

City of Keene
NEW HAMPSHIRE

TRUSTEES OF TRUST FUNDS
MEETING MINUTES

Wednesday, September 21, 2016 9:30 AM City Hall-2nd Floor Conference Room

Members Present:

Marilyn Gemmell-Vice Chair
Michelle Howard
Brain Mattson
Katherine Snow

Staff Present:

Sherrie Curtis, Secretary
Karen Gray, Senior Staff Accountant
Andy Bohannon, Parks & Recreation Director

Absent:

Martha Curtis - Chair

Other:

Approval of August meeting minutes

Vice Chair Gemmell requested a motion to approve the minutes from August 2016 minutes. Ms. Snow made a motion to accept the minutes as presented, Mrs. Howard seconded. Motion carried unanimously.

Common Trust Fund

Mrs. Gray presented the revised July 2016 M9 report from Cambridge Trust reflecting the corrected percentage allocation. In addition, the August MS9 reports were presented reporting a total market value as of August 31, 2016 of \$7,769,332.12.

FY16 Income Transfer to City and Principal.

Mrs. Gray distributed the annual income transfer worksheets for trustee review. Mrs. Gray reported that the income transfer back to the City totals \$101,956.54 and the income transfer to principal is \$7,406.13. Mrs. Gray reminded the trustees that per Attorney Mullins the Serena Upton Trust (transfer to principal), Maria Giffin Fund (transfer to City) and George Elliot Fund (transfer to City) are on hold and funds will remain in income until the results of the Trust review are settled. Mrs. Gray stated, that during the trust review in August 2015, these three Trusts were noted that the purpose needed further discussion and possible review by AG's office.

Mrs. Howard made a motion to approve all trust fund disbursement requests and the income transfer to principal as presented, Mr. Mattson seconded. Motion carried unanimously.

Ashuelot River Park

Mrs. Gray presented a disbursement in the amount of \$2,025.00 for tree pruning and soil tests. This amount is part of the 2016 approved budget and will be reimbursing the City. Supporting documentation was attached for Trustee review. Ms. Snow made a motion to approve as presented, Mr. Mattson seconded. Motion carried unanimously.

Police Benevolent Trust

Mrs. Gray presented the FY17 request of \$1,000.00 to be transferred to the City as part of the agreement for the gym. These funds are deposited into a non-lapsing account to be used for future maintenance or replacement of the equipment. Supporting documentation was attached for trustee review. Mrs. Howard made a motion to approve the disbursement as presented, Ms. Snow seconded. Motion carried unanimously.

Frank A. Wright Trust

Mrs. Gray advised that Ms. Auger has secured housing. The monthly rent with utilities included is \$550.00. There is a letter and a rental agreement from her landlord stating the rent and that Tia is responsible for any damages. This is a one year lease and we will pay the landlord Thomas Little directly. The trustees reviewed the supporting documentation and found everything to be in order. Ms. Snow made a motion to approve the rent payment of \$550.00 directly to the landlord while Ms. Auger is in school up to \$5,000.00, Mr. Mattson seconded the motion. Motion carried unanimously.

Mrs. Gray also presented a reimbursement to Ms. Auger for miscellaneous school supplies in the amount of \$404.91 and a partial rent payment of \$200.00. Mrs. Gray presented itemized receipts along with a letter from the landlord stating Ms. Auger paid a partial month rent for September. After review of the trust document guidelines and discussion among the Trustees, Mrs. Howard made a motion to approve the expenses as presented, Mr. Mattson seconded. Motion carried unanimously.

Mrs. Gray indicated that in her monthly tracking of rent payments she will include the \$200.00 partial rent payment as part of the authorized off campus housing \$5,000.00 total.

Library Renovation Trust

Mrs. Gray presented the donations that were presented to Council on September 15, 2016 in the amount of \$400,362.09 these are receipts from June and July. Mrs. Gray stated the last step in the process is acceptance by the Trustees. Mrs. Gray indicated at the MS9 shows the trust now exceeds 1 million. Mrs. Gemmell stated that due to her involvement with the Friends of the Library, she will recuse herself from voting. Ms. Snow made a motion to accept the funds as presented, Mrs. Howard seconded. Motion carried 3-0.

Capital Reserve

Mrs. Gray reported the balance as of August 31, 2106 was 12,776,784.42. Mrs. Gray presented disbursements from Equipment capital reserve \$15,105.49 and Downtown Infrastructure \$26,194.95. Supporting documentation was attached for trustee review. Mr. Mattson made a motion to accept the disbursements as presented, Ms. Snow seconded. Motion carried unanimously.

Trust Fund Review Project

Andy Bohannon, Parks, Recreation and Facilities Director was in attendance for the Trust review project.

