

1 **2017 Municipal Budget Process 2016 – Town of Lincoln**
2 **Budget Committee Meeting Minutes – December 6, 2016**
3 **Lincoln Town Hall, Lincoln, NH**

4 Attending: Cindy Rineer, Lutz Wallem, Susan Chenard, Deanna Huot, Selectperson Jayne
5 Ludwig, Herbert Gardner, Mike Simons, Dennis Ducharme, Cindy Lloyd
6 Excused: Larry Sweeney and Marty Nastasia
7 Unexcused: Beverly Hall and Patricia McTeague

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9 No Staff or Public Present

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11 **Call to Order:** Chairman Mike Simons called the meeting to order at 5:30pm.

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13 **Procedures Subcommittee Meeting**

14 Cindy L gave a report from the Procedures Subcommittee. She explained that they were
15 prepared to look at vacancy and public participation procedures, but any meeting of a
16 committee or subcommittee falls under the Right-to-Know Law. The subcommittee had not
17 given proper notice of their subcommittee meeting, held at the Nordic Inn last week, where
18 bylaws, vacancies and public participation were discussed. Since vacancy and public
19 participation, were already discussed at a public budget meeting, she believed that we would be
20 permitted to talk about these. In clarifying this with town counsel, he told her that it was better
21 that he be allowed to review any bylaws before we agree to any of them. We are doing our best
22 to fulfill the request of the public, and are learning a lot in the process.

23
24 Since Cindy L's report of the subcommittee was sent to the whole budget committee, Mike said
25 that this became a meeting, as it discussed new information. Right-to-know laws are the cause
26 of many a lawsuit, so we need to be very careful to follow procedures correctly.

27
28 The Chairman then reviewed today's agenda, in an effort to improve the running of a meeting.

- 29 1. Discussion and approval of 11/17minutes.
30 2. Agreement on timing of individual department budgets approval.
31 3. 2017 meeting schedule (after town meeting)
32 4. Agreement on length and timing of public participation.
33 5. Review of RSA -32
34 6. Review of sub-committee report

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36 **Review of meeting minutes of November 17, 2016**

37 The committee reviewed these minutes and made a number of corrections for clarification.

38 **Motion:** To accept the November 17th meeting minutes, as amended,

39 Motion: Herb Gardner Second: Cindy Lloyd Motion carries unanimously

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41 **Discussion and voting after department presentations**

42 The committee opted to revisit the motion which had been made and tabled at the November 17
43 meeting regarding discussions after each department head presentation.

Motion: To close the discussion after each department head presentation and public discussion thereof, and to vote on each department request, warrant articles and CIP items at the last meeting prior to the public hearing.

Motion: Beverly Hall Second: Jayne Ludwig Motion carries unanimously

Mike explained that we need to clarify that discussions are to be limited to budgets presented that day, not from previous meetings. At the end-of-season meeting, we can review everything. In public discussion, residents should be allowed to speak first. Herb asked about someone asking the same question over and over. The chairman can tell them it's been answered and ask them to cede the floor. Mike, as chairman, should act as the "funnel". He needs to recognize speakers, but then also be the one to answer their questions, or to ask Town Manager Butch Burbank or the department head to do so. Deanna asked if each committee member had to ask the chairman to ask Butch, or if they could speak directly to him or the department head. Mike explained that this is a guide - we committee members know that the chairman should ask, but if the number of questions was kept to a reasonable level, and answers provided to the public clearly, all should be fine.

Lutz asked if there would be a presentation of procedures, etc. He would like the Selectboard to point out that the committee had done this. He would like the Selectmen to tell new members that we have procedures and where to find them, both for this committee and Trustees of Trust Funds. Board of Selectmen representative Jayne Ludwig said that Lutz had the right to talk to the Selectboard, town counsel, etc. about Trustee of Trust Funds (TTF) meetings and related. There was discussion of his having a secretary for those TTF meetings, and the cost to the Town.

Jayne asked if the committee is covered by the Town for legal fees, in case we do something wrong. This seemed to be a question for the Town Manager. Cindy L said she spoke with Steve Buckley, legal counsel at the New Hampshire Municipal Association (NHMA) about a variety of topics. He had told her that the budget committee technically only needed to have 1 meeting before public meeting, though that would not be smart. Mike said that he had heard that the budget wasn't due to the Board of Selectmen from the Town Manager until January 31. Deanna confirmed that they used to start in January with budget season.

Cindy R asked for clarification. If she had a question for a department head, Mike, as chairman, could recognize her, and she could ask her question. Then he could open the meeting for public discussion. Finally, we'd make a motion to close public discussion. Was that correct? Mike said that he would like to review this prior to the next meeting, and asked that we do so as well, by researching the RSA and Robert's Rules of Order. Jayne reiterated that we use the 3 minute guideline so that everyone gets a chance to speak. We will strive to keep the meetings to a maximum of 2 hours, and Mike may state that at the beginning of a meeting. We have the ability to extend or continue it.

2017 meeting schedule after Town Meeting

Mike remembered that we would meet monthly after Town Meeting. This seemed a surprise to other members. There was a consensus that we should plan to have a meeting just after town meeting. Cindy L suggested every second month after that, so that people don't miss too many meetings in a row during the summer. Mike wants to have time to discuss bylaws and

procedures thoroughly, as well as periodic financial reviews. Perhaps the committee could discuss the 2017 meeting schedule at our organizational meeting, just after Town Meeting. Cindy R knows that Helen prepares financials monthly and, as Mike had said, the Budget Committee should review these periodically, so Mike will ask Helen to send those out.

