

**Vermont Developmental Disabilities Council**  
**Draft Quarterly Meeting Minutes ~ September 30, 2021**  
**via Zoom**

**Present:** Amanda Bianchi, Gina Carrera, Betsy Choquette, David Frye, Mike Gruteke, Hillary Hill, Terry Holden, Steve Kieselstein, Dion LaShay, Ted Looby, Lindsey Owen, Adam Poulin, Candice Price, Courtney Quinlan, Beth Sightler, John Spinney, Jesse Suter, Crista Yagjian.

**Absent:** Kaiya Andrews, Julie Arel, Anastasia Douglas, Melanie Feddersen, Havah Walther, Hannah Neff.

**Support Staff:** n/a

**Guests:** Laura Siegel from the Department of Aging and Independent Living, Senator Becca Balint with Carolyn Wesley

**VTDDC Staff:** Kirsten Murphy, Susan Aranoff, Chelsea Hayward

## 1. Welcome:

The Meeting began at 10:01 am. Courtney greeted everyone and introduced new member, Adam Poulin. He is the Clinical Services Director for Children with Special Health Needs. He will be filling Carol Hassler’s old role on the Council. Adam talked about his work and interest in serving on the Council.

For the Ice Breaker everyone introduced themselves and shared a hobby that made them happy. Some of the hobbies included spending time with their family, making art, gardening, antiquing, books, taking a long shower, advocating, cooking, repairing boats, and camping.

- Review Group Agreement for Zoom Meeting – Courtney read through a short list that described good meeting manners on Zoom, like “mute when not speaking.” She also reminded everyone that self-care is important.
- Assign Roles –
  - Jargon Buster was Dion Lashay
  - Timekeeper was Mike Gruteke
  - Keeper of the List was Lindsey Owen
  - Equalizer was Crista Yagjian
  - Processor was David Frye

- Adopt Meeting Minutes from June – There was no discussion.

**Motion:** Beth made the motion to accept the meeting minutes from June 24, 2021.  
Mike seconded.

**Motion passed: 19-0-0.**

## 2. Chair's Report:

- Introduce LEND Interns - Courtney announced that two interns will be working with VTDDC staff as interns from the Leadership Education in Neurodevelopmental Disabilities (LEND) program. Kirsten Isgro is a college professor specializing in health communications. She is interested in making health information accessible for people with disabilities. Jorge Rios has a passion for working with migrants and New Americans, as well as people with disabilities. Courtney hoped that his personal experiences and connections may be used to help the Council become more mindful about diversity.
- Review Rules for Representing the DD Council - Kirsten shared a slide titled "Speaking on Behalf of the Council," and Courtney reviewed the rules. Courtney said that Council members should not answer questions from the press, but rather direct them to Kirsten. Members can share the result of a vote, but they should not say how each person voted individually. (This policy, which has been circulated before, is attached).

Kirsten elaborated further. She reminded everyone that it's perfectly okay to say, "I, [My Name], feel this way..." but no one should speak on behalf of the Council unless appointed by the Chair to do so. Members may also say who the Council's grantees are and how much funding they received, but they should not give the impression that they are promising Council resources – including money and staff time – to another organization or project.

- State Ethics Policy - Being a Governor Appointee is an honor. Members must be honest, helpful, respectful, and not use the government for personal gain. Council members represent all Vermonters with developmental disabilities and their family members. (A copy of the Executive Order is attached).

### 3. Five-Year State Plan - How we will make it happen:

Kirsten described the **Goals and Objectives as the “heart and soul” of the Five-Year State Plan**. Work Plans describe how the Council will bring those goals to life. Members of the Program Committee shared sections of the Work Plan for Years 1 and 2.

- Empowering People - Crista Yagjian and David Frye described the highlights of this goal area. Activities included:
  - Leadership Development through the Vermont Leadership Series and Summer Summit.
  - Supporting Self-Advocacy by establishing one new self-advocacy group in Vermont each year, and providing technical assistance and training to the 22 existing local groups.
  - Sharing information about Guardianship and alternative options like shared decision-making.
  - Teaching person-centered planning to self-advocates including some who could support peers in developing their individual service plans, and continuing to provide COPAA Scholarships.
  - Connecting family caregivers of adults with disabilities.

VTDDC will develop an independent website with information about adult services for people with I/DD. This is a significant project that will take the full five (5) years.

Beth Sightler shared that new employees of Vermont’s agencies have a lot to learn. She suggested that they attend Council Meetings so that they can hear the many different perspectives and lived experiences of people from the disability community.

### 4. Special Guest, Senator *Pro Tempore* Rebecca Balint

Last summer Crista reached out to Senator Rebecca Balint and requested that she attend one of the Council’s Quarterly Meeting as part of the Senator’s listening tour.

Remarks by Senator Balint - Senator Balint is from Windham County, and she sits on the Appropriations Committee; she is the Senate *pro tempore*, meaning she is the head of the Senate. She opened the conversation on a positive note. She said, “I love Vermont. I love Vermont’s people and communities – It’s possible to do things better.” The Senator’s Chief of Staff, Carolyn Wesley, attended the meeting to take notes.

