

WARRANT FOR THE HOLLIS ANNUAL TOWN MEETING
JUNE 13, 2017
Fiscal year July 1, 2017-June 30, 2018

STATE OF MAINE

COUNTY OF YORK

To: Kaden Flynn, a constable in the Town of Hollis in the County of York, State of Maine.

Greetings:

In the name of the State of Maine, you are hereby requested to notify and warn the inhabitants in said town of Hollis qualified to vote in town affairs to meet at the Hollis Fire Station, 405 Plains Road, in said Town of Hollis on Tuesday, the Thirteenth day of June A.D. 2017 (June 13, 2017) at 6:45 a.m. in the morning to act on **Article 1**. The polls will open at 7:00 a.m. (seven o'clock in the forenoon) and close at 8:00 p.m. (eight o'clock in the evening) to act on **Article 2 through 47** all secret ballot voting.

Article 1: To elect a moderator by written ballot to preside at said meeting.

Article 2: To choose the necessary town officials;

- One Select Board / Overseer of the Poor (3 year term)
- One Town Clerk (3 year term)
- Two Budget Committee Members (each for a 3 year term).

Article 3: Shall the Town vote to raise, appropriate and expend up to **\$932,610**. for General Government Operations?

100	Administration	\$ 126,990	\$ 157,001
101	Broadcasting	\$ 4,200	\$ 8,115
103	Treasurer	\$ 46,293	\$ 50,949
104	Town Clerk	\$ 45,193	\$ 50,135
105	Elections	\$ 19,445	\$ 26,945
106	Tax Collector	\$ 56,935	\$ 58,250
107	Assessor	\$ 57,985	\$ 61,750
150	Legal Fees	\$ 8,000	\$ 10,000
400	Operations & Management	\$ 49,076	\$ 61,580
1300	Insurance	\$ 225,098	\$ 253,318
1600	FICA (withholding)	\$ 65,602	\$ 75,691
1800	Animal Control	\$ 12,472	\$ 13,015
2200	Planning Board	\$ 10,092	\$ 12,388
2205	Budget Committee	\$ 2,200	\$ 2,200
2210	Appeals Board	\$ 400	\$ 1,873
2350	Community Clothing Closet	\$ 0	\$ 2,000
2298	Veteran's Flags	\$ 700	\$ 700
2370	Conservation Commission	\$ 600	\$ 600
2400	Saco River TV	\$ 15,290	\$ 15,000
2500	Code Enforcement	\$ 46,050	\$ 71,100
		\$ 792,621	\$ 932,610

Select Board Recommend

Budget Committee Recommend

Article 9: Shall the Town vote to raise, appropriate and expend up to **\$254,950** for Public Services?

	16-17 Budget	17-18 Budget
900 Solid Waste Disposal	\$231,000	\$240,200
2000 Street Lights	<u>\$ 14,500</u>	<u>\$ 14,750</u>
	\$245,500	\$254,950

Select Board Recommend

Budget Committee Recommend

Article 10: Shall the town vote to raise, appropriate and expend up to **\$83,093** for Hollis Libraries?

	16-17 Budget	17-18 Budget
800 Salmon Falls Library	\$45,128	\$48,093
810 Hollis Center Library	<u>\$29,000</u>	<u>\$35,000</u>
	\$74, 128	\$83,093

Select Board Recommend

Budget Committee Recommend

Article 11: Shall the Town vote to raise, appropriate and expend up to **\$21,206** for the following non-municipal requests?

	Budget 2016-2017	Budget 2017-2018
2299 York County Shelters	\$ 700	\$ 700
2300 Visiting Nurse Service	\$1,850	\$ 1,850
2301 York County Com. Action	\$3,400	\$ 3,400
2302 Leavitt's Mills Health Care	\$ 1,800	\$ 1,800
2303 Kids Free to Grow	\$ 500	\$ 500
2304 Caring Unlimited	\$ 1,281	\$ 1,281
2305 Maine Behavioral Health	\$ 400	\$ 500
2306 Day One Inc.	\$ 500	\$ 500
2307 So. Maine Agency on Aging	\$ 2,750	\$ 2,800
2310 Cub Scouts	\$ 700	\$ 700
2312 Boy Scouts	\$ 600	\$ 700
2314 Red Cross	\$ 300	\$ 500
2315 Buxton- Hollis Historical	\$ 500	\$ 1,000
2317 VNA Home Health	\$ 250	\$ 125
2318 Maine Public Broadcasting	\$ 100	\$ 50
2319 York County Food Rescue	\$ 1,000	\$ 1,000
2320 Saco River Corridor Comm.	\$ 300	\$ 300
2321 Saco River Theater	\$ 200	\$ 200
2322 Sexual Assault Response Services	\$ 1,000	\$ 1,000

2323 Ladawn Therapeutic Riding	0	\$ 1,500
2324 Girl Scout troop #626	0	\$ 200
2325 Girl Scout Troup # 418	0	\$ 200
2326 Girl Scout Troop # 1999	0	\$ 200
2327 Girl Scout Troup #2221	0	\$ 200
	\$18,131	\$ 21,206

