

**Town of Franconia
Board of Selectmen's Regular Meeting
Monday, April 17th, 2023
at Franconia Town Hall**

Board Members Present: Jill Brewer, Eric Meth, Dan Walker

Others Present: Trustees of the Trust Funds – Jan Cole, Karen Foss, Carol Walker, Mike Betley
Lafayette Recreation Committee: Katie Raymond (Rec. Director) Adam Boyer, Matt Steele, Peter Gaudette, Haley Ireland, Mike McKeever, Kent Butterfield
Sharon Penney, Jenny Monahan

Public Attendees: Tina Betley, Dawn Steele, Larry Plate, Virginia Mike, John Brooks

Appointments/Work Sessions

Lafayette Recreation Committee – Recreation Department Funds Review with Trustees of the Trust Funds: TOTF Jan Cole distributed a handout (see attachment) outlining the Town’s Capital Reserve Funds (CRF) and Expendable Trust Funds (ETF) purposes and procedures to expend. Jan then reviewed the role of the trustees as guardians of the capital reserves and expendable trust funds and said when funds are requested for reimbursement of an expense the trustees must look to the original purpose for which the funds were created and determine if the requested use aligns with the established intent. Jan said capital reserve funds are for items that are greater than \$10,000 and expendable trusts are generally for maintenance types of items. She said both CRF's and ETF's are primarily funded by taxpayer money through warrant articles and there is a NH statute that disallows the combining of tax raised money and donated money in any fund.

After a comprehensive review of the different funds, there was a lengthy discussion about how the different funds could be used, which focused primarily on how the recreation committee could fund a new van in time for this year's summer recreation program. The current van failed after the opportunity for drafting a warrant article had passed and the recreation committee believed the Lafayette Recreation ETF could be used to purchase a new van, but it was later discovered that the language used to establish the purpose of the fund cannot be applied to the purchase of a new van. The Recreation Van CRF balance is approximately \$27,000 after this year's appropriation, which is insufficient for the van that the committee was looking at purchasing. There were no decisions made.

The Rink Surface Maintenance ETF was also discussed in regard to work done on the rink last year and work that is still to be completed this year.

PUBLIC COMMENT

Virginia Mike said there is a tree across the Green Frog trail that should be removed. Dawn Steele commented that she recently enjoyed meeting the new building inspector. Tina Betley said she appreciates the knowledge shown by the Trustees of the Trust Funds. Mike Betley asked about candidates for the town administrator position and posting of the position. Mike also asked about using a sign street side at town hall letting people know the selectmen's meeting is that day.

TO SIGN/APPROVE

The minutes of April 10, 2023 were approved as amended.

The April 14th to April 20th transaction report was reviewed and signed by the selectmen.

TO DISCUSS/REVIEW

Follow-up on Mt. Carberry Landfill discussion: Selectmen Meth said he spoke with Margo Connors and she said Sharon Gauthier at Mt. Carberry Landfill was receptive to the town using Mt. Carberry for waste disposal. Town Administrator Penney said she has an email out to Sharon who is just returning from vacation. Town Administrator Penney said the tri-towns should meet prior to the next scheduled meeting on June 12th as the contract deadline with NCES is May 1st. Chairman Brewer said she will check with the other towns in regard to scheduling a meeting. Selectman Meth said Margo also spoke with Presby about hauling and is expecting a price from them.

Selectman Meth also said he spoke with the county commissioner about additional ARPA funds becoming available. He will follow up with Town Administrator Penney.

Chairman Brewer made a motion to enter non-public session pursuant to RSA 91-A:3, II(b) The hiring of any person as a public employee. Selectman Meth seconded the motion, motion passes.

The board left non-public session at 8:15pm. With no further discussion, the meeting was adjourned at 8:15pm.

Respectfully Submitted,

Jenny Monahan
Administrative Secretary

(see Trustees of Trust Funds attachment on pages 3 and 4)

Dow Field is owned by the Town of Franconia and its' management is Franconia's responsibility. The Dow Strip Capital Reserve Fund is for capital improvements (items that cost \$10,000 or more). There are no agents to expend and all requested expenditures must be via a warrant at town meeting and approved by the voters. This fund was established in 1994 as stated below.

TOWN MEETING WARRANT March 8, 1994

ARTICLE 5. To see if the Town will vote to establish a *Capital Reserve Fund* under the provisions of RSA 35:1 *for the purpose of Capital Improvements to the Dow Strip* and to raise and appropriate the sum of one thousand dollars (\$1,000.00) to be placed in this fund. The Selectmen recommend this appropriation.

