

**MINUTES
TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, OCTOBER 13, 2015
STANDISH MUNICIPAL CENTER
7:00 PM**

CALL TO ORDER

The meeting was called to order by Chair Olson and Pledge of Allegiance was recited.

ROLL CALL

Councilors present: Blanck, Nesbitt, Olson, Ordway, Pomerleau and Sargent.
Councilor Higgins was excused.

MINUTES OF PREVIOUS MEETING (S)

Chair Olson noted that on page 9 in the title of the added ordinances, the words "as provided" was duplicated, and on page 10 the word ~~discussion~~ should be discussing.

Moved by Sargent seconded by Blanck and voted to approved the minutes with the above corrections.
(Unanimous)

PETITIONS AND COMMUNICATIONS

Both the manager and clerk noted that they had not received any petitions or communications.

REPORT OF THE TOWN MANAGER

Mr. Billington updated the Council and public on the following items:

The 2nd Engineer Battalion of the U.S. Marine Corps of Oregon will inspect our proposed beach facility on November 5th and 6th to prepare for the improvements that they will provide to the site. After the site walk they will return to the Municipal Center to discuss the plan. Mr. Billington commented that we're pleased that they're onboard, the construction will begin in May, and their anticipated completion date will be in August 2016. Mr. Billington asked that Councilor Nesbitt extend an invitation to interested members of the Beach Committee to participate in the site walk and discussions with the Marine Corps representatives.

Mr. Billington reported that the Municipal Center parking lots have been paved and striped.

Mr. Billington mentioned that the Public Safety Fair was held last weekend and was attended by a record number of children. His only regret was that the parking lot striping was not completed in time for the fair.

The Public Works Department has made paving improvements to the following roads/areas: Standish Corner, Municipal Building parking lot, Otter Drive, Old Standish Road, School Street, Maple Street, Musselman Drive, Blake and Emory Roads, and part of Moody Road which will be rebuilt. Saco Road was repaved recently by piggybacking with the states paving schedule in the area.

Departmental Report – The Town Clerk provided the monthly report which included information regarding the upcoming election.

PUBLIC HEARINGS

There were no public hearings at this meeting.

COMMITTEE REPORTS

Councilor Pomerleau announced that the Public Safety Fair that was held last weekend and it was a great success. She explained that approximately 200 Trick-or-Treat bags were given-out, Frank and Ian put a lot of work into the fair, as did the Fire Department.

Councilor Blanck explained that the Ordinance Committee had met twice since the last Council Meeting. The Committee finished the work on the Steep Falls Village form-based code and forwarded it to the town attorney for review. It is anticipated that that the revisions of the code will be presented to the Council in the beginning of the year. He revealed that they are working on an ordinance regarding public water which in part would encourage a developer to do a cost analysis for extension public water to a subdivision if it's with 1,000 feet of an existing water main.

Councilor Sargent reported that Capital Improvements met and discussed winter sand and ambulance bids which are agenda items this evening.

Councilor Nesbitt advised them that the Beach Committee met earlier in the month. In addition, the Portland Water District Board of Trustees met and passed the lease and the management plan. He said that now all the approvals are in place, the next steps are to build and start using the beach. He noted that Jen DeRice our Recreation Director joined the Committee at a recent meeting to initiate the discussion regarding the operations budget for the beach.

Councilor Nesbitt informed them that the Finance Committee met this afternoon and explained that the town's revenues and expenditures are right where they should be at this point of the year. He mentioned that there the some quit claim deeds on tonight's agenda as well as the sale of some tax acquired properties.

Councilor Ordway explained that the Economic Development Committee is trying to schedule a joint meeting with the Standish Economic Development Group later in the month.

CONSENT CALENDAR

There were no Consent Calendar items on the agenda.

UNFINISHED BUSINESS

59-15 Road Acceptance Request Submitted by Shadow Woods LLC for a Portion of Woodrow Drive (Postponed to the October 2015 Council Meeting) [Olson]

The order was read by the secretary noting that the length of the road to be accepted was left blank.

Chair Olson explained that when roads are constructed, there is timeline involved until the town considers accepting the road as a town way.

Roger Mosley the Director of Public Works explained that the subdivision has been reviewed and is ready for acceptance. He said that 1,330 feet of the road will be accepted.

Moved by Nesbitt seconded by Blanck and voted to amend the order to approve Woodrow Drive for 1,330 feet. (Unanimous)

Chair Olson called for public comments.

