



Town of Minot Selectmen Epacket

March 6, 2023 at 6:30pm
Regular Meeting

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Town of Minot

329 Woodman Hill Road
Minot, ME 04258
207-345-3305
www.minotme.org

Board of Selectmen
Minot Town Office
329 Woodman Hill Road
Monday, March 6, 2023
Meeting at 6:30pm
Agenda*

REGULAR MEETING

1. Call to Order
2. Pledge of Allegiance
3. Approval of Minutes
 - a. Tuesday, February 21, 2023
4. Board Business
 - a. Nomination and Election of Chair and Vice Chair
5. Warrants
 - a. Payroll Expense Warrant
 - b. Treasurer's Warrant
6. Assessor's Business
 - a. Consideration of Decision for Abatement Application
 - i. Susan Spencer
559 Center Minot Hill Road
Map R08, Lot 21B
Abatement Application
7. New Business
 - a. Post Town Meeting Review
 - b. Freedom of Information Training
8. Department Head Updates
 - a. Clerk's Report
 - b. Highway Report
 - c. Fire Department Report
9. Town Administrator's Report
10. Selectmen Comment
11. Public Comment (3-minute limit) – Items in public comment may be scheduled for a future meeting to provide for Board consideration and public notice
12. Next Meeting Dates
 - a. Monday, March 6, 2023
13. Adjournment



Town of Minot

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Minot, ME 04258
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Board of Selectmen Meeting
Minot Town Office
Tuesday, February 21st, 2023
6:30 pm
Minutes*

REGULAR MEETING

Present: Chair Daniel Gilpatric, Vice Chair Lisa Cesare, Brittany Hemond, Matthew Callahan, and William Perry
Staff: Sara Farris (Clerk) and Danielle Loring (Administrator)

1. Call to order

Chair Daniel Gilpatric called the meeting to order at 6:30pm and a quorum was present.

2. Pledge of Allegiance

Recited

3. Approval of Minutes

a. Monday, February 6th, 2023

Motion: Lisa Cesare made a motion to approve the Minutes from Monday, February 6th, 2023; second by William Perry

Discussion: None

Vote: Unanimous Approval (5/0)

4. Warrants

a. Payroll Expense Warrant

b. Treasurer's Warrant

Motion: Matthew Callahan motioned to accept the Payroll Expense Warrant in the amount of \$21,644.22 and the Treasurer's Warrant in the amount of \$50,898.13; second by Brittany Hemond

Discussion: None

Vote: Unanimous Approval (5/0)

5. New Business

** Written minutes serve as reference to the official record, which are recording kept at the Town Office.

Board of Selectmen Meeting Minutes Dated February 21st 2023.

*Items may be taken out of order at the Chairman's Discretion.

a. Town Meeting Review

Lisa Cesare would like to present the Spirit of America award at Town Meeting and Daniel Gilpatric will present the Town Report Dedication.

Danielle Loring reviewed articles 6-9 regarding ordinance changes and the Board of Appeals article with the Selectmen as a refresher in preparation for Town Meeting. William Perry suggested that someone from the Planning Board be present to speak on the ordinance articles. Danielle said she would reach out to James Brown to see if he is available.

Lisa Cesare added that a referendum style Town Meeting may need to be considered in the near future due to low turnout. The other Selectmen agreed that it should be considered.

Danielle Loring reviewed articles 11-38 with the Selectmen for context in preparation for Town Meeting.

Article # 25: Number updated to \$309,396.00 for County Taxes.

Articles # 33 & 34: \$17,698.77 for the Cable Franchise and \$1,641.76 for the Snowmobile Refund were added.

b. Consideration Of Approval of the Bill Payment Policy

Danielle presented the Selectmen with a draft of the Cash Management and Control Procedures and explained what was added and updated from the 2010 version. Some key additions were allowing certain time sensitive checks to be mailed before the warrant is signed by the Selectmen, who has what duties, and various checks and balances to ensure cash is handled correctly by all staff.

Motion: Lisa Cesare made a motion to accept the Cash Management and Control Procedures dated 2/21/2023 as presented. 2023; second by William Perry

Discussion: None

Vote: Unanimous Approval (5/0)

All Selectmen signed the Cash Management and Control Procedure as presented.

