

Selectmen's Meeting Minutes
Tuesday, June 23, 2015

Present: Chairman Bowles, Selectman Krieger, and Selectman Ives.

Chairman Bowles called the meeting to order at 6:00 PM.

- I. Selectman Krieger moved to approve the Selectmen's Meeting Minutes of Tuesday, June 16, 2015 as written. Seconded by Selectman Ives. All in favor. Motion carried.

- II. The Board began their review of weekly correspondence.
 - a. The Board received an email from Kathy Whedon of Greenview Drive, she is working with Comcast to get service on Greenview Drive; they need a certain number of households to qualify. She asked since there is an in-law "suite", at one of the properties on Greenview would the board consider giving it an address - simply for Comcast household numbers. Chairman Bowles said the house does not have an approved in-law apartment and is not a permitted two-family house so they don't have the authority to do that. Selectmen Ives and Krieger agreed that they can't allow a second mailbox at that address.
 - b. The Board received a copy of the Police Department invoice for NHMS Motorcycle Weekend in the amount of \$1,404.00.
 - c. The Board received a letter from Patrick Hayes regarding a tax deeded property he bought at auction. Mr. Hayes is requesting his deposit be returned because he does not want the property. Chairman Bowles said they were strongly advised by the town attorney not to return the non-refundable deposit. Selectman Ives explained that by contract half of the deposit has to go to the auctioneer so they can't return it all anyway. He said that now they will have to go through the process off reselling the property. Selectman Krieger said Mr. Hayes is concerned it is a mobile home. Chairman Bowles said he inspected it; it's not a mobile home it is a modular ranch. Selectman Krieger said as the town attorney explained, if the deposit is returned it is letting future buyers know that they can bid as high as they want and then back out. Selectman Krieger stated he agrees with the attorney. The Board discussed what happens with the property now and whether it can go to the second highest bidder or if it gets auctioned again. The Board will discuss it with the auctioneer. The Board concurred they will not return the non-refundable deposit.
 - d. The Board received thank you notes from McNeil/Cummings Memorial Scholarship recipients Emily Masse & Kelly Pedersen.
 - e. The Board received a request from the Supervisors of the Checklist to purchase three laptop computers from this year's budget. Selectman Krieger suggested that they purchase two now and purchase the third next year. He stated that this would stagger them for replacement purposes. All three selectmen agreed that two would be purchased from this budget and the third next year.

- f. The Board received miscellaneous correspondence.
- III. Chairman Bowles explained that they put out for bid; two small hay fields located just west of Loudon Fire Station #2, the sealed bids were to be received by 4:00 P.M. Monday, June 22, 2015. Chairman Bowles said they received one bid. He recused himself from the opening of the bids because he was the last person to use the fields. Selectman Krieger opened the only bid; from Jason Landry for \$205.00. Selectman Ives made a motion to award the lease of the two fields, located just west of Loudon Fire Station #2, 56 Clough Hill Rd, Map 51, Lot 23, for haying according to the bid specifications to Jason Landry in the amount of \$205.00. Seconded by Selectman Krieger. Selectman Ives stated that the bid is reflective of the specifications that were provided by the town to the bidder. All in favor. Motion carried.
- IV. Chairman Bowles recognized Jeff Green from the audience. Mr. Green stated that he was following up on the conversation he had with the Selectmen last week. He asked if the Board has spoken to the Code Enforcement Officer or was planning to. Chairman Bowles said he had a quick conversation with the Code Enforcement Officer, he explained that he didn't see anything in the order that Mr. Green left at the office that said they needed to take action and code enforcement agreed with him. He explained that there was nothing that said the town needed to take any steps at this point. Chairman Bowles said they don't have the paperwork in front of them but he recalls the DES or someone has looked at it and is all set with it and they didn't see where the town needed to go there and take any further action. Mr. Green said that even though the state law says the town issues licenses, he has someone on his property that doesn't have a license to operate the town doesn't feel like they should take any action on that. Selectman Krieger said that is not what they are saying. He explained to Mr. Green that he is not on the agenda and he didn't have a chance to look at the paperwork. Selectman Krieger said the Board agreed that Chairman Bowles would speak to the Code Enforcement Officer. He said there are probably many options they could do; one would be to suspend the license totally. Selectman Krieger said if Mr. Green had been on the agenda he would have dug further into it but he's not prepared to answer questions at this point. Mr. Green said he didn't know he was supposed to be on the agenda, he assumed that they would be meeting with the Code Enforcement Officer this evening not on their own.
- V. Chairman Bowles recognized Jack Shaver from the audience. Mr. Shaver explained that he was sent a cease and desist letter. He said he spoke to Chief Fiske this morning who told him that he was to stop recycling; he said he stopped bringing stuff back to his property. Mr. Shaver said he has a trailer in his backyard full of aluminum cans, he said according to DES years ago he's allowed to keep those because they're not taken from the trash, the customers clean them and separate them from the trash. Mr. Shaver said Chief Fiske is saying cease and desist but when he spoke to him this morning he said he is washing his hands of it and it's up to you guys. Selectman Krieger explained that Mr. Shaver is not on the agenda so they are not prepared for this. Mr. Shaver said he understood, he talked to Chief Fiske this morning, this meeting was tonight so he came. Selectman Ives said Chief Fiske brought it up at Board of Permit. He explained that a Planning Board representative was at that meeting and it appeared to him that Mr. Shaver

had gone beyond the scope of his approval to operate. Chief Fiske and the Planning Board representative agreed that a cease and desist was in order until they could be assured that Mr. Shaver hasn't gone beyond what he is supposed to be doing. Mr. Shaver said he is not bringing things back to his property for recycling. Mr. Shaver explained that he has taken things to the transfer station, he has pictures that show things are gone from his yard and he is making an improvement. He explained that with the weather, and the posted roads, things weren't moved. Mr. Shaver explained that he can't get anyone to come into the yard to take stuff away, they want him to get it out to the road for them to pick up but he said he would have to pay someone to do that. Mr. Shaver said he is going to start cutting the steel up in his yard. Mr. Shaver said all the trucks were brought in operable and usable, they were not junk, they just quit and that is why people think he is running an illegal junkyard. He said he is not. Selectman Krieger said that without Chief Fiske there it is hard to imagine what he is talking about but if he has more than one unregistered vehicle in the yard there is a violation. Mr. Shaver said he understands that but that's all through his business not personal. Selectman Krieger said he doesn't feel comfortable having a discussion, other than listening, because he doesn't know the other side, they'd have to have Chief Fiske come in. Mr. Shaver said if the Selectmen let him know when Chief Fiske will be here he will come back. Selectman Ives said that is an excellent idea. Chairman Bowles agreed and said they should have all parties involved review it. Selectman Ives stated that he doesn't think code enforcement will be washing their hands of anything until they are told to wash their hands of it. Selectman Krieger suggested that Mr. Shaver get a copy of the minutes from the Board of Permit meeting so he knows what was said. Chairman Bowles said they will let Mr. Shaver know if Chief Fiske will be in next week.

VI. Selectman Krieger said he would like to say that Mr. Green left abruptly while he was trying to get him more help for him. Chairman Bowles said what he read in the letter that was left in the office was that DES had looked at the property and it was ok; there wasn't anything in there that said the town was liable to do anything. Selectman Ives concurred; he read the letter and there was nothing in the letter that said they were to take action on anything.

VII. Selectman Krieger moved to adjourn at 6:32 PM. Seconded by Selectman Ives. All in favor. Motion carried.

LOUDON BOARD OF SELECTMEN

Dustin J. Bowles, Chairman

Robert P. Krieger, Selectman

Steven R. Ives, Selectman