

Selectmen's Meeting Minutes

Tuesday, March 21, 2006

Present: Selectman Maxfield, Bowles, and Ives.

Also present: Road Agent David Rice, Tom Dow Planning Board Vice-chair, and David Powelson ZBA member.

Chairman Maxfield called the meeting to order at 6:30 PM.

- I. Chairman Maxfield opened the Board of Permit.
 - a. Chairman Maxfield stated there was one Hawker's and Peddler's Permit for the Smoke Shack Southern Barbeque, LLC owned by Joshua Davis. This business is located on Heffron Materials property on Route 106 South. The business is run from April – October, 7 days per week, 11:00 AM through dusk. He stated it was the same application as last year. There were no issues with this permit.

Chairman Maxfield closed the Board of Permit.

- II. The Board met with Road Agent David Rice.
 - a. Mr. Rice stated he had been contacted by the EPA regarding Berry Road issues. Mr. Rice was advised that a plan needed to be prepared showing steps that would be taken to deal with the issues. Discussion ensued regarding the fact the Town will not be the only ones having to deal with this issue, the landowners who's properties are contributing to the issues will be responsible also.
 - b. Mr. Rice advised the Board he had gone to Liberty to order the new truck for the Highway Department as the price will go up at the end of the month. He discussed the packer trailer and the Board agreed he could place the order for it.
 - c. Mr. Rice stated the Highway Crew had been patching roads. He advised the Board he had spoken with Mark Page and he should be able to begin working on the grader next month and hopefully get it back running.
 - d. Selectman Bowles discussed a letter forwarded to the Planning Board regarding Wayne Thistle and Young's Hill Road from Mr. Rice. Discussion ensued regarding Mr. Rice getting letterhead made up for the Road Agent so it does not appear a letter is coming from the Selectmen's Office as well as the intent of what the letter was about. Roy Merrill was recognized from the audience. Mr. Merrill stated that someone misconstrued the letter at the Planning Board meeting.

Discussion ensued regarding widening the road as well as an issue with a culvert.

- III. The Board acknowledged members of the audience wishing to express their concerns regarding Loudon Fire Department issues.
- a. Selectman Bowles stated the Selectmen are not obligated to say anything at this point based on advice from Town Counsel. He stated the Board was advised if anyone from the fire department wanted to talk about this subject, they should be allowed to express their concerns and they would be on record in the minutes. However, the Selectmen will not discuss the conversations they have had with Town Counsel. Rob Morin asked how a volunteer fire department could kick off a member. Stacey McNeil stated there are rules and regulations the Loudon Fire Association follow as well as by-laws. Selectman Ives stated he is a member of the Loudon Fire Department and while he has information on the fire department side, he has not been part of the information and discussion on the Board of Selectmen's side. He stated he could not make any decision until he is brought up to speed by the Selectmen and asked for some time to get the answers. Mr. Morin said he felt if something was not done soon to address the issues; the department was at risk for losing more members. Jeff Leonard said he felt if there were members of the department causing the problems they should be the ones to go. Mr. Leonard stated he has been trying to stay neutral during this whole thing but after Town Meeting and the issue of removing the Fire Chief salary came up, he has decided to speak up. He feels this should have been handled at the fire department. Rick Wright stated the issues had been brought to Chief Burr's attention, but nothing was done to fix the problems. Now it has been brought to the Selectmen and the Town. He briefly discussed his feelings relative to the issue of the handout that was at Town Meeting. Mr. Morin stated he had received a phone call asking that he attend tonight's meeting and advise members of the department of the outcome. He stated it is not just the volunteers that have concerns. Mr. Wright said he had received the same type of calls. Mrs. McNeil discussed the handout that was at Town Meeting. She said she felt it was up to the Selectmen to investigate each issue or allegation, they should find out from everyone on the fire department how they feel and not just take the information that was available at Town Meeting. Mrs. McNeil went on to discuss the issue of each person on the fire department, whether they are volunteers or fulltime employees, needing to speak for themselves and not have other members speak for them. She said she felt that whether a member was a volunteer or a fulltime employee, they would be facing the same consequences if there were to be any. Chairman Maxfield said the new Board needed to get together and discuss this issue and they can do that now that Town Meeting is over. Mr. Leonard discussed his

