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Town of Danville
Board of Selectmen
Monday, January 4, 2021
7:00 PM

7:00 PM

Meeting is Video-Recorded

Selectmen Present: Steve Woitkun, Vice Chair; Sheila Johannesen, Dottie Billbrough, and Joshua Horns
Shawn O'Neil, Chair, is absent, excused

Others Present: Kimberly Burnham, Selectmen Administrator;

Vice-Chair Steve Woitkun chairs the meeting. Steve called the meeting to order at 7:00PM and opened the meeting with a moment of silence for the troops who put themselves in harm's way. All stood for the Pledge of Allegiance

I. Delegates

Steve notes there are no delegates from the public present.

II. Agenda Items

Interim Library Trustee: Steve asks how many letters of interest have been received. Kim responds there are two people interested in the opening, including the interest verbalized by Dottie at last week's meeting. There is no discussion. Sheila motions to appoint Dottie Billbrough as the interim Colby Memorial Library Trustee until the March 2021 elections. Second by Joshua. Vote is 3-yes, 0-no and 1- abstention. Dottie abstains (3-0-1).

Rockrimmon/ Long Pond Rd Complaint: The BOS has received a written complaint from residents of Rockrimmon regarding the noise and presence of a neighbor's chickens and roosters on the Co-op's property. Steve recommends deferring this issue to the ACO. Joshua asks if livestock is covered in the Town's noise ordinance. Sheila states that she believes it is not. Dottie asks if the issue is considered excessive noise. Joshua states that he wants to review the noise ordinance. Sheila explains the issue is considered an agricultural issue. Joshua agrees it is a noise issue and needs to know if livestock counts in any of the noise ordinances exceptions.

Sheila explains there are actually two complaints. The first is the noise issue. The second complaint is that of the chickens and roosters going onto other people's property. Sheila notes that she has dealt with the owners of the chickens at the beginning of last year and explained to her the NH RSA and the Town ordinance that people who have chickens have to keep them in their own yards. Sheila states she also explained to the resident of Rockrimmon the complaint needs to be in writing in order for her (Sheila) to enforce those laws. Sheila notes there is a way to control the issue of the chickens and roosters being loose, but there is no way to control the roosters crowing, and they crow throughout the day. Sheila comments that she does not believe animals fall under the Town's noise ordinance. Dottie expresses concern giving an example of a barking dog at 3:00AM that barks for three hours. Sheila explains there is a separate law for that instance. Joshua reiterates that if the Town's noise ordinance does not apply and there are no RSA's regarding the noise issue, then the BOS cannot address the complaint. Sheila agrees. Joshua asks to table the issue pending a review of the Town's noise ordinance.

2021 Video Conferencing Update: Joshua has discussed the issue with Barry Hantman and he (Mr. Hantman) has submitted a letter of suggestions to the BOS. Mr. Hantman has suggested that the Town purchase a ZOOM account and assign a staff member in Town Hall with the responsibility of the account. They would be responsible for scheduling and setting up the meetings. Mr. Hantman recommends that the Town not spend a "whole lot of

money” on the project. Mr. Hantman has recommended that board members have access to a web cam and a very good internet connection at home. He further reviews the rules of order, online etiquette, etc. Joshua states the letter outlines a “good framework” for what the BOS should do and he recommends moving forward with Mr. Hantman’s suggestions. Joshua notes that it would only cost a “few hundred dollars” to get everything set up. Joshua motions to follow the recommendations as suggested by Mr. Hantman to obtain a solution for board meetings to be held via video conferencing if necessary. Second by Dottie. Dottie agrees this is a good idea with the current COVID infection statistics. Vote is unanimous (4-0).

Minutes: The BOS review the minutes for the December 28, 2020 public BOS meeting. There are no corrections or amendments noted. Dottie motions to accept the minutes for the December 28, 2020 BOs public meeting as written. Second by Sheila. Vote is unanimous (4-0).

Revenue Budget Update: Kim explains that while reviewing the Income/Revenue budget, she found a miscalculation and corrected the wrong information. She notes that Tom Billbrough (BudCom Chair) agrees that the adjusted total is correct. Steve confirms the amended amount of the Revenue budget is \$1,238,529. Sheila asks where the error was. Kim explains it was a \$4000 mis-type. Joshua motions to approve the amended Revenue Budget for \$1,238,529. Second by Dottie. Vote is unanimous (4-0).