6. Department Head Updates

a. Clerks Report submitted and read by Clerk Sara Farris

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Board of Selectmen Meeting Minutes Dated February 21st 2023.

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- Sara Farris and Danielle Loring updated the Selectmen regarding the bond that the RSU is looking to obtain for heating in the 3 elementary schools. The bond will need to be approved at an election in all 3 Towns. The RSU is looking at May 2nd at the earliest for the election date. Sara Farris also added that there will be no June State Election, just the RSU Budget Referendum. There was various discussion on this topic.
- After attending the 1st Amendment Audit Webinar held on the 15th Sara has added signage to the outside of the office doors to limit access to the public as signage was a key point in the presentation.
- Excise tax is low compared to last year but there is still a week to collect more.

See attached report for more information.

b. Highway Report submitted by Highway Supervisor, Scott Parker and read by Danielle Loring

- The Crew will be posting roads soon as the temperatures begin warm up.

See attached report for more information.

c. Fire Department Report Submitted by Fire Chief, James Allen and read by Danielle Loring

- Chief Allen provided a call list from 2/6 – 2/19.

See attached report for more information.

7. Town Administrator’s Report Presented by Danielle Loring

- Dave Haskell, maintenance at the RSU, is in support of the MDOT sign project at MCS and Danielle is going to follow up with him on Friday.
- The new plow truck is now estimated to arrive in August. Danielle has been keeping in touch with Mr. Whited regarding the status.
- Danielle has received some surveys back regard the Fire Department.

8. Selectmen Comment

None

9. Public Comment

None, no public present

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Board of Selectmen Meeting Minutes Dated February 21st 2023.

*Items may be taken out of order at the Chairman’s Discretion.

10. Next Meeting Dates

a. Monday, March 6th, 2023 @ 6:30 pm

Regular Selectmen Meeting

Meeting date and time confirmed.

11. Adjournment

Motion: William Perry made the motion to adjourn at 7:42 pm; second by Matthew Callahan.

Discussion: None

Vote: Unanimous Approval (5/0)

The board adjourned at 7:42 pm

Sara A. Farris - Clerk
Recording Secretary

Daniel Gilpartic – Chair

Matthew Callahan

Lisa Cesare – Vice Chair

William Perry

Brittany Hemond

** Written minutes serve as reference to the official record, which are recording kept at the Town Office.

Board of Selectmen Meeting Minutes Dated February 21st 2023.

*Items may be taken out of order at the Chairman’s Discretion.



Town of Minot
Abatement Application

36 M.R.S. § 841
See Property Tax Bulletin No. 10 for more information

OFFICE USE ONLY
Date Received:
Denied:
Approved: Amount Approved:
Decision Date:

Name of Applicant: Susan Spencer
Legal owner of property: Susan Spencer
Address of Property for which abatement is requested: 559 Center Minot Hill Road
Owner's mailing address: same
Telephone#: 207 239 8821 email address: susan.spencer.2314@gmail.com
Name, address and telephone number of attorney or other authorized agent
Tax year for which the abatement is requested: 2022

A separate application should be filed for each separately assessed parcel of real estate claimed to be overvalued.

Real Estate Abatement Requests:

Assessed Value: Land 76850 Building: 520471.- Total: 597,321.-
Owner's Opinion of Value: 528,000.-
Requested amount to be abated: 69,321
Map/Lot (If known): R08-021-B

Personal Property Abatement Requests:

Assessed Valuation of Personal Property:
Owner's Opinion of Value:
Requested amount to be abated:
Map/Lot (If known):

Maine State Statutes provide that a property owner who believes that their local property valuation is excessive may seek relief through a written request to the Assessor within 185 days of the date of commitment. High taxes are not a legitimate reason to file for abatement. By law, the property owner has the burden of proving that the assessed value is manifestly wrong. In order to do so, one of following three things must be proved:
1) The judgment of the Assessor was irrational or unreasonable in the light of the circumstances or that the property is substantially overvalued and an injustice results;
2) There was unjust discrimination or;
3) The assessment was fraudulent, dishonest or illegal.

