



State of New Hampshire  
Emerald Lake Village District  
2017 Annual Meeting: April 22, 2017

**PRESENT ON BEHALF OF THE DISTRICT:**

Commissioner: Mark Rodier  
Commissioner: Diane Cunningham  
Treasurer: Debi Flanders  
Clerk: Kim Grondin  
Moderator: Martha Caron  
Legal Counsel: Mike Courtney of Upton & Hatfield

To the inhabitants of the Emerald Lake Village District, located within the Town of Hillsborough, County of Hillsborough in said State, qualified to vote in District affairs:

You are hereby notified to meet in the Hillsboro-Deering Elementary School Gym, located on Hillcat Drive, Hillsborough, NH on Saturday, the 22<sup>nd</sup> day of April, 2017, at ten o'clock in the forenoon. Balloting on Article One, election of officers will take place between ten o'clock and twelve o'clock in the afternoon. Articles two through nine will begin at 12:30 p.m. at the same location.

**ANNUAL REPORT COPIES WITH ADDITIONAL HANDOUTS PROVIDED TO ALL VOTING RESIDENTS**

**Article 1.** To choose one Commissioner for a three-year term, one Commissioner for two years, one Moderator for one year, one Clerk for one year, and one Treasurer for one year. (To be Voted on by the official Ballot.)

Moderator Martha Caron opened the meeting at 12:32 p.m., with the pledge of allegiance along with 38 residents at the meeting to vote; along with 5 residents on the board for a total of 43 residents.

Pursuant to Article 1, and under supervision of Election Officers, the voting was as follows (Total ballots 51):

**THESE RESULTS WERE ANNOUNCED.**

Commissioner for three year term: Diane Cunningham (49 votes)  
Commissioner for two year term: Keith Huber (26 votes)  
Treasurer for one year term: Debi Flanders (45 votes)  
Clerk for one year term: Kim Grondin (write in: 9 votes)  
Moderator for one year term: Martha L. Caron (49 votes)

**MEETING RULES:**

The Moderator then read out loud the governing rules and procedures:

Conduct of the meeting generally will be under District Meeting Rules, Section 3 with zero tolerance of disruptive behavior. Anyone wishing to speak at the appropriate time must first be recognized by myself as Moderator, and shall not be interrupted by others. Only one person at a time shall speak. All comments shall be directed to the Moderator and the Board. Comments may be limited in time and scope by the Moderator if considered excessive or inappropriate. Non-Voters may speak only with permission of the Moderator.

All voting on Articles will be by hand count unless written balloting is requested in compliance with the requirements of state law (RSA 40:4-a).

Only registered voters whose primary residence is within the district are qualified to vote. You must have checked in with the Supervisor of the Checklist.

The issues before the voters at this Meeting are defined by the Warrant Articles and this determines what is relevant.

Each Warrant Article shall be introduced by a reading, followed by a motion to bring it to the floor from a Commissioner as may be seconded and moved as a body. Then a Commissioner will be asked to explain the Article as a representative sponsor, after which the Moderator may invite questions and discussion. At the conclusion of this period, the Moderator will call for a vote with the question submitted.

#### **WARRANT ARTICLES:**

**Article 2.** To hear the reports of the Village District Officers, Auditors, Agents, Committee or other officers heretofore chosen or appointed; or to take any other action in relation there to.

Moderator Martha Caron asked for a motion to move the article to the floor.  
Commissioner Mark Rodier accepted. Commissioner Diane Cunningham seconded the motion.

Moderator Martha Caron closed discussion, as there are no questions or concerns and restated the article.

Article 2 Passed Unanimously.

**Article 3.** To see if the Village District will vote to raise and appropriate the sum of **ONE HUNDRED SEVENTY-THREE THOUSAND SIX HUNDRED TWENTY-EIGHT DOLLARS (\$173,628.00)** for the operating expenses of the district including General Government, Streets, Bridges and Recreation, Operating Transfers Out and all other current expenses of the district for 2017, not including appropriations by special warrant articles and other appropriations voted separately. (Recommended by the Village District Commissioners) Majority vote required.

