

Gilford Conservation Commission
Minutes for March 20, 2012 Meeting

1. PLEDGE OF ALLIGIANCE

2. ATTENDANCE

Members Present: Vice Chairman-Lee Duncan; Regular Members: Everett McLaughlin; Larry Routhier, Tom Drouin, Carole Hall and Alternate Members: John Jude and Donald Sibson.

Members Absent:

Chairman-John Goodhue and Regular Member Douglas Hill,

Others in attendance:

Town of Gilford Finance Director, Geoff Ruggles, Bill Seed, Dick Persons, Stephanie Sanford and Secretary, Sandra Hart

Call meeting to order:

The meeting was called to order by at 7:00 p.m.

Establish a quorum

L. Duncan announced that a quorum was established.

Approval of Agenda:

Motion made by L Routhier, seconded by E. McLaughlin, to approve the agenda as presented. Motion carried with all in favor.

3. APPLICATIONS:

1. Jay & Ann Poppleton/Winnipisaukee Marine Construction
Standard Dredge and Fill Application
282 Edgewater Dr, Tax Map & Lot # 218-013.000
Applicant is proposing to install five piling to support a permanent boat lift and 14' x 30' seasonal canopy.

Discussion:

L. Duncan stated that there wasn't anyone to represent the application, so they would go on to the next application.

2. Ann & Charles Ehrlich
Wetlands Permit Application/Expedited Review, Minimum Impact
61 Shore Rd, Tax Map & Lot #217-089.000
Applicant is proposing the installation of one 40' long x 1' wide x 3' high retaining wall & one 60' long wall 1' x 3' high retaining wall to support grade & minimize slope. The remainder of the slope will be planted w/native plant material.

Discussion:

Stephanie Sanford stated that she was from Belknap Landscape Company, LLC and that she was representing the owner.

L. Duncan asked if the steps were existing or new. S. Sanford stated that the steps are there and that they are going to be repaired in kind. She then handed out the existing conditions and proposed plans, so that the Committed could see the difference.

T. Drouin asked what the dimensions were. S. Sanford took out a scale and showed them about 115 sq. ft. and the average tie is about 118.

Conversation ensued with regard to the application and the plans.

C. Hall asked if S. Sanford was going to do any plantings of nature. S. Sanford stated that they will be doing native plantings and the location of the plantings was shown to the Committee. All the plantings will be done in the slope area that has no vegetation on it.

Motion:

Motion made by L. Routhier, seconded by C. Hall, to approve based on the clarification and changes based on Stephanie Sanford's presentation.
Motion carried with all in favor.

4. PRESENTATIONS

Dick Persons and Bill Seed attended the meeting and spoke about the donated funds used for Ramblin' Vewe Farm.

E. McLaughlin stated that they were back to the same old scenario as to regard to the money. He stated that Bill Seed, Weldon Bosworth and Geoff Ruggles have been going over this for months.

E. McLaughlin stated that \$17,000 would have come out of the donated funds and the rest of the donated funds are probably still in there and in speaking with Steven Nix and Sandy Mcgonagle they said it was typical for the Land Conservation Fund to Fund appraisals and that type of stuff on these properties. E. McLaughlin stated that \$30,000 that came out of the fund for D. Person was for appraisals.

All the money goes into the Land Conservation Trust, but how it comes out is really not known.

E. McLaughlin read an old e-mail from Alexandra Breed to the committee members. He then read an e-mail that he has sent. In that e-mail there was information from the minutes of September 8, 2008 having to do with the motion in regard to the disbursement of the fund.

G. Ruggles stated that other than what E. McLaughlin's has explained. He was looking for direction from the Conservation Committee, because he can't just pay the money out without authorization. L. Duncan stated that in looking back at the ins and outs of that account has anything been disbursed. G. Ruggles stated that other than the \$132,000 and the \$30,000. T. Drouin asked if the \$17,000 never got disbursed. G. Ruggles replied that the \$17,000 was part of the \$132,000. G. Ruggles stated that the biggest question was whether that \$17,000 came out of the Conservation Fund or whether it came out of donations. Because that would determine how much we have actually disbursed to the trust.

