

MINUTES
STRAFFORD REGIONAL PLANNING COMMISSION
EXECUTIVE COMMITTEE MEETING

October 15, 2010
Conference Room
Strafford Regional Planning Commission
150 Wakefield Street
Rochester, NH

Members Present: Lou Vita, Vice Chairman, Middleton; C. Thomas Crosby, Secretary-Treasurer, Madbury; Rick McMenimen, Newmarket; Sandra Keans, Rochester; Kenn Ortmann, Rochester.

Absent: Edmund Jansen, Jr., Chairman, Rollinsford.

Staff Present: Cynthia Copeland, Linda Osburn.

Others Present: Bob Jaffin, SRPC Commissioner, Rochester; Sheryl Stephens Burke, Melanson Heath.

Vice Chairman Vita noted a quorum and called the meeting to order at 8:05 AM.

1. Minutes of September 17, 2010 Executive Committee Meeting

Vice Chairman Vita entertained a motion to approve the minutes of the September 17, 2010 Executive Committee meeting. Ortmann made the motion to approve the minutes as written and Crosby seconded the motion. The motion passed unanimously.

2. Draft Financial Reports September 2010

Copeland discussed the draft September 2010 financial reports including the quarterly income of dues in the amount of \$18,147.75. McMenimen asked if the match amounts listed in the Income by Customer report were expenses billed to contracts. Osburn responded that the Community Economic Development Strategy (CEDS) contract from the Economic Development Administration required matching funds from others were billed to those sources. Copeland discussed the income of \$70,559, income by customer, accounts receivable of \$110,066, accounts payable of \$808, and expenses of \$41,421. Osburn stated the UPWP billing was late and that the indirect expenses for FY 08-09 were not included in the accounts receivable until the NH Department of Transportation confirmed the funds were available. Ortmann discussed the NH Department of Transportation reimbursement process where proof of payment must be demonstrated and the potential impact on cash flow. Copeland stated that SRPC had taken proactive steps and was already following the reimbursement procedure.

Burke arrived at 8:15AM. Vice Chairman Vita asked for a motion to move Agenda Item 4 ahead of Agenda Item 3 to allow for the FY 2010 audit presentation by Burke.

Ortmann made the motion to move Agenda Item 4 ahead of Agenda Item 3 and Crosby seconded the motion. The motion passed unanimously.

4. Draft FY 2010 audit presentation by Melanson Heath

The Executive Committee members introduced themselves to Burke. She stated the audit process was smooth. Ortmann stated there was no management letter in the draft audit, and Burke stated there would be no management letter as nothing was found that needed to be brought to management's attention and there were no internal control problems. Ortmann asked for recognition that there was no management letter, and Burke stated she would provide a letter on Melanson Heath letterhead that there was no management letter needed. Burke stated that no single audit A-133 was needed as the total federal funds received were under the \$500,000 threshold.

Burke reviewed the draft audit pages: Statement of Net Assets; Statement of Activities, Balance Sheet; Required Reconciliation; Income Statement; and Notes to the Financial Statements. Burke stated that the Notes to the Financial Statements would be updated in final audit to add the Rochester lease and a note per GASB 45 regarding post employee benefits liability. She stated that all government wide financial statements require the same disclosures so all entities are on the same playing field. Burke stated that the fourth paragraph of the Report on Internal Control Over Financial Reporting and Compliance With Other Matters Based on an Audit of Financial Statements Performed in Accordance With Government Auditing Standards stated, "We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above." Burke stated that Osburn would provide the Supplementary Information: 2010 Schedule of Project Activity for inclusion in the final audit. Ortmann discussed the changes to governmental required statements. Burke stated that GASB 54 would be a new audit item in 2011 that would bring difference definitions of fund balances in order to provide clarity. McMenimen discussed the verification of receivables. Burke stated that the receipts are tested by comparing the bank balances at year-end in June with the bank balances at the end of July and August to track receipts, and Osburn provided copies of the checks/deposits of receivables payments. McMenimen discussed showing retained earnings changes each month, and Burke stated that could be shown in a Quickbooks report. Ortmann asked about the status of an audit contract. Osburn stated that audit services would be bid out next year. Ortmann suggested obtaining the final audit before considering the vote to accept the audit. Burke left the meeting at 8:45 AM.

3. Approval of SIMPLE IRA contribution percentage for Calendar Year 2011

Osburn had provided a memorandum requesting the calendar year 2011 employer matching contribution percentage for the Employee Notification to eligible employees that must be distributed prior to the employee 60-day election period.

Ortmann made the motion to provide a matching contribution equal to up to 3% of the employee's salary reduction contribution, and McMenimen seconded the motion. The motion passed unanimously.

5. SRPC Policy Update to Personnel Policies and Handbook regarding texting and cell phone usage while driving

Copeland discussed a recommendation from Jackson Lewis law firm to "update personnel policies and handbooks to address the use of electronic communication devices, such as BlackBberry devices and the use of cell phones while engages in company-related business. Adoption and dissemination of such policies will help insulate employers from liability and will clearly communicate company policy and applicable laws to employees". Copeland stated that

New Hampshire had passed a ban on texting while driving. Keans joined the meeting at 8:45 AM. Discussion of distracted driving and bans on texting and cell phone use by certain states ensued.

Ortmann made the motion to prohibit texting and cell phone usage while in a moving vehicle while on company business. Crosby seconded the motion. The motion passed with Crosby, Keans and Ortmann in favor and Vice-Chairman Vita and McMenimen against.

