Town of China

Minutes for the Annual Town Business Meeting

Saturday, March 24, 2018

The meeting was called to order by Town Clerk Rebecca Hapgood at 9:05 a.m. once quorum of 120 registered voters was reached. The meeting was held at China Primary School. Sarah Batteese and Heather Loubier agreed to serve as tellers for the meeting.

Article 1. On motion by Ronald Breton and second by Dolly Batteese, Richard Thompson was elected moderator at 9:07 a.m. and took the oath. Moderator Thompson opened the meeting with an invocation from Reverend Ronald Morrell. The Pledge of Allegiance was recited by the legislative body. Moderator Thompson then called for a vote to allow non-resident staff members and those running for public office to speak. This passed by a majority vote.

The following candidates were allowed to speak: Matt Poulliot, John Glowa, Timothy Theriault, Dawn Castner and Mary Mahew.

Article 2. On motion by Joann Austin and second by Alice Severance voted to entertain a presentation up to five minutes each from the **Thurston Park II Committee, China for a Lifetime Committee, Broadband Committee, Tax Increment Finance Committee** representatives and **Bicentennial Committee Coordinator** regarding the progress of their respective initiatives.

Jen Smith, Chris Hahn, Bob O'Connor, Amber McAllister and Neil Farrington spoke on behalf of their respective committees/positions.

Article 3. On motion by Jean Conway and second by Ronald Breton voted to entertain a presentation up to five minutes from **FIRSTPARK** representative Irene Belanger.

Article 4. By a written vote of 95 "yes" ballots to 28 "no" ballots the legislative body voted to exceed the 2018-19 property tax levy limit of $1,650,374.54 established for China by State Law **(LD#1)** in the event that the municipal budget approved under the following articles will result in a tax commitment that is greater than the current property tax levy limit. The request would be driven by voter approved increases in the proposed budgetary numbers and extraordinary circumstances outside the control of the municipal legislative body; in this particular case, the potential reduction in the traditional and expected State subsidies (Revenue Sharing, Homestead Exemptions, Excise Taxes on Motor Vehicles, and the BETE program) to China. The amount noted above will be the new core municipal commitment going forward.

As noted by Town Manager Daniel L'Heureux, the budget as presented and if everything passes, will not exceed the limit.

Article 5. **Tax Increment Financing (TIF):** On motion by Jean Conway and second by Ronald Breton voted to authorize the Select Board to appropriate funds in the 2018-2019 fiscal year from the Development Program Fund (TIF Fund) to be used as a source of funds for expenditures later approved in these Warrant Articles and as also noted immediately below for the following purposes:

***TIF Generated Revenue Items:

Administration:	$10,000
FirstPark:	$38,169
CRLA:	$15,000
Kennebec Valley Council of Governments:	$6,748
China Community Days:	$2,500
Mid-Maine Chamber of Commerce Dues:	$500
Bicentennial Events Coordinator:	$5,000

Article 6. **Tax Increment Financing (TIF):** On motion by Donald Pauley and second by Scott Pierz voted to authorize the Select Board to appropriate an amount up to $50,000 in the 2018-2019 fiscal year from the Development Program Fund (TIF Fund) **for planning, engineering, maps, document preparation, administrative and legal expenses, surveying of proposed property for purchase or development** (e.g. town owned 13 lot subdivision), etc., associated with economic development projects to be proposed by the Select Board to the voters for acceptance.

Article 7. On motion by Joann Austin and second by Irene Belanger voted to raise and or appropriate $392,443 *** ($10,000 from TIF generated revenues) for **Administration** and $107,280 **Administration Other** expenses.

Article 8. On motion by Irene Belanger and second by Dolly Batteese voted to raise and or appropriate $2,363 for **Planning Board Expenses,** $4,862 for **Maine Municipal Association Dues,** $500 *** ($500 from TIF generated revenues) for **Mid-Maine Chamber of Commerce Dues,** and $6,748 *** ($6,748 from TIF generated revenues) for **Kennebec Valley Council of Governments;** any remaining balance in the Planning Board budget at the end of the fiscal year to lapse to a Planning Board Account of the Reserve Fund, the funds in which may be used upon a majority vote of a quorum of the Select Board for Planning Board Operations; said Planning Board Account to be capped at $8,000.

On motion by Thomas Miragliuolo and second by Joann Austin voted to move Article 43 to now.

