

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
March 9, 2021**

The Selectmen's Meeting convened at 4:00 pm in the Meeting Room at the New Town Hall with the following present: C. David Weathers, Mary Carey Seavey, Carl Thibodeau, John Colbath, Steven Porter, Town Manager Thomas Holmes, and Executive Secretary, Krista Day.

PLEDGE OF ALLEGIANCE

Mr. Weathers led the Board in the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

Mr. Colbath moved, seconded by Ms. Seavey, to approve the agenda as written. The motion carried unanimously.

DISCUSSION OF RESIGNATION OF DENISE LEIGHTON

Mr. Holmes stated that they had received the letter of resignation from Denise Leighton who had served since 2011 as a Supervisor of the Checklist.

The Board thanked Ms. Leighton for her service.

Mr. Colbath moved, seconded by Mr. Thibodeau, to accept Ms. Leighton's resignation with regret. The motion carried unanimously.

The Board will be sending Ms. Leighton a letter of appreciation.

It was stated that after the April 13, 2021 election, the Supervisors of the Checklist will appoint a replacement.

DISCUSSION OF CONTROLLED BURN ON WESTSIDE ROAD

Jim Inness from the Forest Service appeared before the Board to inform them about a controlled burn of about 210 acres scheduled for this Spring. This part of the White Mountain National Forest abuts the Dandiview neighborhood, the Cedar Creek Condominiums and the southern edge of Birch Hill.

The goal of the burn is to decrease the risk of wildfires.

The Forest Service is taking public comment on the burn and will be emailing those in the area.

DISCUSSION OF SHORT-TERM RENTAL REGULATIONS

Mr. Holmes noted that they had received a request by Mr. Ray Porter of Kearsarge regarding the Board discussing some recommendations and questions he had regarding their proposed Short-Term Rental Regulations.

The consensus of the Board was that they would not be spending time on potentially changing the proposed regulations until after the April 13, 2021 vote.

Greydon Turner stated via Zoom that he would recommend keeping the regulations as they stand, but they would be able to adjust the regulations moving forward.

Mr. Colbath noted that when he went to look for the homes in question, he noticed that their numbers were not clearly visible.

Mr. Thibodeau suggested that they could perhaps incorporate the need to clear address numbers into the regulations in the future.

DISCUSSION OF BUDGET COMMITTEE RECOMMENDATIONS

Chairman of the Budget Committee appeared before the Board to explain why he believes they should leave the Budget Committee's recommendations on the warrant for all articles, including those that are non-monetary.

He stated that in 2018, The Town of Conway had decided to take off the recommendations of the Budget Committee for non-monetary warrant articles. Because of this, several people approached Frank McCarthy to address this issue.

Representative McCarthy, who could not be at the meeting, had the intent under RSA 32:5 V(a) to allow the Budget Committee to make recommendations on all warrant articles.

However, there still seems to be some contention regarding the issue.

Mr. LeFebvre explained that he had testified at a hearing last week on HB 484 which is attempting to restrict the Budget Committee's ability to recommend or not recommend to articles with appropriations only.

Mr. LeFebvre stated that while Mr. Holmes had reported that Attorney Buckley from the NHMA had the opinion that the Budget Committee recommendations should be restricted, he was under the impression that Attorney Cordell Johnson had suggested that they keep the Budget Committee recommendations under the bill can be studied further.

There was discussion regarding Representative McCarthy's intent versus the result of the creation of RSA 32:5 V(a).

It was stated that Town Attorney Peter Malia would tend to support Attorney Buckley's viewpoint.

Mr. Holmes stated that the concern is whether someone would be able to question a certain warrant article based upon the decision to have the Budget Committee's recommendation removed.

Mr. Colbath stated that the Budget Committee met for two months and there were only four articles that were non-monetary that the Budget Committee had given their recommendations for. He did not believe that the Budget Committee recommendations would sway the voters on any of these particular articles.

Mr. Thibodeau stated that he believes the recommendations of the Budget Committee, Planning Board, and Board of Selectmen carry tremendous weight with the voters.

Mr. Thibodeau believed that they should let the Budget Committee keep their recommendations on these articles for this year to see how things shake out legislatively.

