



Salisbury Board of Selectmen

Meeting Minutes

February 16, 2022

Approved

Selectman Brett Walker, Chair	Present
Selectman John W. Herbert	Present
Selectman Jim Hoyt	Present
Town Administrator April Rollins	Present
Municipal Assistant Kimberley Edelmann	Present

Attendees: Several citizens attended the meeting in person at Academy Hall; a few attended via Zoom.

1) Open Meeting

Chairman Brett Walker opened the meeting at 7:00 pm.

2) Meeting Minutes

Chairman Walker made a **motion** to approve the minutes of February 2, 2022. Selectman Herbert **seconded**. The **motion passed** with all in favor.

3) Signatures

Chairman Walker noted that the Selectboard had reviewed and signed the following:

- ◆ Review Accounts Payable & Payroll Registers
- ◆ Intent to Cut Timber
- ◆ Tax Map 240, Lot 29 - Warner Road
- ◆ Tax Map 241, Lot 28 - South Road
- ◆ 2021 Equalization - Municipal Assessment Data Certificate
- ◆ Town Warrant

All documents are available for public inspection.

4) Department / Board / Committee Reports

a. Budget Committee

Chairman Walker reported that the most recent Budget Committee meeting included a Public Hearing. There weren't many comments from the public, just some discussion about the Police Budget. The Budget Committee voted to recommend all of the warrant articles.

b. Fire Chief

Fire Chief Bill MacDuffie, Jr. reported that he had requested two more estimates for the Safety Complex lights.

c. Road Agent

Road Agent Bill MacDuffie, Jr. informed Chairman Walker that in addition to the list of vehicles he and Chairman Walker had discussed, he also had access to hire trucks for road work.

Chairman Walker explained to the public that he and the Road Agent had been talking about the future of a Salisbury Highway Department from a 10,000 foot level. He believed a ballpark figure of \$1,000,000 would be needed to get it started. He noted that the Road Agent expected to continue serving Salisbury for a maximum of 8 more years.

Chairman Walker itemized some of the equipment that initially would be needed and prices. He also noted the Town would need a shed for sand and salt, a building in which to store and service vehicles, and a location for both.

Chairman Walker commented that 8 years was still a long way off. He said he was going to hold the Road Agent to the maximum of 8 years, but as far as he was concerned and hoped, that was a minimum.

Equipment	Estimated Cost
Backhoe	\$60,000
Grader	\$100,000
2 dump trucks w/ plow wings & sanders	\$450,000
1 ton truck w/ plow & sander	\$80,000
Miscellaneous equipment	\$10,000
Total	\$700,000

Chairman Walker said that one of the 2022 warrant articles requested additional funds be added into the Highway Equipment Capital Reserve Fund. In the next two years, the Pingree Bridge and Fire Tanker loans would be paid off. They total \$55,000 per year. He would like to see those funds go towards the Highway Equipment CRF to help build up the fund. It was a start.

d. Transfer Station - S.O.P 97-01, Use of the Transfer Station

Town Administrator April Rollins reported that she updated Standard Operating Procedure 97-01. The SOP showed hours of operation and included detail regarding materials accepted and fees. The only thing not included, but she felt should be, was a clause regarding off-hours arrangements.

Chairman Walker felt it made sense to simplify and just operate off of the Fee Schedule. He made a **motion** to rescind the current SOP, Selectman Herbert **seconded**, and the **motion passed** will all in favor.

5) New Business

a. Revaluation Discussion with Jeff Earls of CCAG and Wayne Farmer of DRA

Chairman Walker welcomed Lisa Mudge and Wayne Farmer, both from the Department of Revenue Administration (DRA), and Jeff Earls of Cross Country Appraisal Group (CCAG). Ms. Mudge addressed the board and the public.

Ms. Mudge explained that Wayne Farmer was responsible for reviewing the assessing work for Salisbury and that Jeff Earls was responsible for doing the assessments. She explained that for Salisbury, 2022 marked the 5 year requirement for revaluation as stated in the NH State Constitution. The DRA was tasked with monitoring that revaluation process.

