

TOWN OF CHINA

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China, ME 04358



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China Select Board

Thursday - 12/29/2016

8:30 A.M – Regular Meeting

Town Office Meeting Room

Minutes

The Chair opened the meeting and welcomed all in attendance at 7:00 p.m. Board members present were Irene L. Belanger, Jeffrey LaVerdiere, Neil Farrington, Ronald R. Breton, and Joann C. Austin. Others present were Tom and Marie Michaud, Ed Brownell, Milton Dudley, Paul Mitnik (China C.E.O.), Mary Grow and the Town Manager. All present recited the Pledge of Allegiance to the American Flag.

On a motion by Selectperson Joann C. Austin and a second by Selectperson Ronald R. Breton, the Board voted 5-0 to accept the minutes of the 12/12/2016 Select Board meeting as presented.

On a motion by Selectperson Ronald R. Breton and a second by Jeffrey R. LaVerdiere, the Board voted 5-0 to accept and sing China Payroll Warrant #35 for \$32,726.27 as presented and on a motion by Selectperson Joann C. Austin and a second by Selectperson the Board voted 5-0 to accept and sign Town Payables Warrant #36 for \$83,761.03 as presented.

Unfinished Business:

- **Transfer Station Co-Coordinator's Conversation and Organization/Other Reports:**

Selectperson Ronald R. Breton requested that the Town manager create an agreement between the towns of Palermo and China regarding the ordering and distribution of trash bags to the Town of Palermo and also to include the conditions and terms of payment for the trash bags ordered and delivered. It is intended that the agreement is to be approved and signed by both Select Boards.

- **Foreclosed Upon Properties:** On a motion by Selectperson Ronald R. Breton and a second by Selectperson Jeffrey LaVerdiere, the Board voted 5-0 to allow the former owners of the respective foreclosed upon properties sixty days from this meeting date to redeem the properties, that is, paying the tax obligations to bring the account to a current status. A list of the respective properties is attached to these minutes.

- **Bicentennial Initiative:** The Town Manager noted that there have not been any response to advertisements for a bicentennial coordinator. Select Board Chair Neil Farrington said that he and Mr. Tom Parent have been working with the digitized version of the China Bicentennial History, published in 1975 to commemorate the 200th anniversary of the settlement of the area around China Lake and subsequently updated in 1984.

New Business:

- **Public Comment:** It was noted that there are currently two residents who have expressed interest in the open Planning Board Alternate-at-Large position. The Select Board indicated that they would like to appoint a person for the position at their regular meeting on January 9, 2017 so that person could potentially participate in the PB meeting scheduled for Tuesday, January 10, 2017.

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The Board directed the Town Manager to ask the interested parties to be present at the next SB meeting to be interviewed.

Resident Tom Michaud said that the Neck Road area of China should be represented, and also provided a recent history of having filled the position and that person resigning because of a potential conflict of interest. Tom Michaud had expressed interested in filling the position. He went on to note that the current PB Chair is a neighbor of the Varneys and has recused himself in the Varney application process. Selectperson Joann C. Austin asked if appointing Mr. Michaud would also create a conflict of interest circumstance and obligate Mr. Michaud to recuse himself in the Varney permit application process. Selectperson Ronald R. Breton suggested that the names of potential appointees to the PB should be advanced to the PB before coming to the SB for appointment.

Resident Marie Michaud reminded the Board of the petition she (and others) submitted in November asking for a six month moratorium on new commercial development to give time reconstitute the Comprehensive Plan Implementation Committee in order to establish land Use Districts in accordance with the goals and provisions set forth and prescribed in the most recently voter adopted China Comprehensive Plan of 2008. The SB voted in November of 2016 to reconstitute the Committee, and Selectperson Irene L. Belanger volunteered to contact with former members to see if they wish to serve again. Marie asked for an opinion on whether or not the SB can ignore part of the petition requesting an imposition of a moratorium. Board members Breton and Farrington said the petition should go to the March Annual Town Business Meeting, doubting the SB's authority to impose a moratorium.

- **Policies and Procedures:** The Board will continually review policies and procedures with the intent of updating any and all that need attention.
- **Marijuana Items – Coordination with the China Planning Board:** On a motion by Selectperson Ronald R. Breton and a second by Selectperson Jeffrey R. LaVerdiere, the Board voted 5-0 to set a special open town meeting to ask voters if they will enact a moratorium on the use, possession, and cultivation of “recreational” amounts of marijuana and also on retail store sales and social club use and commercial-scale cultivation, manufacturing, and testing facilities.

On a motion by Selectperson Joann C. Austin and a second by Selectperson Ronald R. Breton, the Board voted 5-0 to set the date of the special open town meeting as soon as is legally possible (allowing time for publicity), emphasis on a date that will be prior to the enactment of the respective marijuana laws at the State level. The Board did not wish to wait until the traditional Annual Town Business Meeting to be held in late March because of the effective date of the State legislation possibly being January 30, 2017. A consensus developed that a person could possibly apply for and perhaps receive a local license before State regulations are in place, although that hypothetical person could not operate a business without a State license. Since there are not any current town regulations that apply to commercial marijuana operations, the SB voted to ask town voters at a special open town meeting to approve a 180 day moratorium to allow time for the development of regulations. It was noted that a quorum of 126 registered voters is needed before official business at an open town meeting could be conducted.

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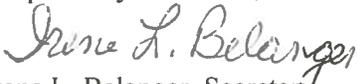
Planning Board member Milton Dudley participated in the discussion. He suggested a public hearing to see if voters want to take any action before investing in a special town meeting.

Manager's Communications (Non-Action Items):

- **Committees – Meetings/Updates: Thurston Park II, Economic and Community Development Committee, Transfer Station Committee, Tuesday, January 17, 2017 at 8:30 A.M. in the Town Office, and TIF Committee, Monday, January 16, 2017 at 6:30 P.M. in the town office meeting room, and Emergency Preparedness Committee, Tuesday, January ?, 2017 at 10:15 A.M. in the Town Office.** The respective dates, times, and places of the meetings were announced.
- **TIF Information/Conversations:** The Board agreed to have this item on the agenda for continued conversation and clarification.
Strategic Planning (Visioning Session), Tuesday, November 29, 2016 – Follow-up and Priority List: The Board will ultimately complete the listing of the strategic priorities at one of the next few Board meetings when there is time to thoroughly review the list and choose priorities by consensus.

On a motion by Ronald R. Breton and a second by Selectperson Irene L. Belanger, the Board voted 5-0 to adjourn at 11:08 a.m.

Respectfully submitted,


Irene L. Belanger, Secretary
China Select Board