Mr. Thibodeau moved, seconded by Ms. Seavey, to keep the Budget Committee recommendations on the warrant for all articles this year. The motion carried unanimously.

DISCUSSION OF VALLEY PRIDE DAY

Mr. Holmes stated that Ron Malady was the point person for Valley Pride Day this year. They were planning to hold the event May 8, 2021.

DISCUSSION OF INTERIOR SIGNAGE AT THE NEW TOWN HALL

Mr. Colbath stated that he would like the ladies who will be working in the lobby at the Town Hall to decide which option to go with.

Ms. Inkell stated that her preference was option number two. The Board agreed.

Mr. Colbath moved, seconded by Mr. Porter, to select sign option number two pending the blessings of the staff. The motion carried unanimously.

REQUEST TO EXPEND REC REVOLVING FUNDS FOR THE PURPOSE OF PARKING KIOSK, SIGNS, WANT ADS FOR PARKING FEE PROJECT

Mr. Holmes explained that they are looking to get authorization from the Board to expend from the Rec Revolving Fund to purchase items related to the parking plan they have to the coming season. Expenses would include the parking kiosk, signs, and want ads for the parking fee project.

Mr. Colbath suggested only allow card transactions only with the kiosk.

Mr. Holmes stated that he and John Eastman had met with the Conway Lake Association regarding the boat ramp/parking lot at Conway Lake. He noted that it was their recommendation that for this year, they sign the Conway Lake parking lot as sticker parking only. They would also recommend not allowing boat trailers in the lot.

Mr. Thibodeau moved, seconded by Ms. Seavey, to authorize funds to be expended from the Rec Revolving Fund for the purpose of preparing for the parking fee project. The motion carried unanimously

DISCUSSION OF SUMMER CAMP FEES

Mr. Eastman stated that he had met with Michael Lane and Mr. Holmes to go over suggestions for increases to summer camp fees as the summer was fast approaching.

Mr. Eastman stated that for those who sign up between March 10, 2021 and May 2, 2021, he was recommending a price of \$299. He noted that having people sign up early helps with staffing needs.

He stated that those who sign up at any point after May 2, 2021, the recommended price would be \$359.

Mr. Colbath moved, seconded by Mr. Thibodeau, to approve the fee structure for summer camp as presented. The motion carried unanimously.

It was noted that they were planning on having all children attend five days a week and that they were still uncertain about whether they would be able to take field trips.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Warrant for Land Use Change Tax on Map/Lot 250-42
- b. Warrant for Land Use Change Tax on Map/Lot 250-45
- c. Warrant for Land Use Change Tax on Map/Lot 263-72
- d. Warrant for Land Use Change Tax on Map/Lot 250-83
- e. Warrant for Land Use Change Tax on Map/Lot 263-73
- f. Warrant for Land Use Change Tax on Map/Lot 255-5.122
- g. Warrant for Land Use Change Tax on Map/Lot 262-64.2
- h. Municipality Land Use Change Tax Bill on Map/Lot 250-42
- i. Municipality Land Use Change Tax Bill on Map/Lot 250-45
- j. Municipality Land Use Change Tax Bill on Map/Lot 263-72

- k. Municipality Land Use Change Tax Bill on Map/Lot 250-83
- l. Municipality Land Use Change Tax Bill on Map/Lot 263-73
- m. Municipality Land Use Change Tax Bill on Map/Lot 255-5.122
- n. Municipality Land Use Change Tax Bill on Map/Lot 262-64.2
- o. Application for Current Use Assessment on Map/Lot 282-20
- p. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 234-5.027
- q. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 262-83.024
- r. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 245-21
- s. Certification of Yield Taxes Assessed on Map/Lot 203-75.3
- t. Certification of Yield Taxes Assessed on Map/Lot 210-4
- u. Certification of Yield Taxes Assessed on Map/Lot 265-161.3
- v. Yield Tax Levy on Map/Lot 210-4, 203-75.3 and 265-161.3

Mr. Colbath moved, seconded by Ms. Seavey, to sign the documents listed above in a. through v. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. AP Manifest dated 3/11/2021
- b. Payroll dated 3/11/2021

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest and Payroll dated 3/11/2021. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. AP Manifest dated 3/4/2021
- b. Petition and Pole License #3743
- c. Special Event License for KHS Crank the Kanc (5/15/2021)

Mr. Colbath moved, seconded by Mr. Thibodeau, to ratify the documents listed above in a. through c. The motion carried unanimously.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)\

(none)

CONSIDERATION OF MINUTES

- a. Regular Minutes from 2/23/2021

Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the regular minutes from 2/23/2021 as written. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. Holmes noted that he had received a request from Joyce Endee looking for exclusive rights to hold craft fairs in Schouler Park. He stated that this was not recommended by staff. The Board agreed.