- Q&A with members - Senator Balint asked...
  - “What’s one thing that’s working well in your community and/or in Vermont?”
  - “What’s one of the biggest challenges facing your community and/or Vermont in the upcoming year?”
  - “What’s one investment we could make that would lead to positive change in your community and/or Vermont?”

Mike said that transportation could be better and that people needed more opportunities to attend community events. He wondered if the State could invest in creating a regional pool of vehicles that are available with a driver to anyone receiving Home and Community Based Services. He noted that the Agency of Transportation website is difficult to navigate.

Senator Balint asked, “What can we do to make that website better?” Mike said he’d follow-up.

Terry talked about her son with autism. Sadly, she reported, he was going to have to go out of state for a few weeks to help him learn more positive ways to manage his behavior. There are no supports, no psychiatric help, and no means of behavioral treatment for people like her son in the State. People with disabilities who need psychiatric help are unable to stay near the people who love them. She explained how difficult it is to get on the waiting list for an out-of-state bed, especially since priority is usually given to residents of that state.

Senator Balint was sympathetic. She said she wasn’t sure how the problem could be fixed but would do everything she could to make sure Terry had the support she needed to navigate her situation. Families should not be on their own. **“I hear you,” said Senator Balint.**

Steve shared that Terry is an experienced advocate. If she is having trouble arranging treatment for her son, this reflects very poorly on the system. Her story, he added, is common. Vermonters were meant to be integrated into their communities after the Brandon Training School closed. However, there was never a commitment to dedicate the necessary resources to a community-based system. He said it is important that the funds coming from the Federal government through the American Rescue Plan Act (ARPA) not be used to patch holes in the existing system. “They must be used to boldly drive permeant changes in the State,” Steve said. He also noted that disability issues have appeal to both parties. For example, Vermonters with disabilities are a valuable, untapped resource that could enhance the workforce. Many, he added, have their own businesses.

Senator Balint said she is eager to re-connect with Steve to talk about items that are actionable. She said bold change is hard because of the two-year election process.

Crista said that since the start of the pandemic, she has been able to be paid as a caregiver for her son. “This was life changing!” she said. Because of the pay, Crista was able to quit her job and give her son the support he needs. However, because she quit her job, her family lost their health insurance. They have had to get coverage through Vermont Health Connect, which is very expensive. As a result, they must now budget carefully and wait to book necessary doctor’s appointments when they can cover the high deductible.

Crista also noted that there are no mental health services for individuals with I/DD. “What’s going to happen when I’m no longer around?” she asked. The ARPA funds are an opportunity to put something in place for her son – including housing. She worries that when big decisions are being made parents and self-advocates are an afterthought. “I don’t want to be an afterthought anymore,” Crista said.

Senator Balint said, “Having healthcare tied to employment is fundamentally broken. It will be one of the fights of my life; it is holding so many families back.”

Dion identified himself as someone who receives developmental services. He shared his concern that the system is crises-driven. Hiring and keeping support

staff is impossible, he said. Dion hopes that wages can be raised for people who want to do this work and are qualified to do it.

Senator Balint said there was a workforce crises before the pandemic, and the pandemic has made it worse. “We’ll have to negotiate with the Governor about wage increases. He says to not put anything into the system that they’ll have to continue to pay for.” She said that she believes it is valuable to take care of those who take care of so many.

David echoed what Dion had said. Because of the workforce crisis and the low wages that create it, he has no one from his agency to check-up on him at his home.

Beth thanked Senator Balint for coming. She introduced herself and began outlining the roadblocks to services that she sees every day. “I’m the Executive Director of Champlain Community Services. We have had a workforce issue for many years. We advocate every year, and we beg and borrow every year, and have been accused of saying that the sky is falling... This year the sky has fallen,” she said. Beth noted that one specialized services agency closed a few months ago. “We are one of the best places to work in Vermont, but we’re not able to deliver what we need to for the State... We only have 17 of 40 positions filled on our frontline in Chittenden County. We need housing options, stability, creativity, new models, new supports, transportation in rural areas... It’s hard to look at the service system and not say there isn’t a bias. The problem is chronic and intolerable. We’re service providers and we’re unable to provide service.”

Senator Balint asked Beth to be more specific about the bias she sees in the distribution of resources. **Beth noted that turnover in the mental health system is 25%, where in Developmental Services the rate is 45%.**

Senator Balint’s assistant, Carolyn, described the best way for the Council to continue helping. She encouraged members to fill out an anonymous survey with the questions posed above. “Speaking with legislators in an informal setting sparks conversation in a more formal setting,” she said. Members could follow up with an email to: [cwesley@leg.state.vt.us](mailto:cwesley@leg.state.vt.us)

ADJUSTMENT TO THE AGENDA: Kirsten asked the Council if they would be okay with quickly moving through the budget later in the meeting so that everything else on the agenda could have more time. She assured Council Members that the Executive Committee has reviewed the budget in detail, and they are comfortable recommending that the Council adopt it as presented. Members agreed to this change in the agenda.

## 5. Five-Year State Plan -- How we will make it happen (continued)

To help move things along, Kirsten introduced the Work Plan for Goal 2.