Select Board Recommend

Budget Committee Recommend

Article 12: Shall the Town vote to authorize the Select Board and Tax Collector to:

1. Charge Interest on unpaid taxes, determine the rate thereon, set the due date for taxes, and to set the date on which interest shall commence. (Tax Collector charging interest at a rate of 7% per annum, that taxes be due and payable in two (2) payments. the first due on November 1, 2017 and the second on May 2, 2018 with interest commencing on the first half on November 2, 2017 and the second half on May 3, 2018)
2. Accept prepayment of taxes
3. Set the interest rate to be paid by the Town on the refunded overpayment of Taxes for the 2017-2018 Fiscal year set at 3% as recommended by the Tax Collector & Select Board and
4. Apply all tax payments to the oldest outstanding taxes first?

Article 13: Shall the Town vote to authorize the Select Board acting as the Sports Complex Committee to annually:

1. Accept and expend private donations and/or grants to complete approved projects and continue the ongoing maintenance at the Sports Complex grounds with donations being kept in a protected account to be carried forward annually: and
2. Set, charge and expend rental fees and retain these fees in a protected account derived from the rental of the Sports Complex Fields to help offset the maintenance costs to be carried forward annually and this authorization shall continue in effect until repealed or rescinded by the Town vote ?

Article 14: Shall the town vote to adopt the Citizen’s Petition Ordinance titled, Establish a 5 Member SelectBoard- Town Administrator Form of Government

Article 15: Placed on the Ballot by Citizen’s Petition Shall the Town authorize the Select Board to spend up to \$65,000 of funds from the undesignated Fund Account, which will not affect the Tax levied funding, to fund the transition from the existing form of government to a 5 member Select Board- Town Administrator Government.

Select Board Not Recommend

Budget Committee Recommend

Article 16: Shall the Town vote to authorize the Appeals Board to expend revenues from applicants fees to offset all processing costs by the Appeals Board during the process of each application, and this authorization shall continue in effect until repealed or rescinded by Town Vote?

Article 17: Shall the Town vote to adopt and enact the Ordinance titled: Ordinance to Prohibit Growing, Cultivating, Selling and Retail Marijuana Social Clubs in the Town of Hollis, Maine?

Article 18: Shall the Town vote to dissolve the Hollis Budget Committee by repealing the Budget Committee Ordinance to be effective July 1, 2017 and replace it with a five (5) member Finance Committee appointed by the Select Board as required by a previous town vote?

Article 19: Shall the Town vote to authorize the Select Board to annually spend up to \$200,000 from Undesignated Funds, as they deem necessary, to fund and meet unanticipated expenses and /or emergencies that may occur, with the unanimous vote of the Select Board and approval of the Budget Committee or the proposed Finance Committee for each occurrence?

Select Board Recommend

Budget Committee Recommend

Article 20: Shall the Town vote to authorize the Select Board to secure a \$3 million dollar bond to repair/upgrade Sand Pond Road, Salmon Falls Road, Deerwander Road, Upper Tarbox Road and Bear Hill Road, in the Town of Hollis?

Municipal Treasurer’s Financial Statement
Municipality of Hollis

1. Total Town Indebtedness.

- A. Bonds Outstanding and unpaid \$0
- B. Bonds authorized and unissued: \$0
- C. Bonds to be issued if this question is approved: \$3,000,000

2. Costs

At an estimated maximum interest rate of 5 % the estimated costs of this bond issue will be \$1,200,000 at 15 years.

Principal	\$3,000,000
Interest	\$1,200,000
Total Debt Service	\$4,200,000

3. Validity. The validity of the bonds and of voters’ ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service or the bond

issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.


Diane Meserve, Treasurer Town of Hollis

Select Board Recommend

Budget Committee Not Recommend

Article 21: Shall the Town authorize the Select Board to annually spend up to \$200,000 from the TIF, as they deem advisable, to fund and meet unanticipated expenses and/or emergencies that may occur, with the unanimous vote of the Select Board and approval of the Budget Committee or proposed Finance Committee for each occurrence?

Select Board Recommend

Budget Committee Recommend

Article 22: Shall the Town authorize the Select Board to spend up to \$450,000 from the Undesignated Fund Balance for Phase 2 renovation of the Hollis Community/Recreation Building?

Select Board Recommend

Budget Committee Recommend

Article 23: Shall the Town vote to require all Town Elected Officials to comply with all Town Policies?

Article 24: Shall the Town vote to authorize the Select Board to spend up to \$45,000 from the Undesignated Funds to perform surveys on potential land sites, further development, scope and design for a New Town Complex?

Select Board Recommend

Budget Committee Recommend

Article 25: Shall the Town vote to authorize the Select Board to dispose, sell, convey or negotiate the disposal of Town owned property that is surplus, outdated or unusable, exclusive of real estate, and this authorization shall continue in effect until repealed or rescinded by Town vote?

Article 26: Shall the Town vote to authorize the Select Board to spend up to \$6,000 from the Undesignated Funds to replace/repair the HOLLIS Town signs at the various roads entering in the town?