✚ **FY2021 Proposed Revenue Budget is amended to \$1,238,529**

Default Budget: Sheila has provided the BOS with the FY2021 Default budget. She notes there is not much change between the Operating Budget and the Default Budget; the bottom lines are very close. After several minutes of review, Steve seeks a motion to accept the FY2021 Default budget for \$3,774,605. Joshua makes the motion. Second by Dottie. Vote is unanimous (4-0).

✚ **FY2021 Default Budget is approved for \$3,774,605**

Warrant Articles: Kim explains to the BOS that the Warrant Articles will be changing, adding, etc. until the end of budget season. She notes there are several changes already made in the Operating and Default budgets, in the title of the Fire Dept. Equipment Capital Reserve Fund, and the voters passed the Warrant Article requiring the tax impact to be attached to each Warrant Article. Kim has calculated this information and has added it to the current Warrant Articles.

Kim also notes the BOS missed the **Cemetery Capital Reserve Fund for \$1000** and need to add this Warrant Article. This will change the current numbering. The Cemetery Capital Reserve Fund will be #11 and Colby Memorial Library Expend Interest will now be #12. Kim further explains that BudCom will also review all the Warrant Articles. Sheila explains that the “description” of each Warrant Article will appear on the mailer. Kim confirms with Sheila that a mailer will go out to the voters. Joshua confirms the current numbering order of the Warrant Articles.

Joshua asks if the correct motion would be to accept the Warrant Articles as amended. Kim notes that the whole document has been amended. Joshua expresses concern with the correct way to accept the changes. He notes that he would be more comfortable with Shawn’s expertise. Sheila reminds the BOS that the Warrant Articles are a “work in progress” and the BOS will probably be amending them at every meeting. Dottie confirms the changes in the amounts in the Operating and Default budgets. Joshua notes the Default budget changed to \$3,774,605 and the Operating budget changed to \$3,807,767. Dottie explains to Kim that BudCom has the final say on the Operating budget. Joshua reminds Kim she will also need to recalculate the tax impact for the budgets.

III. Old/New Business

New Warrant Article: Sheila proposes the following non-capital Warrant Article to set aside money for the replacement of the Animal Control vehicle:

To see if the Town of Danville will vote to establish a non-capital reserve fund per RSA 35:1(c) for the future purchase of an Animal Control vehicle and further to raise and appropriate the sum of five-thousand dollars (\$5000) to go into it and the BOS to act as agents to expend the specific fund.

She explains that when the current ACO van "dies" there would be some money set aside to replace it. She notes that it would most like be a used vehicle. Joshua asks why this would be a non-capital reserve fund. Dottie explains the funds in a non-capital reserve can be expended when needed. Capital Reserve funds cannot be expended without the voters' approval, so any need to expend those funds would have to wait until the following year's Town Meeting.

Steve asks how long Sheila anticipates it will take until reaching the goal of purchasing a vehicle. Sheila explains she would like to put in \$5000 to start the fund and see where the vehicle is next year. Dottie asks how much Sheila would need to purchase a new vehicle. Sheila explains that a van is the most practical and it would cost approximately \$15,000 for a decent used van. Dottie asks what the age and miles are on the current ACO van. Sheila states the van is from the 1970's and has substantial mileage. She also notes that not every ACO call requires a vehicle. She states that if she is home or in her car, she will respond to an ACO call in her own car in order to respond quickly.

Joshua confirms that the language used establishing the BOS to administer the funds is the same language used to establish other reserve funds. Dottie explains that with the exception of Library reserve funds, which can only be expended by the Library Trustees; all other funds can be expended by the BOS. She also notes the Warrant Article can authorize the ACO, the ACO and the BOS or just the BOS to expend the funds.

Steve asks if it would be more cost effective to reimburse Sheila a stipend and mileage to use her own car as the ACO vehicle, noting the current van does not get much use. Sheila notes the van is not used much in the winter, and that she is busiest with ACO calls in the Spring. She reiterates that not every ACO call requires the use of a vehicle. Sheila explains that she is not in favor of using her own vehicle, noting that she does not want to put a sick or injured animal in her car. She reminds the BOS that this proposed Warrant Article is just planning for the future.