- Gaps in Services – “Public places that provide recreation, health, and wellness are not always accessible and do not follow the principles of universal design,” Kirsten said. This is one of the gaps that VTDDC will study and address. The Council is also working on a “Vaccine Access Project” that is designed to create a less stressful vaccination experience for children 5 and older with developmental disabilities, anxiety, and/or sensory sensitivities.

Housing is another area covered under this goal. In Year 1 staff will focus on research and building relationships with housing policy experts and decision-makers, Kirsten reported.

Mike’s “specialty” is transportation. He looked forward to promoting affordable, convenient, and flexible transportation options for Vermonters with developmental disabilities. Montpelier has a “micro-transit” experiment that operated like Uber or Lyft. Susan recommended that Mike join the Elders and Disabilities Advisory Committee at the Agency of Transportation.

*– There was a 45-minute break for lunch –*

## 6. Policy Committee:

After lunch Susan talked about the Policy Committee and how it operates. Their committee meetings balance the need to provide a safe space for people to talk about the things taking place in their lives and information about pending

legislation and emerging bills. Sue anticipated that it will be hard to get people in front of the legislature next session because the committees will likely still meet over Zoom. As an alternative the Policy Committee recommended two new initiatives:

1. Starting in November the first Monday of the month will be a “Council Caucus” where self-advocates, family members, allies and legislators can participate. The focus will be on discussing current problems faced by people with I/DD. Dion asked about confidentiality. Kirsten said the caucus is public and that people can connect with the policy committee at a different time if they want to share something more privately.
2. The Policy Committee would make it possible for members and others to share their views with a brief videotaped statement. Staff would record these statements and edit them to make a short “video-gram” for legislators and the public via social media.

## **7. Five-Year State Plan -- How we will make it happen (continued)**

- Addressing the Needs of an Underserved Group - Steve thanked the Program Committee for their ideas and support in developing the Work Plans. “There are many under-served groups in Vermont,” he said. The one that will be the primary focus the next Five-Year Plan is “adults with complex disabilities and/or substantial support needs.”

One objective under this goal looks at supporting Customized Employment and entrepreneurial opportunities so that people with I/DD can start their own business. Activities include hosting a conference in Year 2, connecting families that support someone who runs a small business, and awarding SEEDS grants to kick-start new projects in customized employment.

A second objective focuses on opportunities for individuals with complex disabilities to increase social engagement and independence. Again, SEEDS grants will help start small initiatives that support this objective.



- Systems Change - Terry stressed how important it is to Raise Awareness about Vermonters with disabilities and change people’s ideas about what they think “disability” means. “This is especially true of medical professionals,” she said. Terry noted that VTDDC’s story portraits, workshops, and newspaper inserts, are being noticed. “We have to do these things again!” she said. **“People are paying attention.”**

The second objective under this goal allows the Council to respond quickly to emerging issues that have not previously been foreseen. It also says that the Council will continue to identify an annual legislative platform.

Third, VTDDC wants to advocate for changes to the Developmental Disabilities System of Care, especially its funding priorities. Dion talked about how concerning it is that people must hit rock-bottom to qualify for Home and Community-Based Services. Individuals and families need an acceptable way to take control of their service budgets, he said. Lastly, there needs to be more work around Cultural and Linguistic Competence so that the system is more welcoming to diverse groups of Vermonters.

Finally, VTDDC will advocate for a livable wage for direct support professionals. Direct support is a career, not an “in-between job,” and should be paid as such.

## 8. Proposal for grants for FFY’22:

Kirsten and Steve talked briefly about the following motions.

**MOTION:** David made the motion to adopt the Five-Year State Plan, with the goals and objectives adopted by the VTDDC on June 24, 2021, and the Work Plans for Performance Years 1 & 2, as presented today; and to submit today, September 30, 2021, these plans to the federal Administration for Community Living for their review and approval. Dion seconded.

**Motion passed: 12-1-0.**

**MOTION:** Steve made the motion for the Council to authorize the Executive Director to seek proposals for a grant to a self-advocacy organization of up to \$60,000 for FFY'22; and to seek proposals for SEEDS Grants in categories identified by the Program Committee, in the amount of \$5,000 to \$10,000 for up to 12 months for a total expenditure of up to \$60,000. Dion seconded.

**Motion passed: 11-1-1.**

## **9. FFY'22 Budget – Presentation by Kirsten Murphy:**

Kirsten was disappointed to share that VTDDC does not have a firm budget for FFY'22. All government agencies are on a continuing resolution that funds them at current levels until early December. For this reason, the budget assumes “flat funding,” meaning that the budget does not have any increase in the amount of the Council’s award, even though an increase is likely.

Kirsten also explained how the VTDDC sets aside \$120,000 each year as a cash reserve, which will be used to support grants next year. This protects the Council from any short-term cash shortage.

Kirsten also explained that staff need a process to approve a revised budget very quickly after Congress finalizes the FFY 22 award. If the Council votes in favor of this process today, the Executive Committee will act on behalf of the Council to approve revisions to the budget in the short term, until the full Council can adopt the revised budget at their March Quarterly meeting. Council members asked Kirsten to extend an invitation to all Council members if revisions are to be discussed at the January Executive Committee meeting, which staff will do.

