



# *Tilton-Northfield Fire & EMS*

Stephen M. Carrier, Chief  
Michael Robinson, Deputy Chief

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## By-Laws Committee Meeting December 15, 2009

The meeting was called to order at 6:34 P.M. by Kevin Waldron.

Members Present: Phil Cain, Kevin Waldron, Leif Martinson and Scott Davis  
Absent: Pat Clark

Leif Martinson thanked Kevin for pulling the articles together into one consolidated document.

Discussion ensued about Article III Sections 1 & 2 being part of Article II.

Kevin read from Pat's email that he sent out on Monday *It would be nice if you could come up with a list of questions we may have for the LGC legal people, too. One thing I believe we need to question is how RSA 52:21 Dissolution actually works.* Discussion ensued about how it actually works. It was decided it was pretty clear on how it works here.

Kevin stated he also wants to find out if they can put in *"All fire district employees are not eligible to run for elected office within the district." If he says that we cannot put that wording in, we could ask him if we could put wording "that it is advised to not run for any elected office within the fire district if you are a fire district employee."*

Kevin told the committee they had some discussions about certified audits. He contacted DRA. Their response was *they are not aware of a requirement that a Village District have certified annual audits unless you receive \$500,000 or more in grant money.* They put in reviewed. They didn't use the word audit. Section 4: Review discussion ensued regarding review versus audit.

Leif proposed taking Sections 1 & 2 out, make them the content of Article II, leave it as is for now and submit that as a draft to the Attorney General to get their opinion on whether or not this is going to meet any kind of test for legality with respect to the statute that deals with elections and replacement of vacancies. Other than some discussion around the word discouraged or use the word prohibited as Pat said Leif felt they should ask that question when they submit it. Can they use the language that they have in there? Discussion ensued regarding the language. Kevin stated that Section 3 of Article III will now be Section 1. Scott stated that the title of Article II will be Officers, Elections and Vacancies.

Leif stated Scott has suggestions for renumbering Sections 1 through 7 to group things even further. Scott went on to explain his thoughts on it. Discussion ensued. Sections were moved around and renumbered so that all information flowed chronologically.

Kevin had a question on Article VII: Amendments. He wanted to know if it made sense. The program changed two words in part of one of the sentences. The original wording was "these By-Laws are amended" and it was changed to "may be". "Any annual district meeting called for this purpose". It changed it to "that purpose". Article VI, Section 2 wording was changed as well. Discussion ensued. Everyone agreed to the changes the program made in the wording.

Leif stated the other thing Pat suggested in his email was they make notation of all the RSA's they drew from which he did not keep track of. It's a nice reference tool but he's not sure he would be able to do that tonight from his notes. Pat suggested that they come up with questions for the Secretary of State or whoever is going to review this and that Kevin submit it to them as soon as he has the document to get their initial feedback before it goes to the Commissioners. Kevin stated the only thing that references a specific RSA's is Dissolution. It's the RSA verbatim including their sources. Discussion ensued.

Kevin stated he included a letter of explanation or summary and did that totally on his own. Leif thought it was nice. It introduces to anyone that reads them that this was their first edition and how they were derived. Discussion ensued.

It was decided Kevin is to run it by the other Commissioners at their meeting on Thursday that the By-Laws Committee want to submit the document to the LGC and Assistant Secretary of State to get their opinions on it. Leif thought they would just offer an opinion of whether this is legal and worthwhile. If they have something specific they think we should change or something that is blatantly obvious that is outside the boundaries of the law they will make not of it and the committee will just have to reconsider it when they meet again. Scott thought when they got the opinions back from the LGC and Assistant Secretary of State is when they need a meeting to sit down with whatever they come back with they can sit and go over it at that point.

Leif stated beyond that, absent any other agenda, he didn't know what more they could cover tonight that they haven't already beat to death. Scott stated that other than the questions Pat had on his email about things he wants to get looked into. Leif read *It would be nice if you could come up with a list of questions we may have for the LGC legal people, too. There may be 3 or 4 other things that we should be prepared to get legal opinion on, as well. For instance, maybe legal counsel could advise if we could put wording in that says that, "All fire district employees are not eligible to run for elected office within the district." If he says that we cannot put that wording in, we could ask him if we could put wording "that it is advised to not run for any elected office within the fire district if you are a fire district employee."* Scott stated that one question they had on that was the wording on that. Whether they can prohibit all employees. Discussion ensued.

The discussion then turned to Dissolution. Leif read from Pat's email *One thing I believe we need to question is how RSA 52:21 Dissolution actually works. We all had a lively talk a couple weeks ago about this when I brought this up and mentioned that Tom Gallant had indicated to Steve Bluhm that Northfield need not worry about getting into debt with a Life Safety Building because if we broke up, each town would be responsible for buying out land and buildings within their respective town or, if neither town wanted a particular piece of land or buildings, they would be sold and the proceeds would be divvied up per our formula. I still believe that we should get clear legal opinion on that and be able to tell the voters what we found out.* Leif doesn't think it requires them, as a By-Laws Committee, to explain how the RSA for Dissolution would work. Discussion ensued.

Lief suggested submitting the By-Laws as they are, cut and paste Pat's questions in and see what they get for a response. Further discussion ensued about Dissolution.

Leif made a motion to submit all the questions with the packet and not meet again until they get some answers back. Scott seconded the motion. There being no discussion, vote was taken. All were in favor.

It was decided Kevin is to submit the document with their question on 52:21. It addresses debt, what about division of assets? Phil suggested writing down the assets so they know what we have. Discussion ensued.

There was no motion or second to adjourn meeting, just a statement that the meeting was adjourned. Meeting adjourned at 7:29 P.M.

Minutes transcribed by: Kathy Tobine

**Next Meeting Date, Time, Place:** December 22, 2009 at 18:30. Meeting to be held at Tilton School, new Academic Building, School Street, Second Floor, Room 213, Tilton.

Approved December 22, 2009