

COÖS COUNTY DELEGATION
SPECIAL MEETING
Tuesday, August 27, 2013 - 10:00 a.m.
North Country Resource Center - Lancaster, NH

Present: Representatives Robert Théberge-Chair; Larry Rappaport-Vice Chair; Yvonne Thomas-Clerk; Gary Coulombe, Larry Enman, Marcia Hammon, William Hatch, Wayne Moynihan, Herb Richardson and Leon Rideout. Also present: County Commissioners Thomas Brady, Paul Grenier and Rick Samson; County Administrator Jennifer Fish; Administrative Assistant Linda Harris; members of the press and public.

Chairman Théberge called the meeting to order at 10:12 a.m.

Chairman Théberge requested all to stand for the Pledge of Allegiance. The roll was called by the Clerk, Representative Thomas. There were 10 members present.

Chairman Théberge stated that the reason for the special meeting was to discuss the Planning Board appointments. Chairman Théberge requested, on Representative Rappaport's behalf, that the Planning Board Chair John Scarinza consider changing the time of future Planning Board meetings to accommodate Representative Rappaport's schedule.

Hearing of the Public:

- Norman Brown, Selectman from the Town of Jefferson, suggested that the Delegation appoint an alternate to replace Representative Rappaport. Chairman Théberge stated that the by-laws do not allow an alternate.
- Joan Sweeney, property owner in Millsfield, asked if there was a representative from the Unincorporated Places on the Planning Board. Chairman Théberge replied that the County is broken down in three districts. The current representation was as follows:

District 1 (Commissioner Grenier's district) with one Unincorporated Place has one member; District 2 (Commissioner Brady's district) with 13 Unincorporated Places has one member; and District 3 (Commissioner Samson's district) with nine Unincorporated Places has four members.

The two proposed alternates would add one additional member to District 1 and District 2.

Representative Richardson noted that the Planning Board by-laws state there shall be geographical distribution. Area wise it is a good distribution; however, population wise it is not. The Planning Board should be based on area wise. In his opinion, it was a fair distribution.

Representative Rappaport stated that he will vote no because the Planning Board is supposed to be for the Unincorporated Places. Many areas of the Unincorporated Places have no population but other areas have some population specifically Millsfield and Dixville. He personally knew of a couple of people who he believed would be reasonable people to put on the Planning Board. As long as there is no resident from the Unincorporated Places he will not support the nominations.

Chairman Th  berge stated that there is an open seat and the Commissioners will need to make a recommendation to the Delegation in the future. Representative Hammon stated that a resident of Millsfield presented her name for consideration at the Commissioners' meeting.

Representative Richardson stated that the by-laws state that the Board of Commissioners puts forth the nominations. Millsfield is not the only Unincorporated Place with problems. Wentworth Location has a serious erosion problem and their property taxes have tripled over the last three years. They too would like representation.

Commissioner Samson stated that he has been advocating for Millsfield especially since the vacancies come up. He appreciated getting members from other districts to serve on the Planning Board. Commissioner Samson's opinion was that the Planning Board will be facing more serious issues in the future than they have in the past. He listed Northern Pass, Wagner's Wind Farm and the Balsams rebuild as examples. Some of the names put forth at the Commissioners' meeting, Commissioner Samson objected to. The slate of names that are presented to the Delegation came from Commissioners Brady and Grenier. He attempted at the meeting to have a seat filled by Millsfield but not a specific name. He stated that Mr. Brown's questions earlier would have been best answered by - there are three alternates on the Planning Board when a regular member cannot attend that seat is normally filled by an alternate. In the case of Representative Rappaport or Commissioner Brady, the Delegation and the Commissioners are not represented if they are unable to attend the meeting. The by-laws state that Commissioner Brady may designate an alternate which he has not done. Chairman Th  berge stated that he would discuss an alternate for Representative Rappaport further with Commissioner Brady. Commissioner Samson asked Commissioner Brady if planned on filling the alternate seat. Commissioner Brady replied that the issue was not up for discussion at the Delegation meeting. Commissioner Samson stated that the reason he objected to Scott Rineer going from an alternate member to a regular member was because of his employment with Wagner. Many of the future issues will involve Wagner lands.