Commissioner Diane Cunningham states that the board stuck to the budget that we had for expenditures of the past year, we have added a few things, have gone up on some and have eliminated some that we do not need, which is explained on page 23.

Moderator Martha Caron asked for a motion to move the article to the floor.  
Commissioner Mark Rodier accepted. Commissioner Diane Cunningham seconded the motion.

Laurie Huber asked why the deduction for Article 5 has been deducted, when it has not been voted on. Moderator Martha Caron answered that the board is required to put a number in there and that number may be affected by the voting on Article 5 where it can change or be eliminated, as that is a budget allocation.

Nan McCarthy asked "if we have a treasurer, then why do we have a bookkeeper and why is the bookkeeper being put down for 10 times the amount that we spent last year. Moderator Martha Caron states that the bookkeeper is familiar with QuickBooks and places bills and invoices in QuickBooks and the treasurer writes the checks.

Keith Huber states that the moderator's job is to conduct the meeting. States that if residents have questions, they should be answered solely by the commissioners, treasurer, clerk who are on the board and moderator should not be answering questions. Moderator Martha Caron states that she is a resident in ELVD, as well as being on the board and doesn't believe that being moderator excludes her from exercising that right. Keith Huber states that the moderators' job according to the RSA's of the town meetings are to conduct the meeting but not to answer the questions and would like that put in the record.

Zane Merva states that he has volunteered in ELVD for about 5 years and has asked Keith Huber to realize that he will be on the other side of this soon. Zane Merva states “ I encourage everyone here whether or not you are involved or not, to please respect the board, as they have dedicated 100’s, if not 1000’s of their own time to make sure our tax dollars are not wasted unnecessarily. Having residents attack currently elected officials is about the most unprofessional thing that I have seen”.

Nan McCarthy wanted to mention that she was a treasurer for ELVD many years ago and made \$50.00 a year, which included all the budgeting and writing all checks. She states that she realizes that it is more complicated and ELVD has gotten a lot bigger, so she is not implying it should be \$50. Moderator Martha Caron replies “that if there are any residents that has clerical bookkeeping skills and understands QuickBooks that would like to volunteer to do this, we will be more than happy to welcome you, so we don’t have to pay anyone”.

Vanessa Jarvis is questioning the 2.85 tax impact. Moderator Martha Caron replied that there is a tax break impact page on page 19 and the total impact is 2.89 per person.

Debi Flanders, Treasurer states that being bookkeeper/treasurer “I did volunteer and do not accept payment. I feel that it is in my duty to help our community” So to answer what everybody is questioning what we spend ELVD money on for a bookkeeper is as follows. Debi Flanders, Treasurer states she spends a lot of time on the phone with the auditors going over numbers to make sure they are accurate between them and us with checks and balances. So far, this is working out pretty good. Auditors have had our books for over three months and we are still working it out. “We had some bugs with QuickBooks and I have spent many hours on the phone with them, as we have had many issues with it. Hiring a bookkeeper is really important because I need to devote my time to other things rather than putting the bills in, print them out, auditing, etc.”

Stephen Brook states that the board claims that on MS636 the increase under executive for governing is due to the warrant article #5; however it is not listed under warrant articles on the MS636, which is required by law. Also, the board recorded \$373.00 was paid out last year for administration, however on the spreadsheet; it states \$354 and asking for \$500 more this year, according to the DRA forms. Moderator Martha Caron responds that the DRA forms are very different and use a different approach. (Moderator Martha Caron was interrupted while trying to answer and from here there was too much arguing from this point and was not able to conduct minutes correctly).

Commissioner Mark Rodier states that ELVD budget was sent to DRA and MS636 is based off of this. It is not based on exactly on what we have printed out. Stephen Brooks asks “then where is article 5 on the MS636.” Commissioner Mark Rodier states that “it is part of the budget.” Debi Flanders, Treasurer states that “it has not been voted in.” Moderator Martha Caron states that MS535 is then filed after the meeting and then they set the tax rate.

Vanessa Jarvis asked if the \$2.85 is per thousand, per person. Moderator Martha Caron states that in fact the \$2.85 rate was for last year. The tax impact rate for next year is in the annual report at \$2.89. That is four cents more and the net impact was four cents more than last year.