B. Seed stated that for the conservation easement that money had to be paid to Dick and Betty Persons. The donations were totally separated; they would go to the trust. If you look at the timing of this he questions where Alexander Brea stated that they took it out of the donations. He didn't think it should have happened that way, because that donation money was not intended to go to Dick and Betty Persons as part of the payment for the conservation. So, initially it was \$115,000 and D. Persons had come in and actually asked for \$150,000 at some point and he was listened to, but received no response. But, at a later date and prior to the closing of September 10, 2008 and before that at the meeting of September 8th the Commissioners made motions and everything else on

the additional \$17,000 for the acquisition of the Conservation Easement. So, the \$132,000 had nothing to do with donations, it went to Dick & Betty Persons for putting the land in Conservation and an income portfolio for the trust. It is clear that there is 40 something still sitting here somewhere in the town. Shame on us, because somehow it was overlooked, but you have to go way back where money was disbursed to several locations. He stated that if you look at the closing statement there's nothing mentioned that says from the town.

It doesn't say that \$17,000 comes out of any specific location or account. It reads:

\$352,500 acquisition funds and that was from the Farm and Ranch Land Protection Program

\$44,250 from LCHIP

\$132,000 from the Town of Gilford

B. Seed stated that the fact that the motion had been made by L. Duncan and T. Drouin seconded to approve \$17,000 for at total of \$132,000 for the easement for Persons Farm and without that \$17,000 for the closing there would be no easement or closing.

E. McLaughlin stated that the \$17,000 was donated for easement/ protection of the farm.

Discussion ensued with regard to the money and the disbursement.

C. Hall stated that this is becoming a back and forth thing and she wants to know how else to do we get to an answer. L. Duncan asked if anyone actually listened to the meeting on tape. It's probably a good idea to listen the minutes on tape, because it may be different than what is on paper. Maybe we could find out the intent of what went on at that meeting.

C. Hall asked if there could be some type of an audit that may be able to pick this up. G. Ruggles stated that the auditors would just go back and look at the same thing we are looking at and they can't determine any more than we can and we know that the money is there. We can track the money and the money is still sitting there, but the question is what pool is that \$17,000 dollars in the donated pool or the Conservation pool. The auditors have gone through and we are all in agreement that it is there, but they wouldn't be able to determine anymore than you can what the intent

was. L. Duncan stated that what we have to do is have somebody independent listen to the tapes of the meetings, for the understanding and the intent was of the money. The question is who we could get to this without costing to muck asked L. Duncan.

E. McLaughlin asked if maybe Scott Dunn, Town Administrator could do it. The Commission thought that he would be a good fit as far as being a neutral party. C. Hall wanted to know what tapes they were talking about. E. McLaughlin stated that the tapes would be from the meeting of September 2, 2008 and also the meeting of September 8, 2008.

Conversation ensued with regard to the money/funds.

Motion by C. Hall, Seconded by E. McLaughlin to have Scott Dunn, Town Administrator be authorized to review the minutes and listen to the tapes from the meetings of September 2, 2008 and of September 8, 2008. Also, have S. Dunn report to the Conservation Commission and give his opinion or have those particular sections in the tapes transcribed. Motion carried with all in favor.

5. OTHER BUSINESS

- 1 C. Hall brought up the Site Study meeting of March 12, 2012, and that they had 5 applications to review. She discussed and explained all of the applications.
- 2 L. Duncan stated that the NRI was now up on the Town of Gilford's website.
- 3 L. Duncan also stated that there was a workshop coming up given by the NH Department of Environmental Services which is in the packets, so if anyone is interested in attending let Sandra Hart know and she can sign you up.

6. THE MCLAUGHLIN REPORT-by Everett McLaughlin:

(If Needed)~Non Public Session Per RSA 91-A:3 II (d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

Nothing new was reported from E. McLaughlin.

7. MINUTES: March 6, 2012

Motion made by L. Routhier, seconded by E. McLaughlin to approve the minutes from March 6, 2012 as presented. Motion carried with all in favor.

8. ADJOURNMENT

Motion made by C. Hall, Seconded by T. Drouin to adjourn at 8:09 p.m.
Motion carried with all in favor.

Respectfully submitted,

Sandra Hart
Secretary