Minutes continue on next page....

**MOTION:** Mike made the motion to adopt the FFY'22 Budget as presented by the Executive Director. Further, during the first six (6) months of FFY'22, the Executive Director will use the following process for the approval of major revisions to the FFY'22 Budget. "Major revisions" are changes to any line item greater than \$5,000.

1. The Executive Director will present the revised budget to the Executive Committee of the Council for their review and approval.
2. Additional revenue will be distributed over the four (4) line items identified as "High Priority" in the FFY'22 Budget.

Major revisions will be reviewed with the full Council at the next Quarterly Meeting after approval by the Executive Committee. Dion seconded.

**Motion passed: 12-0-0.**

#### **10. Public Comment:**

There was no public comment.

#### **11. Summarize Meeting:**

There was no time to summarize the meeting.

#### **12. Adjourn:**

The meeting adjourned at 2:37 pm.

Respectfully Submitted,

Chelsea Hayward

Att. A. Roll Call Votes

B. Policy for representing the Council

C. Executive Code of Ethics

Name	Vote 1			Vote 2			Vote 3			Vote 4		
	Yes	A.	No	Yes	A.	No	Yes	A.	No	Yes	A.	No
<b>Kaiya Andrews</b>												
<b>Amanda Bianchi</b>				1								
<b>Julie Arel</b>												
<b>Gina Carrera</b>				1			1			1		
<b>Betsy Choquette</b>												
<b>Anastasia Douglas</b>												
<b>Melanie Feddersen</b>												
<b>David Frye</b>				1			1			1		
<b>Mike Gruteke</b>				1			1			1		
<b>Hillary Hill</b>					1			1				
<b>Terry Holden</b>				1			1			1		
<b>Steve Kieselstein</b>				1			1			1		
<b>Dion LaShay</b>				1			1			1		
<b>Ted Looby</b>												
<b>Hannah Neff</b>												
<b>Lindsay Owen, Esq.</b>				1			1			1		
<b>Adam Poulin</b>												
<b>Candice Price</b>				1					1	1		
<b>Courtney Quinlan</b>				1			1			1		
<b>Beth Sightler</b>				1			1			1		
<b>John Spinney</b>												
<b>Jesse Suter</b>												
<b>Crista Yagjian</b>				1			1			1		
<b>Havah Walther</b>												
Write in others as needed												

Those in grey did not attend the meeting or left early and were not present for votes colored in grey. ██████████

Vote 1, which was the adoption of the minutes, was not done by roll call.

# Policies for Representing the VTDDC

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This policy answers the question, “how do members of the Council share information with the public about the Council’s work or the Council’s policy positions.”

The answer to this question depends on (1) who is asking for the information; and (2) what type of information is requested.

## 1. Who is asking for the information?

- **The Press:** Questions from the press (newspapers, TV, etc.) must be handled carefully. If asked by a reporter from a newspaper, radio show, or TV station about a Council policy position, Council members should ask the reporter to contact the Chair or the Executive Director. Members should not talk to the press on behalf of the Council. Members are always free to share their personal opinions and stories with the press. At these times, the member is not speaking for the Council; the member is speaking as a person with lived experiences related to disability issues.
- **Everybody else:** Policy makers, friends, even groups that you do not know may reach out and ask you about the Council. How you respond depends on what kind of information they are seeking. If you are not sure, you can ask the Executive Director or Chair for guidance.

## 2. What type of information is requested?

- **Approved Policy Positions and Decisions:** Any VTDDC member may speak to others about an Approved VTDDC Policy Position or Council Decision.
  - i. Approved Policy Positions are those that have been adopted by Council vote – for example, the Annual Legislative Platform.
  - ii. Council Decisions are matters on which the Council has voted – for example, the decision to award a specific amount of money to an organization or project.

If a member disagrees with an Approved Policy Position or Council Decision, the member still has an obligation to state what the Council has voted to support. When representing the Council, the member should not voice their objections to an Approved Policy Position or Council Decision. [See **Responsibility to the Whole**, below].

- **When these is no Approved Policy Position:** A member of the public may ask you about an issue where the Council has not made a decision or taken a vote. This happens often with public policy issues, because they change so quickly. When this happens, please refer these questions to the VTDDC Chair, a member specifically appointed by the Chair, and/or the Executive Director and staff supervised by the Executive Director.

As always, a member is welcome to share their personal experiences and opinions, which draw on lived experience. Be sure to make it very clear that you are not speaking for the Council: Say, “The Council hasn’t voted about this, but as a self-advocate/family member, I think...”

