

**Non-Public Minutes
School Board Meeting Minutes
October 19, 2021
MRMHS Library/Zoom, Swanzey, NH**

Members Present: Michelle Connor via Zoom, Lisa Steadman via Zoom, Scott Peters, Kristen Noonan, Eric Stanley, Winston Wright, Betty Tatro, Karen Wheeler via Zoom, Cheryl McDaniel-Thomas, Colleen Toomey and Dan LeClair. **Absent:** Brian Bohannon and Nick Mosher via Zoom

Administration Present: L. Witte, Superintendent, J. Rathbun, Director of Curriculum, Instruction and Assessment and J. Morin, Business Administrator.

Also Present: Attorney J. O'Shaughnessy, K. Barker, Architect of Barker and Associates and L. Aivaliotis, MRSD Recording Secretary

6:30 PM Non-Public Session under RSA 91-A:3 II (I) Consideration of legal advice provided by legal counsel:

Issue #1: The Board has invited Attorney O'Shaughnessy to discuss the obligations of the District if the District were to apply for a bond and also ask about the obligations to the individual towns. J. O'Shaughnessy explained there are a couple of different laws. The Municipal Finance Act is pretty strict and a $\frac{3}{5}$ vote is required in an SB2 town. He would advise the District to get in touch with the Bond Council. RSA 195 is for Cooperative School Districts. In this case a bond is approved by the $\frac{3}{5}$ majority. Once the bond passes the cooperative School District as a whole owns it, all of the towns. The bond payment is portioned by the apportionment. No individual town will have more or less of the obligation. The current formula is 50-50. J. O'Shaughnessy explained if a town were to leave the District State Law says that the withdrawing town has to reimburse the District for all of the Capital Improvements to the school building. If the bond payments are being paid still and the town withdraws that is another issue. The benefit of the bond is that you are not taxed on it and if you compromise that you will have to pay taxes. The State would encourage cooperative school districts. M. Connor asked what happens if you have no school building in your town and withdraw, is the town obligated to pay their portion

for the life of the bond. J. O'Shaughnessy said that the towns signed up for the bond and now want to withdraw; they are still responsible for the debt. He also said that if the 50-50 formula was to change during the repayment of the bond the payment from the towns would change in accordance with the formula. When voting on the bond it is $\frac{3}{5}$ of the District not $\frac{3}{5}$ of the individual towns. The law states that it is the reimbursement for the value of the improvements to the school in the town that is withdrawn that must be paid to the District. *C. Toomey arrives.* J. O'Shaughnessy would suggest the Board check with the Bond Council in regards to voting on the ballot and the bond at the same meeting. You want the Bond Council to sign off that you have done everything correctly. L. Steadman commented that working with the Bond Council is not unmanageable. S. Peters asked L. Steadman if she was volunteering. She said sure. It is not a complicated process. K. Wheeler asked about the impact if a town was going to pursue a separate bond and also had the school bond. J. O'Shaughnessy would suggest that question for the Bond Council. K. Wheeler explained the Town of Gilsum will be asking for high speed internet on their town ballot. Will it affect the bond for the District? J. O'Shaughnessy will send that question to Greg in his office.

MOTION: S. Peters **MOVED** to leave Non-Public Session. **SECOND:** C. McDaniel-Thomas
VOTE: 10.544/0/1.122/1.335. **Motion passes.**

Respectfully submitted,

Laura L. Aivaliotis

MRSD Recording Secretary