

ELIOT TOWN CHARTER COMMISSION

MINUTES – JANUARY 6, 2014

PRESENT: Charles Rankie, Jr., Gary Sinden, Rosanne Adams, Roland Fernald, Robert Fisher, Dennis Lentz, John Murphy, Maryann Place (arrived 7:40), Edward Strong.

Meeting was called to order at 7 PM

The chairman announced that this meeting and future meetings will be audio taped by the Secretary for her use as well as video-taped by the town. Copies of the agenda and of the hearing announcement (both attached to these minutes) were given to the two members of the public who were present. Denny passed out a paper containing work he had done on possible budget considerations. (attached)

BUSINESS

1. MINUTES of December 16, 2013: Motion made by Fisher, 2nd Strong to accept, as corrected. VOTE 7-0. Chair concurs.
2. REVIEW OF PUBLIC NOTICE placed in the Dec. 27th Sentinel. Contact info for the paper will be attached to these minutes. For future it was suggested that we may want to use our full title in announcements such as this : *Charter Commission of Eliot, Maine* . It was noted that this meeting and upcoming Public Hearing were listed in today's Portsmouth Herald.
3. PRESENCE ON TOWN WEBPAGE – At the BOS meeting on December 26th we made formal request for space on the town website (see Dec. 16, 2013 minutes).The chair passed around a snap shot of the webpage showing the information that the clerk has already posted. It was AGREED that we will start with “agendas”, “minutes”, and “meeting announcements” on the site and ad to as we proceed. Approved minutes will be submitted the day following their approval to the clerk for publication.
4. ROUNDTABLE DISCUSSION –
 - a) Review Attorney McEachern's 12/23/13 finding re: town ordinance and charter commission relationship. (attached to these minutes) This letter confirmed that the Charter Commission is not under town ordinance, but State Statute. The chair reported that at the Dec. 26th BOS meeting selectman Dunkleburger suggested the commission consider coming up with our own rules and procedures as is allowed by statute but not mandated. Members AGREED that we would proceed as we are for the time being and will address again if/when needed.

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Quorum : MOTION by Murphy, 2nd Lentz that the Commission will adopt a simple quorum (5) as necessary for conducting business. VOTE: 7-0. Chair concurs.

b) Public Hearing Format :

- Set up will be in the Selectman's meeting room with table in front of the dais for the commission members to sit at.
- AGREED on the following:
- The Chair will explain what a charter is and invite members of the commission to interject their thoughts if they wish.
- The public will be reminded that this is not the only opportunity they will have to have input.
- Meeting will be opened up to questions and comments.
- The Chair will defer to commission members to help answer questions.
- The chair will make sure that every member of the public who wishes to speak has an opportunity before allowing anyone to speak for a 2nd time.

Mission Statement : It was suggested that the Commission have a mission statement to present so that we speak with one voice. This will be used at the Public Hearing and then modified further, if necessary. MOTION by Fisher, 2nd Strong. VOTE 7-0 (chair concurs) to adopt the following mission statement:

The purpose of the Charter Commission is to examine the current structure and processes of local government, to gather and discuss concepts and ideas put forth by the citizens and to propose changes in and codification of our form of local government and to present them to the voters of Eliot with the goal of increasing citizen participation and government transparency.

c) Citizen involvement : Discussed was how we might involve people in the process – asking for volunteers, creating focus groups, hearings, etc. It became clear and it was AGREED that first a structure was needed – a “table of contents” for the charter and then we would be better prepared to reach out to the citizens. Rosanne passed out a listing based on the “table of contents” of 64 charters that she had looked at to use as reference as to types of subjects covered by charters. (attached)

d) Next steps : CONCENSUS that first a structure is needed then we can discuss how to involve the public, work on the charter, etc.

e) Keeping Citizens informed : It was noted that is our job to inform. We can't force people to read, participate, or vote. Discussed were the use of no-cost means such as internet, website,

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newspaper notices and press releases that we write and those that are paid for such as direct mail (postcards, letters, flyers), as well as paid ads in newspapers.

f) Will all commission members support a majority decision? We discussed what this means and first amendment rights. There was CONSENSUS that people could not answer this question at the present time without knowing just what is actually IN the charter. The statute does allow “minority reports” but the goal would be to work together to get something we can all agree upon to present to the public.

5. Correcting published information incorrectly representing commission actions: Discussed were both internet and published (newspaper) information and how the commission might want to respond to misinformation being presented to the public. It was noted that individual members of the commission cannot speak for the commission in responding. That would be the job of the chair. However, it was expressed that individuals have the right to respond as individuals, if they so choose. It was AGREED that it would be important to respond in a timely manner, if necessary. Should it be necessary, it was AGREED that the Secretary, using the audio and video recordings and minutes, will consult with the Chairman and draw up a written response to submit to the newspaper. A copy will be sent to all commission members. This procedure will apply to printed (newspaper) articles only.
6. Policy re: use of SKYPE: The Chair reported that he has spoken with two Maine Municipal Association (MMA) attorneys – senior attorney Rebecca Warren Seal and attorney Susan Pilgrim. Both said they could see nothing wrong with the use of SKYPE as long as it was not used to make a sitting quorum. It was noted that this issue came up because Strong would be in Florida for a number of weeks. There was discussion as to just how many would be allowed to do this at a given time and the problems with making the necessary connections (up to 4 could possibly be needed). More than 1 connection might stress the WiFi connection (not enough bandwidth). If a number of members wanted to SKYPE during a meeting how would you decide who would or would not be able to? First come, first served?

MOTION by Fisher, 2nd Sinden that the Commission allow the use of SKYPE as an acceptable way for member participation during its meetings. VOTE: 8-0. Chair concurs.

7. Commission Records – Where and how will they be kept?: The Chair reported that he had asked if there was a locked file cabinet in the Town Hall that the Commission could use and Dan Blanchette replied that there was none. MOTION by Strong, 2nd Fisher to ask the Selectmen to either provide or purchase a four drawer, locked file cabinet for the use of the Commission. VOTE 8-0. Chair concurs.

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8. Public Comment – Suggested that we consider

- adopting a “conflict of interest” statement (Gary Sinden said that the County Commissioners have been working on a document and it has a very clear statement that we might want to consider. He will send to members for their consideration)
- sending out a newsletter (periodically) to the public to keep them informed of our progress, meetings, etc.

9. Commission Roundtable:

- We need to get a budget proposal together. Denny said he will work further on it.
- General discussion re: budget items. What might our legal fees amount to? We will need the charter reviewed by an attorney before presented to the town. It was noted that we can use MMA attorneys to get opinions anytime we want at no cost but possibly it would not do the final review. Maryann will check to see what Kittery had for Charter legal fees.

10. Next meeting : Friday, January 17th, 6:30PM

Meeting adjourned at 8:54PM

Respectfully Submitted,

Approved: 1-17-2014



Rosanne M. Adams
Secretary

CC: Committee Members
Eliot Town Clerk