- **General information about the Council:** This includes information about the Council’s Five-Year Plan, the projects that the Council funds, and how the Council operates. Any VTDDC member may share information about the Council – in fact, it’s encouraged! A few important policies to keep in mind:
  - i. **Committing Council Resources:** A Council member should not promise an individual or group funds, staff time, or other Council support. Council resources – including funds, staff time, and Council influence – can only be committed by: (1) vote of the whole Council; or (2) by the Executive Committee, the Chair, or the Executive Director acting within VTDDC’s annual budget, policies, and Five-Year State Plan.
  - ii. **Communicating with Council Leadership:** A Council member should always let the Chair and/or Executive Director know about contacts with the public concerning Council matters. This includes when a member gives a formal presentation about the Council, speaks with an elected official about the Council, or has contact with an individual or group that is seeking something from the Council such as membership or funding. This ensures that staff or leadership will follow-up if needed

### 3. Other

- **Respecting Member Privacy in Voting:** VTDDC members should not talk with others -- even friends and family -- about how individual Council members voted. Votes are recorded and posted publicly with the VTDDC meeting minutes. Anyone interested in a vote may go to VTDDC’s website and review this information. Unless a Roll Call Vote was taken, votes are recorded anonymously.

- **Responsibility to the Whole:** When talking at a meeting, members are free to debate and respectfully disagree. Each member brings their own, unique perspective. It is healthy to hear different opinions. However, once a vote is taken, Council members must come together and support the group's decision. This is a member responsibility, even if you voted against the decision. This duty is sometimes called "responsibility to the whole." Once the Council has voted, it speaks in a single, unified voice.

*[Adopted January 5, 1989. Revised September 14, 1992. Revised October 22, 2004]*

# ATTACHMENT C

## The Executive Code of Ethics

What does it mean for me?

Being a Governor Appointee is an Honor.

- Be “honest, helpful, and fully committed to the principle that all authority is derived from the people.”

This means we know that we serve the people of Vermont.

- Remain impartial.

This means that we keep an open mind. We listen to all sides of an issue, and then decide.

- We do not use government for our own benefit.

This means that we don't use our membership on the Council to get something just for ourselves. It is OK to advocate for something that benefits us **and** other people.

For example, it's wrong to vote for a grant to fund an organization that we work for. We should not participate in this vote.

But if you receive services, it is still OK to advocate at a Council meeting that Vermont improve the Direct Support Workforce. You **and** everybody else who has direct support would benefit.

Continued....



## ATTACHMENT C

- Treat each other, employees, and the public with dignity, respect, empathy, and courtesy.

This means we have good manners at meetings and when we talk to each other or staff outside of a meeting. When we are identifying ourselves as a Council member in a public setting, we are our very best selves.

- Support efforts to promote a diverse, effective workforce.

This means we operate our Council in a way that welcomes all people whatever their race, ethnic background, or gender identify.

- Promote a workplace free of sexual harassment.

This means we never use language that could be considered “sexual harassment” at meetings. “Sexual harassment” is when somebody makes an unwelcome sexual remark or gesture. It can also include touching another person in a way they do not want to be touched. Hugging is OK when the other person wants to be hugged.

- Pay your taxes.

If you have taxes, pay them each year as required. 😊

**STATE OF VERMONT EXECUTIVE DEPARTMENT**  
**EXECUTIVE ORDER**  
**(Executive Code of Ethics)**

**WHEREAS**, it is essential to the proper operation of government that public officers be independent and impartial; that governmental decisions and policy be made fairly and impartially, on the merits of the matter at issue; that public office not be used for private gain other than the remuneration provided by law; and that there be public confidence in the integrity of government; and

**WHEREAS**, there is a risk that the attainment of one or more of these ends may be impaired whenever a conflict exists between the private interests of a public officer and his or her official responsibilities; and

**WHEREAS**, it is also essential to the proper operation of government that those best qualified not be discouraged from serving as public officers by requiring them to relinquish totally the opportunity to further their own interests, at least where such interests do not create irreconcilable conflicts with their official responsibilities; and

**WHEREAS**, both the public and private sectors of Vermont are enriched by the healthy exchange of individuals who have hands-on knowledge and work experience in both the public and private sectors.

**NOW, THEREFORE**, an Executive Code of Ethics effectively ensures fairness and impartiality in the conduct of state business while at the same time, encouraging the recruitment and retention of those best qualified to serve the state and ought to be reaffirmed and continued.

**BE IT RESOLVED THAT I**, James H. Douglas, by virtue of the authority vested in me as Governor, do hereby promulgate the following Executive Code of Ethics.

Except where otherwise provided by law, all gubernatorial Appointees of the executive branch shall be subject to provisions of this Executive Order. Nothing in this Executive Order shall exempt an Appointee from any other requirement of law or any duly adopted state personnel policy.

To assure adherence to this code, all current Appointees are asked to sign the acknowledgment attached hereto as Exhibit A and submit it to the Secretary of Civil and Military Affairs (the "Secretary"). All future Appointees will be asked to sign and submit the acknowledgment upon acceptance of their appointments.

The Secretary has the authority to interpret the provisions of this code as they relate to particular circumstances and to issue exemptions from the Code under

special circumstances. All such interpretations and exemptions shall be written and kept by the Secretary in the same manner as the Conflict Questionnaires.

