

 **James Mack** 2:59

2nd.

 **Neal, Barbara** 3:01

OK, all in favor.

 **White, Paul** 3:03

I.

 **Doenges** 3:03

Aye.

 **Neal, Barbara** 3:03

I hands up all of the task force members are in favor and we are adjourned at 1032.

Thank you very much everybody.

 **Morrison, Jennifer** 3:13

By very good thanks.

NB **Neal, Barbara** 3:13
Talk to you soon.

WP **White, Paul** 3:13
Thanks.

 **Doenges** left the meeting

NB **Neal, Barbara** 3:14
OK, alrighty.

JM **James Mack** 3:15
Have a good day.

 **Morrison, Jennifer** left the meeting

 **White, Paul** left the meeting

 **Johnson, Soni** stopped transcription