Ms. Mudge said the municipality should have a data collection manual and a copy of the Uniform Standards of Professional Appraisal Practice (USPAP) report.

The Town does a cyclical process of capturing data about properties; a portion each year over four years. 2022 was the year to apply the sales to bring the property assessments up to full and true value.

Ms. Mudge said the ratio study report for 2020 was provided to the Selectboard. The 2021 report was not ready yet. In 2020, Salisbury was valued at 85% of market value. In 2021, it dropped to 69.7% overall. Single family homes were at 65.7%, meaning the community was undervalued by about 35%. She noted that was not uncommon; it was happening all over the state. COVID and other market factors had an impact on property values.

Ms. Mudge noted that Mr. Earls was required to bring the values back to full and true value. She cautioned the public not to be afraid. She said that if the budget stayed the same, generally the tax rate would drop; it would depend on the spending of the Town.

Ms. Mudge said she would be asking Jeff Earls some questions, publicly, so that everyone would have a better idea of what to expect. She said the DRA reviewed Mr. Earls contract with the Town, including information about employee certification levels and insurance. She said that the Town is required to keep good data about properties.

Referencing the contract with Cross Country Appraisal Group, Ms. Mudge said it stated the revaluation would be satisfied by October 1, 2022. Mr. Earls said he expected to start in April. He noted that the contract was signed in 2018 and it referenced an out of date USPAP report. He asked if the contract should be amended. Ms. Mudge said she'd look at that. Also, he noted that how utilities were assessed had recently changed. Ms. Mudge concurred.

Ms. Mudge said that in a cyclical revaluation there would be new site values, new land values, the building cost tables would be revised, depreciation tables would be reset, and outbuildings and extra features of properties would be looked at.

Ms. Mudge observed that there were 19 single family homes and 18 parcels of land sold. Wayne Farmer would be visiting Salisbury to review a random sample of those sales, including visits to the properties. TA Rollins would be notified in advance of DRA visits. The resulting DRA report would be shared with the assessor. Mr. Earls said his sales analysis would be done by the middle of May.

Ms. Mudge asked if there were any special use properties in Salisbury, such as campgrounds, ski lifts, timeshares, amusement parks. It was noted there were none.

Once sales analysis was done and preliminary values were set, property owners would be notified. Taxpayer hearings would be held to give owners an opportunity to ask questions about changes to their property cards. It was not yet determined if those hearings would be held in person. If in person, they would be held at Academy Hall.

Ms. Mudge explained that a full field review would take place where every property in Salisbury would be viewed from the outside as a final opportunity to make corrections to the property records. Photos may be taken.

Ms. Mudge asked if anyone had questions at that point. There were none.

The second task involved a review of assessing administrative practices. The DRA representatives would be doing a review of data accuracy. A random selection of 36 properties and their property cards would be reviewed. A review of the permit process and any known property changes would be done. The assessing records would be examined. The exemptions & tax credit lists would be reviewed, such as charitable organizations, educational organizations, veteran exemptions and solar exemptions.

Updated property valuations would be applied during the second tax billing for 2022.

6) Old Business

a. TDS Construction Agreement

Town Administrator April Rollins reported that the contract was signed and mailed. Also, the payment to TDS cleared the bank.

7) Selectmen's Updates

a. Global Trash Solutions – Compactor

Chairman Walker reported that he spoke with Peter Spanos the day before. There was no new information to report. They were still waiting for action by the underwriter.

8) Public Comments

a. Tax Map 247, Lot 6 - Alice Ogden

Ms. Alice Ogden addressed the Selectboard, reading a prepared statement:

Dear Selectman,

Thank you for giving us the time to speak. I was surprised to have received your letter giving us the ultimatum to move our building off our acreage on Robie Rd.

This all begin with a note attached to our building that we found in Dec. from Chuck. We were quick to get in touch with the Building Inspector. Brad and I met with the Building Inspector and April on Dec. 18.