## **I. Definitions**

As used in this Executive Order:

- A. "Appointee" means any exempt employee or any member of any Public Body appointed by or upon the approval of the Governor, or by or upon the approval of such an Appointee.
- B. "Appearance of a conflict of interest" as used below in §§ III (A) (2) and (7) means the impression that a reasonable person might have, after full disclosure of the facts, that an Appointee's judgment might be significantly influenced by outside interests, even though there is no actual conflict of interest.
- C. "Conflict of interest" means a significant interest, of an Appointee or such an interest, known to the Appointee, of a member of his or her immediate family or household or of a business associate, in the outcome of any particular matter pending before the Appointee or his or her Public Body. "Conflict of interest" does not include any interest that (i) is no greater than that of other persons generally affected by the outcome of the matter, or (ii) has been disclosed and found not to be significant.
- D. "Full-time Appointee" means any Appointee receiving a full-time salary for state service.
- E. "Private Entity" is any person, corporation, partnership, joint venture or association, whether organized for profit or not for profit, except those specifically chartered by the State of Vermont or which relies upon taxes for at least 50 percent of its revenues.
- F. "Public Body" means any agency, department, division or office and any board or commission of any such entity, or any independent board or commission, in the executive branch of the state.

## **II. General Conduct**

An Appointee must conduct the affairs of his or her office in such a manner as to instill public trust and confidence.

- A. Thus, an Appointee shall take all reasonable steps to avoid any action or circumstances, whether or not specifically prohibited by this code, which might result in:

- (1) Undermining his or her independence or impartiality or action;
  - (2) Taking official action on the basis of unfair considerations;
  - (3) Giving preferential treatment to any private interest on the basis of unfair considerations;
  - (4) Giving preferential treatment to any family member or member of the Appointee's household;
  - (5) Using public office for the advancement of personal interest;
  - (6) Using public office to secure special privileges or exemptions; or
  - (7) Affecting adversely the confidence of the public in the integrity of state government.
- B. Every Appointee shall be true and faithful to the State of Vermont; will not, directly or indirectly, do any act or thing injurious to the Constitution or Government of the State of Vermont; will faithfully execute the office which he or she holds; and will therein do equal right and justice to all men and women, to the best of his or her judgment and ability, according to law. [VT. Const., Ch 11, §56]
- C. Appointees shall always treat each other, employees, staff, volunteers, and the public with dignity, respect and courtesy.
- D. Appointees shall support efforts to create and maintain a diverse and effective work force.
- E. Every Full-time Appointee shall devote all of his or her work time to the duties of his or her office.
- F. An Appointee shall not use state property nor permit others to use state property unless the use is reasonably related to his or her official responsibilities or the conduct is permitted pursuant to a duly adopted state or agency personnel policy.
- G. An Appointee shall not enter into any commitment to expend state funds unless the expenditure is reasonable and valuable to the state and made in accordance with all applicable statutes, rules or directives from the Secretary of the Agency of Administration.
- H. An Appointee shall be in good standing with respect to, or in full compliance with a plan to pay, any and all taxes due the State of Vermont. An Appointee shall be in good standing with respect to, or in full compliance with a plan to pay, any and all child support obligations.

- I. Exemptions sought under this Code shall be issued only to further the twin goals of this Code; to establish high standards of ethical conduct for all Appointees and to encourage those Vermonters best qualified to serve in state government.

### **III. Personal Interests, Outside Employment, and Financial Activities**

#### **A. Ethical Rules While in State Employ:**

- 1) No Full-time Appointee shall be the owner of, or financially interested, directly or indirectly in any Private Entity or Private Interest that is subject to the supervision of his or her respective department or agency, except as a policyholder in an insurance company or a depositor in a bank. (3 VSA 204). For the purpose of this Executive Order, a direct or indirect financial interest excludes:
  - (i) any insignificant interest held individually or by a member of the Appointee's immediate household or by a business associate, or
  - (ii) any interest which is no greater than that of other persons who might be generally affected by the agency's or department's supervision.
- 2) An Appointee shall not take any action in any particular matter in which he or she has either a conflict of interest or the appearance of a conflict of interest, until such time as the conflict is resolved.
- 3) An Appointee shall not take any official action that materially advances the interest of any entity (except the State of Vermont) with which the Appointee is actively seeking employment.
- 4) A Full-time Appointee shall not, for pecuniary gain, be an advocate for any private entity in any matter before any Public Body or before the state legislature or its committees.
- 5) An Appointee, while in state employ, shall not solicit or receive any payment, gift, or favor based on any understanding that it may influence any official action.
- 6) An Appointee shall not solicit or receive any payment, gift or favor from any private interest which;
  - (i) has, or seeks to obtain, contractual or other business or financial relationships with the Appointee's Public Body;

- (ii) conducts business or activities that are regulated by the Appointee's Public Body; or
  - (iii) has an interest that may be substantially affected by the Appointee's official actions.
- 7) An Appointee, or his or her designee, shall not accept gifts or trips from private interests if the gifts or trips are (i) a quid pro quo; (ii) are intended to influence any decision by the Appointee; or (iii) create an appearance of a conflict of interest.
- 8) Absent specific law requiring disclosure, an Appointee shall not disclose to any private entity any confidential or privileged information obtained while in state employ.
- 9) An Appointee or his or her family shall not trade in stock or otherwise transact private business based upon information obtained by the Appointee through his or her work on behalf of the state.

