

# OFFICE OF THE SUPERINTENDENT OF SCHOOLS

106 Hancock Road  
Peterborough, New Hampshire

## CONTOOCOOK VALLEY SCHOOL BOARD

### Feasibility Study Committee

Thursday, April 25, 2024

SAU Office Board Room  
6:00 – 7:00 p.m.

### Minutes

#### **Present:**

Antrim: John Robertson (Selectboard)  
Bennington: Jim Cleary (Selectboard), Mike Hoyt (School Board)  
Dublin: Carole Monroe (Selectboard), Alan Edelkind (School Board)  
Francestown: Charlie Pyle (Selectboard), Tom Kirlin (School Board)  
Greenfield: Michael Borden (Selectboard), Curtis Hamilton (School Board)  
Hancock: Betsy Villaume (Selectboard), Dan Harper (School Board)  
Peterborough: William Kennedy (Selectboard), Janine Lesser (School Board)  
Sharon: Chet Bowles (Selectboard), Jim Fredrickson (School Board)  
Temple: Bill Ezell (Selectboard), Jim Kingston (School Board)

Dr. Kimberly Saunders, Superintendent of Schools  
Richard Dunning, School Board Chair  
Brian Cisneros, ConVal Business Administrator  
Attorney Dean Eggert, Wadleigh, Starr & Peters

#### **1. Call to Order**

**Kimberly Saunders called the meeting to order at 6:00 p.m.**

Those present introduced themselves.

#### **2. Election of Chair**

**Alan Edelkind nominated Mike Hoyt, School Board Representative from Bennington as Feasibility Study Committee Chair.**

Alan said that Mike knows the process, he has been involved in the withdrawal process in other districts. He is well respected and speaks well.

**Dan Harper seconded. Unanimous.**

#### **3. Regular Meetings**

Mike Hoyt asked those present about availability for Thursday meetings.

Mike Borden said that his Selectboard meets on Thursday nights. Cancelling one meeting per month to allow him to attend both committee meetings might be possible.

A show of hands was asked for each weekday possibility.

Mike Hoyt suggested meeting before Selectmen's Advisory Committee on the fourth Thursday of each month at 6:00 p.m.

The second and fourth Thursday at 6:00 p.m. was decided for May and June.

Can an alternate Selectboard member be sent if one cannot attend?

There has to be a quorum of 10 for an 18-member committee.

Counsel will be asked.

Mike said that we have to go by the Right to Know Laws so discussion should be limited to what we do here and not emailing back and forth about what is going on.

Charlie Pyle asked for the ability to allow Selectboard to have the detailed budget electronically.

Kimberly Saunders confirmed.

Kimberly said that no one person should not have information that the whole committee does not have.

#### **4. Review of charge, roles, and legal obligation**

Kimberly recognized Dean Eggert, School District Counsel, Wadleigh, Starr & Peters.

Attorney, Dean Eggert introduced himself and shared that he has represented towns and school districts all of his career. There is a long history of representing municipalities.

Dean Eggert said that this is a historic first, largest withdrawal study, with the largest school board and pre-existing districts. You certainly are entitled to expand even larger if needed. Every town represented in the district was once independent. A cooperative was developed by statute.

Every cooperative created required two things; approval by State Board of Education and a vote from those joining the cooperative.

A withdrawal study is created by statute; and are subject to the Right to Know Law. This meeting was posted; minutes will be taken.

Minutes should be officially approved to create a historic record to allow citizens access.

The function is to study feasibility and suitability.

RSA 195:25 addresses withdrawal.

Two committees are not needed for Dublin and Frankestown but the feasibility and suitability withdrawing from the cooperative for each must be studied. Studying the two withdrawing must also be take place.

Is it feasible for Frankestown to withdraw? Is it feasible for Dublin to withdraw? Is it feasible for both to withdraw?

The outcome will be a written report regardless of how many meetings this committee has.

The outcome of the report will be the recommendation of the study. If it is a "yes" it is feasible and suitable and if it is recommended to do so. Do we recommend withdrawal for one town or the other or both?

This work must be done within 180 days or a preliminary report can be filed and an extension requested. There is a drop-dead date of November 1<sup>st</sup> for completion of this work. The report must be submitted to the State Board of Education and also the School Board.

Ultimately the citizens will have a vote to withdraw if decided.

Tips to structure questions were shared. It is possible that the committee might conclude that the assumptions at the time that the cooperative was created no longer exist.

