

Selectmen's/Assessor's Meeting

April 18, 2017

6:00 Public Hearing

6:30 Regular Meeting

**Public Hearing on Marijuana Ordinance:**

Selectmen present: Greg Grotton, Lyle Cramer, Jim Justice, John Shepard and Sarah Drickey

Others present: Jay Feyler

Pledge of Allegiance

Motion by: Lyle Cramer to open public hearing

2<sup>nd</sup> by: John Shepard

5-0

Public meeting called to order at 6:00 p.m.

**Public Comments and Concerns:**

Jay clarified what the current ordinance entails: The law prohibits retail sale of any marijuana product by manufacturing (growing), establishing testing facilities and social clubs within the town of Union. It does not prevent the legal use of marijuana, which still makes it legal within the town of Union.

Discussions:

**Q:** Can a small amount of marijuana be grown for own personal use?

**A:** Would have to be deemed lawful by the local sheriff's department but it is prohibited for retail sale within the town of Union.

**Q:** Is medical marijuana still considered legal?

**A:** Medical marijuana is a separate state law with fewer regulations; this new law does not pertain to medical marijuana at all.

**Q:** Who wrote the ordinance, and what is the rationale behind it?

**A:** The ordinance was written by the MMA (Maine Municipal Association) legal staff; the vote did not pass in the November elections in the town of Union. The basis behind the law is if the town is following federal law, and enforcing federal law, all municipal officials are immune from federal prosecution. The courts claim if the municipality is not following federal law, the town will not be exempt from federal prosecution. The town of Union is trying to protect its code officer from potentially being a felon under federal law.

**Q:** Did the MMA legal staff consider the business environment and potential opportunities that can potentially generate revenue?

**A:** Although there can be financial benefits, there are minimal benefits for the municipalities. The only revenue that a municipality can acquire is higher tax rates from the business entity.

**Q:** What is the reason for the town acting now versus waiting until after the vote is passed?

**A:** The timeline and the intentions of the State of Maine are still unclear. Having a separate town meeting will only cost the town more money as the next town meeting is scheduled for June 20<sup>th</sup>. It also gives the planning board adequate time to write a new ordinance.

**Q:** Is a Selectman's vote satisfactory for this ordinance to take effect?

**A:** Each time an ordinance is written there is a public hearing, as the town of Union follows customary practice. At the town meeting, the ordinance will be on the floor as an article, and will be voted on by the town's people. If it passes on June 20<sup>th</sup>, it becomes effective at midnight.

**Q:** The ordinance refers to retail distribution; if a resident is growing marijuana for own personal use, and there is an exchange of money by a friend or neighbor, would this put the cultivator in jeopardy?

**A:** State law requires a permit to make a monetary exchange. This would be violating state law and technically violating town law. What would be prohibited, would be opening a retail business.

**Q:** Would caregivers within the state, who have a store front, fall under federal law? Would a caregiver be able to open a storefront in Union?

**A:** This depends on state laws. There are currently conflicting laws pertaining to caregivers. At this time, caregivers would not be able to open a store front until there is clarification from the state.

**Note:** Greg stated that this ordinance will stay in effect until there is further justification as to why it would need to be changed. Ultimately, the final decision will be made by the town's people, and the ordinance stands to be re-written at that time. In the meantime, the ordinance has been established to protect the town and the citizens until further guidelines are established between the state and federal government.

Motion by: Lyle Cramer to close meeting

2<sup>nd</sup> by: Jim Justice

5-0

Adjourned at 6:38 p.m.

Board of Selectmen's meeting called to order: 6:39 p.m.

Selectmen present: Greg Grotton, Lyle Cramer, Jim Justice, John Shepard and Sarah Drickey

Others present: Jay Feyler

**Public Comment:**

Resident is displeased with the concept of his tractor being taxed because he is a business owner. Furthermore, the reimbursement amount he receives is minimal. He would like the town to revisit the policy because he does not feel it is a practical thing to do. Greg stated the Board will take this into consideration.

**Approve minutes from April 4, 2017:**

Motion by: Jim Justice

2<sup>nd</sup> by: Lyle Cramer

5-0

**Discussion and vote to Sell Tax Acquired Property back to the original owner:**

Motion by: Lyle Cramer to return the property back to the original owner for map-lot #003020001 for all due taxes and a \$200.00 redemption fee.

Discussion: Lyle would like to clarify that the \$200.00 redemption fee is obtained for processing paperwork and clerical expenditures.

2<sup>nd</sup> by John Shepard

5-0

**Discussion on parking issues; Common and Rt. 131:**

Jay stated that the town has been receiving complaints about people parking in no parking zones. The Board has received the current parking ordinance which he would like to have reviewed before the next meeting, as some revisions may need to be made. He is hopeful that warning stickers will alleviate the issue.

**Sign Treasurer's Warrant dated April 18<sup>th</sup>, 2017:**

Motion by: Jim Justice

2<sup>nd</sup> by: Lyle Cramer

Discussion: Jim questioned a repair expense; Jay confirmed it was for a part for the ambulance. John asked if salt was still being purchased; Jay stated it was a late invoice.

5-0

**Town Manager's Report:**

The Board has received a draft copy of the audits. The Board is given ten days to review for errors before Jay signs the copy. He stated that the fund balance has increased which is good news.

**Other Business:**

Greg received a card from Carol Watier, thanking the staff at the Union town office for the \$120.00 donation to the food pantry.

**Selectman's Report:**

**Future Agenda Items:**

Motion by: Lyle Cramer to adjourn

2<sup>nd</sup> by: John Shepard

5-0

Adjourned at 7:11 p.m.

Respectively submitted by: Sandy Patrick