**B. Ethical Rules After State Employ:**

- 1) For one year after leaving office, a former appointee shall not, for pecuniary gain, be an advocate for any private entity before any public body or before the state legislature or its committees, regarding any particular matter:
- (i) in which the state is a party or has a direct and substantial interest; and
  - (ii) in which the appointee had participated personally and substantively while in state employ.
- 2) This prohibition applies to any matter the Appointee directly handled, supervised or managed, or gave substantial input, advice or comment, or benefited from, either through discussing, attending meetings on, or reviewing materials prepared regarding the matter.
- 3) For one year after leaving office, a former full-time appointee shall not, for pecuniary gain, be an advocate for any private entity before any public body or before the state legislature or its committees, regarding any particular matter in which the appointee had exercised any official responsibility.

**IV. Reports**

Within thirty days of appointment and thereafter annually on June 30, every Appointee who earns \$30,000 or more per year shall file with the Secretary a "Ethics Questionnaire" as prescribed in Exhibit B. These questionnaires shall be

treated as confidential personnel documents as defined by 1 VSA §317 (b) (7) and kept as such during the gubernatorial administration in which the Appointee serves, or for one year after the Appointee leaves office, whichever first occurs, at which point they will be destroyed.

**V. Enforcement**

The purpose of this Executive Code of Ethics is to provide guidance to gubernatorial Appointees covered herein, and during such appointment, except as otherwise required by law, only the Governor or his designated agent shall have the power to sanction any violations hereof. Nothing in this code shall create a right to continue state employment. The remedy for a violation of post-employment restrictions set forth in Section III(B) shall rest with the Public Body before which the former Appointee appears and, barring unusual circumstances, shall result only in disqualifying the former Appointee from appearing or participating in the particular matter.

**VI. Effective Date**

This Executive Order takes effect upon signing, and except as otherwise required by law, supersedes and replaces Executive Order #04-00, dated June 13, 2000.

Witness my name hereunto subscribed and the Great Seal of the State of Vermont hereunto affixed at Montpelier this \_\_\_\_ day of September, 2003.

\_\_\_\_\_  
James H. Douglas  
Governor

By the Governor:

\_\_\_\_\_  
Neale F. Lunderville  
Secretary of Civil and Military Affairs

Executive Order No. 10-03



## INCOME

The first 2 **Steps** to building a budget are about deciding out how much money the Council has available to spend this year.

- **Step 1:** Because we don't know what Congress will give DD Councils (called an "appropriation"), we start by assuming that the Council will only get as much funding as it got last year – a little more than half a million dollars. Then we add some other income -- for example, money that Puerto Rico's Council could not use, so it was shared with all the other Councils. Then we estimate how much money is left over from last year's appropriation from Congress. All this adds up to a **BALANCE** or total of just over \$700,000.
- **Step 2:** The Council is always working with two buckets of money: (1) what is left over from last year's appropriation and (2) the income for this year. The Council always plans that it will not spend all this year's appropriation so that there is some money "left-over" for next year. This explains why in **Step 2** we subtract \$120,000.

Source	Amount	Balance	Notes
<b>Step #1 – Estimate Income</b>			
Federal FFY'22 Allocation	\$ 527,570.00		Assumes same appropriation as FFY'21
Reallocation from Puerto Rico	\$ 12,010.00		This money was dispersed 9/2021
CDC funds for Vaccine Work	\$ 26,695.00		Designated fund, <i>only</i> available for Vaccine work.
Remaining balance from FFY'21	<u>\$ 150,000.00</u>		Estimate
		<b>\$ 716,275.00</b>	<b>This is VTDDC balance on Oct. 1, 2020</b>
<b>Step #2 – Set aside funding</b>			
Set aside for FFY'23	<u>\$ (120,000.00)</u>		Set aside for FFY'23; also provides "cushion" for emergencies. Same amount as set aside last year.
<b>Balance</b>		<b>\$ 596,275.00<sup>1</sup></b>	<b>This is the safest estimate of what VTDDC can spend in FFY'21. It does not include a likely increase in funding from Congress</b>

<sup>1</sup> The amount we have available to spend has gone up over the last few years. However, it has not risen in ways that have created more funding for grants/project related to the Five-Year Plan. For example, we receive about \$28,000 in a special appropriation by Executive Order, but this money can only be used for vaccine-related work.





### ESTIMATED EXPENSES

The next two Steps involve estimating what the Council is going to spend to do its work over the next year. There are two types of expenses:

- **Step #3**, FIXED Expenses are costs that the Council does not have much control over. For example, the State Employees Union sets salaries for the Council’s 2 staff members, and state policies set the base salary for the Executive Director. Another example is our lease for office space. This is a contract that we must honor, so the Council cannot change how much it spends on rent – at least not until the lease is up for renewal.
- **Step #4**, DISCRETIONARY Expenses are expenses where the Council can make choices. For example, Council members decide what grants and contracts are funded so that the Council can meet its Five-Year Plan Goals and Objectives.