Moderator Martha Caron closed discussion, and restated the article.

Article 2 Passed Unanimously.

**Article 4.** A motion was made to amend Article 4 due to a typographical error of omission as it was read in the published warrant, to insert as follows:  
*during [2017, not including appropriations by special warrant articles and other appropriations voted] separately, said funds to be offset by the income to the Water Department.*

The Commissioners moved the proposed amendment to the floor, the Motion to Amend passed.

**Article 4** was then restated to read:  
To see if the Village District will vote to raise and appropriate the sum of **THREE HUNDRED THIRTY THOUSAND FIFTY-SIX DOLLARS AND NO CENTS (\$330,056.00)** for the purpose of operating the Water Department, including debt service, during [2017, not including appropriations by special warrant articles and other appropriations

voted] separately said funds to be offset by the income to the Water Department.

Moderator Martha Caron asked for a motion to move the amended article to the floor.  
Commissioner Mark Rodier accepted. Commissioner Diane Cunningham seconded the motion.

Commissioner Mark Rodier states that there is a lot going on with the water, such as the ban. Commissioner Mark Rodier met with DES on Friday and their recommendations are to make another moratorium with new connections. DES states that the ban will continue all year, as it is under DES control. Commissioner Mark Rodier states that he realizes and understands that residents have things that they would like to do around their houses and he would like to as well. Commissioner Mark Rodier is trying to put a plan out there to fix the infrastructure as far as replacing pipes in the road. The income survey will be coming out soon and has asked all residents to please fill these out and send it back in, as this is how we will get grants for the water system and the more grant money we receive is the less we will have to finance, which will be difficult. ELVD is spending a lot of money just to fix leaks and we need to fix this issue.

Vanessa Jarvis has asked if there was anyone to write the water grants. Commissioner Mark Rodier states that Kathy Rodgers from R-Cap Solutions is funded and paid for by the state to help with these grants.

Dee McLaughlin asked how long it will take, if and when we receive the grant. Moderator Martha Caron states that this is a never-ending project as there are 14 miles of pipe that needs to be replaced. Commissioner Mark Rodier states that if we do receive the grant money, he is not sure, at the moment, how long it will take to replace them all.

Moderator Martha Caron closed discussion and reread the amended Article 4.

Article 4 was Passed Unanimously.

**Article 5.** A motion was made to amend Article 5 as to prefatory language (not amounts) to be consistent with advice received from legal counsel. The motion was made and passed to amend it to read as follows:

**Article 5 (Amended) reads:** To see if the Village District will vote to approve the payment of district official stipends as follows, and to authorize the Commissioners the discretion to expend up to these amounts on an annual basis in the approved operating budget until either rescinded or changed by a vote of a future Emerald Lake Village District meeting:

Commissioner (2) \$400 gross per month (\$4,800 annually)  
Chairman of Commissioner (1) \$1,000 gross per month (\$12,000 annually)  
Clerk (1): \$200 gross per month (\$1,200 annually)  
Treasurer (1): \$100 gross per month (\$1,200 monthly)  
Moderator (1): \$50 gross per year (\$50 annually)

After the Commissioners moved and seconded the motion to the floor, the voters approved the amendment.

Discussion then ensued on the substantive terms. A handout (attached) was provided roughly providing a no exhaustive list of commissioner responsibilities, along with a copy of the amended Article 5.

Commissioner Diane Cunningham states that she moved here one year ago and started to come to the meetings right away because "I believe in being involved in my community. I wasn't here for two months when someone resigned from the board. I sat at all those meetings and listened to the board asking for volunteers and no one did. I was here two months and I volunteered because I believe in ELVD. We still ask you to volunteer and a select few come and help, always the same five people. When I signed up, I didn't even know there was a stipend. I don't believe residents understand the stuff we go through or deal with or the rude comments, text messages, phone calls. We work so hard for you residents and do not feel that you appreciate it."

Moderator Martha Caron asked for a motion to move the article to the floor.  
Commissioner Mark Rodier accepted. Commissioner Diane Cunningham seconded the motion.

