

VOSHA REVIEW BOARD MEETING MINUTES
13 Baldwin Street, Montpelier, VT 05633

March 1, 2016
9:00 a.m.

The Board Meeting was attended by Leigh Keyser Phillips (Chair), Benjamin R. O'Brien (Member), Thomas Jagielski (Member) by telephone, and Carolyn Desch (Clerk).

Approval of Minutes

RESOLUTION PASSED: Upon motion made by Thomas Jagielski, and seconded by Benjamin O'Brien, the Board unanimously voted to approve the minutes of the January 12, 2016 VRB meeting as amended.

Closed Cases

We have closed two cases (Queston, Inc. R.B. 974 & Rainville's Custom Crops R.B. 976) since the January Board Meeting. In total, we have closed 9 cases since the beginning of FY16.

Review of Open Cases

We have seven open cases total which is two less than the Jan. 2016 meeting. Carolyn Desch reviewed the docket. The docket summary is attached to the minutes. Any discussion and action are listed below.

Approval of Final Order (attached to minutes)

RESOLUTION PASSED: Upon motion duly made by Thomas Jagielski, and seconded by Benjamin O'Brien and after full discussion, the Board unanimously voted to ratify and approve the Final Order of the Review Board in Farm to Fridge (R.B. 966).

Approval of Settlement Agreements (attached to minutes)

RESOLUTION PASSED: Upon motion duly made by Benjamin O'Brien, and seconded by Thomas Jagielski and after full discussion, the Board unanimously voted to ratify and approve the settlement agreement of Vaillancourt Property Management, Inc. (R.B. 975).

Status of Other Cases:

Moon Ridge Home Owners Association (R.B. 972): The Hearing Officer's Decision has not been completed yet.

GARDA CL New England, Inc (R.B. 977) and Engineers Construction, Inc. (R.B. 978) are being assigned Hearing Officers, Michael Zimmerman and Alan Rome respectively. There was some discussion around repeat violations.

Big Lots Stores, Inc. (R.B. 979) is settling.

Dumas Roofing Co. Inc (R.B. 971). The hearing occurred on February 26, 2016 with Mr. Dumas participating by phone. Thomas Jagielski recapped the hearing and how difficult it was to move

forward with many interruptions and the way the conference call works.

An issue was raised by Benjamin O'Brien and discussion followed about whether the Review Board should deliberate in an executive session. Carolyn will research this issue.

Financial

The Board reviewed the financials for the current FY 2016 through the end of January 2016. A meeting with legislators on the 2017 FY budget has not been scheduled yet.

Rules of Procedure Status Discussion

Carolyn reviewed some of the changes within Simplified Proceedings. The Review Board agreed that it would be better to review the rules with Board Chair Leigh Keyser Phillips and Hearing Officer Michael Zimmerman rather than review by committee at Review Board meetings.

Scheduling of Board Meetings.

The next Board meetings is scheduled for May 3, 2016 at 8:30 a.m. at the VRB offices at 13 Baldwin Street in Montpelier, Vermont.

Adjourn

Upon motion duly made by Thomas Jagielski, and seconded by Benjamin O'Brien The meeting of the VOSHA Review Board was adjourned at 11:15.