Select Board Recommend

Budget Committee Recommend

Article 27: Shall the Town vote to appropriate the State Snowmobile Registration Funds and distribute them annually to the Hollis Snowmobile Clubs for the purpose of maintaining Hollis snowmobile trails, and this authorization shall continue in effect until repealed or rescinded by the Town?

Select Board Recommend

Article 28: Shall the Town vote to authorize the Planning Board to expend applicant's fees to offset all costs incurred by the Planning Board during the process of each application, and this authorization shall continue in effect until repealed or rescinded by Town Vote?

Article 29: Shall the Town vote to authorize the Select Board to accept or reject any future grants that may be offered to the Town and authorize the Select Board to expend these funds, as long as they are in compliance with the requirements of the grant, and this authorization shall continue in effect until repealed or rescinded by the Town vote?

Select Board Recommend

Article 30: Shall the Town vote to authorize the Select Board to appropriate from the Hollis Rescue Subscription Program 7 % of fees collected to be paid for the medical billing services rendered, and this authorization shall continue in effect until repealed or rescinded by Town Vote?

Select Board Recommend

Article 31: Shall the Town vote to accept and authorize the Select Board along with the appropriate Department Head, if applicable to utilize any funds received as the result of an insurance claim, along with funds received and/or credit issued for damaged equipment to replace said equipment and this authorization shall continue in effect until repealed or rescinded by Town vote?

Article 32: Shall the town vote to authorize the Select Board to accept Rescue Subscription fees from Hollis residents and credit the fees to the Hollis Rescue Subscription account; and periodically transfer from the Rescue Subscription Revenue Account such sums as may be necessary to pay the balances due on Hollis Rescue invoices rendered to subscribers not covered by the subscriber's personal insurance, and this authorization shall continue in effect until repealed or rescinded by Town vote?

Article 33: Shall the Town vote to authorize the Select Board to accept and expend gifts or monies designated for the Hollis Christmas Fund and/ or other local charitable assistance programs and further to authorize the Select Board's appointed designee to purchase and distribute accepted gifts or monies

for persons in need within the Town of Hollis, and this authorization shall continue in effect until repealed or rescinded by Town vote?

Article 34: Shall the Town vote to accept and apply estimated and anticipated revenues and reimbursements to the 2017-2018 Tax Commitment in the amount of **\$1,933,303.71**?

Anticipated Revenues	2016-2017	2017-2018
MDOT Block Grant	\$ 55,800	\$ 51,492
Code Enforcement Grant	\$ 30,000	\$ 80,000
Dog Fees	\$ 700	\$ 2,000
Excise Tax	\$725,000	\$ 810,000
Rescue Fees	\$110,000	\$ 120,000
Parks & Recreation Fees	\$159,000	\$ 180,000
Misc. Rev & Reimbursements	\$ 61,000	\$ 80,000
BETE Reimbursements	\$157,000	\$ 300,000
Homestead Reimbursements	\$ 56,800	\$ 116,000
Tree Growth Reimbursements	\$ 20,700	\$ 23,000
Veteran’s Exemption Reimbursements	\$ 2,100	\$ 2,000
State Revenue Sharing	\$109,704	\$ 128,811.71
Cable Franchise Fees	\$ 41,500	\$ 40,000
	\$1,529,304	\$1,933,303.71

Select Board Recommend

Article 35: Shall the Town increase the property tax levy limit of \$979,506 established by State Law in the event that the municipal budget approved under the preceding articles results in a tax commitment that is greater than this property limit?

Select Board Recommend

Budget Committee Recommend

Article 36: Shall the Town vote to *add* (in bold) the following item to the Hollis Zoning Ordinance as follows?

Article 1 Section 1.3.5 – All Permits: *“No permits shall be issued to any parcel or applicant that has any known unresolved violations.”*

Article 37: Shall the Town vote to clarify the language in the Hollis Zoning Ordinance Definitions under article 2, section 2.2 (additions are in bold, deletions are ~~strikethrough~~) as follows?

“Auto Service Station, major: ~~→ two (2) two (2) or more~~ Service Islands: a major business selling gasoline, diesel or propane fuel, with ~~more than two (2) two (2) or more~~ pump islands or with a capacity to fuel more than six (6) vehicles simultaneously and/or providing repair

services including, but not limited to, tune-ups, engine repair, brake work, muffler replacement, tire repair or similar activities.”

“Auto Service Station, minor: one (1) Service Island: a minor business selling gasoline, diesel or propane fuel with not more than one (1) pump island, provided that no more than a total of six (6) vehicles may be fueled simultaneously. Repair services including but not limited to tune-ups, engine repair, brake work, muffler replacement, tire repair, or similar activities shall be permitted provided that there shall be no more than two (2) service bays.”

Article 38: Shall the Town vote to clarify the Hollis Zoning Ordinance the definitions (additions are in **bold**, deletions are ~~strikethrough~~) as follows?