Vanessa Jarvais doesn't think anyone is arguing about if the stipends should go up but it is the amount that is a lot. Denise Deforest states she has a problem with the large increase, as it is a service and not a job. She states "when I was commissioner my stipend was low monthly and I never complained but Martha Caron who was also a commissioner didn't take the stipend and I didn't appreciate feeling bad for taking the stipend but this \$1000 is totally outrageous, like I said this is a service not a job, as we are not hiring you to do a job. When Skippy Edwards is out there, when WSO is out there, you (Mark Rodier) do not need to stand out there and watch them and if you do it on your own, then that is on your own, no one has asked you to do that and we shouldn't have to pay you to do that."

Dick Morency states "I believe that Mark Rodier is performing a full time job, as that is what this district needs, whether it is administrator duties, cutting branches etc. which is 40 hours plus a week. So, let's do the math together, 40 hours a week, 4 weeks in a month, that's 160 hours a month and currently at the \$100 he makes, he currently makes .62 an hour. If we give him the \$1000 stipend, Mark will be making \$6.25 an hour. So here we are, we have a person that works for us full time and we are paying him .62 an hour. Outburst: "it's a volunteer position". Okay but if he resigns, who is going to do the work? All I am saying is this district is large and it needs a full time person actually doing the work whether or not it's someone on payroll or stipend and right now its mark and we should pay him the \$6.25 an hour."

Nan McCarthy states "I really resent being treated like a child being yelled to about not understanding and not doing my part. I served on the board as treasurer for \$50 a year and as clerk, to the point where I was harassed so much I became ill. It is a thankless job and doesn't pay well no matter what, whether you are on the town board or ELVD board. I am leery of this kind of money going out and we are not a wealthy district."

Delaney Ordway states "I believe Mark deserves props for what he does but my problem is I am not paying Mark to drive by my house and stalk my husband. We have had to put security camera's up because you drive by so much, it makes us feel uncomfortable and if you want money for that, it is unfair. Kim Grondin, Clerk steps in to say "he drives by so much because you live on the same street as I and we are friends, so when he drives by your house "too much" he is coming and going from my house" (recording not audible as there is too much arguing).

Debi Flanders states "if we do not find someone, how is this work going to be completed. We have thought about hiring a foreman to oversee some of the things that need to get done but that person might not be in the best interest of the district. They don't know that one of our vendors have overcharged us, they just know that they are doing their job. Mark and Diane have caught several vendors overcharging us because they code the bills, and are out there and know what they do and not do, such as being charged more hours for work that they didn't do, so we were able to confront the vendors and they agreed and corrected it. If we hire a foreman, they will not know that, so this is when we realized it needed to be a commissioner to perform this and will save us a lot of money in the long run and in doing so, if we don't have a commissioner that is available full time to do that and we will not get this completed and who knows how much money is going to be spent"

Motion was made by Keith Huber and petition delivered with 5 verified signatures to conduct the final vote on passage by secret ballot on Article 5. Moderator Martha Caron handed to council. It was recommended that ELVD district first decide on the amount and vote before going to secret ballot.

Motion was then made by Laurie Huber to amend Article 5 further, as to the amounts, changing the stipend of a Commissioner from \$400 per month to \$300; and of the Chair, from \$1000 to \$500 per month; Clerk from \$100 to \$200 per month. As seconded, discussion was had and a vote taken by hand count, verified by the election supervisors present. This motion passed to amend the amounts as stated.

Moderator Martha Caron asked for a motion to move the amended article to the floor with the new amounts. Commissioner Mark Rodier accepted. Commissioner Diane Cunningham seconded the motion.

Sue Cook would like performance to be evaluated of the people on the board.

Keith Huber motioned to amend the wording on Article 5 from "vote of a future ELVD meeting" to state and insert "annual" before the phrase Emerald Lake Village District, seconded, discussed, and voted on affirmatively.

Lea Hargraves asks “If residents vote down on these stipends today, is it true that the residents on the board will not receive anything until next year”? Commissioner Mark Rodier replies “yes we will receive nothing, not even a dollar.”