Please state the specific reason(s) and provide any supporting evidence for the abatement request:
See attached letter

Attach additional info as necessary

In accordance with the provisions of Title 36 M.R.S. § 841, I hereby make application for abatement of property taxes to the assessing authority of the Town of Minot as noted above. The above statements are correct to the best of my knowledge and belief.

Print name: Susan Spencer Signature: Susan Spencer

This application must be signed and filed with the municipal assessor.

Mail completed application to: Town of Minot, 329 Woodman Hill Road, Minot, ME 04258

Susan C. Spencer, CPA
559 Center Minot Hill Road
Minot Maine 04258
207-239-8821
susanspencer2314@gmail.com

January 31, 2023

Dear Ms. Loring:

Please consider this letter an attachment to my appeal application for the FY22 taxes assessed on my home. I understand the deadline for this application is February 9, 2023.

I did a thorough review of Minot home purchases based on data from the O'Donnell site. We purchased our home in 2021. I used sale data for the years 2021 and 2022. For these two years there were 143 sales. 26 of these were listed with a 0 sales price and 31 were listed as just land purchases. These two groups of data sets were eliminated in order to do an "apples to apples" comparison of values.

This leaves a data set of 86 home purchases. 25% of these 86 homes were valued by O'Donnell ABOVE market price paid for the home however 50% were valued by O'Donnell BELOW the market price paid for the home. The remaining 25% represent "Not Arms Length" purchases (for example there was a purchase price listed of \$5,000 for a property valued by the town at \$111,592 – clearly this was not an arms length sale).

Stating this data based on Sales Ratios – which is the standard used in appraising:

26% of these purchases are significant outliers and therefore not arms length

16% were properly valued at a 1.0 Sales Ratio

20% are ABOVE the 1.0 sales ratio (my home is in this category)

38% are BELOW the 1.0 sales ratio

I'm not sure how the majority of home purchases (58%) in Minot in 2021 and 2022 came back with valuations ABOVE and BELOW their sale price.

I respectfully request that my home valuation reflect the market price paid in 2021 which was \$528,000. This represented an arms length purchase and would result in a sales ratio of 1.0 which the town has indicated is the correct ratio.

If you could let me know the next step in this process that would be much appreciated. My email address is listed above. Thank you.

Sincerely,


Susan C. Spencer

**John E. O'Donnell & Associates
632 Bald Hill Road
New Gloucester, Maine 04260**

Susan C. Spencer
559 Center Minot Hill Road
Minot, Maine 04258

Map/Lot R08-021-B

Dear Susan C. Spencer,

Following a review of your abatement application dated 01/31/2023; we have denied your abatement request for the 2022 tax year.

The abatement process is intended to correct substantial overvaluation. The case law goes so far as to say the assessment must be “manifestly wrong” and there must be “unjust discrimination”. In a review of your assessment, we concluded that the value was not manifestly wrong, nor have you been discriminated against when compared to the other similar properties. The property has been valued proportionally and equitably relative to other properties within Minot and the application does not contain an alternate valuation for your property that would establish that you have been treated unfairly relative to others. A successful tax abatement request must demonstrate that the property has been overvalued. This must be done by providing a credible alternative value that differs by more than 10% from the assessed value. You have not presented a credible alternative value and therefore you have not met your burden of proof

This notice is given as notice of final decision of the Minot Assessors. You have 60 days from the date that this notice is received to appeal the decision. Appeals are to be made to the Androscoggin County Commissioners, 2 Turner St., Auburn ME 04210.

Sincerely,

_____ Date _____
_____ Date _____
_____ Date _____

MAINE FREEDOM OF ACCESS ACT

(“RIGHT TO KNOW” LAW)
1 M.R.S. §§ 400 - 414

MAINE MUNICIPAL ASSOCIATION
LEGAL SERVICES

APRIL 2020



What is the Freedom of Access Act?

