

Eliot Adult Retail Cannabis (ARC)

Ad Hoc Committee

By-Laws

(July 17, 2018)

ARTICLE 1: PURPOSE

- a. The purpose of the Adult Retail Cannabis Task Force, (hereafter referred to as the Task Force) is to serve in an advisory capacity to the Select Board and Planning Board on matters associated with the potential retail sale of recreational-use cannabis in the town of Eliot.

ARTICLE 2: DUTIES

The Task Force shall:

- a. Study the legislation allowing use of recreational cannabis;
- b. Determine the potential positive and negative impacts of permitting the sale of recreational use cannabis on the Town of Eliot; and
- c. Research how other Towns have addressed adult-use cannabis;
- d. Make recommendations to the Planning Board and Select Board regarding the allowance of retail sales of adult-use cannabis.

ARTICLE 3: MEMBERSHIP

3.1 Appointments and Terms

- a. The Task Force shall consist of three (3) regular members and two (2) alternates appointed by the Select Board. A liaison from the Select Board may also be appointed by the Select Board (non-voting).
- b. All members of the Task Force shall be eligible voters of the Town.
- c. Members shall be eligible for reappointment.
- d. The Committee may call in non-voting, non-resident specialists as needed.
- d. When a member is absent from a meeting or recuses him / herself from action on a motion, the Chair shall appoint an alternate member to that position for the meeting on that motion.

3.2 Staff Support

- a. The Town Manager, or his / her designee shall provide staff support to the Task Force.

ARTICLE 4: OFFICERS AND ELECTIONS

4.1 Officers and Responsibilities

The officers of the Task Force shall consist of the Chair, Vice Chair, and Secretary. The duties of the Task Force officers shall be as follows:

- a. **Chair.** The Chair is the official spokesperson for the Task Force and shall publicly express only those points of view that are reflective of and have been agreed upon by the Task Force. The Chair shall preside at all meetings of the Task Force; call special meetings when necessary; approve agendas drafted by staff; assign members to sub-Task Forces; monitor conflict of interest in all of the Task Force's activities; ensure adherence to local Ordinances, Town Charter and State Statutes; ensure proper training of the Task Force's members; recruit new members when a Task Force vacancy occurs; keep the Select Board apprised of the Task Force's activities; and perform all other duties necessary or incidental to the office. The Chair shall decide all points of order and procedure during meetings and his/her decision shall be final unless overruled by a majority of the members present. The Chairperson is a voting member of the Task Force.
- b. **Vice Chair.** In the absence of the Chair, or in the event of the Chair's inability to act, the Vice Chair shall perform the Chair's duties. In the event of the absence or inability to act of both the Chair and the Vice Chair, the remaining members shall appoint one of their members to act temporarily as Chair.
- c. **Secretary.** The Secretary shall record the minutes of the Task Force meetings and be responsible for maintaining the Task Force's records.

4.2 Elections

- a. Officers shall be elected annually by a majority of the Task Force membership at the first meeting of the Town's fiscal year.
- b. No member may serve in the position of Chair for more than two consecutive terms.

4.3 Removal from Office

- a. Members are expected to attend scheduled meetings on a regular basis. The Task Force Chair shall notify the Select Board if a member fails to attend at least 50% of all regular monthly meetings over a one (1) year period. Such action shall constitute a resignation that must be acted on by a majority vote of the Select Board.
- b. Task Force members may be removed by the Select Board for malfeasance in office.

ARTICLE 5: MEETINGS

5.1 Regular Meetings

- a. The Task Force shall meet at least monthly at a place and time so designated by an agenda approved by the Chair.
- b. The Task Force may meet more frequently as determined by the Chair or a majority of the Task Force.
- c. Agendas shall be posted on the Eliot website and locations that the Select Board agendas are posted. Agendas of regular meetings shall be posted at least seven (7) days prior to the meeting.
- d. All meetings shall be open to the public. Every agenda shall have a section that is specifically for people to offer public comment, though time restrictions for speaking may be adopted as deemed required.

5.2 Special Meetings & Emergency Meetings

- a. The Chair may call a special meeting of the Task Force provided that the agenda is posted three (3) days prior to the meeting. Public notice will be provided for Emergency meetings as soon as possible and on all available sources of media.

5.3 Executive Sessions

The Task Force may call for an executive session only under the provisions and terms specified in the Maine State Statutes.

5.4 Quorum & Voting

- a. A quorum of the Task Force shall consist of a majority of the regular membership, not including Alternate Members.
- b. No official action, binding resolution or discussion of Task Force business shall be made by the Task Force without a quorum of the membership.
- c. The Task Force will take action pursuant to motions and seconds made by Task Force members. A roll call vote count shall be maintained on any Task Force vote. The action will be approved if a quorum is present at a meeting and a majority of those present at a meeting vote in favor of the action.
- d. Proxy voting shall not be allowed.

5.5 Presiding Rules

Parliamentary procedure in Task Force meetings shall be governed by the adopted rules of order, Robert's Rules of Order Newly Revised, current edition with particular attention to "small municipal board" section.

ARTICLE 6: PERFORMANCE ISSUES

Task Force members serve as official representatives of the Town of Eliot to the business community, to other governmental units, to the press, and to the public at large and therefore are expected to comport themselves accordingly. All members shall adhere to the Maine Freedom of Access Act Laws (1 MRS § 401 et seq.). The Town Manager is the FOAA Officer for the Town and all such requests to the Task Force shall be immediately conveyed to the FOAA Officer.

ARTICLE 7: AMENDMENT OF THE BYLAWS

These by-laws may be amended, and recommended for amendment to Select Board, by a 2/3 vote of the Task Force after two (2) weeks advanced notice of the intent to change has been given in writing to each Task Force member.

ARTICLE 8: EFFECTIVE DATE

These by-laws shall become effective upon a vote of the majority of Task Force members in a regular meeting and a majority vote of Select Board.

John Murphy, Chair

Phil Lytle, Vice Chair

Richard Donhauser

Alex Orestis