William Orr of Kerri Farms Road said that he was opposed to this order, he cited that this didn't fall in line with the town's ordinance. He said that the taxpayers shouldn't pay for the maintenance of this underdeveloped road. He said that the ordinance requires that roads are accepted in July. He said that this order has been postponed three times and shouldn't get approved until next year. He said that the paperwork had not been signed off by the Public Works Director or Code Enforcement Officer that the road was built to town standards. He said that Standish has a very good road construction ordinance that in his opinion should be signed off at various times in the construction process.

Chair Olson disclosed that Mr. Orr brought forward a suit against this road and court ruled that the town had acted appropriately.

Mr. Orr replied that suit was a number of years ago.

Chair Olson questioned the Public Works Director if the proper inspections had been made on this road.

Roger Mosley responded the inspections have been completed by a licensed engineer. The inspection was done on Friday afternoon and we are waiting for the confirmation letter.

Ellen Kasprzyk of Steep Falls suggested that if we don't have the letter in hand we should wait to accept the road.

Roger Mosley explained that he was present when the road inspection was done, and received verbal approval of the road condition from the engineer.

VOTE ON ORDER AS AMENDED: 6 Yeas

60-15 Road Acceptance Request Submitted by James Tompson for a Portion of Lindsey Drive (Postponed to the October 2015 Council Meeting) [Olson]

The order was read by the secretary noting that the length of the road to be accepted was left blank.

Roger Mosley, Director of Public Works disclosed that the developer has not applied the surface pavement, his recommendation would be to postpone this order indefinitely.

Chair Olson called for public comments.

William Orr was mentioned that he was confused by this action.

Councilor Ordway questioned if this was postponed indefinitely didn't it have to wait a year before it could come back before them.

Moved by Sargent seconded by Blanck and voted to postpone this indefinitely. (Unanimous)

61-15 Road Acceptance Request Submitted by JoJo's LLC for a Portion of Nature's Way and Hemlock Drive (Postponed to the October 2015 Council Meeting) [Olson]

The order was read by the secretary noting that the length of the road to be accepted was left blank.

Roger Mosley, Director of Public Works informed them that the roads in question on this order have received the top coat of paving, they are working on the shoulders and a sections of guardrail needs to be installed. His recommendation would be to postposing until the November meeting.

Chair Olson called for public comments.

William Orr told them that he had driven on this road and it is chopped-up non-continuous sections of pavement. He said this should not be considered at this time. He said that that there is clear timeline for acceptance of roads, he noted that roads are to be accepted by July.

Councilor Blanck questioned if the road would be signed off by professional engineer.

Roger Mosley said that it would be reviewed and signed off by the engineer that had been involved with the road from the beginning. Mr. Mosley asked that the Ordinance Committee review the timeline in the ordinance. He highlighted the ordinance requirements and timeline.

Moved by Sargent seconded by Blanck to postpone this order until the November meeting. (Unanimous)

81-15 Amendment to Standish Town Code, Chapter 181, Land Use Ordinance; Article III, District Regulations, Regarding Overhead Doors and Article IV, General Standards, Regarding Pedestrians Ways (First Reading) [Blanck]

Moved by Nesbitt seconded by Blanck and voted to dispense with the Clerks reading of the order. (Unanimous)

Councilor Blanck explained that this amendment will allow an individual that has leased an existing property in the Standish Corner District to have garage doors on the front of the building. The current ordinance allows garage doors on the back of the building. He explained that the applicant has jumped the gun and started the improvements. The Planning Board gave conditional approval to the applicant based on this amendment being approved. If this were to fail, the applicant will have to remove the garage doors from the front of the building.

Chair Olson called for public comments. There were none.

Chair Olson called for Council Comments.

Councilor Nesbitt said that at Standish Corner this is in the gateway area. It is allow in Sebago Lake Village in the fringe.

Voted to move this to Public Hearing at the November Council meeting. (Unanimous)

90-15 Amendment to the Standish Town Code, Chapter 151, General Assistance Ordinance, Adopt Updated Tables for the Maximum Levels of Assistance as provided as Provided by the Maine Municipal Association (First Reading) [Olson]

Chair Olson noted that the Council ratified an Emergency Ordinance on this matter to allow recipients to continue to receive the benefits. This amendment take the ordinance through the town's legislative process.

Chair Olson called for public comments. There were none.

Chair Olson called for Council Comments. There were none.