Economic Development Overlay Zone (EDZ) (EOZ, aka Economic Development Overlay Zone, or EDZ): this zone provides areas within the Town of Hollis for manufacturing as well as wholesale and retail distribution of products and services and to provide standards for these uses which will produce a healthy, safe environment for the economic well-being of the municipality. This includes land which abuts major arterial highways in the Town of Hollis. Care is taken within the Economic Development Overlay Zone to prevent over-development that might create unsafe traffic, septic conditions or endanger fresh water supplies.

Article 39: Shall the Town vote to update the language in the Hollis Zoning Ordinance Article 3: Administration, Section 3, And Subsection 3.3 to clarify that all permits require a payment of a fee (additions are in **bold**, deletions are ~~strikethrough~~) as follows?

Fees -No ~~building~~ permit shall be issued without payment of a fee, according to the schedule to be established each calendar year by the Hollis ~~Board of Selectmen~~ **Select Board**.

Article 40: Shall the Town vote to clarify in the Hollis Zoning Ordinance the definitions (additions are in **bold**, deletions are ~~strikethrough~~) as follows?

Driveway: a ~~vehicular access way~~ **road** serving two dwelling units or less.

Road: a route or track consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material, constructed for or created by, the repeated passage of vehicles. **A driveway is considered a road.**

Article 6 PERFORMANCE STANDARDS 6.24. Roads, 6.24.1. General The purpose of this Section is to set down standards for the building and improving of substandard roads or roads to back lots providing access to dwelling units. In this subsection, “Road” shall mean any public way, **driveway**, or private road providing access to dwelling units, which must meet the Town’s standards for preparation, sub-base, base (as specified in the Hollis Subdivision Review Standards). For the purpose of this Section, the traveled surface need not be paved.

Article 41: Shall the Town vote to add language to Hollis Zoning Ordinance, Article 3 Administration, Section 3, Building or Use Permit, Subsection 3.2.3 (additions are in **bold**) as follows?

No building permit for a building or structure on any lot shall be issued to the owner of record thereof, or his authorized agent, until the proposed construction or alteration of a building or structure shall comply in all respects with the provisions of this Ordinance or with a decision rendered by the Board of Appeals or the Planning Board. Any application for such a permit shall be accompanied by a plan, accurately drawn to scale, showing the actual shape and dimensions of the lot to be built upon, an on-site soils survey in accord with the Maine State Plumbing Code, Part II, the exact location and size of all buildings or structures already on the lot, the location of new buildings to be constructed, together with the lines within which all buildings and structures are to be constructed, the existing and intended use of each building or structure, *a copy of the deed*, and such other information as may be necessary to provide for the execution and enforcement of this Ordinance.

Article 42: Shall the Town vote to update the language in Hollis Zoning Ordinance Article 3: Administration, Section 3, Building or Use Permit, Subsection 3.2.5 to be compliant with Hollis Building Code (additions are in **bold**, deletions are ~~striketrough~~) as follows?

A building permit secured under the provisions of this Ordinance shall expire ~~if the work or change is not commenced within one (1) year of the date on which the permit is granted, and if the work or change is not substantially completed within two (2) years of the date on which the permit is granted~~ *according to the timeframe set forth in the Hollis Building Code.*

Article 43: Shall the Town vote to update the language in the Hollis Zoning Ordinance Article 3: Administration, Section 3, and Subsection 3.6 Fines, to be compliant with current Maine State Statutes fines (additions are in **bold**, deletions are ~~striketrough~~) as follows?

Any person, firm or corporation being the owner of or having control or use of any building or premises who violates any of the provisions of this Ordinance, shall be guilty of a misdemeanor and on conviction shall be fined ~~not less than \$50.00 nor more than \$100.00~~ *not less than \$100.00 nor more than \$2,500.00*. Each day such a violation is permitted to exist after notification shall constitute a separate offense.

Article 44: Shall the Town vote to update the language that is already in effect in the Hollis Zoning Ordinance Article 5. Land Use Requirements, Section 5.12. Economic Overlay Zone (EOZ), Subsection

5.12.1 Purpose adding one sentence to the end of the paragraph as follows?

“The relaxation of Space and Bulk Requirements shall not apply to residential uses or residential developments.”

Article 45: Shall the Town vote to update the Hollis Zoning Ordinance 5.12.3 Zone Boundaries (additions are **bold**, deleted are ~~strikethrough~~) as follows?

The Economic Overlay Zone will include those lots with Frontage, as required by the underlying zone, on the following roads: Rt-117 Cape Road, Rt-202 Hollis Road, Rt-35 River Rd/Bonny Eagle Rd/New Rd/Little Falls Rd, Rt-4 A Bar Mills Rd, Only those lots with frontage that does not front on the NHRCZ: Waterboro Road, Killick Pond Road *from Plains Road to Berube Lane only.* (~~Paved Section only and not in the NHRCZ~~)

Article 46: Shall the Town vote to update and clarify Hollis Zoning Ordinance ARTICLE 7, 7.2 (additions are in **bold**, deletions are ~~strikethrough~~) as follows?