Attorney, Dean Eggert said that if you determine and recommend to withdraw, a withdrawal plan must be produced. Three things must be answered:

1. If a town withdraws what would the plan be to educate students in the withdrawal town?
2. What would the plan be to educate students in the cooperative towns?
3. How would you do it; assign students in grades; tuition agreement, AREA, other agreement?

If you do not recommend withdrawal, you issue your report and dissolve the committee.

If you are in the minority, a minority report might be filed.

The role of the School Board is to watch this statutory process unfold.

What is the role of the Superintendent? To supply information to the study committee as requested. They are there as a resource.

The committee writes the report.

Carole Monroe asked the difference between withdrawing from the District and withdrawing from the SAU.

Attorney, Dean Eggert said that this is a study to withdraw from the Cooperative School District. There is a separate process to study withdrawal from the SAU. If withdrawal occurs, the end result will be four boards; Dublin School Board, Frankestown School Board; and multi-district School Board, and the ConVal School Board.

The SAU provides support to the districts that comprise it; business services; budget process. It is budget prep, payroll, etc.

School districts are responsible for special education. The district could hire their own or opt to use services of the SAU.

Jim Kingston asked that isn't it dependent on the withdrawal outcome.

Attorney, Dean Eggert said that the reasons the cooperative was created in the beginning must be studied for feasibility and suitability.

Dean said that right now transportation is provided as a district by the SAU. A plan to address transportation must be in the plan. Would you contract with other districts or address it locally?

Every school district has to have SAU services.

If you withdraw, you have to provide all SAU services in your district. Some services e.g. Superintendent., Business Administrator etc. might not be financially feasible.

RSA 914C:5 outlines the services that must be provided.

Bill Ezell said that there is a possibility that Temple may also file for withdrawal. Is it too late to join this committee?

Dean said that another withdrawal study would need to be convened.

Bill Ezell said that the basis of this started with donor towns and non-donor towns. It seems biased; how does it get balanced?

Dean said that if you look at the cooperative statute, there was a study to withdraw from cooperatives.

Withdrawal is not often recommended. Committees might recommend withdrawal but citizens might vote it down.

If  $\frac{3}{5}$ 's of the withdrawing town vote to withdraw unless there is an equal  $\frac{3}{5}$ 's or greater opposed. It is a challenge.

Charlie Pyle asked if one or both towns decide it is not feasible to withdraw, can a minority report still be filed? What is the timeline?

Dean said that the timeline would be 30 days turnaround from the vote of the committee recommendation. It can get tight.

Dean Eggert said that his firm is counsel for the ConVal School District. He is here at the request of the board to outline the process. He has a duty to the district to provide the committee a roadmap.

Frequency of meetings must be established. A monthly meeting will not get this work done.

Betsy Villaume asked if there is a place to go to look at previously filed reports to gain a better understanding of how much back up is provided.

Dean Eggert said that reports will be amalgamated and provided to the committee.

Mike Hoyt said that NH RSA 195:26 gives a detailed description of what has to be included in the report.

Betsy Villaume said that how much supporting documentation is needed is not included in the RSA.

Dean Eggert said that there are limitations; tuition agreements have to be negotiated.

Janine Lesser asked for clarification on the role of the School Board and Selectboard on this committee.

Dean said that towns think about suitability in terms of the school tax in their town and what it will look like if they withdraw.

The School Board will look at facilities, education content, volume of students, curricular options, etc. They will look at the impact on apportionment for the other towns. Selectmen will think about education too.

Jim Fredrickson asked for words of advice on the towns proposing to withdraw in terms of School Board or Selectboard members.

Dean said that this committee is charged with drafting the report and making the final recommendation.

John Robertson asked how available Dean Eggert will be to this committee.

Dean Eggert said that the review process could have been initiated in one of two ways; initiated by the Board or by the towns. He can be a resource to the district but cannot give substantive advice in a conflict situation. He does not serve as counsel to the withdrawal study committee.

Mike Hoyt said that as far as legal questions or data needed, the best way to handle that is for it to go through him and he will channel it to the SAU.

It requires an incredible amount of information and data from the SAU. The SAU has to run the school district in the meantime.

Kimberly Saunders asked that all requests come in writing with the person's name making the request.

Jim Fredrickson asked if there is a vice-chair.

Mike Hoyt called for nominations for Vice-Chair or a volunteer. There were none.

## **5. Adjourn**

**John Robertson motioned to adjourn at 6:59 p.m. Alan Edelkind seconded. Unanimous.**

Respectfully submitted,

Brenda Marschok