

Gilman Lot Committee Meeting Minutes
May 20, 2009
Cook Memorial Library

Present: John Mersfelder, Ned Beecher, Chele Miller, David Little, Nelson O'Bryan

John Mersfelder moved that the committee go into non-public session. Motion seconded by David Little and approved unanimously.

The meeting was called to order at 1215 with John Mersfelder serving as chairman.

The committee agreed to serve in both a steering and a fund raising capacity. It's goal will be to work with the Society for the Protection of New Hampshire Forests (SPNHF) with the objective of having SPNHF own the Gilman lot and the Town of Tamworth holding the easement. Since this is a committee of the Tamworth Conservation Commission, members can be added as needed by Ned Beecher as chairman of the commission.

The estimated costs and the sums to be paid by SPNHF, the Conservation Commission, and by private donations are included as an attachment to these minutes (original corrected as per discussions)..

John Mersfelder and Ned Beecher have made preliminary inquiries to perspective donors and to people who live close to the Gilman lot. From these inquiries, potential contributions of \$30,000 have been identified. Neighbors of the lot were less likely to enthusiastic about contributing. There is some reluctance on the part of some potential donors to contribute money toward the purchase of an easement; however, the committee needs to make certain that potential donors understand that this is a purchase of both land and easement.

David Little has a list of organizations which can be asked if they would be willing to help fund this acquisition. Some of these, as well as some individuals in Tamworth, are interested in preserving agricultural lands, so they are unlikely to be interested in helping acquire a totally forested parcel.

There was some discussion on whether to attempt a linkage between the effort to acquire the Gilman lot and the easement process currently underway with the Myers/Reiser property. The committee could not find a useful way to craft a linkage, so this topic was left for future committee discussion.

Note: at this point Chele Miller had to leave because of another appointment.

The committee needs to authorize SPNHF to start with the purchase and sale agreement (P&S). It was felt that if we are going to do this, then it should be done quickly, lest some of the tentative agreements already formed should begin to fall apart. The P&S would specify that funds for acquiring the property have to be raised within one year. Nelson O'Bryan moved that the committee authorize SPNHF to start the P&S process; motion seconded by Ned Beecher. In the ensuing discussion the following points were made.

- Raising funds for this project will be a difficult task. Donors to this project are more likely to follow an intellectual process rather than emotional one when deciding whether to contribute.
- Unlike Birch Intervale, this lot is largely invisible to the general public and few people have very strong ties or feelings about it.
- This project is a good one to determine if the public sufficiently supports the idea of a wildlife corridor to make contributions.
- There are currently several other projects to acquire lands or easements; however, donors to these projects are not likely to be ones interested in the Gilman lot.

- Another reason to recommend this project is to help with the preservation of the Mill Brook trail system, part of which goes through this property.

All members voted to authorize SPNHF to start the P&S agreement. Ned Beecher will contact SPNHF to relay this information and also see if they can provide us with any preliminary information that could be used in an interim brochure to initiate fund raising.

General discussions on approaches to fund raising are summarized below.

- In a general discussion of fund raising, the point was made that this is not going to be an easy process. The consensus was that members of this committee as well as the general Conservation Commission should be urged to contribute as a tool to get others to make contributions and to demonstrate a commitment of the committee to the goal.
- Need to contact other landowners in the neighborhood to see how willing they are to support acquisition of the property. David Little will ask Scott Aspinall if he has suggestions of people who should be contacted.
- Ned suggested that the brochure for the Gilman lot's fund raising be in two parts. The first part would be generic and would present the case for acquiring easements/land with comments on the long range goals and benefits. This part could then be used for subsequent projects. The second part of the brochure would be devoted to the Gilman lot and why it fits into the long range plans.
- To help convince the public to help support acquisition of easements, we can remind people that the holder of the easement is required to enforce the terms of the easement agreement which could help reduce unauthorized usage as is currently the case in the Ossipees with unapproved trails being constructed and publicized.
- We need to start pulling together text, charts, photos, etc. to be used in this brochure. Ned will start the process by sending out a template that he had put together, then the rest of the committee can add material and thoughts which they have.
- Nelson O'Bryan will get some photos of the area to supplement any which may already be available.
- If securities are donated during this fund raising drive, we would ask the Tamworth Foundation if they would be willing to handle them. Ned will talk to Mary on the process for setting up an account for accepting cash donations.