Article 43. On motion by Jean Conway and second by Donna Mills-Stevens voted to appropriate an amount up to $22,000 from Unassigned Fund Balance or the Development Program Fund (TIF Fund), if applicable, for the purpose of the **development and implementation of a new**

Comprehensive Plan for the Town of China, said funds to be used primarily for professional assistance with development and implementation of the ultimate Plan.

Article 9. On motion by Jean Conway and second by Irene Belanger voted to raise and or appropriate $200,000 ($150,000 from Unassigned Fund Balance) for the **Municipal Capital and Equipment Account of the Reserve Fund** (established for the purpose of major capital repairs and purchasing and/or repairing vehicles to be used for snow plowing, grading, transfer station operations, and other public purposes), the funds in which may be used upon a majority vote of a quorum of the Select Board.

Article 10. On motion by Irene Belanger and second by Charles Conway voted to raise and appropriate $47,500 for Contracted **Assessing** and $10,000 for **Legal Services**; any remaining balance in the legal budget at the end of the fiscal year to lapse into the Legal Account of the Reserve Fund, the funds in which may be used upon a majority vote of a quorum of the Select Board for legal services.

Article 11. On motion by Jean Conway and second by Paul Lucas voted to raise and appropriate $24,000 for **Computer Hardware and Software** for the Town Office.

Award Presentation(s) – Select Board member Irene Belanger presented Spirit of America Awards to meeting attendees Elaine Philbrook and Timothy Basham.

Select Board member Irene Belanger also recognized Town Manager Daniel J. L'Heureux for his 22 plus years of dedicated service to the Town of China. Mr. L'Heureux is retiring June 30, 2018.

Article 12. On motion by Robert O'Connor and second by Irene Belanger voted to raise and appropriate $43,082 for **Police Services** and **Animal Control Officer Services** to include supplies and vehicle maintenance in support of services.

Article 13. On motion by Charles Conway and second by Paul Lucas voted to raise and or appropriate for the **Volunteer Fire Departments, China Rescue and PSAP (E-911 Call Answering)** and **Dispatch Services** to be allocated in the following manner; any remaining balance in any department at the end of the fiscal year to lapse into the Reserve Account for the Respective Department/Service in the Reserve Fund, the fund in which may be used upon a majority vote of a quorum of the Select Board; to be used for operating expenses only:

***South China VFD	$24,000
***China Village VFD	$24,500
***Weeks Mills VFD	$18,000
China Rescue	$16, 100 with $3,100 From Rescue Reserve
Compensating Emergency Services Personnel for Time and Service	$30,000
PSAP/E-911 Calls	$26,914
Dispatching Service	$23,000
Totals:	$162,514

And further voted to authorize the Select Board to make "lump sum/single pay-out" distributions of the annual amounts appropriated for operations for the respective emergency services entities pursuant to the Maine Legislature LD150, an Act regarding the funding of ***Volunteer Fire Departments, upon agreement between the town and the emergency services groups as the Select Board deems in the best interest of the town.

Article 14. On motion by Jean Conway and second by Neil Farrington voted to raise and appropriate $20,000 for the **Fire Department Capital Equipment Account of the Reserve Fund,** the funds in which may be used upon a majority vote of a quorum of the Select Board for fire departments' capital purchases or major capital repairs, e.g. SCBA equipment, capital improvements/repairs to vehicles, etc.; the Select Board shall require equity positions associated with capital expenditures, singularly or collectively above $2,500.

Article 15. On motion by Neil Farrington and second by Jean Conway voted to raise and appropriate $300,387 for **Insurance and Unemployment Compensation Premiums** and $21,174 for **Emergency Services Insurance.**

Article 16. On motion by Robert O'Connor and second by Scott Pierz voted to raise and appropriate $339,601 for **Solid Waste Disposal/China Transfer Station Operations.**

Article 17. On motion by Jean Conway and second by Linda O'Connor voted to raise and or appropriate $80,613 - ($56,319 for a Pre-Crusher & Compactor and $24,094 for a New Forklift), funding to be appropriated from the following sources:

Assigned Fund Balance: Box Trailers $10,000

Unassigned Fund Balance: $70,613 for **Solid Waste Disposal/China Transfer Station Capital Equipment Purchases.**

Article 18. On motion by Donald Pauley and second by Joann Austin voted to raise and or appropriate $776,211 ($55,000 from highway grant & $721,211 from excise taxes) for **Road Maintenance**; highways, bridges & gravel roads, paving, and winter road maintenance and to further authorize the Select Board to expend a portion of the appropriated/raised amount prior to the beginning of the 2018/2019 fiscal year or carry-forward remaining amounts as of June 30, 2018 as they deem to be in the best interest of the Town of China.