concerns regarding the Moderator and Selectmen allowing a personal issue to go to a vote. Selectman Bowles advised Mr. Leonard that the Selectmen have no control over that issue. He stated the Selectmen are there to bring the articles forward and they each have one vote. The meeting is run by the Moderator, and it is up to the Moderator to keep the meeting under control. Delena Leonard said she felt that since most people do not have all the facts of this issue, many have only heard rumors. Due to not having all the facts, it should not have been a vote at Town Meeting. She went on to say she feels that no matter what the outcome of the situation is, there will still be a divided fire department. Mr. Morin stated he did not want to see Chief Burr be fired, he wanted to see things get cleared up. Selectman Ives said he felt the idea of getting the members of the fire department together with the Selectmen and Chief Burr and hash things out was a good one. He stated he wanted to get both sides working together again and he feels it is not too late to bring the department back together again. Vicki Leonard discussed her concerns for the damage that has been done. Mrs. McNeil said there are good people on the department and she feels there have been good decisions and bad decisions on both sides of this issue. She thinks that getting everyone involved together with the Selectmen and Chief Burr to talk would help. Brian Ramsay stated his opinion relative to management style. Mrs. McNeil said since Chief Burr took the position, there have been members in the department that have stepped up and taken officer positions, because of management style issues. No matter what department or job someone has, there will always be conflicts and issues because of management style. She does not feel the issue is exclusive to Chief Burr. Mr. Leonard asked the Board if Chief Burr's position requires him to work 24 hours per day, 7 days per week. Chairman Maxfield stated the Board has directed Chief Burr to work 8 – 4, sometimes longer, and be available during the day. Mr. Leonard stated if Chief Burr works for the fire department during the day he should not be expected to be at every call at night or on the weekends. Selectman Bowles said the Board will be working on resolving these issues. They will bring Selectman Ives up to speed and they will be working with Town Counsel, but they do not have an exact date for a resolution.

- IV. The Board began their review of weekly correspondence.
 - a. The Board received a memo from Bob Fiske regarding electrical code requirements at Town Hall.
 - b. The Board received a copy of an e-mail regarding a traffic stop complaint.
 - c. The Board received a letter from Dick Wright regarding the new fire truck specifications.

- d. The Board received the January and February monthly reports from ESMI.
- e. Selectman Bowles moved to forward past due ambulance bills account #31609 in the amount of \$46.20, account #20312 in the amount of \$988.22, and account #30165 in the amount of \$371.00 to collections. Ambulance bill account #20111 in the amount of \$62.41 is to be written off. Seconded by Selectman Ives. All in favor. Motion carried.
- f. Selectman Bowles moved to authorize the Chairman to sign the contract with Cross Country Appraisal Group for 2006 assessing and update services in the amount of \$99,000.00. Seconded by Selectman Ives. All in favor. Motion carried.
- g. Selectman Bowles moved to authorize the Chairman to sign the 2006 Concord Regional Visiting Nurse Association contract in the amount of \$4,250.00, representing no increase from last year. Seconded by Selectman Ives. All in favor. Motion carried.
- h. Selectman Bowles moved to authorize the Chairman to sign the Septage Facility Permit renewal application for the Louis Berger Group, Inc. Seconded by Selectman Ives. All in favor. Motion carried.

- V. Chairman Maxfield moved to nominate Selectman Dustin J. Bowles as Chairman of the Board of Selectman for the ensuing year. Seconded by Selectman Ives. All in favor. Motion carried.

Chairman Bowles moved to adjourn at 8:14 PM. Seconded by Selectman Ives. All in favor. Meeting adjourned.

THE LOUDON BOARD OF SELECTMEN

Dustin J. Bowles, Chairman

Roger A. Maxfield, Selectman

Steven R. Ives, Selectman