



Town of Casco
Selectboard Minutes
September 10, 2019

Selectboard Members Present:

Mary Fernandes, Holly Hancock (Vice Chair), Calvin Nutting, Tom Peaslee (Chair) and Grant Plummer

Staff Present:

Town Manager Courtney O'Donnell and Administrative Secretary Bob Tooker

1. Review and Approval of the Meeting Agenda

The Selectboard moved (Hancock), seconded (Fernandes) and voted to approve the agenda for the September 10, 2019 Selectboard meeting: 5 in favor, 0 opposed, 0 abstentions.

2. Executive Session 1 M.R.S.A. § 405(6)(E) – Review of Legal Matter

The Selectboard moved (Hancock), seconded (Plummer) and voted to enter into executive session subject to 1 M.R.S.A. § 405(6)(E) to review a legal matter.

The Selectboard entered into executive session at 6:00 p.m.

The Selectboard returned from executive session at 6:35 p.m.

The Selectboard moved (Hancock), seconded (Fernandes) and voted to come out of executive session: 5 in favor, 0 opposed, 0 abstentions.

3. Approval of Bills and Signing and Approval of All Open Warrants

The Selectboard moved (Hancock), seconded (Fernandes) and voted to approve bills and sign and approve all open warrants: 5 in favor, 0 opposed, 0 abstentions.

4. Approval of Minutes (*August 13, 2019*)

CSB 9.10.2019

For detailed information about Casco Selectboard meetings, please refer to complete audio and video recordings available on the Town of Casco website at www.cascomaine.org.

The Selectboard moved (Plummer), seconded (Fernandes) and voted to approve the minutes of the August 13, 2019 Selectboard meeting: 5 in favor, 0 opposed, 0 abstentions.

5. Manager's Update

- Tax bills will be mailed out tomorrow.
- The Selectboard Meeting Policy, Purchasing Policy and Emergency Medical Services Collection Policy will be ready for review at the next Selectboard meeting.
- General Assistance Ordinance updates and a public hearing will coming up at the next Selectboard meeting.
- The Memorial Park Committee and board appointments will be coming up soon.
- A private roads update will be coming up soon.
- The Transfer Station Council has not met in awhile. Courtney O'Donnell will be looking to clear-up some confusion as to who is on the Council.
- An official Town of Casco Facebook page has been launched.

6. Committee and Staff Reports

None.

7. Public Participation (*limit of two minutes per speaker*)

None.

8. Citizen Darren Ryan Discussion

Darren Ryan commented on a First and Second Notice of Violation he received from the Code Enforcement Officer related to shoreland zone tree removal and replanting. Darren requested that the Notice of Violation connected to his deed be removed from the deed.

9. Request for Park Bench at Veteran's Memorial

CSB 9.10.2019

Courtney O'Donnell stated that the former Town Manager gave permission to a citizen to place a private memorial bench in honor of a veteran on Town-owned property at the Veteran's Memorial without the required authorization from the Selectboard. Parks & Recreation Director Beth Latsey stated that 1) the process calls for citizens to go before the Parks Advisory Committee, which subsequently makes recommendations to the Selectboard; and 2) the process was not followed. Beth stated that in an effort to ensure continuity and avoid a "hodgepodge" appearance, the Parks Advisory Committee discussed limiting private memorial benches at the site to two similar or matching benches. The Selectboard discussed the process, criteria, precedents and long-term consequences related to such requests.

The Selectboard moved (Hancock), seconded (Plummer) and voted to approve the Clarence Hunt bench at the Veteran's Memorial: 5 in favor, 0 opposed, 0 abstentions.

Courtney O'Donnell called for a larger discussion between the Veteran's Memorial Committee and the Parks Advisory Committee to consider criteria for such requests.

10. Application for Catering Permit

Courtney O'Donnell reviewed an application for a catering permit from Marie's Kitchen in the Heart of Naples for an event to be held at the Community Center on October 11, 2019 from 4:00 p.m. to 7:00 p.m. at which liquor would be served. Beth Latsey stated that liquor is permissible at the Community Center if it is served by a licensed caterer. Courtney stated that the caterer provided proof of insurance.

The Selectboard moved (Hancock), seconded (Fernandes) and voted to approve the application for a catering permit for Marie's Kitchen in the Heart of Naples: 5 in favor, 0 opposed, 0 abstentions.

11. Winter Sand Bid Award

Courtney O'Donnell stated that requests for winter sand bids had gone out and that bids had been publicly opened. Courtney stated that one bid was received prior to the bid opening and a second bid was received in the mail on the same day as the bid opening after the first bid had been opened. Courtney stated that Gorham Sand & Gravel bid \$11.74 per cubic yard and Shaw Brothers Construction bid \$13.27 per cubic yard. Courtney stated that she reached out to both bidders for screen sieve test results that had not been included with the bids.

The Selectboard moved (Hancock), seconded (Fernandes) and voted to award the 2019/2020 winter sand bid to Gorham Sand & Gravel pending receipt of favorable screen sieve test results within a week: 5 in favor, 0 opposed, 0 abstentions.

