



## Select Board

Town of Hinesburg  
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### Meeting Minutes – September 28, 2020

- Draft -

Attending the Meeting: Phil Pouech, Merrily Lovell, Jeff French, Mike Loner, Renae Marshall, Joy Dubin Grossman, Jennifer McCuin, Shannon Kelly, Anthony Cambridge, Ezra, Eric S., Natacha, Scooter MacMillion, Beth Anne Cellan, Frank Koss, John Lyman, Alison Lesure, Christina, Phillip Stolz, Joe LaChapelle, Katie Charbonneau, Amy Cambridge, Catherine Goldsmith, Alexander Goss, Lyn Porter

Meeting called to order at 7:02 p.m. via Zoom

There were no changes to the agenda or public comment.

#### Consider Adopting Resolution of Censure

Phil explained this action is in response to an email received by the Town Administrator. This is not about any particular issue but an expectation of civility and open communication. Phil noted that about an hour before this meeting Jeff Tobrocke did submit a letter of resignation. There was no acknowledgement in the letter about the tone or purpose of the email sent to the Town Administrator.

Phil commented that this is not about any one particular side on an issue. He is on record as a Board member that he encourages all sides and all questions as it makes for a better process and better decisions. It is about how we work together through honesty and open communication which is the only way to get the Town's business done.

This issue started about the committee for social justice and hopes anyone who wishes to champion social justice issues would understand to change imbedded beliefs requires open dialog with trust and honesty. Berating, insulting and threatening only adds to the problem.

Jeff F said he appreciates Jeff Tobrocke's passion about the topic. He agrees with Phil that the response was so out of line. He was not at the meeting and can only respond to what he read in the email communications. Board members were elected to represent everyone's viewpoint and keep things moving forward. This situation is counterproductive and discouraging.

Merrily said she feels the censure document is a good idea and this goes along with previous discussions about a code of conduct for Select Board members. This was not the first time Jeff T send emails to various people that were intimidating and threatening. She said the email was shocking to

come from a Board member and agreed with the need for civility when dealing with each other. She feels it is a good idea, regardless of whether Jeff T resigns or not, to sign the resolution.

Mike noted in Jeff T's letter of resignation he discusses an article regarding employment of school resource officers and indoctrinating youth to the concept of policing to the group folder (for the racial/equity social justice work group). This is in reference to actions Mike took. Mike noted he is not just a member of this workgroup in Hinesburg, he is also a part of the racial and ethnic disparities committee. This is a sub-committee of the State advisory group on juvenile justice issues. During the last meeting of the Hinesburg group there was discussion about SRO's and he offered to share information from the work on this being done in Chittenden County. Jeff T asked Mike to remove the links with this information. The email chain that discusses this is included in the meeting packet for tonight's meeting. Mike said he also appreciates Jeff T's passion.

Mike said as far as the censure he was very surprised when he saw the email directed at the Town Administrator. To come at an individual, a woman, who is a leader of our Town with abuse and threatening language and go so far as to threaten her next career position is beyond words.

Renae said her role in the group was to facilitate and organize meeting and send information to the group. She read the emails over the weekend and saw the tone of them. She felt she needed to respond to be sure they were keeping an appropriate tone and welcoming of sharing information. Everyone in the group had the ability to add information to the dropbox to share with the group. She was shocked at the response. As members of the Board who have the trust of the community it is important to be role models.

Phil said the resolution has nothing to do with the work of the racial/equity social justice workgroup.

Phil moved to consider adopting the Resolution of Censure (copy attached) and read the resolution into the minutes. Motion second by Merrily and approved with 4 yes votes.

### **Consider Accepting Resignation of Jeff Tobrocke as Select Board Member**

Phil stated an hour before the meeting Jeff T submitted his resignation. The letter was added added to the documents in the meeting packet later in the meeting.

Phil moved to accept the letter of resignation from Jeff Tobrocke, second by Merrily and approved with 4 yes votes.

Renae said there was a comment in the chat option of zoom suggesting to wait till the next meeting to act on the resignation to allow the public to read the letter.

The Board did not feel there was a need to delay their action. Merrily added his actions were inappropriate and this is not the first time he has done that and it is appropriate for him to resign. Phil also commented that the letter did not acknowledge or apologize for the inappropriate comments in the letter to Renae. Phil added the topic can be included at the next meeting for discussion and public input.

There was discussion on filling the vacant position. It was agreed the Select Board will appoint someone to fill the vacancy until March.

### **Consider Approving Repair Work Necessary for Hinesburg Hollow Road Bridge**

Renaë said the Town received correspondence from the State regarding inspection of the bridge. The Town can either take the steps necessary to remove the overload of pavement or repost the load limit for the bridge.

The Board reviewed the quote for removing paving. Phil moved to approve the repair work necessary to remove pavement on the Hinesburg Hollow Road bridge for \$19,099. Second by Mike and approved with 4 yes votes.

The Board will sign the written intent to comply stating the Town will remove the pavement overburden to be sent to the State.

### **Select Board Forum**

Phil addressed Renaë's resignation as Town Administrator. Phil said he has met with a few department heads, Renaë and Joy regarding how the Town will proceed. The first item is to have an interim Town Administrator.

Phil said by the next meeting there should be a plan on how to proceed.

Phil addressed putting together a search committee. He also noted the Town could consider changing to a Town Manager type of governing. This would require a vote so nothing can be done on that till March.

Phil received an email regarding the washboard condition on Texas Hill Road. The email acknowledged the Town crew spent a couple of days working on this. They questioned why the Town does not pave the section. Phil said he discussed it with Mike Anthony as a possible solution.

Phil also received an email from a resident who's well ran dry asking if the Fire Department can fill the well with water. It was noted this has been done in the past on an emergency basis. The Board agreed it would be good to have a written policy.

Phil addressed submitting posts to Front Porch Forum about the Wastewater upgrade.

Phil moved to adjourn at 8:00 p.m., second by Merrily and approved with 4 yes votes.

Respectfully Submitted,  
Valerie Spadaccini, Clerk of the Board

**September 28, 2020**  
**Hinesburg Selectboard 2020 Resolution 001**

**Resolution of Censure of Jeff Tobrocke for acting in a threatening and accusatory way in email communication.**

*Whereas* it is the responsibility of elected Selectboard members to always act in a cooperative and respectful manner to encourage and facilitate safe and open discussion of issues,

*Whereas* Jeff Tobrocke wrote an email to our Town Administrator which is threatening and accusatory, without any provocation or logical justification. This email is dated September 22, 2020 and included as an exhibit to this resolution,

*Whereas* the four other Selectboard Members after reading this email and understanding the context of this email consider this action as unacceptable and destructive to the expected norms of behavior necessary to conduct the business of Hinesburg,

*Whereas* Selectboard Members have also received communication from and interactions with Jeff Tobrocke which can be construed as threatening and uncomfortable, resulting in a working atmosphere which impacts our ability to honestly communicate,

*Whereas* through this public resolution of censure we expect Jeff Tobrocke's destructive behavior to end immediately thereby allowing this board to conduct our town's business in an honest and constructive way,

*Now therefore*, this board does publicly vote to censure Jeff Tobrocke for his behavior, and, following approval of this resolution, this board is willing to put this and other incidents behind us and move forward in a cooperative manor.

| Indicate<br>Yes/No/Abstain | Signature | Name              | Date |
|----------------------------|-----------|-------------------|------|
|                            |           | Phil Pouech Chair |      |
|                            |           | Merrily Lovell    |      |
|                            |           | Jeff French       |      |
|                            |           | Mike Loner        |      |
|                            |           | Jeff Tobrocke     |      |