Dee McLaughlin states “maybe ELVD should consider hiring Mark Rodier as a full time employee. The work that he has been doing shows us that it is a full time job and maybe he is the best candidate. There is a need for a full time position.” Moderator Martha Caron states “elected officials cannot be employees, so that is why we are talking about stipend amounts to compensate for what actually happens”. Dee McLaughlin feels that Martha is being bias and would like it to be not bias. (Recording became inaudible as arguing began)

Moderator Martha Caron states she would like to know if residents are prepared to vote on the amended amounts in Article 5.

Stephen Brooks states “What you (Martha Caron) are doing is focusing on one individual and he (Mark Rodier) probably does a great job and good for him but the chairman should not be making more than the rest of the commissioners. All the commissioners should be making the same amount. What happens next year, when he is not the chairman and they will have the same amount of work for less money? How do we resolve the problem?” Mark Rodier states “it will go to an annual vote next year.” Stephen Brooks replies “So next year, commissioner 3 makes \$1000 as (recording becomes inaudible as arguing began) What if the next chairman cannot do the same duties that Mark Rodier does.” Commissioner Mark Rodier states “it is voted on annually.” Commissioner Diane Cunningham states that “Mark Rodier puts more time in and that’s why he should get more money.” Stephen Brooks replies “what happens next year, when you (Diane Cunningham) are the chairperson, are you going to do everything he does.” Commissioner Diane Cunningham responds, “Yes I would have too.” Stephen Brooks replies “why does he get more, when you do the same thing and what if you can’t handle what he does?” Commissioner Diane Cunningham replies “well I wouldn’t be chairperson.” Stephen Brooks states “that’s not how it works. The chairperson is the person that been there the longest and next to go out”. Commissioner Mark Rodier states “We need to vote on the motion to the amended pay”. Stephen Brooks replies “my vote is to reduce the chairperson pay to 300 to everyone”.

Moderator Martha Caron states residents are going to vote on the altered motion that is on the floor.

The final amended **Article 5** was read again by moderator to state:

To see if the Village District will vote to approve the payment of district official stipends as follows, and to authorize the Commissioners the discretion to expend up to these amounts on an annual basis in the approved operating budget until either rescinded or changed by a vote of a future annual Emerald Lake Village District meeting:

Commissioner (2) \$300 gross per month (\$3,600 annually)  
Chairman of Commissioner (1) \$500 gross per month (\$6,000 annually)  
Clerk (1): \$200 gross per month (\$1,200 annually)  
Treasurer (1): \$100 gross per month (\$1,200 monthly)  
Moderator (1): \$50 gross per year (\$50 annually)

Article 5 final amended version passed.

Martha would like to move the final amended Article 5 to a final vote and is asking if there are any residents that would like to comment before final vote.

Sue Cook states that she would like to make a motion to amend the amounts to three commissioners paid \$300 monthly, which was seconded by Rhayna Teich.

Moderator Martha Caron rereads the amended Article 5 for a vote:

To see if the Village District will vote to approve the payment of district official stipends as follows, and to

authorize the Commissioners the discretion to expend up to these amounts on an annual basis in the approved operating budget until either rescinded or changed by a vote of a future annual Emerald Lake Village District meeting:

Commissioner (2) \$300 gross per month (\$3,600 annually)  
Chairman of Commissioner (1) \$300 gross per month (\$3,600 annually)  
Clerk (1): \$200 gross per month (\$1,200 annually)  
Treasurer (1): \$100 gross per month (\$1,200 monthly)  
Moderator (1): \$50 gross per year (\$50 annually)

Moderator Martha Caron asked for a motion to move the article to the floor.  
Commissioner Mark Rodier accepted. Commissioner Diane Cunningham seconded the motion.

Arlene Johns states that she is not a resident of ELVD but is a supervisor of voter checklists and would like to speak. She is recognized by the board. Arlene Johns states that in her experience “the chairmen always make more money because they have more responsibilities.”

The amended version from the chairman getting \$300 rather than \$500 was voted on and this motion had failed.