6. SPRC By-Laws and SMPO Bylaws Revisions to Quorum and Replacement of Vacancies on Executive Committee

Copeland noted the first draft change to the Strafford Regional Planning Commission bylaws: On Page 2, Article IV, Section 1: Election and Filling of Vacancies: To change the second sentence to read, "Any officer vacancies shall be filled by appointment made by the other Executive Committee members". To add these sentences, "The Executive Committee shall fill member vacancies from the Commission. Such appointments shall expire at the end of the fiscal year."

Comment: Keans stated that the word "other" should be changed to "remaining".

Copeland noted the second draft change to the Strafford Regional Planning Commission bylaws: One Page 4, Article V, Section 3: QUORUM. To delete the second sentence "A lesser number may hold a meeting to review agenda items but no vote shall be taken until a quorum is present" and replace with, "In circumstances when a quorum is not present and when Commission action is essential, the Chairman may declare a quorum with the unanimous approval of those Commissioners present."

Copeland stated the Strafford Regional Planning Commission Bylaws were under review during the public comment period and stated that she would bring the comments to the public hearing and Strafford Regional Planning Commission meeting on November 18, 2010 at 7:00 PM.

Copeland noted the draft changes to the Strafford Metropolitan Planning Organization Bylaws updated the quorum in the same manner as the Strafford Regional Planning Commission bylaws and would be discussed at the public hearing and Strafford Metropolitan Planning Organization Policy Committee meeting on November 19, 2010 at 9:00 AM.

Vice Chairman Vita noted the back-to-back meetings and Ortmann suggested the Executive Committee meeting, if necessary, be held earlier before the SRPC Commission meeting. Vice Chairman Vita stated the Executive Committee meeting would be held on November 18, 2010 at 6:00 PM.

7. Strafford Metropolitan Planning Organization August Administrative Modifications

Vice Chairman Vita noted the request from the NHDOT to process administrative modification to the 2009-2012 Transportation Improvement Program (TIP).

1. 3709 DURHAM and SURROUNDING COMMUNITIES, 13870, FUNDING FOR NON-TRANSIT (FLEET) VEHICAL STRUCTURE SHRE OF REGIONAL CNG FUELING STATION AND FUNDING FOR MARGINAL COST OF "CNG" ENGINES ON NEW FLEET VEHICLES (POLICE, SERIVCE, ETC) (CMAQ Program) [02-10CM]. Additional C (construction) required. Request for authorization \$57,000 for FY 2011.

Copeland stated that she recommended the administrative modification.

McMenimen made a motion to concur with the recommendation of the Executive Director to approve the October Administrative modification, and Ortmann seconded the motion. The motion passed unanimously.

At 8:55 AM, Ortmann made a motion to recess the Executive Committee meeting and reconvene immediately following the Strafford Metropolitan Organization Policy Committee meeting. Crosby seconded the motion and the motion passed unanimously.

At 10:35 AM, Vice Chairman Vita reconvened the Executive Committee meeting and noted a quorum with Crosby, McMenimen, Keans and Ortmann in attendance.

8. Updates

a. NH Rail Authority

Keans stated there was nothing new to report.

b. Pease Airport Master Plan Update

Vice Chairman Vita stated that he thought the Board of Directors would accept the document and asked that the item be removed from future agendas.

c. NHARPC Legislative Committee

Ortmann stated that the Legislative Committee regarding the priorities to remove the specific language regarding climate change and the initiative on how to treat planning commissions in regard to state contracts. He stated the initiatives were adopted by the NHARPC. He stated Keans might see possible legislation as many bills are submitted until December 15, and that the association will study the bills and decide to respond, testify, oppose, etc. Copeland stated that two other Executive Directors of Regional Planning Commission appreciate Chairman Ortmann's thoughtful leadership and process for meetings as the Chair.

d. FEMA Mitigation Grants for Community Mitigation Planning

Commissioner Jaffin stated that he received the requested appointment letters and contact information for the other committee members Tom Crosby, Lou Vita and John Parry. Jaffin stated he had been talking to FEMA staff and would move forward after the November election. Ortmann asked if Jaffin wanted the item to remain on the agenda, and Jaffin answered affirmatively.

9. Executive Director Report

Copeland stated that there was one interested Commissioner for the current vacancy on the Executive Committee, and Osburn would follow up to contact Wayne Burton of Durham. Crosby left the meeting at 10:40 AM. Copeland stated that the HUD Sustainable Communities grant submitted by NH was not selected. Copeland stated she was going to be out on medical leave beginning October 26, 2010 and would meet with Crosby to develop a process while she is out. Copeland stated that she and Michelle Auen Mears were going to the Portland, Maine office to

the Economic Development Administration representative to request an extension to the Community Economic Development Strategy contract. Copeland discussed a meeting with NH Department of Transportation Commissioner Campbell regarding transportation funding options and topics including Interstate 93, toll credits, GARVEE bonds. She discussed funding options including an increase in the gas tax, private tolls, including Interstate 93 in the turnpike system or a combination of all options. Copeland discussed the election for governor, the draft budget due with a 5% cut in funds and bonding constraints. Ortmann asked how toll locations are decided and a discussion on placing tolls followed. Copeland stated that NH DOT Commissioner Campbell thought fees should be used based. Discussions of taxes, spending, federal mandated functions and registration fees ensued.

10. Other Business

Copeland thanked Osburn for the work on the FY 2010 audit. No other business was discussed at the meeting.

11. Adjournment

Vice Chairman Vita entertained a motion to adjourn the meeting. McMenimen made a motion to adjourn and Ortmann seconded the motion. The motion passed unanimously and the meeting adjourned at 11:00 AM.

Respectfully submitted,

Linda Osburn
Bookkeeper

Minutes approved on 19 November, 2010.

By: 