Voted to move this to Public Hearing at the November Council meeting. (Unanimous)

NEW BUSINESS

91-15 Execute Memorandum of Understanding with Standish Fish and Game Club [Olson]

Chair Olson said that this Memorandum of Understanding really a summary of the meetings with the Fish and Game Club relating with what may take place and the rolls of the parties. She said that there is no official plan, surveys have not been done and there is no design of a facility. The Memorandum of Understanding clearly states the steps that need to be taken to move this matter forward. She went on to say that it's clear that this memorandum is only documenting what has happened so far and in not enforceable to either party. She said there will be notice when the town is considering this matter in the future.

Greg Sirpis, the President of the Fish and Game Club disclosed that their mission is provide a family orientated Fish and Game Club where the residents of the town can enjoy the outdoors. He said that we have an obligation to teach the children to be stewards of the land and ethics of the outdoors. He said that safety is paramount in use of the facility.

Chair Olson said that she wanted to emphasize that a third party would review the plan. She read aloud section II. A. of the Memorandum of Understands, which describes the independent safety evaluation requirement.

Greg Sirpis said that any plan would have to be approved by the town.

Chair Olson said that when the plans are presented, the Council will hold workshops, to provide ample opportunity for the public to review the information. In addition, Planning Board approval will be required.

Chair Olson called for public comments. There was no additional public comment.

Chair Olson called for Council Comments.

Councilor Nesbitt said that he liked the enthusiasm that we're receiving from the group. Councilor Nesbitt said that this effort will be bringing organized shooting to the town and it was his opinion that our ordnances are not good enough for that right now. He suggested that they take a closer look at creating an ordinance for this.

Councilor Sargent appreciated Councilor Nesbitt's comments, however it was his opinion that the items should be treated separately. He said that if you look at towns that have a club, they have less indiscriminant shooting happening in town. He said that we may or may not need an ordinance.

Council Nesbitt stated that we need standards for the facility.

Councilor Sargent said that the guidelines will be built in as we go through this process. The ordinance is another issue and we should wait to see how it works, if this goes forward.

VOTE: 6 Yeas

92-15 Rename the John Rich, Jr. Memorial Beach [Olson]

Chair Olson said that the family has been wonderful during this process and is pleased that they want to honor their parents.

Chair Olson called for public comments. There were none.

Chair Olson called for Council Comments.

Councilor Ordway brought to their attention that Mr. Rich served as a Marine and the Marine's will be coming here to assist us with this project.

VOTE: 6 Yeas

93-15 Authorize Enforcement Action – Land Use Ordinance Violations in the Shoreland Zone – Thomas Hodgson and Karen Hodgson – 79 Hi-View Drive (Map 25 Lot 43) [Olson]

Mr. Billington spoke on this matter explaining that the Code Enforcement Officer needs court approval to proceed in the enforcement action, approval of this order will provide that. In this case, a deck was placed too close to the shoreline which is a violation of our ordinance. The Code Enforcement Officer directed the owner to remove the deck. The deck was removed, however, the Code Enforcement Officer checked back at a later date and the deck was back in place.

Chair Olson called for public comments. There were none.

Chair Olson called for Council Comments. There were none.

VOTE: 6 Yeas

94-15 Award Bid and Authorize Contract for Purchase of Winter Sand [Sargent]

Councilor Sargent announced that the Capital Improvements Committee received four bids ranging from \$14 to \$7.44 per yard. The low bidder Shaw Brothers is a local company that we've done business with in the past.

Moved by Sargent Seconded by Blanck and voted to amend the order to include the name of Shaw Brothers in the amount of \$7.44. (Unanimous)

Chair Olson called for public comments. There were none.

Chair Olson called for Council Comments. There were none.

VOTE ON ORDER AS AMENDED: 6 Yeas

95-15 Request that Maine Department of Transportation Review the Speed Limit on Wards Cove Road [Olson]

Councilor Pomerleau a member of the Public Safety Committee reported that the committee has reviewed this request.

Mr. Billington explained that unless the town had a traffic engineer, the state is the only entity authorized to set speed limits.

Chair Olson called for public comments.

Mr. Brady a seasonal resident of Turtle Lane was under the impression that the speed limit could be set at 15 mph. He explained that the population of the neighborhood ages range from 93 years to 3, and they have dealt with this is matter for a long time. He asked that the Council amend the order to reflect a 15 mph speed limit. He questioned what the next steps will be in this process.

Chair Olson explained that a letter will be forwarded to the Maine Department of Transportation (MDOT) for consideration of the request. She asked that the Public Works Director speak to the process.

Roger Mosley, the Director of Public works gave an overview of the MDOT procedure for assessing the requests that they receive to review speed limits.

Chair Olson noted that the order did request the 20 mph speed limit as designated in the petition that had previously been submitted to the town.