They had said that we did not get the required building permit to build this on our 25 acres of land. We had no ideal we needed a building permit to build this shed. We asked what can be done to correct this and April had said this could be resolved thru waivers and could cost an administrative fee of up to \$1,000.00.

I am confused how this would take such a turn when April assured me that the town would work with us.

With the holidays and April's vacation after the holidays, we contacted her on Jan 3rd and asked if we should attend a selectmen's meeting. She replied that we need to see the paperwork before having any discussions. She invited us to meet with her Jan 6th.

She went over the paper work with us and said she would be helpful in contacting the abutters and sending

out the required registered letters to them along with one to us and the Concord Monitor.

She would help us locate the deed and also leave it to her to reach out to the required road agent and Fire Dept.

On Jan 11, I emailed April and said I had filled out the ANLMRL to the best of my knowledge and drew the building location on a tax map. I wasn't sure what else we needed that applied to us.

She said bring in all the documents and we can sit down and go over everything. "I send out the public hearing notices to the abutters and yes, I also create them here. I will reach out to the Fire Chief / Road Agent for his opinion or he will attend the meeting and give his input at the time."

I had to reschedule and then she had to. On Jan 19, when I asked to meet, she said she would not be available at this point and could I shoot her an email next week when we are available. The Selectmen meeting, which was held on that same day was when she requested to speak with the town council about this matter.

This is a seasonal shed / building that we do not plan on living in. I was told there were waivers that we were to apply for and when I requested to meet with the selectman and be present at a meeting she said to wait and she would get in touch with me. We were not given any notice of our structure being the discussion or we would have attended that meeting. Is this fairness?

It was our son, Colby, who build the structure on Robie Rd. Colby attended MVHS. You could say this building is a result of the 2 years he spent while in school attending the Technical Program they offered on Construction. We are proud of the building he built himself, using mostly repurposed lumber and windows. While his achievements should be looked at with great accomplishment, the town has asked that we tear it down. What a waste.

With so many of our youths living thru these uncertainties of everyday life, it was refreshing to see our son engaged in this project. I encouraged Colby to build a place to store tools and so I could have a place to "sit" when I hiked to our land on Robie Rd. from our home on Humphrey Road. My husband, who was in better health worked at the woodlot almost daily. I would walk often to Robie and a structure to keep us out of the bugs and store his tools in seemed like a good idea. He spent a lot of time working on this project and did a good job.

I would hope that the town he was born in (home birth) went to school in, grew up in and will live in will be of some help in finding a workable solution. That was what we were led to believe in our meetings and exchanges that have taken place with both the building inspector and April.

I do not enjoy speaking in public. There was something that April said to me when I went down to the Town Hall on Jan 9th after receiving the letter from the selectman that compelled me to share. I told her I was disappointed and surprised as I thought we were working on solutions. In leaving, I apologized again and said to April, "Honestly I had no ideal that we needed to have a building permit," Her reply was "I don't believe YOU".

Brad and I have raised 3 kids and have taught them to have integrity and have given them the tools to become good honest, working citizens. Responsible members of society and I did not raise them to believe we were above the law, and I do not lie. I am a respected person with good values and principles. I believe that Aprils personal opinion was a factor into the decisions passed down to us by the Selectmen.

We give our land up for all people to enjoy. We see hikers, horse folks, dirt bikes and we've allowed the

snow mobile club to use our land for their trails. Can you please help us with a better solution?

Respectably yours,

Alice

And in ending, I want to say I think a decision to have a young man tear down that building is a cruel punishment.

Chairman Walker said he was not sure what choice they have as Selectmen. From the advice received from Town Counsel, there were a couple issues to deal with. First, the structure was built without a building permit. Second, it was built on a Class VI road which required additional approval before a building permit could be issued. He understood that Ms. Ogden did meet with the Building Inspector to get a permit after the fact.