Mr. Brown noted that the perception seems to be if one person gets elected to the Planning Board that he or she will fix the impending tax issue in the Unincorporated Places. That will not happen. The taxes for the Unincorporated Places have always been there. The difference is the economy has changed and there is less timber revenue. The people of Millsfield are upset that they may be getting a tax bill but other communities pay taxes. The County will need a Planning Board that will have the foresight to take care of the issues coming up.

Mrs. Sweeney stated that the residents do not expect not to pay taxes. However, if the wind turbines go south there may be exorbitant property taxes throughout the County. Chairman Th  berge stated that he and Senator Woodburn are currently working on legislation to resolve the issue.

Chairman Th  berge also explained that he had opposed the previous nominations due to Attorney Frizzell's nomination. Attorney Frizzell represents the County on several issues and is also legal counsel for Balsams View. Attorney Frizzell may continue to attend meetings in the future as a member of the public.

Representative Rideout stated that the tax issue cannot be taken care of by the Planning Board. The Planning Board must be fair and equitable to the entire County. The Delegation is working on the PILT issue.

Mrs. Sweeney stated that the reason that the residents of Millsfield are looking for a seat on the Planning Board is that they want to be kept informed. Chairman Théberge stated that there is nothing stopping the members of the public from attending any County meetings. The meetings are posted on the website. A member of the public stated that the Delegation's special meeting was not posted on the website. After some discussion, it was noted that the meeting was posted on the website and also published in three local newspapers. Chairman Théberge requested that all future agendas be placed on the website as well.

Commissioner Grenier asked if focus could be placed on the purpose of the meeting which was to discuss the nominations of Fred King, who has been Vice Chair for a number of years, who brings a lot of knowledge to the Planning Board, who understands the laws that created the Unincorporated Places and was part of the transfer from the State to the County; Scott Rineer, who has been an alternate on the Planning Board for several years and is a forester for Wagner Forest; Tom McCue from Berlin, has planning board experience and is an attorney; and Mark Frank of Lancaster, who also has planning board experience. Commissioner Grenier stated that there is an open seat; but he will never accept the name of a town as a nominee. If a name is brought forth for consideration he might consider the individual. He added that local boards will not fight with Northern Pass; it will be done at the State level. The local planning boards do not have the expertise or the financial resources to make sure that the developer is kept honest.

Representative Moynihan spoke of the geographic distribution of the entire county and that the people of the Unincorporated Places are saying that they are a geographic district also. There is logic to their claim but the Commissioners point is still valid. He did not think it was fair to criticize the efforts of the residents of the Unincorporated Places to look for designated number for them. Commissioner Grenier read the motion from the minutes of August 14, *"A motion was made by Commissioner Samson to make the alternate seat available to the residents of Millsfield. If the name that is placed as an alternate cannot attend a meeting, another Millsfield resident may be able to take their place."* Commissioner Grenier stated that he could not support a whole town. Representative Moynihan thanked Representative Richardson for bringing in a copy of the Planning Board By-laws. The document showed that the Delegation is limited in their role. Chairman Théberge stated that he agreed with Commissioner Grenier. A name is needed with credentials to validate their nomination.

Commissioner Brady stated that the reason that the Unincorporated Places exist is that the land will serve the interest of all of the communities in Coös County. He read an excerpt from the Unincorporated Places Master Plan *"It is essential that the economic viability of the County's employers be maintained. The goal of the Planning Board is to assure that there is a balance between the need for ecologically sound planning decisions and a continuing recognition that the primary objective must be to provide for the multiple use of the natural resources so important to the economy of the county and the state as a whole."* The Unincorporated Places have been the bread basket for the entire county. It's where most of the jobs came from. The reasoning behind the geographic distribution was to make sure that every sector of the County had a say. He did not mean that someone from Millsfield did not belong on the planning board;

he clarified why the geographic distribution exists. There are many communities that are not represented on the Planning Board.

Representative Rideout stated that the addition of the new members may make a better distribution. He urged that the Commissioners consider filling the empty seat with a qualified resident from any of the Unincorporated Places.

Commissioner Samson stated that the minutes from which Commissioner Grenier read have not been approved so they are not official. He was the Commissioner that made the motion and had he known a name was preferred. At this time, Representative Richardson asked for a point of order. He continued that the Delegation was not meeting to get into a debate on whether the Commissioners are listening to one another. The Delegation is discussing the Planning Board. He will not listen that one commissioner cannot get along with the other two commissioners. He does not want to hear what happens at the Commissioners' meetings. Commissioner Samson continued that he has been advocating for Millsfield but maybe he should have been advocating for all of the Unincorporated Places. The reason he was advocating for Millsfield is that the wind park was forced upon them. The reason the residents want a seat on the board is that they want to be informed and possibly have a say in a decision that may ultimately affect them. He will bring forth a name at the next Commissioners' meeting.