12. Foreclosed Property Discussion

Courtney O'Donnell stated that she included a list of tax foreclosed properties owned by the Town in the package of materials she distributed to the Selectboard. The Selectboard reviewed the status of each of the properties. The Selectboard called for a review of the properties by the Open Space Commission and the Code Enforcement Officer in preparation for further review at an October Selectboard meeting.

13. Route 11 & 121 Update

Courtney O'Donnell stated that the Maine Department of Transportation (MDOT) recently completed tree trimming, expects to install message boards alerting motorists to the traffic pattern change later in September, and expects to complete the actual change of the intersection from a two-way stop to a four-way stop by mid-October. Courtney added that the State is moving very quickly and that the intersection will soon be altered. Holly Hancock mentioned that she spoke with an MDOT engineer who will be sending a template for a no parking ordinance to the Town.

14. Review of EMS Collections

The Selectboard reviewed an application for relief from emergency medical costs that had already been sent to collections. Courtney O'Donnell stated that she recently met with the applicant who had been unaware of a process for applying for relief. Courtney noted that this circumstance is an example of why the Emergency Medical Services Collection Policy will be among the first policies to be reviewed and updated by the Selectboard.

The Selectboard moved (Plummer), seconded (Peaslee) and voted to approve the request for relief from emergency medical costs: 5 in favor, 0 opposed, 0 abstentions.

The Selectboard reviewed a monthly list of overdue emergency medical services billings.

The Selectboard moved (Plummer), seconded (Fernandes) and voted to send the list to collections minus number five and number seven on the list: 5 in favor, 0 opposed, 0 abstentions.

15. Marijuana Discussion

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Mary Fernandes commented on her attendance at the Maine Municipal Association Legal Update on Adult Use Marijuana held on August 21, 2019. Mary stated that if and when the Selectboard considers an opt in ordinance, whether or not it be included as an article in the June 2020 Town Meeting warrant, it is her hope that the Selectboard be as well informed as possible. Courtney O'Donnell requested that an opt in ordinance not be included as an article in the June 2020 Town Meeting warrant due to the complexity of the issue, the need to handle it correctly, her recent arrival and a number of other priorities the Town is engaged in. Courtney called for further education and efforts to obtain input from citizens.

In response to comments from Grant Plummer regarding the petition process and a need to be proactive, Courtney O'Donnell stated that in such an event, she would recommend a moratorium to allow more time to put an ordinance in place that would directly address the petition. Courtney stated that she intends to inform a citizen who is advocating for an opt in ordinance that this is a time of transition for the Town and that she needs time to get up to speed with roads, the Town budget and other important issues facing the Town.

16. Selectboard Comments

- Holly Hancock pointed out an article about her son Geoffrey Hancock's musical sound effects pedal business in a section of Lake Living Magazine that was included in a package of materials distributed by Mary Fernandes.
- Grant Plummer requested that he be appointed as the Selectboard representative to the Transfer Station Council. Grant commented on his knowledge and interest concerning issues faced by the transfer station and the Transfer Station Council.
- Grant Plummer stated that he has been trying to negotiate with Spectrum regarding the lack of cable service on the road he lives on. Grant stated that he would like to hear from others in the community who are in similar circumstances in an effort to gather information that may be helpful to the Town as it negotiates a new cable television franchise agreement.
- Holly Hancock read a thank you note from Renee Lachapelle, the Town's former assessor who recently retired.

17. Executive Session 1 M.R.S.A. § 405 (6)(B) – Discussion Related to Economic Development

CSB 9.10.2019

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Holly Hancock moved to enter into executive session subject to 1 M.R.S.A. § 405(6)(B) for discussion related to economic development. The motion was seconded by Mary Fernandes.

James Gary stated that 1) the executive session is prohibited under state law; and 2) he would like to take the floor to explain way. Courtney O'Donnell stated that it is the town attorney's opinion that the Selectboard can legally go into executive session to discuss this matter. James stated that the description of topic to be discussed is too vague and needs to include more information. Courtney offered that the purpose of the executive session is to discuss the Crooked River Snowmobile Club structure approved by the Town to be built on Town property. James stated that the structure will also include an office for Casco Days and Courtney agreed.

James requested that Holly Hancock remove herself from discussions regarding the structure, any votes going further and any executive discussion because she is a co-chair for the Casco Days organization and the president of the Casco Fire Association.

Holly Hancock stated that it is her intent to provide any information she has to the Selectboard but not to vote on any of it. James Gary objected based on his view that Holly would be in a position to share information from the executive session with the Crooked River Snowmobile Club and the Casco Days organization. Tom Peaslee stated that absent objections from the Selectboard regarding Holly's participation in the executive session, he would call for the Selectboard will go forward with it.

A vote was taken on the motion to enter into executive session subject to 1 M.R.S.A. § 405(6)(B) for discussion related to economic development and the motion passed: 5 in favor, 0 opposed, 0 abstentions.

The Selectboard entered into executive session at 7:44 p.m.

The Selectboard returned from executive session at 8:21 p.m.

The Selectboard moved (Hancock), seconded (Fernandes) and voted to come out of executive session: 5 in favor, 0 opposed, 0 abstentions.

18. Adjournment

The Selectboard moved (Fernandes), seconded (Hancock) and voted to adjourn: 5 in favor, 0 opposed, 0 abstentions.

ATTEST:

Robert Tooker
Deputy Town Clerk