Mr. Holmes stated that they would like to see people reapply for outdoor dining permits.

Mr. Porter moved, seconded by Mr. Thibodeau, to authorize the issuance of outdoor dining permits for another year. The motion carried unanimously.

Mr. Thibodeau stated that he would like to see outdoor dining become more of the norm. Ms. Seavey and Mr. Porter agreed.

Mr. Holmes stated that they would be moving the remaining departments to the New Town Hall next week. He noted that they would be have an interruption of service during the week of March 15, 2021-March 19, 2021.

He explained that the Town Clerks office would be open at the old location in Center Conway on Monday, March 15, 2021. They would be closed Tuesday through Thursday, and weather depending, they would be open at the New Town Hall on Friday, March 19, 2021.

Mr. Holmes stated that they did not plan on changing the mailing address until after the April vote but before the next tax bills go out.

BOARD REPORTS AND COMMENTS

Mr. Thibodeau stated that the transient hangar project was moving forward, however they were still having supply issues.

Mr. Thibodeau stated that he would appreciate the public voting in favor of the ESAA warrant article. He noted that their STEM Aviation program was doing well, and highlighted that all but one participant in the program was from Conway.

Ms. Seavey stated that the Friends of Rec have agreed to be the 501 (c)(3) for the group that was trying to decorate Conway Village for the holidays.

She noted that they have no intentions on taking over the information booth area that the Chamber of Commerce always does a great job with.

Mr. Colbath stated that the Budget Committee would be having their final wrap up meeting on March 24, 2021 and that the ZBA would be meeting on March 17, 2021.

Mr. Colbath inquired as to the status of the Thompson Road Culvert. It was stated that the North Conway Water Precinct had agreed to pay for the sewer relocation.

Mr. Holmes recommended that the Board cancel their meeting for the next week as they will be in the middle of the move and they may not have internet service.

Mr. Porter stated that the Planning Board would be meeting on Thursday, March 11, 2021.

Mr. Weathers stated that the CCC would be meeting on March 10, 2021.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer from the Conway Daily Sun questioned whether the Town could get in trouble for having the Budget Committees recommendations on the ballot.

Mr. Colbath stated that someone can sue for anything.

Mr. Steer asked how the Board determined that at this time, short-term rentals are not allowed in residential zones.

Mr. Holmes explained that they have a permissive zoning ordinance which means that if something is not specifically mentioned, it is not allowed. He added that there is a lot of case law supporting this.

Mr. Steer asked about the anti-short-term rental signs that are around Town.

Ms. Seavey stated that it is a property owner's right to have those signs.

Mr. Holmes stated that the Board had authorized political signs to be up eight weeks prior to an election and up to one week after.

Ms. Inkell noted that absentee requests were available and could be dropped off with the Town Clerk, in the drop box, or via email or fax.

Mr. Colbath noted that he had been contacted by someone who had interest in the Historical Committee. Mr. Holmes will be moving forward with the logistics.

At 5:13 pm, Mr. Colbath moved, seconded by Mr. Thibodeau, to go into non-public session under RSA 91-A:3 II (d) to discussion the consideration of the acquisition, sale or lease of real or personal property. The motion carried unanimously.

NON-PUBLIC SESSION RSA 91-A:3 II(D) – CONSIDERATION OF THE ACQUISITION, SALE OR LEASE OF REAL OR PERSONAL PROPERTY

At 5:43 pm, the Board returned to public session.

Mr. Colbath moved, seconded by Ms. Seavey, to seal the minutes from this non-public session. The motion carried unanimously.

ADJOURN

At 5:43 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day
Executive Secretary