

**DRAFT MINUTES**  
**Tamworth Ordinance Review Committee**  
**January 21, 2008**

**Present:** Ned Beecher, Dom Bergen, Bryan Berlind, Willie Farnum, David Goodson

*Draft minutes to be reviewed and adopted at a subsequent meeting.*

Meeting called to order 7:02 pm.

**1. Letter to all town boards, commissions, and committees and the protocols for committees** (which this committee developed) have been sent to all boards, commissions, and committees for feedback and following of the protocols. Comments on the letter are expected soon.

**2. Ordinances and Policies of Town – the list from 1957 to 2007**

Willie finished compiling the list and provided a handout at this meeting. He will email the electronic version of this to all Committee members. He has checked all of the votes on each proposed ordinance, bylaw, and policy to determine if it was passed or not. Willie found two additional ordinances that were adopted by Selectmen: one on driveway access and one on privies, passed on the same day in 1964. This was before a Planning Board was convened. The question is whether a simple vote of Selectmen would serve to annul, change, or supercede these Selectmen-adopted actions.

Willie also found, in his close review of the Town Clerks' certified annual reports, several actions of special meetings, such as an August 1991 meeting that involved adoption of a floodplain ordinance.

Next steps -

- Willie will finish looking through Town Clerk reports and get copies of all pertinent pages.
- He and Ned will create a complete compilation of all information on each ordinance, bylaw, and policy – in one book, with clear document tracking and control. The compilation can be sorted in different ways: by ordinance, bylaw, or policy; by subject area (e.g. land use); etc. With computer technology, we can create a table of contents and a list of key words to allow for easy finding of each ordinance or any topic area. They will also have definitions of “by-law” and “ordinance” and other key terms, so we have clarity on these.
- This compilation will be provided to Town Attorney to get his opinions on any that are possibly now superseded by state law, etc. In general, the questions for each ordinance will include: Does this ordinance still apply? Has it been superseded by state law or regulation? Are there issues with the legality of the adoption process? How should the outdated, defunct ordinances be dealt with – should there be a warrant article in 2009 to annul all of them, making for a clear record when we are done? Example: scenic roads ordinance: does the designation

of roads as scenic pertain only to those roads that existed at the time of the adoption of that ordinance (1972)?

- The Committee will then create 6 – 10 certified copies of a shortened presentation of all current ordinances, with a clear document tracking and control system. These certified copies could have colored ink stamped on each page, and, when any official updates are made, each copy will be found and updated. Only certified copies will then be usable for significant actions and decisions, to ensure that only current information is used. Certified copies will be kept in the vault, by the Selectmen, the Planning Board, the Conservation Commission, the Town Clerk, and in each of the libraries, etc.
- Black and white (uncertified) copies of the final certified copy document will be provided to all members of the Selectmen, Planning Board, and Conservation Commission. Each of these boards will ensure that all of the copies of their protocols and notebooks include only these updated versions. They will also be given a set of instructions regarding the newly developed Town document control system.
- Dom noted that the tennis courts have been posted as “for town residents only.” Similar policy exists for the beach at the north end of Chocorua Lake (it was noted that this latter one was adopted by Town Meeting). Do we include these policies in our compilation? Yes, if we find them. We’ll list all policies we find.

**3. Minutes of December 19, 2007.** Dom moved and Ned seconded, all approved the minutes as presented.

**4. Next meeting:** Monday, February 18, 7 pm, Town offices.

**5. Agenda for future meetings and actions of this committee:** Willie moved and Dom seconded the following motion: This Committee will only compile data on the existing Wetlands Conservation District Ordinance and will not address any amendments, changes, recommendations, etc. until after all legal actions regarding that ordinance have been completed. Motion passed: 3 – 2.

**6. Adjournment:** Ned moved, Dom seconded, and all approved adjourning at 8:28 pm.

*Draft minutes respectfully submitted by Ned Beecher, January 21, 2008.*