Agreement on timing and length of public participation

Cindy R thought she remembered a motion at a previous meeting, which had been tabled. Cindy L said that we did not put a limit on the number of people speaking. Cindy R said she meant participation at the end of each meeting or after each presentation. We clarified that we had voted on that earlier today, and limited it to after each presentation.

Review RSA 32

Chairman Simons again urged every committee member to review this RSA.

Review of subcommittee report

Cindy L reminded the committee that today we'd just look at vacancies and public participation. She distributed a handout and said that these guidelines were taken from meeting minutes. On the handout regarding filling vacancies, these questions were asked about the various steps:

#2 - Does an application have to be written and mailed, or can it also be emailed?

Because the committee chair does not have a town email, and emails can be written by others on your behalf, emailed applications would not be accepted. So we'd add:
"Electronic submission is not acceptable."

The body has 45 days from submission of a letter of interest to appoint someone, per the RSA. If we did not act, the applicant could petition and the governing body could appoint them instead.

#3 - Mike would like to see "letters to be received within 2 weeks of posting" of vacancy, so we have time to meet.

#4 - Letters to be submitted to the committee at a meeting, which is within 45 days?

#5 and #6 - Cindy R said that if there are 2 openings and 5 candidates, members should remember that we each would only have 2 votes, shown by hands.

Cindy L said that RSA 32:15-5 sounds like Jayne, as the representative of the Board of Selectmen, doesn't vote, as she is not a member at large.

There was discussion about the potential to use a ballot. The order of voting and presentation is what was prescribed, per Mike.

Cindy R had asked what happens if there is a tie. Mike asked that we look it up, rather than ask the attorney. Jayne clarified that we ask the free attorney from NHMA, but Mike would like that we learn by looking it up. He said, if a motion is a tie, the motion is lost and we would need another motion to break the tie.

Cindy L, as a member of the subcommittee, will research and ask Steve Buckley at NHMA the following: How is a tie handled in appointments? Are secret ballots allowed for nominations or appointments? What is the voting method? Is an abstention the same as voting opposed? Can the Selectmen's representative vote?

Mike reminded the committee that it is our budget, which we approve to recommend. We are an official budget committee.

Herb had to leave at 7:16pm.

Cindy L continued with her review, by distributing the draft public participation guidelines. Again, these were captured from the minutes of previous meetings.

In section A, we'd add that residents are allowed to speak first, and a comment explaining that this is so everyone has an opportunity to speak.

On B, the wording was changed slightly to "if a public member wishes to speak a second time, this can be allowed".

It was decided to remove section D altogether, as the chairman may need to limit the number of questions and comments.

Cindy L explained that the Bylaws will follow the RSA 32, so we would just say that vacancies are filled by appointment, while the guideline explains how.

Mike asked Secretary Susan Chenard about if we adjourn or if we continue to another date, and why, as she had been using continue in recent meeting minutes. She will review. Adjourning closes a meeting, while continuing one eliminates the need to notice, as it is a continuation.

Cindy R asked if we would have expenditures, revenues and budget appropriations on the same paper. This had been brought up last year and seemed like a good idea. Mike said that we need to research this too, and see what the law says. Cindy R said there the column is always on our sheets, but with no figures, and the information is required at Town Meeting. Jayne will ask Helen about it. Mike will also ask Helen to have the packets ready before our next meeting.

Cindy L mentioned that she and her subcommittee had found evidence of a budget committee in Lincoln as far back as 1955!

At 7:37pm,

Motion: To adjourn.

Motion: Dennis Ducharme

Second: Cindy Rineer

Motion carries unanimously


Chairman Mike Simons

1/5/17
Date

Budget Committee Appointment Guidelines—DRAFT, FOR DISCUSSION

Appointments to Fill Vacancies Outside the Election Cycle

1. Vacant Budget Committee position(s) to be filled by appointment will be posted, with a request for applicants to submit a letter of interest and will include a deadline for receipt.
2. Applicant(s) must submit letter(s) of interest, by hand or mail, to the Town Hall, Attention Budget Committee Chairman. The letter(s) should include reasons for submission and relevant experience.
3. The letter must be received by the deadline stated in the posted request.
4. The Budget Committee Chairman will present the letter(s) of interest to the Budget Committee. (Can be done prior to the meeting?) The applicant(s) may provide additional information to the Committee from the floor prior to voting. This will be done alphabetically.
5. To determine the appointee(s), a ballot will be created with applicant(s) listed in alphabetical order.
6. Each member of the Committee will vote their choice. The number of votes allocated to each member will be determined by the number of openings available, i.e., if there are two vacancies, each member will have two votes.
7. New appointee(s) is determined and sworn in.

Budget Committee Guidelines

DRAFT, FOR DISCUSSION

Guideline for Public Participation at Budget Committee Meetings

Public participation at each Budget Committee meeting is welcome and will proceed within the following guidelines:

- a. Members of the Public attending a Budget Committee meeting will have an opportunity to ask questions or make comments for a period of three (3) minutes each. This will allow everyone an opportunity to have input. Residents of Lincoln speak first. Public participation will occur only after the department head has made his/ her presentation, after the Town Manager has added his/her input, and after Budget Committee members have had their questions answered, and they have completed their discussion.
- b. If a public member wishes to speak a second time, this can be allowed only after all other public members have had a chance to ask questions or make comments. Each subsequent question or comment period will be limited to the same time allotment of three (3) minutes.
- c. Questions or comments by members of the public should be directed to the Budget Committee Chairman.

The Public should be reminded that they are attending a Budget Committee meeting and that there will be at least one Public Hearing, more if needed, after the Budget Committee has completed its review of the budgets of all departments. The Public Hearing(s) will be open to all and further questions and/or comments will be welcome at that time.