Steve motions to establish the non-capital reserve fund for an ACO vehicle. Second by Dottie. After discussion, Joshua suggests writing out the actual language before voting and to include the "ACO and BOS" as agents. Steve agrees and withdraws his motion. Joshua motions to add an article to the Warrant with the following language:

"To see if the Town of Danville will vote to establish a non-capital reserve fund per RSA 35:1(c) for the future purchase of an Animal Control vehicle and further to raise and appropriate the sum of five thousand (\$5000) to go into this fund and further name the ACO and the Board of Selectmen as agents to expend from said fund."

Second by Dottie. Vote is 3-yes, 0-no, 1-abstention. Sheila abstains. (3-0-1)

Steve motions to move this Warrant Article forward and for the BOS to recommend this Warrant Article. Second by Dottie. Vote is unanimous (4-0).

✚ **2021-#13 Animal Control Vehicle Replacement Non-Capital Reserve Fund for \$5000.**
Recommended by the BOS (4-0)

Highway Dept. Capital Reserve Fund: Steve reminds the BOS of previous discussions to establish a Highway capital reserve fund. He notes that in FY2020, the Town spent a large amount of money for Highway Dept. vehicles and that it was only possible because the Town did not do any roadwork. He expresses his concern that this cannot go on in the future. Dottie and Sheila agree. Dottie asks if \$40,000 would be enough to start the fund for highway equipment. Steve notes that Mr. Seaver is new to the position (of Road Agent). If he stays and becomes established, he would be able to give the BOS a better idea of what the Highway Dept. next purchase should be and what it would cost. That would determine future amounts to fund the capital reserve fund. He agrees with Dottie that \$40,000-\$50,000 would be enough to get the fund started.

Joshua agrees the BOS should start such a fund but expresses concern with adding another Warrant Article for a large amount of money at the end of the ballot. Steve notes that he has a fire truck from 1992 that needs replacing and that is why he increased the amount for the Fire Dept. Vehicle Capital Reserve Fund this year. Steve expresses his concern with a repeat of 2020 with no trucks and no plow vehicles. Steve also reminds the BOS that if they keep pushing off road maintenance, it will come to a point where fixing them will have a very large price tag.

Joshua asks what the language for the Highway Dept. capital reserve fund should be. Dottie notes there is a different RSA than the ACO vehicle's Warrant Article. Joshua notes the Warrant Article needs to be formally written up before it can be voted on. Dottie asks Kim what the time constraints are for the Warrant Articles. Kim states she believes, that without a bond, it is the end of February. Steve states the BOS is only deferring this until the next BOS meeting.

Fire Department Payroll: Steve (as Fire Chief) notes that the end-of-year budget did not end on a warrant week. He would like permission from the BOS to calculate the Fire Dept. payroll from December 24, 2020 to December 31, 2020 so that it can be charged to his FY2020 budget. The second week of payroll would be paid for January 1, 2021 to January 7, 2021. Dottie notes that this is an issue for all the Town departments. The BOS confirms his request for two payrolls. Steve notes that he did not encumber any of the payroll funds in anticipation that he would be able to separate the payrolls. Joshua and Dottie agree that this makes sense.

Salt Shed Construction Binder: Sheila asks if the Town has received the construction binder for the Salt Shed. Steve states that he has the e-mailed conversations with Charter Bros. and can print them out and that he will ask Mr. Seaver about the binder. Sheila notes that in previous conversations with Mr. Seaver they could not locate the initial bid or the contract. She notes the binder would also have the maintenance schedule, etc. for the Salt Shed. Steve states that he will follow up on this.

Conservation Commission Encumbrance Update: Sheila states that when she researched the requested encumbrance, she discovered that the Conservation Commission had built a shed and not notified the BOS, resulting in that shed not being on the Town's insurance list. That issue has been resolved. She also states that through the Conservation Commission minutes she learned the John Deere tractor with a mowing and cutting deck was donated with the caveat that it will need maintenance before it will operate. The tractor was donated to the Conservation Commission unusable. Sheila notes her concern that the donation was never brought to the BOS so it was never officially accepted, and if the Town is going to fix something, to fix it, but she feels the Town has ended up with "another hunk of metal."

