

**SELECTMEN MEETING MINUTES
JANUARY 3, 2000**

Brenda Charland called the meeting to order at 6 p.m. Attending: Willis Lord, Millard Genthner, Patti Berry, Ken Cole (Town's Attorney), Diane Herrle, Beth Cyr.

The discussion of this meeting is related to the opinion letter sent from Ken Cole to the Board of Selectmen and questions that arose from that letter.

Ken Cole explained that is an article on town meeting warrant passes on the same day as a referendum ballot question passes, the ballot question prevails over the warrant question. This is why he recommended calling a special town meeting to vote on the referendum questions prior to the annual town meeting. If the referendum ballot question is voted on the first meeting then the Selectmen could have an article to vote the ballot question down at annual town meeting. The Board agreed that this is not an option for Waterboro at this time. Town Meeting has never been handled that way.

Willis Lord asks why we can't have a discussion period before opening the polls and then the people after hearing the discussion can get up and vote in the ballot box.

Ken Cole said that was possible to do that.

Ken Cole reminded the Board that it is required by law that a public hearing be held at least 7 days prior to town meeting on referendum questions.

Diane Herrle asks that if someone calls the question on the town house floor then the discussion stops and the chance for public awareness is lost. Ken states that if someone moves the question it takes a 2/3 vote of all present to stop debate.

Brenda Charland asks Ken to explain a prior comment regarding that the administration duties of the Board can not be dictated by petition. Ken explained that the authority of the Selectmen to administrate can not be petitioned. The purpose of the petition process is to bring something to town vote not to take the Selectmen's authority away.

Brenda Charland stated that the Board voted 2-1 to put the Municipal Complex on the Warrant. Willis is petitioning to put his proposal on the ballot as a referendum question, and his proposal includes as one option the Complex committee's proposal. Can he include the same proposal that is intended to be on the warrant in his proposal to be voted referendum. Ken Cole says yes, he can do that.

Brenda adds that the Board also voted 2-1 to put Willis' original plan on the warrant.

Ken Cole states that he will need to see all referendum articles before the warrant and ballots get printed.

The meeting adjourns at 7 p.m.

Approved

Date:

Brenda Charland

Willis A. Lord

Millard Yentus