

GUNSTOCK AREA COMMISSION MEETING
November 13, 2021
Powder Keg Pub, Gunstock Mountain Resort

APPROVED MINUTES

GAC: Brian Gallagher, Gary Kiedaisch, Rusty McLear (Present in attendance)
Jade Wood (Electronic remote participation)
Peter Ness (Not in attendance)

BCD: No representation from Belknap County Delegation in attendance

Public: Alex Deluca

Chairman Gallagher called the public meeting to order at 1:17 PM with the pledge of allegiance. The Chair noted no prior communication was received from Commissioner Ness on his nonattendance for this meeting.

Commissioner Gallagher announced the purpose of the meeting as posted was to be a Non-Public Session in accordance with RSA 91-A:3 II(a) for purposes of compensation.

Notice: While still in public session.

ACTION

Motion: Commissioner McLear made a motion to go into non-public session in accordance with RSA 91-A:3 II(a) for purposes of reviewing compensation and annual evaluation with the Gunstock Area Commission (GAC) of President & GM Tom Day at 1:20 PM

Second: Commissioner Kiedaisch.

Vote: Roll call vote with 4 GAC Commissioners in favor.
Motion passes.

Alex Deluca from the public left the meeting.

Evaluation & Compensation Review

The GAC spent time discussing and reviewing a detailed evaluation of the President & GM completed by a majority of the GAC Commissioners. The Chair shared with the GAC that he had meet with Tom Day on November 10th to discuss the summary review from the participating Commissioners on the evaluation. Chair noted that 13 of the 16 questions received a 100 % exceptional designation and that the review noted no designation below the category of meets expectations. The following summary comments were expressed:
Commissioner McLear: I have very high regards & respect for what Tom has accomplished.
Commissioner Kiedaisch: Remarkable performance and exceptional leadership by Tom.
Commissioner Wood: As a former employee I have very high respect for what Tom does.
Chairman Gallagher: Extremely impressed with Tom's guidance as GMR leader.

ACTION

Motion: Commissioner Kiedaisch made a motion to approve a 3 % base salary increase for Tom Day effective upon his anniversary date. The dollar adjustment to be \$ 5,407.50.

Second: Commissioner McLear.

Vote: Roll call vote with 4 GAC Commissioners.

In favor by voting Yes Commissioners: Kiedaisch, McLear & Gallagher.

Voting No: Commissioner Wood.

Motion passes 3-1 in the affirmative.

Commissioner Gallagher asked if there were any other items the GAC would like to discuss. Commissioner Kiedaisch suggested that the GAC review the severance payment termination clause in Tom Day's existing employment agreement.

Employment Agreement Severance Clause.

The four GAC Commissioner's discussed the original existing contract agreement which called for a severance option included in the existing two-year contract. Commissioner Wood expressed very high respect for what Tom Day has accomplished and hoped that he would not be terminated earlier than the original two year contract. Other Commissioners expressed very serious concern with the toxic political climate occurring with the Belknap County Delegation. If three GAC members were replaced then a termination without cause may be a realistic unintended consequence of their actions towards Tom Day due to the current political emotional environment. Several Commissioners suggested addressing this important issue at this time with a vesting date adjustment.

ACTION

MOTION: Commissioner McLear made a motion that the existing contract with Tom Day which includes a date for a vesting condition for purposes of termination shall be adjusted to November 13, 2021.

Second: Commissioner Kiedaisch.

Vote: Roll call vote with 4 GAC Commissioners.

In favor voting Yes Commissioners: Kiedaisch, McLear & Gallagher.

Voting No: Commissioner Wood.

Motion passes 3-1 in the affirmative.

Discussion: Commissioner Wood asked the Chair if these minutes would be sealed. The Chairman explained these minutes would not be sealed and will be available for the public to review within the existing statutory guidelines.

ACTION

MOTION: Commissioner McLear made a motion to come out of non-public session in accordance with RSA 91-A:3 II(a) at 1:35 PM.

Second: Commissioner Kiedaisch.

Vote: Roll call vote with 4 GAC Commissioners voting in the affirmative.

Motion passes 4-0 in the affirmative.

GAC returns to Public Meeting.

Notice: While in public session.

Chairman Gallagher invited the public back into the meeting and further announced the actions taken by the GAC in non-public session.

Adjourn

Action

Motion: Commissioners Kiedaisch made a motion to adjourn the GAC public meeting at 1:37 PM.

Second: Commissioner McLear

Vote: Roll call vote with 4 GAC Commissioners voting in the affirmative.
Motion passes 4-0.

Respectfully Submitted,

Rusty McLear, Secretary
Gunstock Area Commission