There was discussion on when proposed acquisition of the Gilman lot should be made public, but no decision was reached at this meeting.

Next meeting will be Wednesday, June 3rd at noon.

Ned Beecher moved that we go out of non-public session. Motion seconded by David Little and approved unanimously.

David Little moved that the minutes be sealed; this was seconded by Ned Beecher and unanimously approved.

Ned Beecher moved that the meeting be adjourned. Motion seconded by Nelson O'Bryan and passed unanimously. Meeting adjourned at 2:03 p.m.

Respectfully submitted,

Nelson O'Bryan

PROJECT BUDGET FOR PROTECTION OF 130 AC. GILMAN LOT OF FREETO REALTY TRUST, TAMWORTH (DRAFT 4/30/09)--CONFIDENTIAL

Assumptions: Freeto sells unrestricted fee (land) to SPNHF, with springing executory interest to Tamworth CC (i.e. if SPNHF dissolves, land goes to CC); immediately thereafter, SPNHF conveys CE to CC, & Town conveys to SPNHF all project funds generated locally (Cons. Fund & prvt.); if CE FMV < total \$ from Town, Town treats excess as project contribution to SPNHF and shows exec. int. as addit. consideration; New CE replaces existing 8 ac. CE w/ updated provisions & 122 more ac.; SPNHF provides technical assistance, incl. negotiations w/ Freetos, drafting of documents, engagement of appraiser & title atty., transactional coordination, production of fundraising materials, field trip for pot. donors, & prep. of baseline documentation rpt.; **SPNHF \$17,721 expenses in red support Town's exec. int. & CE acquisitions; Town to reimburse SPNHF 50%**

EXPENSES	SPNHF (Unrestr. Fee)	Tam. CC (CE)	NOTES
Purchase price	112,000	87,000	Amnt. treated by Town as CE purchase price vs. project contribution contingent on appraised FMV of CE
Real estate transactional costs			
Appraisal of CE	4,000		SPNHF will contract appraisal & provide copy to CC; Freetos not claiming char. ded. so not sharing cost
Title research & opinion	800		SPNHF will get title opinion & provide copy to CC
Legal services	1,500		SPNHF will draft & secure legal review of all docs. (2 X P&S, Fee & CE deeds); addit. cost for Town counsel review?
Real estate transfer tax (0.75% of purch. price)			Both transactions exempt
Title insurance			SPNHF doesn't want; Town buys if it wants
Recording fees	40	80	
Prorated property taxes (fee acquisitions only)			Nominal, as in C.U.
Fundraising & Publicity			
Production of color brochure/case statement w/ GIS maps, donor form, & ret. envel. (200), coordination of prospective donor solicitation lists, & preparation of publicity incl. press releases	3,156		SPNHF to provide/arrange design & production; incl. salary, bens., & overhd.
Postage		100	CC does fundr. mailing
SPNHF Land Agent & Assistant (Transactions & Field Trip for Potential Donors)	8,225		174 hrs., incl. hazwaste/bndry check, baseline doc. prep., field trip for pot. donors; incl. salary, bens., & overhd.
Other			
SPNHF Forester	192		Site visit & assessmnt rpt. (10 hrs.)
Easement Endowment Fund			Town raises what it needs, if any
GROSS EXPENSES:	\$129,913	\$87,180	
CC payment to SPNHF for CE (some of which may be recast as "project contribution" w/ exec. int. as consideration)	-\$87,000		
CC reimb. to SPNHF for half of SPNHF's costs supporting Town's exec. int. & CE acquisitions	-\$8,861	\$8,861	
NET EXPENSES, BY SOURCE:	\$34,052	\$96,041	TOTAL PROJECT EXPENSE
			\$130,093
REVENUES			
SPNHF--Land Action Fund	\$34,052		
Tamworth Conservation Fund		8,861	Guesstimate--CC to decide
Private contributions solicited by Tamworth CC		87,180	Prvt. fundraising, to balance
NET REVENUES, BY SOURCE:	\$34,052	\$96,041	TOTAL PROJECT REVENUES
			\$130,093