Article 19. On motion by Jean Conway and second by Irene Belanger voted to raise and or appropriate $100,000 from Unassigned Fund Balance and $100,000 from Assigned Fund Balance: Revenue Sharing; (approximately $50,000 for the Dirigo Road Reconstruction and approximately $150,000 for the culvert replacement on the Bog Road) for **Special Capital Road Maintenance**; the reconstruction of the most northerly mile of the Dirigo Road and the replacement of a large culvert under the Bog Road.

On motion by Scott Pierz and second by Alice Severance voted to combine Articles 20 - 23 and approve as written: Article 20. Voted to raise and appropriate $2,500 for **Street Signs** and $7,200 for **Street Lights** (monthly/annual CMP kw/hr. fees); Article 21. Voted to earmark the balance, after administration expenses, of the **Snowmobile Registration Tax Refund** from the Department of Inland Fisheries and Wildlife to the China Four Seasons Club. The cost allocated to administration is not to exceed $3.00 per snowmobile; Article 22. Voted to raise and appropriate $26,000 for **Recreation** and to have any remaining balance in the current budget lapse into the **Recreation Account of the Reserve Fund**, the funds in which may be used upon a majority vote of a quorum of the Select Board for recreational capital needs/activities/programs; said Recreation Account to be capped at $15,000; and Article 23. Voted to raise and appropriate $16,000 for the **Welfare Account**.

Article 24. On motion by Jean Conway and second by Irene Belanger voted to raise and or appropriate $11,000 ($5,000 from Unassigned Fund Balance) for the **China Historical Society** toward the cost of utilities and repairs for the Old Town Meeting House; $1,000 for the **One Room School House** toward the cost of utilities and repairs; and $8,000, ($7,000 from Unassigned Fund Balance) for the **Red Storage Garage** toward the cost of utilities and repairs.

Article 25. On motion by Donald Pauley and second by Irene Belanger voted to appropriate an amount up to $20,000 from the town's Unassigned Fund Balance for the purpose of **funding the**

purchase and or installation of a septic system and water system for the One Room School House at 12 Deer Hill Road in China

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On motion by Amber McAllister and second by Scott Pierz voted to combine Articles 26-30 and approve as written: Article 26. Voted to raise and appropriate $4,500 for the **South China Library** and $4,500 for the **Albert Church Brown Memorial Library**; Article 27. Voted to raise and appropriate $12,986 for the following **Social Service Agencies:**

	Approved:
Family Violence	$2,000
KVCAP Demand Response Transport	$1,545
Spectrum Generations	$2,276
Kennebec Behavioral Health	$1,000
Children's Center	$1,500
Sexual Assault Crisis & Support	$1,515
Dioceses Human Relations Center	$500
Hospice Volunteers of Waterville Area	$1,650
American Red Cross	$1,000
	$12,986

Article 28. Voted to raise and appropriate $4,250 for the following **Non-Profit Agencies:**

Healthy Hearts	$500
The Town Line	$3,000
The Life Flight Foundation	$750
	$4,250

Article 29. Voted to raise and appropriate $7,087 for the **Kennebec Valley Humane Society**; and Article 30. Voted to raise and appropriate $25,600 for the purpose of maintaining **Cemeteries** and $950 for **Memorial Day and Veterans Grave Marker Expenses**; said money to be divided equally between the China and South China Legion Posts.

Article 31. On motion by Jean Conway and second by Irene Belanger voted to establish two (2) **Tax Payment due dates** to be Friday, September 28, 2018 and Friday, March 29, 2019 and to charge an **Interest Rate** of eight percent (8.0%) per annum after each tax payment due date, with interest to be calculated daily at the rate of 0.00021917808 for each day or fraction thereof that each payment is overdue; and to further see if the Town will vote to authorize the Select Board to sell and convey by Warranty Deed or Quit Claim Deed tax acquired properties and to execute Waiver of Foreclosure documents as determined to be in the best interests of the Town of China, said authority to continue unless rescinded by voters, and to further authorize the tax collector or treasurer to accept prepayments of taxes not yet committed pursuant to 36 M.R.S.A. Section 506, and to further authorize the Select Board to appropriate funds from Overlay to offset abatements granted throughout the fiscal year.

Article 32. On motion by Jean Conway and second by Helen Roy voted to appropriate from Unassigned Fund Balance an amount not to exceed $55,000 for the purpose of using these funds as the required **Matching Funds in Successful Grant Applications** and to further authorize the Selectmen to apply for and accept funds from the State of Maine, Federal Government, and any other duly authorized authority.