Moderator Martha Caron asks to move the previous amended Article 5 to have final vote. Moderator Martha Caron restates the article as follows:

To see if the Village District will vote to approve the payment of district official stipends as follows, and to authorize the Commissioners the discretion to expend up to these amounts on an annual basis in the approved operating budget until either rescinded or changed by a vote of a future annual Emerald Lake Village District meeting:

Commissioner (2) \$300 gross per month (\$3,600 annually)  
Chairman of Commissioner (1) \$500 gross per month (\$6,000 annually)  
Clerk (1): \$200 gross per month (\$1,200 annually)  
Treasurer (1): \$100 gross per month (\$1,200 monthly)  
Moderator (1): \$50 gross per year (\$50 annually)

As the Motion was made previously by Keith Huber, seconded, counseled upon, and passed, residents will conduct the final vote on passage by secret ballot. Accordingly, the election supervisors prepared ballots and reported the results as follows:

In favor (Yes): 26  
Against (No): 10

Article 5 as amended is passed.

**Article 6.** To see if the Village District will vote to raise and appropriate the sum of **THIRTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$35,000.00)** to be added to the Roads and Bridges Capital Reserve Fund already established.

Moderator Martha Caron asked for a motion to move the article to the floor.  
Commissioner Mark Rodier accepted. Commissioner Diane Cunningham seconded the motion.

Commissioner Mark Rodier states the \$35,000 is for the CIP fund for the purpose of repairing the Red Fox Crossing Bridge.

Laurie Huber asked how much was in the CIP account now. Moderator Martha Caron replied \$40,231.38.

Article 6 was restated by the Moderator and passed.

**Article 7.** To see if the Village District will vote to raise and appropriate the sum of **FIFTY THOUSAND DOLLARS AND NO CENTS (\$50,000.00)** to be added to the Water System Capital Improvements Fund already established, for the purpose of continuing replacing mains, distribution lines and other water infrastructure, said sum to be offset by the income to the Water Department.

Moderator Martha Caron asked for a motion to move the article to the floor.  
Commissioner Mark Rodier accepted. Commissioner Diane Cunningham seconded the motion.

Rhayna Teich asked if this is for the meters. Commissioner Mark Rodier states it is for the fixing of the pipes; along with the meters, as “down the road” we will need individual meters for each house.

Denise Deforest asked where the money is that was put aside for this a long time ago. Commissioner Mark Rodier states the money is still there for the zone meters.

Article 7 was restated by the Moderator and passed.

**Article 8.** To see if the Village District will vote to raise and appropriate **TEN THOUSAND DOLLARS AND NO CENTS (\$10,000.00)** to repair the drainage problem at Hummingbird Lane and Hemlock Street and be expended by the Commissioners.

Moderator Martha Caron asked for a motion to move the article to the floor.  
Commissioner Mark Rodier accepted. Commissioner Diane Cunningham seconded the motion.

Bill Sewall states that he has witnessed the amount of water coming down off of Hemlock and has caused damage to his and other properties.

Warren Fleck states that this has been an issue at this intersection and it just keeps getting worse.

Article 8 was restated by the Moderator and passed.

**Article 9:** Per the Commissioners, there was no further business to be transacted at this Annual Meeting.

### **CLOSING**

It was announced that the next meeting was a workshop meeting for payment of invoices on May 3, and the next regular monthly commissioners meeting would be May 11, 2017 at 6 pm.

Residents were asked to use the signup sheet for Spring Cleanup Day scheduled for May 13, 2017.

The attendees were informed that water conservation was a critical problem for the District at this time, that the ban on certain uses remained in effect, and that there would be a prohibition on new water hookups per Order of the Department of Environmental Services. Attendees were encouraged to take copies of the Fact Sheets from DES on water conservation methods were which made available at an adjacent table.

The Commissioners reported they had no further remarks to make.

A Motion to adjourn the 2017 Annual Meeting of the Emerald Lake Village District was made by the Commissioners at 2:47 p.m. and approved.

Given under our hands and seal this 22<sup>nd</sup> day of April, 2017

Respectfully submitted by  
District Clerk Kim Grondin

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