### Step #3 – Subtract “fixed” Expenses for Salary & Benefits, Council Expenses, and General Operating

<b>1. Salary &amp; Benefits – this is the money that pays VTDDC’s staff</b>			
	Proposed FFY '22	Balance	Notes
BALANCE FORWARD		<b>\$ 596,275.00</b>	
Salary	\$ 226,036.00		Assumes 2% increase for inflation. Benefits are 33% of Salary
Benefits, FFY'19	<u>\$ 101,716.00</u>		
<b>subtotal</b>	\$ 327,752.00		
<b>Balance</b>		<b>\$ 268,523.00</b>	



**2. General Operating** – This is the money the Council uses to run the office and support the staff.

	Proposed FFY '22	Balance	Notes
<b>BALANCE FORWARD</b>		<b>\$ 268,523.00</b>	
Occupancy -- rent, park, custodian	\$ 17,725.00		<b>NOTE:</b> Staff salary and general operating are the primary funding to address OBJECTIVES 1.5, 2.1, 2.2, 2.3, 4.1, 4.2, 4.3, and 4.4 <sup>2</sup>
Phone	\$ 1,200.00		
Printing & Postage	\$ 3,000.00		
Office Supplies	\$ 1,625.00		
Equipment	\$ 1,000.00		
Interpreters	\$ 750.00		
Dues, NACDD	\$ 4,500.00		
Subscription, DD Suite	\$ 2,000.00		
ADS fee for IT	\$ 3,700.00		
Advertising	\$ 1,000.00		
Conference Reg	\$ 1,000.00		
Staff Travel	\$ 2,500.00		
	\$ 40,000.00		
		<b>\$ 228,523.00</b>	

<sup>2</sup> These Objectives are: 1.5, Supporting Family Caregivers of Adults; 2.1 Universal Design, 2.2 Housing, and 2.3 Transportation; and 4.1 Public Awareness, 4.2 Ongoing Policy Advocacy, 4.3 Systems of Care, and 4.4 Workforce Development.



**3. Council Expenses** – This is money that supports VTDDC Council members to do their work.

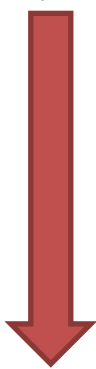

	Proposed FFY '20	Balance	Notes
BALANCE FORWARD		<b>\$ 228,523.00</b>	
Meals & Space	\$ 2,500.00		
Member per diem	\$ 3,500.00		
Travel -- In State	\$ 3,000.00		
Travel -- Out of State	\$ 10,000.00		
Equipment	\$ 500.00		
Council Training and/or retreat	\$ 2,500.00 <sup>3</sup>		
<b>subtotal</b>	<b>\$ 22,000.00</b>		
		<b>\$ 206,523.00</b>	<p>Washington DC, 2022.            IT support for members including technical assistance            Below what was budgeted last year. Below FFY'20.</p>

This is the end of the FIXED Expenses.

<sup>3</sup> **HIGH PRIORITY AREA** for increase in funds when FFY'22 funds are sec



**Step #4** – Subtract Discretionary Funding that the Program Committee has recommended for projects that will be done by community partners. Approval of the full Council means that the Council supports moving these projects forward.

<b>4. Contract &amp; Projects</b>			
	Proposed FFY '20	Balance	Notes
<b>BALANCE FORWARD</b>		<b>\$ 206,523.00</b>	
Sponsorships	\$ 5,000.00		OBJECTIVES 1.2, 1.3, & 1.5. Conferences & events.
Leadership Series	\$ 30,000.00		OBJECTIVE 1.1
Guardianship Project	\$ 5,000.00		OBJECTIVE 1.3 New project w/Youth Ambassadors.
Training Budget	\$ 5,000.00 <sup>4</sup>		OBJECTIVE 1.4 Person Centered Planning & COPAA
Website Development	\$ 8,373.00 <sup>5</sup>		OBJECTIVES 1.4, 1.5, 3.2, & 4.3
Survey Questions	\$ 1,500.00		OBJECTIVE 4.1 Institute for Rural Studies.
Disability Awareness Day	\$ 5,000.00		OBJECTIVE 4.2
Vaccine Program/designated	\$ 26,650.00		OBJECTIVE 2.1. Designated fund
Balance	\$ 86,523.00		
<b>MAJOR GRANTS<sup>6</sup></b>		<b>\$ 120,000.00</b>	
Self-Advocacy Grant	\$ 60,000.00		OBJECTIVES 1.2
SEEDS Grants	\$ 60,000.00		Multiple OBJECTIVES, potentially 1.3, 2.1, 3.1, 3.2
	\$ 120,000.00		
		<b>\$ 0.00</b>	

This budget will be presented at the September 30 Quarterly meeting for a vote, allowing staff to commit and spend funds in the new fiscal year, beginning Oct. 1, 2021.

<sup>4</sup> **HIGH PRIORITY AREA** for increase in funding when FFY'22 funds are secured.

<sup>5</sup> **HIGH PRIORITY AREA** for increase in funding when FFY'22 funds are secured.

<sup>6</sup> **HIGH PRIORITY AREA** – new grants – for increase in funding when FFY'22 funds are secured.