Ms. Ogden asked if there was an option to have a land use change tax applied. Chairman Walker responded that it was an additional issue which would not address the issue of not using the building permit process.

Chairman Walker said he had not seen the structure, but heard it was more than a shed. It appeared to be built with the intent of use for human habitation which would require a well and a septic system. He expressed empathy for the situation. He explained that waivers could not apply due to three issues: Built without a permit, built on a Class VI road, and failure to meet requirements in regards to water and disposal of human waste.

Chairman Walker stated that details of conversations with legal counsel had not been approved for release.

Ms. Ogden expressed concern that the snowmobile club travels across their land. She believed she should discuss continued access with them. Chairman Walker said he could not speak to that. He said he did not know what path forward there was in terms of allowing the shed to remain standing. Ms. Ogden reiterated that she did not know a permit was required. Town Administrator April Rollins stated that she tried to find a good solution. Chairman Walker said he would pass it by Town Counsel one more time.

Selectman Herbert asked about the size of the shed. It was believed to be 12' x 16', including a deck.

A member of the public asked what made the shed potentially habitable. Ms. Ogden stated it was not built for habitation. TA Rollins said it had a wood stove inside and stairs leading to a loft structure. Ms. Ogden countered that a lot of garages had wood stoves and stairs to a second story, adding that the wood stove was not connected.

Chairman Walker noted that those things may or may not define it as a habitable structure. Garage or not, there was still a permitting process that needed to be followed. It was not an issue the Selectboard initiated. A complaint from a member of the public had been sent to the Building Inspector. The Building Inspector investigated, as he was required to do. On advice of Town Counsel, with the structure not fitting within the zoning regulations, the Selectboard was then obligated to send the letter requesting the structure be removed.

Ms. Ogden said it would be nice to resolve the issue instead of taking down the building. Chairman Walker said he would take another look, but would make no promises.

A member of the public asked if putting in an overhead garage door would change the situation. Chairman Walker said that was a question for the Building Inspector. Selectman Herbert said it was still a structure on a Class VI road, built without a permit.

Selectman Herbert made a **motion** to allow Chairman Walker to discuss the matter further with Town Counsel. Selectman Hoyt **seconded**. The **motion passed** with all in favor.

9) Town Administrator's Report

a. Town Hall Rental

TA Rollins asked the Selectboard to waive the Town Hall rental fee for the Ralph Downes Memorial Spaghetti Supper, March 5 from noon to 9 pm. Chairman Walker made that **motion**. Selectman Hoyt **seconded**. The **motion passed** with all in favor.

b. Audit

TA Rollins reported that the annual audit was complete and that it went very well. There were only a couple of recommendations which she and the bookkeeper were addressing. One was in regards to journal entries. The other was in regards to improved identification of State ACH transfers.

c. Annual Report

TA Rollins reported that the 2021 Annual Report had been sent to R. C. Brayshaw. Municipal Assistant Kimberley Edelmann confirmed she read it one more time and had submitted it. An electronic proof was expected in the following day or two. Selectman Hoyt commented that Ms. Edelmann did a nice job on the report.

d. Town Meeting

TA Rollins said she would be working with the Town Moderator and then they could discuss who wanted to speak to which warrant articles. Selectman Herbert said he would speak with the Pastor regarding the invocation. TA Rollins also noted that they needed someone to lead the pledge. Chairman Walker said he could do that.

TA Rollins asked the Selectmen to each let her know what materials they would need for Town Meeting so that she could prepare packets for them, in addition to copies of the budget and the warrant. Selectman Herbert said he'd like the usual support for the warrant articles.

10) Next Meetings

Chairman Walker made a **motion** to adjourn the meeting 7:50 pm. Selectman Hoyt **seconded**. The **motion passed** with all in favor. The next scheduled meeting: Wednesday, March 2, at 7 pm at Academy Hall.

Respectfully Submitted,

Kimberley Brown Edelmann
Recording Secretary

These meeting minutes were reviewed and accepted on March 2, 2022.

Selectmen, Town of Salisbury