The Rink Surface Maintenance Fund was established in 2002 as an Expendable Trust Fund with Franconia's Board of Selectmen as agents to expend. Items paid from this fund must fall in to the category of "maintaining the surface of the rink". This fund was established in 2002 as stated below:

TOWN MEETING WARRANT March 12, 2002

ARTICLE 17. To see if the Town will vote to create an *Expendable Trust Fund* under the provisions of RSA 31:19-a, to be known as the Rink Surface Maintenance Fund, *for the purpose of maintaining the surface of the rink*, to appropriate two thousand dollars (\$2,000.00) from the Recreation Committee's Une item budget for this purpose, and to designate the **Selectmen as agents** to expend. The Selectmen recommend this appropriation

The Recreation Van fund was established in 2015 as a Capital Reserve Fund, agents to expend were added in 2020. Items paid from this fund must fall in to the category of a new/replacement van. This fund was established in 2015 as stated below:

TOWN MEETING WARRANT MARCH 11, 2015

ARTICLE 21. To see if the town will vote to establish a *Capital Reserve Fund* under the provisions of RSA 35:1 *for the purpose of a Recreation Van* and to appropriate the sum of one thousand dollars (\$1,000.00) from the Recreation Committee's line-item budget for this purpose. The Selectmen recommend this appropriation. (Majority Vote required)

TOWN MEETING WARRANT MARCH 10, 2020

ARTICLE 17. Board of Selectmen Agents to Expend Recreation Van To see if the Town will vote to **appoint the Board of Selectmen as agents to expend from the Recreation Van Capital Reserve Fund** previously established. The Selectmen recommend this article. (Majority vote required)

The Lafayette Recreation fund was established in 2017 to enhance the Lafayette Recreation programs, events and activities. This same language is contained in the Tri-Town Recreation Agreement. Items paid from this fund must fall in to the category of program, event or activity enhancement. See warrant language below:

TOWN MEETING WARRANT MARCH 14, 2017

ARTICLE 11. To see if the town will vote to establish the *Lafayette Recreation Expendable Trust Fund to enhance the Lafayette Recreation programs, events and activities (these are to be determined by the Lafayette Recreation Committee)*, and to appropriate fifty-one thousand four dollars (\$51,004.00) to be placed in said fund with the monies to come from the unassigned fund balance (this amount represents previously collected donations and fundraising monies); furthermore, to name the **Selectmen as agents to expend from the fund. Recommended by the Selectmen.**
Dow Field – Capital Reserve Fund created 3/8/94

1. Approval to spend from this fund allowed only via a warrant at town meeting and approved by Franconia taxpayers.
2. Funds to be used for capital improvement projects (over \$10,000) on Dow Field
3. Money in this fund only from taxpayers.
4. Requests to spend money in this account must be brought before the Town of Franconia Board of Selectmen for their approval and in sufficient time to include a warrant for this project.
5. Dow Field was gifted to the Town of Franconia in 1990 and the buildings and maintenance are the responsibility of the Town of Franconia.

Rink Surface Maintenance Fund – Expendable Trust Fund created 3/12/02

1. Approval to spend from this fund thru the Town of Franconia Board of Selectmen as authorized agents to expend. Approval from the BOS will only be for items meeting the purpose of the fund.
2. Funds in this account are for “the purpose of maintaining the surface of the rink”.
3. Money in this fund only from taxpayers.
4. Historically the rink is resurfaced approximately every 10 years. The rink was/is being resurfaced in 2022/2023.

Recreation Van – Capital Reserve Fund created 3/1/15, agents added 3/10/20

1. Approval to spend from this fund thru the Town of Franconia Board of Selectmen as authorized agents to expend. Approval from the BOS will only be for a purchase meeting the purpose of the fund.
2. Funds in this account are for the capital purchase of a replacement van for the Recreation Department.
3. Money in this fund only from taxpayers.

Lafayette Recreation – Expendable Trust Fund created 3/14/17

1. Approval to spend from this fund thru the Town of Franconia Board of Selectmen as authorized agents to expend. Approval from the BOS will only be for items meeting the purpose of the fund.
2. Funds in this account are to “enhance the Lafayette Recreation programs, events and activities”. This language was drafted by the Lafayette Recreation Committee in February 2017. This language was contained in Warrant No. 11 in 2017 which was approved as written.
3. The initial funding for this Fund came from a checking account held in a bank that the Town of Franconia’s auditors identified during multiple audits as necessary to be moved into an Expendable Trust Fund.
4. Money in this fund is from private sources (participation fees, donations, etc.)

Trustee of the Trusts Role

1. Requests for reimbursement of expenses are presented to the Trustees generally two to three times per year. Requests to expend must include:
 - a. For reimbursement from funds where the BOS are agents to expend - written minutes from the BOS meeting indicating their approval of an expense which details the type of expense, the fund from which reimbursement is requested, the total amount approved,
 - b. copy of the invoice(s),
 - c. copy of the Town of Franconia check(s) (or a copy of a QuickBooks report with check information
 - d. A written request from the Town of Franconia Town Administrator
2. Trustees will review the request to ensure it adheres to the purpose of the fund as set out in the warrant and approved at town meeting.
3. Trustees are elected town officials who are charged with ensuring all monies disbursed from Capital Reserve Funds and Expendable Trust Funds are in accordance with the definition of the fund.