

TOWN OF DEERING

762 Deering Center Road
Deering, NH 03244

Board of Selectmen Final Special Meeting Minutes Monday, February 26, 2024

7:30 A.M. & 3:30 P.M. – Public Session

Members Present for AM session: Chair Jill Smith, Selectman Roy Watson (virtual) and Selectman Steve Diers

Also Present: Town Administrator Kerris

Opening of the Meeting by the Chair at 7:40am

Item #1 – Review and finalize Warrant Articles

TA Kerris said she sent the Warrant to the Department of Revenue Administration (DRA) for feedback and the feedback received for the Library Trust Fund Warrant Article was that it was not worded correctly because you cannot transfer from one trust fund to another. She said she asked them how to accomplish what they are seeking to do and is awaiting a response.

TA Kerris said the DRA referred her to seek guidance from legal Counsel regarding the School Feasibility Study Warrant Article. She said Counsel's opinion is that this topic cannot be raised by the Board, it is not the correct process and must be raised by the taxpayers.

The Board discussed the opinion of Counsel and the possibility of how the law allows this process and where the distinction of who has to move the article forward comes in.

Selectman Diers said we are under time constraints now and it would have been good to talk to other towns that have done this before.

Chair Smith suggested recessing and continuing the meeting later that same day to give time to get answers to their questions.

The Board agreed by consensus to recess and re-convene back in session at 3:30pm today.

Item #2 – Review of 2022 Audit Responses

After review the Board had no concerns with the responses.

Chair Smith made a motion to accept the suggested responses from the Town Administrator and put them forth to the Auditors. Seconded by Selectman Diers. Motion passed 3-0.

Chair Smith made a motion to recess the meeting at 7:50am and reconvene at 3:30pm. Seconded by Selectman Watson. Motion passed 3-0.

Members Present for PM session: Chair Jill Smith and Selectman Roy Watson
Also Present: Town Administrator Kerris

Chair Smith said they have more information and answers for the two Warrant Articles they had questions on.

For the School Feasibility Study Warrant Article she said it is Counsel's opinion that it is worded ok but there is a preferred way that is longer and at first glance they thought it was outside of their prevue but it has reversed his thought on that and stated it is within the statutory rights to put the article forward but it is his opinion that it is better for the Board to stand back and wait for it to come from the residents as a petitioned Warrant Article. Chair Smith asked the Board to remove the Warrant Article based on that advice.

Selectman Watson agreed with removing the article from the warrant.

Chair Smith made a motion to remove the Warrant Article for the School Feasibility from the Warrant. Seconded by Selectman Watson. Motion passed 2-0.

Chair Smith announced that if any resident wants to put forth an article like this, they could ask the Town Administrator or the Town Clerk for guidance on the process of a Petitioned Warrant Article.

Chair Smith said the second Warrant is for the Library and the trustees wanting to move funds from one trust to another and combine them.

TA Kerris said she received their updated draft on 2/15/24 to discontinue the Library Expendable Trust from 2008 and to move the funds to the Library Building Maintenance Expendable Trust Fund.

She said DRA explained this is a multi-step process that does not allow a transfer from one trust to another.

TA Kerris said she worked with the DRA for the correct steps and it does require a public hearing and because the step of the money going into the general fund first was not discussed at the first public hearing, it would need to be done again

Chair Smith said the trust is for the operation and future expansion of the library and that the Building Maintenance Trust Fund would limit the use of the month more.

After a brief discussion ensued, the Board decided more work needs to be worked out for Warrant Articles.

Chair Smith made a motion to remove the Library Expendable Trust Fund Warrant Articles #6 & 7 being considered and to find out the proper procedure. Seconded by Selectman Watson. Motion passed 2-0.

Chair Smith announced the Warrant articles as follows:

Article 1 – Election of Officers

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Article 2 – Zoning Amendment
Article 3 – Accept the Town Reports
Article 4 – Operating Budget of \$2,435,270
Article 5 - Additions to established trust funds in the amount of \$349,475
Article 6 – To transact other business

Chair Smith made a motion to move forward with the six Warrant Articles listed above for the 2024 Warrant. Seconded by Selectman Watson. Motion passed 2-0.

Chair Smith said the voting session would be March 12th from 8:00am – 7:00pm and the business session is March 16th at 9:00am.

Chair Smith made a motion to publish the dates for voting above. Seconded by Selectman Watson. Motion passed 2-0.

Chair Smith made a motion to adjourn the meeting at 3:46pm. Seconded by Selectman Watson. Motion passed 2-0.

Respectfully Submitted,

Wendy Baker

Wendy Baker
Recording Secretary