SITE REVIEW REQUIREMENTS, 7.2 Review of Development

The Board is hereby authorized to review development for conformance with the criteria stated herein and with the performance standards of this Ordinance. A developer or his authorized agent shall be required to obtain Board approval prior to the issuance of a building permit for all development except the following:

- a. Single family dwellings on individual lots,
- b. Expansion of an existing conforming use, where the expanded use;
 1. Will require less than 10 additional parking spaces and
 2. Will not need changes to the existing sanitary disposal system and
 3. Is less than 50% increase in use area?
- c. Subdivisions already subject to board review under the Town of Hollis Subdivision Regulations, *30 M.R.S.A S4956*).
- d. ~~Home occupations and professional offices *inside the home* and less than 1000 sq ft.~~
- e. ~~Professional, business, tradesman, and general office/services *inside the home* and less than 1000 sq ft.~~
- f. ~~Professional, business, tradesman, and general office/services *outside the home* and less than 1000 sq ft. of customer service ad office area.~~
 1. ~~No person or entity subject to the provisions of this convey, or offer to convey interest in a development or portion ordinance may commence work, including site preparation, or thereof prior to Board approval.~~

Article 47: Shall the Town vote to update Hollis Zoning Ordinance ARTICLE 7, 7.4 (additions are **bold** and

deletions are ~~striketrough~~) as follows?

SITE REVIEW REQUIREMENTS.

7.4 Procedure, 7.4.4 The Board shall notify the applicant that his application is complete, of the timetable for review, and any additional requirements or questions associated with the application. ~~A Public Hearing shall not be held for the following: (1) home occupations and professional offices inside the home and less than 1000 sq. ft., (2) professional, business, tradesman, and general office/services inside the home and less than 1000 sq. ft. (3) professional, business, tradesman, and general office/services outside the home and less than 1000 sq. ft. of customer service and office area. Other uses may have a Public Hearing scheduled as determined by the Board. A Public Hearing will be scheduled to hear the Conditional Uses as provided for in the Hollis Regulations.~~

Article #14 Ordinance to Establish a 5 Member Select Board- Town Administrator Form of Government is attached to the June 13, 2017 Town Meeting Warrant.

Article #17 TOWN OF HOLLIS, ORDINANCE TO PROHIBIT GROWING, SELLING AND RETAIL MARIJUANA SOCIAL CLUBS IN THE MUNICIPALITY OF HOLLIS, MAINE is attached to the June 13, 2017 Annual Town Meeting Warrant.

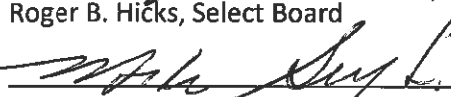
The Registrar of voters will be open Wednesday, May 31st 2017 from noon - 8 pm, Tuesday 6/6/17, Thursday 6/8/2017 and Friday 6/9/2017 9 am- 4pm and Wednesday 6/7/2017 from noon - 8pm to accept registrations of any person eligible to vote, to correct any error in a name or address on the voting list and to accept new enrollments. You may register to vote on Election Day June 13, 2017 at the polls.

A person who is not eligible to vote may not vote in any election. A person not enrolled in a party may not vote in a primary election.

Given under our hands this 26th day of April, A. D. 2017, The Town of Hollis Municipal Officers


River L. Payne, Select Board Chair


Roger B. Hicks, Select Board


Mike Seely, Sr., Select Board

A true copy of the warrant, Attest:  4/26/2017 - 8pm.

ORIGINAL WARRANT WAS SIGNED 4/12/2017. THIS IS THE FINAL
AMENDED WARRANT FOR HOLLIS ANNUAL TOWN MEETING 6/13/2017.

WARRANT RETURN

WARRANT RETURN

Hollis, Maine _____, 2017 A. D.

Pursuant to the within warrant to me directed, I have notified and warned the inhabitants of said Town, qualified as here in expressed , to meet at said time and place, and for the purposes therein named, by posting an attested copy of said warrant at the bulletin board upstairs at Hollis Town Hall, downstairs in the Town Clerk’s Office, Johnson’s Garage and Your Country Store in said town, being public and conspicuous places in said town, on the _____ day of _____, 2017 A. D. , being at least seven days before the Annual Town Meeting on June 13, 2017.

Signature of Kaden Flynn, Constable of Hollis

State of Maine
York County
Town of Hollis

Then personally appeared before me the above named _____ known to me, and swore that the representations set forth in the above Return of Warrant are true and that the above named executed this Warrant Return of their own free will . This warrant return was signed in my presence.

Date: _____

Notary Public

Printed name of Notary Public

My commission expires: _____

TOWN OF HOLLIS

ORDINANCE TO PROHIBIT GROWING, SELLING AND RETAIL MARIJUANA SOCIAL CLUBS IN THE MUNICIPALITY OF HOLLIS, MAINE

Section 1. Authority.

This ordinance is enacted pursuant to the Marijuana Legalization Act, 7 M.R.S.A. c. 417; and Municipal Home Rule Authority, Me. Const., art. VIII, pt. 2; and 30-A M.R.S.A. § 3001.

Section 2. Definitions.

For purposes of this ordinance, retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities, and retail marijuana social clubs are defined as set forth in 7 M.R.S.A. § 2442.

Section 3. Prohibit Retail Marijuana Establishments and Retail Marijuana Social Clubs.

Retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities, and retail marijuana testing facilities, and retail marijuana social clubs, are expressly prohibited in this municipality.

No application for a proposed retail marijuana establishment or retail marijuana social club shall be processed.

No person or organization shall develop or operate a business that engages in retail or wholesale sales of a retail marijuana product, as defined by 7 M.R.S.A. § 2442.

Nothing in this ordinance is intended to prohibit any lawful use, possession or conduct pursuant to the Maine Medical Use of Marijuana Act, 22 M.R.S.A. c. 558-C.

Section 4. Effective date; duration. This ordinance shall take effect immediately upon enactment by the municipal legislative body unless otherwise provided.

Section 5. Penalties. This ordinance shall be enforced by the municipal officers or their designee. Violations of this ordinance shall be subject to the enforcement and penalty provisions of 30-A M.R.S.A. § 4452.

Hollis Town Meeting June 13, 2017 result: Yes _____ NO _____

River Payne, Select Board Chair

Roger Hicks, Select Board

Mike Seely, Sr., Select Board

Article # 14 Annual Town Meeting June 13, 2017 Proposed Ordinance

Ordinance to Establish a 5 Member Select Board – Town Administrator Form of Government

(Pages 1-7 attached in a pdf format)

Results of voting June 13. 2017 Yes _____ NO _____

Ordinance to Establish a 5 Member Select Board-Town Administrator Form of Government

Section 1.1 Town Administrator

The Select Board, by State Statute, shall continue to be the chief administrative and municipal officers of the Town and will continue to be responsible for the oversight, administrative and financial affairs of the Town. The Select Board shall ultimately be charged with the preservation of the health, safety, and welfare of persons and property of the Town and shall see to the enforcement of other ordinances and policies of the Town, this Ordinance, and the laws of the State of Maine. The Town Administrator (here in after called the "Administrator") shall be responsible for the day to day operations of the Town under the authority of the Select Board. The authority of the Administrator shall be limited to that specified in this Ordinance or written directives and policies of a majority vote of the Select Board. The Select Board shall appoint a person qualified by education, experience and training, who receives a majority vote of the Select Board, to be Administrator in accordance with the Selection and Compensation criteria in Section 1.13 specified below. The Administrator shall report directly to the Select Board.

Section 1.2 Limitation of Authority

Nothing in this Ordinance shall be construed to grant to the Administrator any legislative or judicial authority, nor shall the authority of the Administrator reduce any specific statutory power or responsibility of any other Town officer or official under State Law.

Section 1.3 Qualifications

The Administrator shall be chosen solely on the basis of educational, executive, and administrative qualifications and need not be a resident of the Town at the time of appointment. If two candidates are equally qualified, preference will be given to the candidate living in the town. If the appointed candidate does not live within the town, the Select Board shall decide whether or not the Administrator should live within a reasonable distance to the Town to do an effective job.

Minimum Qualifications:

- Possess integrity, character, strong interpersonal skills and the ability to foster a positive collaborative work environment in a municipal setting.
- Six years of experience in a leadership role within a municipality or private sector of similar scope and complexity.
- Demonstrated innovation and success in implementing significant change within an organization.
- **Desired Qualifications:**
 - A four year degree in Business or Public Administration is preferred or
 - An Associate's Degree with equivalent experience and education. Equivalency will be evaluated on a case by case basis using industry and academic equivalent standard guidelines by an outside professional
- Display appropriate oral, written and presentation skills
- Possess a strong background in financial, personnel and administrative management and leadership as demonstrated in past positions.
- Demonstrated previous experience in:

Ordinance to Establish a 5 Member Select Board-Town Administrator Form of Government

- Public Policy development
- Negotiation skills
- Community Leadership
- All facets of electronic communications
- Computer Literacy at a working level commensurate with the position

Section 1.4 Term of Contract and Annual Review of Administrator

The term of contract of the Administrator shall be for three years (36 months). There will be a six month probationary period after the initial appointment of the Administrator. Prior to the expiration of the probationary period the Select Board will conduct a performance review of the Administrator and may terminate the appointment with or without cause. One (1) year after his/her initial appointment and on the first anniversary of any subsequent contract renewals, the Select Board will conduct a performance review and may terminate the contract with or without cause. If the contract is terminated without cause after one (1) year from the initial contract date or its renewal, the Administrator will be compensated by an amount equal to two (2) week's pay. Two (2) years after his/her initial appointment and on the second anniversary of any subsequent contract renewals, the Select Board will conduct a performance review and may terminate the contract with or without cause. If the contract is terminated without cause after two (2) years from the initial contract date or its renewal, the Administrator will be compensated by an amount equal to one (1) month's pay. As a part of such performance reviews, the Select Board and the Administrator shall mutually, and in writing, agree on goals and objectives for the Town and the Administrator for the upcoming year, review the extent to which the Administrator has succeeded in meeting the goals and objectives for the preceding year, and determine the reasons why any goals were changed or not met during the year.

