

Board members present: Chairwoman Dennis, Selectman Bugbee and Selectman LaCourse

Others present: Cary Brown, Caren Rossi, Maria Barth, Tom Coakley, Steve Hinchman, Wayne Burton, Charles Forcey, Susy & John Roberts, Jim Banks, Bruce McKibbey, Todd Selig, Jim Rice, Dorn Cox, Randy Stevens, Naida Kaen, Roger Rice, Chief Dronsfield, Town Secretary Denise Duval and Town Administrator Julie Glover.

1. Chairwoman Dennis calls the meeting to order at 6:00 pm and asks if the Select Board accepts the Agenda as presented. It does.

Chairwoman Dennis states that the presentation that they will be receiving tonight from Durham is their first opportunity to hear this information regarding the proposed ReVision Energy Solar project; therefore, the Chair will not entertain questions or comments from the audience tonight. However, if the Board moves forward with this with some type of agreement then there will be a Public Hearing at that point.

2. Chairwoman Dennis opens the meeting up to public comment.

Maria Barth, 41 Birch Hill Road, is asking on behalf of the Lee Democratic Committee that the Board review the rules surrounding insurance and the use of the Public Safety Complex. They want to use the complex for meetings.

Jim Banks, Carpenter Lane, is fine with the permit fees increasing; however, he does not understand why one needs to obtain a permit to tear something down. He does not believe that the Town does anything in this regard; therefore, why should it be \$50 to tear something down. Caren Rossi, Planning and Zoning Administrator, explains that a permit for demo is cover the cost to have the assessor go out to inspect the property to ensure that the demo was completed before taking it off the tax card. She adds that permit fees had not been increased since 1986.

Dorn Cox, Vandle Road, voices his strong support in looking at these kinds of energy developments within the Town.

3. Todd Selig, Durham Town Administrator, introduces his team: Wayne Burton, Durham Town Council and Energy Committee member; Charles Forcey, Chair of Energy Committee; Steve Hinchman, ReVision Energy; and Jim Rice, Durham Town Assessor.

Mr. Selig states that approximately 1 ½ years ago they started Phase II of their Solar Project which more specifically would be partnering with ReVision Energy to obtain a \$501,000 Renewable Energy Grant in order to construct a 640 kWh Solar Photovoltaic array. After looking at several sites within Durham limits, they decided that the best site option would be the Packers Falls Road Gravel Pit located in Lee. Due to pricing constraints, the Town of Durham needs to order the materials this calendar year or the financials will fall out of line according to Mr. Selig. Since the margin on this project is so slim, even if a tradition PILOT agreement (which only looks at the municipal rate) were to be considered, the project would still be infeasible for Durham. Mr. Selig suggests Durham share the potential savings with Lee. Mr. Selig feels awkward and bad that this is such an expedited rushed process. It is truly not

their intent. He states that as soon as he knew that they were in the running for a grant he contacted Julie to let Lee know.

Wayne Burton states that a municipality's ability to manage its own affairs is so important and that this project is the key project on municipal energy self-sufficiency in the state right now. He adds that the Durham Town Council unanimously approved this project from the beginning.

Mr. Selig informs the Board that he put an article in last week's Friday Updates informing the community of what was happening and from that Foster's did an article today that said 'Lee might nix...'. He says that this is very frustrating because this is all on Durham and it is very fair and appropriate and we need to have a conversation about the issue of taxation. Mr. Selig adds the reality is that the margins are very tight and if the project doesn't work then it doesn't work and it's not because of Lee doing one thing or another.

Mr. Selig informs the Board that they reached out to the ORCSD to see if they would have an interest in the power and Jim Morse, the Superintendent, expressed interest in talking further about it.

Steve Hinchman, Director of Financing for ReVision Energy, has been on this committee since Phase I. He informs the Board that the way they are paying for the project is through use of the Federal Tax Credit, Federal Accelerated Depreciation, and the State Grant. The first 2 tax credits require that the owner of the equipment be a for-profit entity. A typical solar project is about a ten – twelve year pay back, but in the middle of this period it is highly likely that the Town will buy out the system from the private owners. A high tax bill would kill their ability to make the finances work. The environmental benefits are all the way through.

Naida Kaen would encourage the Board as long as it does not intrude on the citizens of Lee to cooperate with Durham making this effort to bring in an alternative energy source.

Mr. Selig states that Mike Lynch, Durham Public Works Director, is planning to submit the application to the Lee Planning Board this week.

Selectman Bugbee asks if the PILOT is applicable to all portions of the tax rate or just certain portions of the tax rate. Town Administrator Glover states that if the Town were to agree to a PILOT, the Town would still have to apportion it out to the local school system and the county. Jim Rice states that this type of facility is not considered a utility property. The Durham team believes it is exempt from the utility designation under 72:73. They also believe that Lee would not have to apportion any of it and it could keep it all. If Durham were to buy it out after year 6, then they would no longer be subject to taxation.