Phil Pomerleau of Northeast Road reported that he travels this road at least once a week and agreed at 15 mph would be the appropriate speed for the road.

Bill Cassidy a seasonal resident of Nancy Lane said that he is the one that had initiated this request, first by speaking with MDOT to learn of the process. He then thanked the Director of Public Works for his input and for the installation of some new signage the road. He said that he was not aware that the speed limit could be reduced to 15 mph, however he would like for them to consider that amendment.

Chair Olson asked him if an amendment to ask for 20 mph or less would be acceptable to them.

Bill Cassidy said that would assist them.

Phil Pomerleau questioned why it couldn't be amended to 15 mph if everyone here is on agreement to that speed limit.

Lee Brady a property owner reiterated that the speed limit needs to be set at 15 mph.

Councilors Sargent suggested that the order be amended to 20 mph or less.

Councilor Blanck said that it was his opinion that the petition just got the ball rolling, this should be amended to 15 mph.

Councilor Ordway reported that he has driven on this road in the summer and it's impossible to drive 20 mph on the road with the pedestrian traffic. He too supported the 15 mph limit.

Moved by Blanck seconded by Ordway and voted to amend the speed limit to 15 mph. (Unanimous)

Mrs. Whittemore a year-round resident revealed that this is a year round issue in their neighborhood. She asked the MDOT inspect the area in July and February.

Roger Mosley stated that the MDOT sets the inspection date. He explained that MDOT has a process that has a number of requirements, and their recommendation is based on their findings in the process. He went on to explain the MDOT inspection is done anonymously so the review is done fairly for every request.

Chair Olson inquired the timeframe for this process.

Roger Mosley advised that he didn't want to discourage them, however, the Town is waiting to hear about subdivision speed limit requests that were submitted over 4-years ago.

Chair Olson mentioned that Senator Bill Diamond is Chair of the Transportation Committee and he may be an asset to the neighborhood's struggle with the speed limit.

Councilor Blanck asked Mr. Cassidy if vehicles traveled faster than the posted 25 mph.

Mr. Cassidy responded that motorist often exceed the posted speed limit.

Councilor Blanck suggested that they contact the sheriff's department.

Councilor Ordway suggested that the letter to MDOT be rewritten to describe the special circumstances on this road.

Chair Olson said that the draft that was attached could be changed to reflect the urgency of the need to consider the speed limit on this road.

VOTE ON ORDER AS AMENDED: 6 Yeas

96-15 Award Bid and Authorize Contract for Ambulance [Sargent]

Councilor Sargent informed them that our current ambulance is scheduled to be replaced due to mileage and maintenance. He explained that prices have gone up so the cost of this unit is more than paid in the past. Patient lifts that are included in this purchase have a longer life and in the future the box of this ambulance can be placed on another chassis to save money.

Chief Caron explained that the current patient lifts last approximately 7-years, the new lifts will last 12-years.

Chair Olson called for public comments. There were none.

Chair Olson called for Council Comments. There were none.

VOTE: 6 Yeas

97-15 Town of Standish Orders of Town Council Authorizing Appropriation from Surplus of \$74,000 [Nesbitt]

Councilor Nesbitt expressed that these funds will be used for the Steep Falls sidewalk project which received voter approval at the Annual Town Meeting. A subsequent discussion by the Finance Committee regarding payment method recommended that the funds are taken from the unassigned fund balance to pay for this project.

Scott Gesualdi the Town Finance Director explained that the Town's Fund Balance Policy requires that we have 2-months' worth of funds in the account. He said that there is a sufficient amount in the account.

Chair Olson called for public comments.

Walter Wasson of Manchester Road questioned if this funding came from the referendum that failed.

Councilor Nesbitt commented that the sidewalk funding wasn't approved to be bonded.

Chair Olson said paying for it by this method doesn't incur any debt service.

Chair Olson called for Council Comments. There were none.

VOTE: 6 Yeas

Moved by Nesbitt seconded by Sargent and voted to vote on orders 98-15, 99-15 and 100-15 collectively. (Unanimous)

The Clerk read the orders by title only.

Councilor Nesbitt informed them of the Finance Committees process for permitting payment plans.

Chair Olson called for public comments. There were none.

Chair Olson called for Council Comments. There were none.