Article 33. On motion by Scott Pierz and second by Linda O'Connor voted to raise and or appropriate $30,000 *** ($15,000 From TIF generated revenues) for **Lake Restoration** expenses and to further authorize the Select Board to expend a portion of the raised/appropriated amount prior to the beginning of the 2018/2019 fiscal year as they deem to be in the best interest of the Town of China. (Any proposed expenditure to advance an interest in real property is to have prior Select Board approval.)

Article 34. On motion by Linda O'Connor and second by Scott Pierz voted to appropriate an amount up to $20,000 in the 2018-2019 fiscal year from the Development Program Fund (TIF Fund) for the **LakeSmart Program Initiative** expenses, and to further authorize the Select Board

to expend a portion of the raised/appropriated amount prior to the beginning of the 2018/2019 fiscal year as they deem to be in the best interest of the Town of China; said initiative being provided oversight and administration services by the China Lake Association.

On motion by Robert Batteese and second by Donald Pauley voted to combine and approve Articles 35 – 40. Article 35. Voted to appropriate an amount not to exceed $55,000 from the overlay and or Unassigned Fund Balance to serve as a **Contingency Fund** to be spent by the Select Board on unanticipated expenses and emergencies and to avoid overdrafts that may occur during this fiscal year. Article 36. Voted to raise and or appropriate $2,500 *** (From TIF generated revenues or Unassigned Fund Balance) for the purpose of funding **China Community Days** events and to allow any remaining balance to lapse into the China Community Days account of the reserve fund at the end of the fiscal year; the funds in which may be used upon a majority vote of a quorum of the Select Board, and said appropriation to become available in the current fiscal budget year. Article 37. Voted to appropriate an amount not to exceed $2,700 from Unassigned Fund Balance for the purpose of preserving the **Historical Records** in the Town of China. Article 38. Voted to raise and appropriate an amount not to exceed $1,121 for the purpose of compensating the **Town Health Officer** for services provided. Article 39. Voted to appropriate $6,000 from Unassigned Fund Balance for the purpose of adding to the **Unfunded Accrued Compensated Balance Reserve Account in the Fund Balance/Designated Fund Balance** to finance the unfunded accrued compensated balances of the Town. Article 40. Voted to appropriate $5,000 *** ($5,000 from TIF generated revenues) and YES (to move any remaining balance into a Bicentennial Account in the Reserve Fund) for use by the **Bicentennial Coordinator** for the purpose of organizing and coordinating events to celebrate China's 200-year anniversary of incorporation as a municipality and further to see if the town will vote to move the remaining balance in the Bicentennial Coordinator line item in the current fiscal year 2017-2018 into a **Bicentennial Account** in the Reserve Fund for said Coordinator services.

Article 41. On motion by Jean Conway and second by Helen Roy the legislative body voted (by tellers counting raised voting cards 38 in favor to 48 against) not to raise or appropriate an amount not to exceed $100 for the purpose of **purchasing the Branch Mills Union Church,** more specifically described as Map 40 Lot 025 at 112 Branch Mills Road in China, and further to not authorize the Select Board to act on behalf of the town as they deem to be in the best interests of the town in the proposed transaction and further to not raise and or appropriate an amount not to exceed ($80,000) from grants, donations, and TIF proceeds for the purpose of restoration of said Branch Mills Union Church.

Article 42. On motion by Donald Pauley and second by Jean Conway voted to **appropriate funds received from the Municipal Review Committee as one-time distributions (as outlined below) of cash to Equity Charter Municipalities to the Transfer Station Capital Equipment Account** in the Town of China Reserve Fund for the use of the China Transfer Station; the Account earlier established for the purpose of major capital purchases or repairs of transfer station equipment and buildings, the funds in which may be used upon a majority vote of a quorum of the Select Board.

1. Cash released by the Penobscot Energy Recovery Corporation's (PERC's) lender from the Debt Service Reserve Fund ($13,978);
2. Payments by the PERC Partnership to Equity Charter Municipalities that have exercised their PUT Option to sell their limited partnership interests in the PERC partnership ($17,166); and
3. Future MRC payment of funds from the Tip Fee Stabilization Account and the Custody Account if applicable (Uncertain Amount, may not be any distributions).

On motion by Donald Pauley and second by Dolly Batteese voted to adjourn at 12:33 p.m. A total of 149 voters attended the Annual Town Business Meeting.

Respectfully submitted,

Rebecca Hapgood, Town Clerk