- ▶ Maine’s “Right to Know” Law grants public access to most state and local government:

Public Proceedings

Public Records



Public Proceedings

- ▶ Public Proceeding is defined at 1 M.R.S. § 402. Includes any meeting of a municipal:

Board/committee/subcommittee/
commission/panel

- Where any:

Function is transacted



Public Notice Required

In ample time/manner reasonably
calculated to notify public

Additional/special notice requirements
may apply

Emergency meetings - notify media



Public Rights

Right to attend/observe

Right to take notes, record, televise

No right to participate or be heard

No right to disrupt proceedings



Executive Sessions

Strictly regulated – 1 M.R.S. § 405

Begin in public, advertised meeting

Specific motion, recorded, 3/5 vote

Discussion only – no final decisions



Permitted Subjects – 1 M.R.S. § 405

Personnel Matters

Attorney Consultation

School Expulsions

Confidential Records

Property Purchase/Sale

Examination Records

Labor Negotiations

CEO 80K Consultation



Public Records

- ▶ Public record is defined at 1 M.R.S. § 402. Includes any:

... written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained, directly or after translation ...

- ▶ Which is in the:

... possession or custody of a municipal official ...

- ▶ And has been:

... prepared for use in connection with government business. . .



PUBLIC RIGHT TO ACCESS RECORDS

Any person may submit a request

Verbal or written requests okay

No requirement to create or explain records

No standing requests



Record Requests

▶ A person seeking records may:

Request to view/copy records in person

Schedule during regular business hours of custodian

May also request copies made or mailed



Fulfilling Requests

Designate a Public Access Officer

Post name & number of PA Officer if no regular office hours

Acknowledge receipt within 5 business days – May request clarification

Provide non-binding good faith estimate of response time



Fulfilling Requests (continued)

Fulfill request within “reasonable time”

Redact confidential information

Electronically stored records

- Requestor's option – print or electronic
- Not required to provide in different format
- Not required to provide access to computer terminal or software



Authority to Charge Fees

Reasonable fees allowed - 1 M.R.S. § 408-A

- Mailing costs/reasonable copying fees
- Staff time -up to \$15.00/hr after first hour
- Notify in advance if cost estimate over \$30.00
- May require prepayment if over \$100 or prior nonpayment
- May require payment when records provided
- Adopt as written policy



Refusing Record Requests

Denial must be in writing

Sent within 5 working days

Tentative denial allowed

Must state reasons for denial



Violations / Penalties

If willful violation, up to \$500 civil fine for 1st offense

- Second offense in 4 years, up to \$1,000 civil fine;
- Third offense in 4 years, up to \$2,000 civil fine

Decisions made in illegal executive sessions are voidable



REQUIRED RECORDS

Record of Board Meetings – 1 M.R.S. § 403

Permit Denials/Conditional Approvals

Employee Dismissal/Non-renewal of contract

Other Laws



RECORD RETENTION – 5 M.R.S. § 95-B

Records must be retained / preserved

State Archivist & Archives Advisory Board
administer retention laws

Disposition/destruction per schedule only

<http://www.maine.gov/sos/arc/records/local/index.html>



Required FOAA Training – 1 M.R.S. § 412

Training is required for:

Selectboard/council/plantation assessors

Budget committees

Assessors

Clerk/Treasurer

School board/committee

Public Access Officers



Required FOAA Training (continued)

Required each time elected/appointed to new term of office

Within 120 days of taking oath of office

Training course or review FAQ section of Maine FOAA website

Certificate of Completion on file



Members are encouraged to contact MMA Legal Services with specific questions at:

1-800-452-8786
legal@memun.org

More information and resources available in the "Member Center" of MMA's website at

www.memun.org





TOWN OF MINOT

329 Woodman Hill Road
Minot, Maine 04258-0329

Tel: 1-207-345-3305
Fax: 1-207-346-0924

Clerk's Report

March 6th, 2023

Hello Selectmen,

Updates:

RSU 16 Bond Referendum

Stacie Field at the RSU Dropped of the Bond Referendum Warrant in the amount of \$5,076,750.00 to be held on Tuesday, May 2nd 2023 from 8am – 8pm. The plan is to add it to the 3/20 warrant to give the public ample time to be notified in case anyone would like to attend the meeting that the warrant is signed.

