MINUTES

LIBERTY SELECTBOARD

March 4, 2019 6:00 PM

**Selectboard Attendance:** Melinda Steeves, 1st Selectman

Carrie Peavey, 2nd Selectman

Henry Hall, 3rd Selectman

**Town Officials:** Administrator Kenn Ortmann, Clerk/Tax Collector/Registrar of Voters Gail Philippi, Treasurer Hannah Hatfield

**Guest(s):**  Peter Beckford

1. **Open Public Meeting:** 6:00 PM
2. **Approve Minutes:** Pursuant to review Selectman Hall moved and Selectman Peavey seconded approval of the February 25, 2018 minutes. Unanimous.
3. **Warrant Review and Approval:** Done.
4. **Officials/Public comments**
   1. **Peter Beckford (Map 8 Lot 5 & 6 Account 1263) regarding acreage and demolition of structure:** Mr. Beckford, the Selectboard, Clerk/Tax Collector/Registrar of Voters Philippi, and Treasurer Hatfield discussed the history of this property owned by one party and of the structure being owned by another party. The 2010 taxes on the building were not paid in time and the property was liened. This lien was not paid and as of Feb 5, 2013 the lien matured, and was effectively foreclosed on. There is no indication that there were any arrangements made between the Selectboard and the taxed individual for the redemption of the property. Also, the building has not been assessed or taxed since 2010. Mr. Beckford, the current land owner (upon whose land this foreclosed on building sits), is interested in the building being demolished and would like for the Town to pay for this demolition. TA Ortmann noted that we have requested feedback from MMA and that he will share their response as soon as we get a definitive answer.
5. **TA informational items**
   1. **Media stories:** TA Ortmann shared a copy of the Republican Journal story about our revaluation process.
   2. **Revaluation project status report:** No new information.
   3. **MMA response to multi-year contract question:** TA Ortmann reported that MMA explained that multi-year contracts need to be approved by Town Meeting. Our multi-year Snowplowing contract was approved at a Special Town meeting so that one is fine. Next year we will specifically ask Town meeting for permission to enter into multi-year contracts for mowing and Animal Care.
   4. **Waldo County budget (9.9% increase over last year):** TA Ortmann shared the correspondence from the County Commissioners giving us our apportionment. He noted that the one-year increase was 9.9%.
6. **Old Business** 
   1. **Request for excise tax refund or credit – Dave St. Clair:** TA Ortmann shared the response from MMA to his question about this matter. It is his understanding that the refund process and the credit process are separate and independent.

State statute 36 MRS § 1482(5) addresses excise tax credits as follows: *"An owner or lessee who has paid the excise or property tax for a vehicle is entitled to a credit up to the maximum amount of the tax previously paid in that registration year for any one vehicle toward the tax for any number of vehicles, regardless of the number of transfers that may be required of the owner or lessee in that registration year."*

Since the owner, "Up and Down Trucking" in this case, owns no other vehicles, a credit is not an option.

Regarding refunds, MMA advises the town can only give a refund of any excess credit if the town has voted to provide refunds of such credits. *"If the town meeting has not voted to allow refunds of credits there is no authority for the town to provide any refund."* Again, in order to get a refund, the same owner would have to have junked or had a total loss of the vehicle or have sold the vehicle and transfer the registration to a new vehicle where the excise is less than the original (i.e., the owner “trades down” to a less valuable vehicle).

Since Town Meeting has not voted to provide refunds and there is no new vehicle, a refund is also not an option.

The Selectboard asked TA Ortmann to send a letter to Mr. St. Clair informing him that the Town is unable to issue a credit or a refund.

* 1. **Amending Parking enforcement article at Town Meeting:** TA Ortmann shared an email response from Town Meeting Moderator Andrew Worcester to his question *"Can someone propose an amendment to this article to restricting the parking enforcement activities and "boot" use to just the Marshall Shore area?"* Mr. Worcester stated *"A floor motion to amend that article as written would be within the rules and something the town could vote on to approve."*
  2. **Other:** None.

1. **New Business**
   1. **Communication between TA and Selectboard:** TA Ortmann and the Selectboard discussed ways to make it easier to respond to constituents questions when Selectboard members were busy with their own job responsibilities. One step that can be taken quickly is for TA Ortmann to get business cards that Selectboard members can hand out to constituents so they call the Town Office with their questions. The Selectboard and TA Ortmann will continue to think about ways to keep the Selectboard as informed as possible about pending issues and how to encourage constituents to be respectful of the time constraints on Selectboard members when they are busy with their "day-job" responsibilities.
   2. **Road Posting guidance:** TA Ortmann shared a notice from MaineDOT about LD261 that will dramatically change the state and local authority on posting roads. He has also forwarded this notice to Road Commissioner Reynolds.
   3. **Authorizations to accept payment of "back taxes":** Pursuant to review Selectman Peavey moved and Selectman Steeves seconded a motion to allow the acceptance of "back taxes" from Barbara Light Map 001 Lot 042, Account 588 and from George and Gladys Taylor Map 020 Lot 042, Account 960. Unanimous.
   4. **Other:** The Selectboard asked TA Ortmann to contact Health Officer Jordan Ray about the Browntail Moth.
2. **Other Business:** None.
3. **Adjournment:** 7:39 PM

Respectfully submitted,

Kenn Ortmann

Town Administrator