Ashuelot River Park Memorial Trust (528)

Purpose: The Trustees may expend principal and interest for the future development and improvement of the Ashuelot River Park as the City of Keene may request from time to time, including, but not limited to the purchase of property.

Current Practice: Provide funding for future development and improvements of the Ashuelot River Park.

2016 Trustee review and Recommendation: The Trustees agreed the current practice is in compliance with the terms of the trust, no recommended changes.

Ashuelot River Park Trust (529)

Mr. Mattson provided a brief history of the connections between the Friends of the Ashuelot River Park Group and the City appointed Ashuelot River Park Advisory Board. Mr. Mattson stated that there was a time years ago that the Friends had funds to use in maintaining the park. The Friends did not approach the City to use the available trust money. Currently the Friends do not have available monies and the Trust funds the special maintenance items. Mr. Bohannon stated that annually the Advisory Board sets a budget for these items, which is approved by the Trustees. Mr. Bohannon also stated the City has a maintenance agreement with a landscape company which is part of the requested budget.

Purpose: To provide funding for unusual or special maintenance items with respect to the park and its facilities not typically provided for in the City's Parks and Recreation Budget.

Current Practice: Provide funding for special requests from income only and transfer 10% of the income to the principal annually.

2016 Trustee review and Recommendation: The Trustees agreed the current practice is in compliance with the terms of the trust, no recommended changes.

Rachel Marshall Trust Fund (530)

Mr. Bohannon provided a brief history with regards to the Rachel Marshall Outdoor Learning lab that the Trust was funding in the 1990's the lab is no longer in operation. Mr. Bohannon stated the trust has been used for the Robin Hood Park beautification. The projects in process with funds previously allocated by the trustees are a Recreation Trails Grant (80% grant, 20% Trust) and Carpenter Park playground equipment.

Purpose: To use income and principal as the Trustees deem necessary or advisable to beautify or otherwise improve various public lands and properties of the City of Keene. A substantial part of the Trust shall be used for various parts of the City of Keene other than Main Street. The trust shall terminate twenty (20) years after the death of Rachel Marshall, in the event any fund remain the balance shall be paid over to the City of Keene to be spent for the same purpose set forth in the Trust.

Current Practice: The trust currently remains intact even though it has been in excess of twenty (20) years post death. In August 2013, the City's legal councilor spoke with Terri Knowles of the Attorney General's office. The trust language was reviewed and a conclusion was made that when the trust expires it will be converted to an expendable trust fund. At that time, the City Attorney stated that handling the expiration in this manner does not require a change through council and the Trust will remain, as is, under the direction of the Trustees with the same purpose as originally intended. The Trust will eventually be fully expended in accordance with the term of the Trust as the funds have been allocated for projects.

2016 Trustee review and Recommendation: The Trustees agreed the current practice is in compliance with the terms of the trust, no recommended changes.

Monadnock View Cemetery B (568)

Mr. Bohannon stated that this trust has funded several projects over the last couple of years, including the Monadnock View entrance, West Cemetery fence, cemetery mapping intern and signs for Woodland and NED Cemetery. There is currently a pending project for Woodland Tomb repair.

Purpose: To be used for capital improvements and enlargements of the public cemeteries in the City. Principal and Income may be utilized for the purpose.

Current Practice: The trust accepts 50% of the annual cemetery lot sales. The trust funds expansion projects as presented to the Trustees by the Parks, Recreation and Cemetery Director.

2016 Trustee review and Recommendation: The Trustees agreed the current practice is in compliance with the terms of the trust, no recommended changes.

Regarding cemeteries Ms. Snow inquired about the vandalism that happens from time to time and inquired as to whether or not a trust could assist with the repairs. Mr. Mattson stated that once a lot is purchased the lot owners are responsible for the maintenance of the stones. Mr. Mattson and Mr. Bohannon stated that the City does its best to make repairs, because often times the family of the deceased are not in the area or have passed themselves. Mr. Bohannon stated he has spoken with restoration companies in the past but it would cost thousands of dollars to make necessary repairs and that the City budget can't absorb these costs and the Trusts do not allow for these services. There was a general discussion regarding the sale of lots with perpetual care. Mr. Bohannon stated that the City does not sell lots with perpetual care.

Mrs. Gray advised that she received a letter from the State regarding the MS9/10 submission for the Trust Funds. The State would like the City to submit detail regarding perpetual care funds. Mrs. Gray stated that she has tabled this for research and discussion with the Finance Director.

Due to time constraints for this meeting, Trustees decided to move the Sumner Knight and Marcus Knight to the October meeting along with the Frank Wright and Maurice Alger Scholarship Funds.

The meeting adjourned at 11:08 am.

Respectfully submitted,
Sherrie Curtis