Kim states that she received an invoice for the \$800 encumbrance and that it was a required deposit for fixing the tractor for the full \$3040 quote. Dottie asks what exactly the \$800 was for. Kim reiterates it was a deposit on the \$3040 quote. Steve asks where the Conservation Commission is storing the tractor. Sheila states in the new shed. Joshua notes the shed was constructed by the Conservation Commission. Steve asks what the purpose of the tractor was, noting if it was only to maintain the Commission's back roads, it seemed like a lot of money to spend to fix it. He suggests the Commission could contract someone with a mower for less money.

Joshua states that he believes the Conservation Commission "has a wide berth as far as the money they expend to maintain land. They have an executive role and the BOS really does not have a say." He notes that the BOS concerns make sense, but they (the BOS) may legally not have any say.

Steve notes that in past years they used to hay the fields. Sheila states that she is not in favor of fixing something when they (Conservation Commission) could buy something working for that amount of money. Joshua again notes the BOS cannot tell the Conservation Commission that they cannot fix the tractor. Sheila responds the BOS does not have to encumber funds requested. There is further discussion on encumbering funds. Joshua clarifies with Kim that the \$800 is encumbered. Steve states that in the future a representative from the Conservation Commission should be present to explain their requests. Sheila notes her first question was where this equipment is being stored, in response to earlier discussions of Town equipment stored at private homes. She expresses



concern that the Commission built a shed on Town land and accepted a donation that will require Town maintenance without the BOS being aware of these changes and insuring them. There is further discussion. Steve suggests delaying any further action and to request a representative of the Conservation Commission attend the January 11 BOS meeting.

Kim notes the invoice for \$800 she received was a direct response to Dottie's previous request for an invoice to attach to the encumbrance. She reiterates that the \$800 is merely a deposit on the quote and does not represent any specific work on the tractor. There is more discussion regarding the issue of the donation not being brought to the BOS, especially since the donation needs maintenance. Sheila reiterates her concern that now the tractor is a Town expense to maintain and insure. Steve agrees the donation should have been brought to the BOS.

Town Report: Dottie has provided the BOS with a draft of the Selectman's message. She asks them to review it for next week's meeting.

IV. Town Announcements

Calendar

-  **January 11-** BOS Meeting: 7:00PM at the Town Hall
-  **February 6-** Danville Deliberative Session: 10:00AM at the Community Center

There being no further items to discuss, Dottie motions to go into Non-Public Session under NH RSA 91-A: 3II(c). Second by Steve.

Roll Call vote: Steve- yes, Sheila- yes, Dottie-yes, Joshua- yes. Non-Public session begins at 7:58PM

Minutes derived by video provided on the Town of Danville website.

Respectfully Submitted
Deborah A. Christie

Hi Josh.

On 1/1/21, the governor issued Executive Order 25 which extends the State of Emergency (and associated Emergency orders) for 21 days. I assume he'll extend it again in mid January. Assuming the EOs remain in effect and allow meetings by Zoom (or similar), the following are my comments.

Per your email (attached below), if the selectmen wanted to do a fully electronic meeting (i.e., nobody at Town Hall), I recommend the following:

1. Procurement of a copy of Zoom. While Google Meets, Cisco Webex, Facebook Meeting Room and other similar programs would work, they don't provide the flexibility, ease of use, scheduling features, and broad community acceptance/knowledge as Zoom. Google Meets, which is probably in 2nd place with respect to widespread non-commercial usage, doesn't have the same type of meeting scheduling features as Zoom (e.g., scheduling a meeting in advance requires the use of Google Calendar). Each product has their pluses and minuses, but I think Zoom is best for what the BOS is doing (my opinion; others may disagree). A copy of Zoom is "\$150 for a year for a license that supports meetings of up to 100 people (<https://zoom.us/pricing>). Although Zoom had some/many security issues early on, they've been largely addressed. (In the following items I'm going to reference Zoom assuming that's your pick but substitute another product name if you select something else; I have no personal stake in Zoom and don't get a kickback for recommending it.)
2. Procure (or make sure they already have) appropriate PC cameras and microphones for all BOS members. If needed, a perfectly good camera/microphone can be purchased on Amazon for "\$25. (https://www.amazon.com/gp/product/B088NBBRSZ/ref=ppx_vo_dt_b_search_asin_title?ie=UTF8&psc=1). So, even if you needed to equip everyone on the Board, it's not a big cost.
3. Ensure all BOS members have appropriate bandwidth to support video conferencing. A wimpy internet connection at home won't cut it. And, kids/spouse streaming movies during the meeting will seriously impact the ability to participate.
4. Assign someone as your meeting scheduler. This would be someone who schedules the Zoom meeting and then sends the Zoom meeting information out to the Selectmen. This person would also need to post/publish the Zoom meeting info to the public via approved meeting notice requirements (which are different than normal based on the emergency orders). I would recommend the Selectmen's Admin for this role. You need to know who this person is when you buy Zoom as you want this person to be listed as the "owner" of the Zoom account (they should actually buy it).
5. Assign someone to be your Zoom meeting coordinator. This person would start the Zoom meeting, admit people into the meeting, start the zoom meeting recording, mute all attendees except the BOS members, unmute people who the selectmen recognize (i.e., if the BOS wanted to meet with the Town Clerk, the Town Clerk would need to be unmuted), notify the BOS (via chat) when an audience member raises their hand (electronically) and wishes to speak, remove/block people who violate meeting rules (e.g., nudity), monitor the Zoom chat (and saves it at the end of the meeting), ends the Zoom meeting when complete, and then downloads the recording. This could be the Selectmen's Administrator or could also be one of the camera operators since they wouldn't be at Town Hall filming anything (but, given that we have 3 camera operators that we alternate between, all 3 would need to be listed as alternate hosts; they'd need some training but it's minimal). You could also hire someone to perform this role.

6. Establish some run rules for the board members. In person, it's easy to get the virtual cues as to when someone is done speaking and you can interject. It's also easier to see when someone else is trying to get a word in. With 5 BOS members, I recommend some "rules of the road" so everyone isn't trying to speak at once (because then nobody hears anything). Assume going in that the meeting will take longer and probably be less efficient. You also need to establish processes regarding how documents are distributed to BOS members and the public ahead of time.
7. Come up with a standard, written, intro that the BOS would read at the start of the Zoom session that covers: why this is permitted by state law; why we're doing this; how they can "raise their hand", alerts people that their microphone is muted and can only be unmuted at the request of the BOS, that the meeting is being recorded, etc.
8. RUN A TEST. Before it's actually needed, I recommend you INTENTIONALLY schedule a totally electronic meeting with some unimportant items on the agenda to test this out and work out the kinks. This doesn't need to be your normal Monday meeting, it can/should be a "special" meeting to test the approach (but with a few minor items on the agenda to make the test realistic). I suggest minor unimportant items on the agenda in case the test fails and the meeting needs to be abandoned. Try something that requires input from multiple board members, input from members of the public, sharing of a document, etc. Do you need members of the public to shut their video off to get appropriate bandwidth for the BOS members?

I do not recommend spending a lot of money on a solution as I believe any use of this would be short term. In hindsight, the BOS probably should have done it under the State money in 2020. Keep in mind that any meetings conducted in this manner would NOT be broadcast live on channel 20 nor would they be live streamed on the Town Website (but the recording could be downloaded after the fact).

IN probably gave you more than you wanted here but, you know me, I try to be comprehensive in all that I do. Let me know if you have any further questions or if something I wrote doesn't make sense. I will try to assist in any way I can.

Barry

On 12/30/2020 09:47, J h wrote:

Barry,

There was some discussion at last BOS meeting (12/28) about planning for support of video conferencing for BOS meetings, should it become necessary. For example, it's not inconceivable that one of us shows symptoms shortly after a meeting, which would, I think, require quarantine for everyone in contact.

I asked about budgeting for a position and program to get this set up and for support. I was asked to get in touch with you. When I brought this up with the board, my thought was to determine what needs to be done and how we execute it. I thought perhaps we should engage a consultant to get a plan together.

Do you have any thoughts on this?

Thank you,

Josh