Commissioner Grenier stated that the wind park was not forced on the residents of Millsfield. Meetings were held between the Commissioners and the residents. Numerous meetings were also held between the residents and the developers so much so that suddenly overnight the residents of Millsfield went away. Chairman Th  berge concurred with Commissioner Grenier's comment.

Review & Approval of Minutes:

Chairman Th  berge asked if any changes or corrections needed to be made to the minutes of the August 5, 2013 meeting. A motion was made by Representative Rideout, seconded by Representative Hatch to approve the minutes of the August 5, 2013 meeting. The minutes were unanimously approved by a voice vote.

Confirmation of the Co  s County Planning Board Appointments:

- *Regular Members: Fred King and Scott Rineer (District 3)*
- *Alternates: Mark Frank (District 2) and Thomas McCue (District 1).*

A motion was made by Representative Hatch, seconded by Representative Richardson to confirm the Co  s County Planning Board Appointments as presented. Representative Moynihan inquired about the other Planning Board members. He reviewed the list that was provided to him. Representative Richardson asked if the Planning Board would consider adding "his or her designee" for the Delegation in the by-laws as it is for the Commissioners. Representative Rideout stated that the Planning Board will need to address the issue. Rep Rappaport inquired about Scott Rineer's qualifications. Commissioner Grenier replied that Mr. Rineer is a forester for Wagner Forest and has been an alternate for about six years. The Planning Board has always had a forester on the Board. Chairman Th  berge also added that Mr. Rineer does recuse himself when there is discussion pertaining to Wagner Forest. Representative Hatch stated he made the motion because he considered this a good list and there is still the opportunity to move forward with an additional name. The motion was approved by roll call vote 8-2.

Any Other Business:

Representative Richardson stated that credit should be given to Representative Th  berge and the Commissioners for the work that has been done over the last couple of months in regards to the DRA decision. They have attended several meetings and have dedicated themselves to fighting this process. The DRA misled the County in the whole process. Representative Moynihan agreed with Representative Richardson's comments and added that the Delegation will have a substantial obstacle to overcome when they try to introduce the legislation which is site specific. He is concerned that it will be a very difficult ball to carry and he hopes that everyone is prepared to carry it. He added that the Delegation will need to be careful as the DRA really did not do anything evil. They changed the assessments like they do to any other town. The County is locked into a value with the power company which is useful to a power company. Chairman Th  berge stated that in the past, issues concerning the Unincorporated Places have been looked upon favorably. Representative Rideout stated that there may not have been evil intent but the DRA knew the figures were locked in for tax purposes. DRA set the value and this issue has served as a lesson where other communities have been given fair warning not to enter into a PILT agreement.

Representative Rappaport stated there is no basis for PILT agreements. If a company does not like it they may go somewhere else. In his opinion, the wind turbines should not have been built. Representative Richardson reminded everyone that both the Commissioners and Delegation voted on PILT.

Representative Rideout reminded everyone of the subcommittee meetings regarding the county house and barn will be held on September 11 at the Stewartstown Community School; September 18 at the Lancaster Town Hall; and September 25 at the Berlin City Hall. All meetings begin at 6:30 p.m. Chairman Th  berge asked that background information be provided at the meeting.

A motion was made by Representative Hammon, seconded by Representative Hatch that a letter of sympathy be sent on behalf of the Co  s County Delegation to the Lac M  gantic Community.

Chairman Th  berge stated that the next quarterly meeting will be held on Friday, October 25 in Berlin at 10:00 a.m.

A motion was made by Representative Rappaport, seconded by Representative Hatch that the Delegation formerly requests that the Planning Board consider adding "a designee" to the Delegation criteria in the by-laws. All approved by voice vote.

Commissioner Brady thanked the members of the Delegation for their thoughts on the new members of the Planning Board. The Commissioners will work on the last nomination.

With no other business to discuss, a motion was made by Representative Rideout, seconded by Representative Hatch, to adjourn the meeting at 11:13 a.m. All approved by voice vote.

Respectfully submitted,

Representative Yvonne Thomas, Clerk