Town Meeting & Election

Election

Total votes cast: 43

Brittany won her seat back with 41 votes.

Elizabeth Martin won her seat back with 37 votes.

Angela Swenson won her seat back with 41 votes.

Town Meeting

25 residents including staff.

Gretchen Poland wanted me to thank you all for the dedication. It meant so much to her and her family.

I am working on completing Voter Participation for each and getting the meeting minutes done.

Board of Appeals from Norma:

Norma is working on getting the BOA situated and an application created.

Some BOA members attended a recent training webinar.

Planning Board from Katherine:

Planning Board Meeting: 3/7/2023 @ 6:30 pm

Sebago Technics dropped off an application for a proposed Solar Farm across from 554 West Minot Rd. They will be present at the next meeting on March 7th.

Inland Fisheries & Wildlife:

Boat Excise: \$22.00

o Boats

3 Snowmobiles

o ATV

o Game Licenses

The above amounts are as of 3/6/2023.

Vitals:

Vital orders as of 3/6

Birth- 6

Death- 1

Marriage- 2

Intentions- 1

Dogs:

2 Dogs

Building/ Plumbing Permits for 2023:

Building Permits: 2

Plumbing Permits: 4

Real Estate Taxes:

2021 taxes - \$20,783.73 for 14 accounts

2022 taxes - \$110,317.58 for 80 accounts

2023 pre-payments - \$5,813.34 for 33 accounts

Total owed: \$131,101.31

Total Owed: 2/21/2023: \$157,367.41

Difference of \$26,266.10

Personal Property Taxes:

2020 - \$171.61 on 1 account

2021 - \$156.24 on 1 account

Village Trading Post left for 2020 & 2022

Going to send a letter to see if I can collect the amount due for both years.

2022 - \$18.33 on 1 account

Excise Tax:

<u>MONTH</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>+/-</u>
JAN.	\$51,264.36	\$43,055.03	\$50,306.29	+ \$7,251.26
FEB.	\$45,129.36	\$48,596.73	\$51,718.92	+ \$3,122.19
MARCH	\$75,065.57	\$56,912.29	\$9,240.98	
APRIL	\$77,682.59	\$61,663.04		
MAY	\$67,323.14	\$64,848.92		
JUNE	\$59,529.52	\$92,120.11		
JULY	\$73,304.01	\$63,394.65		
AUG.	\$77,159.71	\$65,209.36		
SEPT.	\$70,632.04	\$69,727.87		
OCT.	\$50,817.13	\$54,012.11		
NOV.	\$41,312.77	\$50,624.95		
DEC.	\$45,494.20	\$45,564.33		
TOTAL	\$734,714.40	\$715,729.39	\$ 111,266.19	

February Rapid Renewals: 35

March Rapid Renewals: 4

Jara A. Fawcett



INTEROFFICE MEMO

To: Board of Selectmen
CC: Danielle Loring, Town Administrator

From: Scott Parker, Highway Director
RE: Highway Department (2/2 – 3/5/2023)

It was pretty busy in the weather department the last two weeks, but we made it. The parts for the Sterling are in, and I am hoping to get it fixed this week. Not only is the turbo going bad, but we also lost the clutch fan. We use a little farmers ingenuity to keep it from overheating until the parts come in. We will be posting roads today, Monday the 6th.



INTEROFFICE MEMO

To: Board of Selectmen
 CC: Danielle Loring, Town Administrator

From: James Allen, Fire Chief
 RE: Follow & Call Information (2/21 – 03/06/2023)

Call Date	Call Type	Responders
2/24/23	Medical	0
2/24/23	M/A McFalls Motor Vehicle Crash	2
2/25/23	Medical	0
2/25/23	M/A Turner Structure Fire	3
2/26/23	M/A Hebron Fire Alarm	1
3/3/23	M/A McFalls For fuel spill	0
3/4/23	Medical	0
3/5/23	Structure Fire Shaw Hill Rd.	6
3/5/23	Motor Vehicle Crash Holbrook Rd.	3
02/21/23		
to	03/06/23	