The Board agrees to discuss this further at the next meeting without Durham representatives being present. The TA will conduct more research and provide it to the Board.

4. a) Caren Rossi asks the Board to consider waiving the vendor insurance requirement for those that apply to sell merchandise (not food or beverages or any other item meant to be consumed) that is hand-made by that vendor. Chairwoman Dennis moves to waive the insurance

requirement for vendors at the Lee Fair that meet the proposed condition. Selectman Bugbee, seconds. **Motion Carries.**

b) Ms. Rossi asks on behalf of the Planning Board for the Board's for permission to spend money out of the Planning & Zoning budget on a going away/retirement party for Bob Moynihan who has worked many years on the Planning Board and for the Selectmen. The Board agrees on \$200 for the food and to purchase a plaque on top of that.

c) Ms. Rossi informs the Board that as of today the Fair Committee has raised \$1800 (\$1750 in donations and \$50 for two booths). The estimated fair expenses are \$1700. Wally Dennis has agreed to raise the flag. Town employee volunteers are still needed for the dunk tank.

5. a) Randy Stevens presents the Board with two State bids for Road Salt. Mr. Stevens has split it up this year between the two vendors. Chairwoman Dennis moves to authorize the Highway Supervisor to enter into an agreement with both Morton Salt (approximately 275 tons) and Granite State Minerals (approximately 200 tons) for the purchase of approximately 475 tons of winter bulk deicing salt for the 2015-16 winter season at State Bid Price. Selectman LaCourse, seconds. **Motion Carries.**

b) Randy Stevens informs the Board that Right Angle Engineering will have the FEMA grant application to the Town by October 9th for review. The State deadline for submittal is October 29th or 30th.

Paving has been completed. They are continuing to shim.

Mr. Stevens is wondering where the Highway Department is going. He is not going to be here forever. He is hoping that the Selectmen can give them some direction as department heads this year with regards to what they are thinking about instead of having budgets all slashed after all the work is done on the CIP and individual budgets. Chairwoman Dennis states that she has recently spoken to Mr. Stevens regarding some of these concerns and she thinks that the Board should schedule a workshop with him specifically sometime in the next month. Mr. Bugbee suggests meeting with all the department heads and the CIP. She sees the meeting to discuss the CIP items with the department heads as a separate meeting from this one with Mr. Stevens. TA will look at calendar and send out possible dates for both.

Mr. Stevens asks the Board for their thoughts with regards to the wooden guardrail for the Little River Park parking lot. The cost for contracting this out would be approximately \$10,000. There is a discussion with regards to different types and sizes of lumber to purchase and then have the highway department install. The Board would like to see a quote for the hardware, the 6 by 8 lumber and the cost for renting a post hole digger or attachment for the bobcat at the next meeting.

6. Peter Macdonald is here to express his feelings on his perception on what the Town is doing. He states that the Town is taking the Veterans Resort Chapel to court for four things: 1. The Town is stopping them from putting a sign up on the property. He thinks he is being discriminated against. His discrimination motion is going to be heard on September 25th. He says that there are so many other people in town with signs on their property; 2. The Town is

trying to stop them from having homeless veterans sleeping on the property; 3. The Town made him remove a trailer from the property; 4. The Town is making him apply for a permit to get a porta potty. He asks 'why does the Town want to stop homeless veterans from living in Lee?' In addition, the site review committee now wants the Veterans Resort Chapel to hire a structural engineer to conduct studies on the reading room structures. Who else has had to do this in Lee? Nobody according to Macdonald. He states that condemning homeless combat veterans is not going to look favorable for the Town in the press. He says he has gone out of his way to work with this Town. Macdonald states that "the Town of Lee should not be persecuting us because you are afraid of us". He ends by saying that the Town still has not acted on his religious exemption request.

7. Chairwoman Dennis would like to explore the possibility of adding a crosswalk on George Bennett Road to improve the infrastructure by connecting the school and LRP.

Chief Dronsfield spoke to someone at DOT who had concerns with putting a crosswalk in a 40mph zone since there would need to be warning lights installed in either direction. The Chief suggested putting the crosswalk in up near Old Bennett Road closer to the old Wellington house. That is in the 30mph zone. People would come across Stevens field, up Old Bennet Road and the crosswalk would be there. This puts them across the street in front of the old Wellington house which is just a short distance from turning onto Lee Hill Road.

TA will send a letter to DOT re: adding this crosswalk across from Old Bennett Road.