Section 1.5 Reprimands or Removal from Office

The Administrator may be reprimanded or removed for cause by the affirmative vote of a majority vote of the Select Board as herein provided. As used in this Section, "cause" shall include, but not be limited to, unjustifiable failure to meet the goals and objectives set forth in the preceding year's annual review, willfully violating this or any other Town Ordinance or Town Policy, or any documented misconduct. The Select Board may suspend the Administrator from duty, with or without pay as the Select Board deem appropriate. In such case of suspension, the Select Board shall, by affirmative vote, appoint an acting Administrator as prescribed in Section 1.6. The action of the Select Board in removing the Administrator shall be final.

Section 1.6 Incapacitation of Town Administrator

If the Administrator is determined by a majority vote of the Select Board to be temporarily incapacitated or unable to act for any cause or the Select Board determines that the office has become temporarily vacant, the Select Board shall, within thirty (30) days from such determination, appoint an acting

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Administrator who shall serve at the will of the Select Board for an initial period of ninety (90) days or such lesser time until the disability or vacancy is relieved. The acting Administrator shall have all the powers and perform all the duties of the Administrator except to the extent that said powers and duties may be specifically restricted by a written directive of the Select Board. Said acting Administrator shall be paid such salary for his services hereunder as may be prescribed by the Select Board. If after the initial 90 day period, it is determined that the Administrator is still temporarily incapacitated, the acting Administrator may be reappointed and serve at the will of the Select Board for an additional term of up to ninety (90) days. If the Select Board determines from credible medical or other evidence that the Town Administrator is incapacitated and unable to perform any or all duties of his/her office, they may by a majority vote declare the office vacant.

Section 1.7 Powers and Duties of Town Administrator

The Select Board shall oversee, supervise and direct the Administrator in his/her oversight of all of the Town departments and personnel therein. The Administrator shall be responsible for:

- a) Preparing budgets for the Select Board, collecting budgets from the department heads, other elected officials and outside agencies, putting them together for the Select Board and Budget Committee, providing the Town Clerk with a total appropriation document and administering the annual budget once adopted.
- b) Preparation of warrants for the Select Board approval.
- c) Keeping the Select Board informed of the condition of the needs of the Town and making such reports and recommendations as he/she may deem advisable, tracking and reporting the finances of the Town and meeting with department heads to discuss any issues that may arise from these reports or findings.
- d) Working with the Auditors to provide them with information they might require to prepare the Town's annual audit in a timely manner, prepare the Management Discussion and Analysis for the audit, and meet with department heads to make them aware of any issues that may arise as a result of the audit.
- e) Attending meetings of the Select Board when requested, provide materials, reports, minutes, set up other meetings and any other items the Select Board feel appropriate.
- f) Reviewing and approving the payroll and accounts payable warrants, verifying items that may be unclear or questionable and work with the individuals or vendors to correct any issues that may arise before payment is made, summarize and report these issues to the Select Board.
- g) Serving as the liaison between the Select Board, Town personnel and various public and private agencies, businesses and citizens.

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- h) Implementing Select Board's policies and provide staff in all departments with clear and efficient operating procedures necessary to carry out the Select Board's policies and directives.
- i) Attending meetings, trainings, seminars or conventions on behalf of the Town with approval of the Select Board.
- j) Serve as the Purchasing Agent for the Town as authorized by the Select Board.
- k) Making recommendations to the Select Board regarding the hiring, discipline, and termination of Town Employees.
- l) Fulfilling the duties and responsibilities of the General Assistance Administrator for the Town.
- m) Serving as the after-hours emergency contact person for the Town's security provider.
- n) Overseeing the use and rental of all Town facilities under his/her control as authorized by the Select Board.
- o) Keeping the Select Board informed of maintenance and repair issues on all Town property.
- p) Maintaining a full and complete inventory of all property of the Town, both real and personal.
- q) Convening the Heads of the Town Departments at least quarterly to discuss matters of common concern.
- r) Meeting with the department heads and the Select Board (if the Select Board deem it necessary) to discuss matters of departmental concern.
- s) Working with any consultants or other parties hired by the Town or by any Town department, board, or commission.

He/she shall perform such other duties or directives as may be prescribed by the Select Board or required of him/her by statute, ordinance or policy not inconsistent with this ordinance or any other Town ordinance. He/she shall perform such other powers and duties not inconsistent with the provisions of this ordinance as now are or hereafter may be conferred by municipal ordinance or conferred upon Administrators by general laws of the State of Maine.

Section 1.8 Appointments of Town Employees & Other Non Elected Officials

Except as otherwise provided for within this ordinance or any other Town ordinance, the Administrator shall conduct the hiring process and make recommendations to the Select Board. The Select Board shall make the final decisions on appointments (hiring) of all Town non-elected employees and other non-elected officials, such as the Health Officer and non-elected board and committee members. The Select Board may establish a recruitment and selection process and direct the Administrator of actions necessary to assist the Select Board in the appointment process or direct the Administrator to provide

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assistance in the process as they deem appropriate. The Select Board shall appoint a person especially qualified by experience and training, who receives the majority vote of a quorum of the Select Board, as the appropriate department head (i.e. Recreation Director, Fire Chief, Librarian and Code Enforcement Officer, etc.). In the case of department employees, that department head shall provide the Administrator with their list of applicants along with his or her recommendation to be approved or denied in part or in whole by the Select Board. In the event of a vacancy in an elected position, the Select Board shall make an appointment in accordance with state law or town ordinance.