8. a) TA Glover presented a draft policy for the use of appropriated funds to purchase food. Selectman LaCourse thinks it hits all the necessary points. Selectman Bugbee asks if the department heads have reviewed it. TA Glover states that they have received it. Chief Dronsfield states that the police department has an SOP for this as well. The host chief for the Strafford County Chief's Meeting usually provides light refreshments. This is not specifically addressed in this policy according to Chief Dronsfield. He says that Chief Nemet is concerned that when they have a structure fire or an event that goes for a long period of time, he will provide food and drink. This does not technically come under the emergency provisions listed. Under emergencies it may be impossible to get in touch with the Board at that time. Chairwoman Dennis suggests an explanation written on the invoice and that the Town use the federal rate for that geographical area for hotel and meal reimbursements.
 - b) TA Glover informs the Board that she has spoken to Bill Callen at the Racetrack and no Color Run events will be conducted at the Racetrack per the Fire Chief.
 - c) TA Glover informs the Board that with regard to the Lee Democrats using the Safety Complex, someone from that group called and she informed them that the Board had recently agreed to waive the insurance requirement under certain circumstances. All they needed to do was submit a new written application for consideration.
9. Chairwoman Dennis makes a motion to move into a Non-Public session in accordance with RSA 91-A: 3 II (a) Personnel issues at 7:55 pm. Selectman Bugbee, seconds. All in favor. **Motion Carries.** The Board returns to Public session at 8:15 pm. The minutes will be public.

- 10. Chairwoman Dennis moves to accept the Consent Agenda as presented. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
- 11. Chairwoman Dennis moves to accept the Select Board Public and Non Public Meeting Minutes from August 3rd. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
- 12. Chairwoman Dennis moves to accept Manifest #3 and Weeks Payroll Ending August 16, 2015. Selectman Bugbee, seconds. All in favor. **Motion Carries.**
- 13. Chairwoman Dennis would like to take some Board time to discuss a consistent way to recognize volunteers. She suggests after the next meeting.

Selectman Bugbee informs the Board that the 250th Committee had a meeting with the NH Electric Cooperative re: the poles. They do not need an agreement. The commission is getting a sample of one of the banners along with the hanging materials so that Randy Stevens can do a test run. The Cooperative offered to lend the Town one of their crews and truck to hang the banners on the NH Electric Cooperative poles at no charge to the Town.

Selectman LaCourse informs the Board that the Planning Board will be making a final decision on the day care center next to Town Hall to August 27th. Plan has been revised. The playground will be in the back.

Chairwoman Dennis states that there is a member on the Planning Board whose wife works at the church and the church operates a child care center 300 feet from this proposed child care center. Have any of the members brought this up or asked him to recuse himself from this discussion. Selectman LaCourse states that this has not been discussed. Chairwoman Dennis states that this would seem to be an appealable thing pending on how the judgement for the child care center goes. This concerns her.

Wally Dennis will be picked up by the Police on the morning of the fair to raise the flag.

- 14. Selectman Bugbee motions to adjourn at 8:25 pm. Chairwoman Dennis, seconds. All in favor. **Motion Carries.**

Minutes transcribed by:



 Denise Duval, Town Secretary

8/31/15

 Date

Minutes accepted by The Lee Select Board:



 Carole Dennis, Chairwoman



 Scott Bugbee



 John LaCourse

NON-PUBLIC MINUTES OF THE BOARD OF SELECTMEN'S MEETING

August 17, 2015

Board members present: Chairwoman Dennis, Selectman Bugbee and Selectman LaCourse

Others present: Roger Rice

1. Chairwoman Dennis motions to enter into Non-Public Session at 6:00 pm per RSA 91-A: 3II (a) regarding the dismissal, promotion or compensation of any public employee or the disciplining of such employee or the investigation of any charges against him unless the employee affected (1) has a right to a meeting, and (2) requests that the meeting be open, in which case the request shall be granted. Selectman Bugbee, seconds. Roll Call Vote. **All Agree following Roll Call Vote.**
2. Roger Rice has not completed an operating plan. He indicates that they are always fluid. Doug Kemp sent Mr. Rice changes to be incorporated into the operating plan what was submitted to the state agency. The deadline was in the end of March. Mr. Rice submitted a Facility Report and it was returned for the Select Board signatures. The Board cannot sign off until the operating plan is accepted. Items #6 and #7 must be incorporated into the operating plan which will then be submitted to the state agency before it is presented to the Board. The Board agrees with this requirement.
3. Mr. Rice states that Doug Kemp is retiring. Chairwoman Dennis is concerned that the operating plan is not complete and the Town of Lee is out of compliance.
4. Chairwoman Dennis moves to publically disclose the minutes. Selectman LaCourse, seconds. Roll Call Vote. **All Agree following Roll Call Vote.** The minutes are to be disclosed.
5. Chairwoman Dennis moves to reconvene to public session. Selectman LaCourse, seconds. Roll Call Vote. **All Agree following Roll Call Vote.** The Board reconvenes at 8:16 pm.

Minutes typed by:

Denise Duval, Town Secretary

Minutes accepted by Lee Select Board on August 31, 2015.



Carole Dennis, Chairwoman



Scott Bugbee



John LaCourse