Section 1.9 Annual Reviews of Department Heads and Other Non Elected Personnel

One (1) year after their initial appointment, and annually thereafter, each department head shall be reviewed by the Administrator. In preparation for such a review the Administrator shall meet with the Select Board in order to establish the department's goals and objectives for the coming year. Such goals and objectives shall be communicated to the department head and will be used as a basis for performance evaluation. The Administrator shall review the extent to which the department head has succeeded in meeting the goals and objectives of the preceding year and determine the reasons why any goals were changed or not met during that year. An annual report identifying the department's goals and objectives as well as the status of achieving of such items shall be drafted by the department head, approved by the Administrator, and submitted to the Select Board to review and discuss at a meeting with the department head and the Administrator.

Section 1.10 Suspension or Removal of Non-Elected Town Personnel

The Administrator shall initiate the disciplinary process by providing a letter to the employee involved indicating that the Administrator is considering recommending to the Select Board that the employee be disciplined. The employee shall have five (5) working days to respond to the letter and then the Administrator will within five (5) working days make his or her decision. If the decision is to recommend to the Select Board disciplinary action, the employee involved may, within five (5) working days, demand a hearing, in writing, before the Select Board, in which event the employee shall not be removed until such hearing has been held. The Select Board may, however, suspend said employee from duty during said period, with or without pay. Such hearing shall be held within ten (10) working days of receipt of the written request and the hearing will be held in either private or public at the aggrieved party's request.

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Section 1.11 Cooperation with Elected Officials

The Administrator shall act as liaison between the Select Board and the other elected officials of the Town (i.e. Town Clerk, Treasurer, Tax Collector and Road Commissioner, etc.). The Administrator will be responsible for keeping the Select Board apprised of issues or concerns the previously mentioned elected officials may have. The Administrator shall not interfere with the duties or responsibilities of those other elected Town officials.

Section 1.12 Non-Interference with Town Administration

No Select Board member shall interfere with the performance of the duties of any of the elected officials or employees, either publicly or privately. Nothing contained in this Section shall prohibit the Select Board from meeting with the Administrator to discuss the operations or conduct of any department head or employee and to recommend or require an investigation and report by the Administrator of any complaint. Any violation of the provisions of this Section by a Select Board member shall require a meeting of the Select Board to review such violation.

Section 1.13 Town Administrator Selection and Compensation Committee, henceforth "the Committee".

The composition of the Committee shall be made up of the following:

- Three (3) members of the Select Board, with the Chair of the Select Board acting as facilitator and only voting in case of a tie;
- One (1) employee of the Town
- Two (2) residents of the Town
- One (1) member of the Budget Committee as determined by the Budget Committee
- One (1) member of the Long Range Planning committee as determined by the Long Range Planning Committee

Within two months of approval of this Ordinance and the associated funding article, the Select Board shall commence the following process:

- Within four (4) months, the Select Board shall form the Committee and together shall advertise for candidates for Town Administrator.
- Within six (6) months, the committee shall review applications and make recommendations for an approved list of applicants for Administrator, for approval by the Select Board.
- Within six (6) months, the Committee shall recommend a compensation and benefits package to the Select Board based upon the qualifications of the candidate(s), for approval by the Select Board.
- Within eight (8) months, the Select Board shall hire a qualified Administrator (in accordance with this Ordinance) from the list of approved applicants.

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- Within ten (10) months, the Select Board shall utilize the annual town meeting election to elect two additional Select Board members. Notwithstanding the provisions of this section the compensation of the first Administrator for the first year of his/her term shall be between \$50,000.00 and \$64,000.00.

Section 1.14 Transition Plan and Select Board Roles and Compensation

The number of Select Board members shall be changed to five (5) with the term of office remaining at three (3) years after the transition period. The initial election cycle upon hiring of the Administrator will be:

- Election of three Select Board members at the first annual meeting after hiring the Administrator (one existing Select Board member whose term is ending and two additional Select Board members, with one for a three year term and one for a one year term)
- Election of one Select Board member the following year for the expiring term of one of the original Select Board members, before the transition, whose normal term is expiring.

The routine thereafter will then be two (2) elected in one year, then two (2) then one (1) to establish the long term cycle of Select Board member elections. The initial compensation for each Select Board after the appointment of the Administrator shall be: a Lead Select Board member chosen by the Select Board (who shall be the primary means of communication between the Select Board and the Administrator) \$3,600.00 per annum to be paid monthly and the remaining four (4) Select Board will be paid \$2,400.00 per annum to be paid monthly. The Select Board shall meet on Wednesday evenings to conduct the Town's business with the Administrator. The frequency of these meetings will routinely be twice monthly but may be more often or on a different day if required. The Select Board shall also meet for workshops, perform research, attend training and functions as necessary to conduct the Town's affairs in accordance with applicable law, ordinances and policies.