98-15 Authorize Finance Director to issue Municipal Quit Claim Deed to Christina Hendrix, FKA Christina Garland [Nesbitt]

99-15 Authorize Finance Director to issue Municipal Quit Claim Deed to Peter Rodriguez [Nesbitt]

100-15 Authorize Finance Director to issue Municipal Quit Claim Deed to Paula Scott [Nesbitt]

VOTE: 6 Yeas

101-15 Authorize Sale of Tax Acquired Property [Nesbitt]

Councilor Nesbitt reported that the Finance Committee recommended to move these properties forward for sale. He explained the process that takes place in regards to this policy. He noted that one of the former owners has approached the town with a substantial payment, so he would entertain a motion to remove that property from the list, after further discussions. He provided a detailed accounting of the properties in question.

Moved by Nesbitt seconded by Sargent and voted to remove the sale of 174 Saco Road from the order. (Unanimous)

Chair Olson called for public comments.

Philip Pomerleau recounted that during his time on the Council dealing with this type of matter was always a struggle. He explained that in the case of the town selling a tax acquired property, the town would keep from proceeds from the sale. He expressed his opinion was that is an unfair process for the property owner. He urged them to consider this before sending someone out on the street.

Chair Olson called for Council Comments.

Councilor Blanck said he too was amazed that the town kept the proceeds after the tax amount due was satisfied. He noted that he just recently learned that state law now has a provision that municipalities can enact an ordinance to either keep the proceeds or turn them over to the property owner after the tax liens have been satisfied.

Philip Pomerleau suggested that this order is tabled and an ordinance is drafted to deal with this matter so the people will get their money from the sale.

Councilor Blanck questioned why these were combined in one order, it was his opinion that they should be voted on separately. He too was in favor of tabling the order to further discuss the idea of adopting an ordinance. He questioned when the state law went into effect.

It was announced that the law became effective October 15.

Councilor Blanck agreed that if someone was living at the property he didn't want to kick them out. He would like to postpone the vote so the Ordinance Committee could get an ordinance in place to deal with this process at the next Council meeting.

Chair Olson questioned if they would consider splitting the order in three – to act on these.

Councilor Blank voiced his concerns regarding the regarding where the funds of the sales would go.

Councilor Nesbitt replied that the funds would go into the town's general fund.

Scott Gesualdi, the Finance Director said that if they don't move forward on this they are tying his hands in the collection process of these funds. He said that he is responsible for collecting the taxes and if there are no repercussions for not paying taxes – people won't pay.

Discussion ensued regarding the consequences of adopting an ordinance to remit excess fund to the previous owner. The Council discussed the status of residency of the properties in question, amount due and the results from past sales.

Councilor Nesbitt highlighted the in-depth process that the Finance Department provides when attempting to contact property owners.

Philip Pomerleau said go ahead and sell the property but give the property owner the excess funds after the taxes have been paid.

William Orr said that Councilor Blanck was on the right track.

Moved by Ordway seconded by Blanck and voted to postpone until the November meeting and bring the items back as separate orders. (5 Yeas – 1 Nay, Sargent)

Councilor Blanck said that there will be an ordinance change to discuss at the next meeting.

Councilor Sargent challenged the earlier statements that we are rampant in the approach with the sale of tax acquired properties, He said that there could be nothing further from the truth – he explained that the Finance Department and Finance Committee do their due diligence in researching the details of the individual accounts.

102-15 Waive No-Parking Restriction on Saco Road for the Annual Craft Fair held by the Trustees of the Old Red Church [Olson]

Chair Olson explained that this is an awesome fair and an action that we do annually.

VOTE: 6 Yeas

103-15 Town Council Appointments to Various Boards or Committees [Pomerleau]

Councilor Pomerleau disclosed that the Appointments Committee had met and interviewed a candidate for the Appeal Board.

Moved by Pomerleau seconded by Blanck and voted to add the name of Leo Robichaud as a member of the Appeals Board through June 2018. (Unanimous)

The Clerk disclosed that the town needed to enlist democratic voters to work at the polls at the November election. She explained that she had contact the local Democratic Party chair to help find individuals able to work at the polls. The Party had forward the name of Elizabeth Perry and were still actively looking for poll workers. The Clerk apologized for bringing this information forward at this late time, and asked that they consider confirming the appointment.

Moved by Pomerleau seconded by Blanck and voted to appoint Elizabeth Perry as a Democratic ballot/election clerk and allow the Town Clerk to use other Democratic Party members that step forward. (Unanimous)

Philip Pomerleau questioned why Independents can't be ballot clerks.

The Clerk explained that by law ballot clerks are utilized from the two major parties (the Republican and Democratic parties), minor parties and unenrolled ballot clerks can be use as long as the balance of the major parties if maintained.

VOTE ON ORDER AS AMENDED: 6 Yeas

104-15 Reconsider Order 58-15 - Acceptance Conveyance of Land from Linda and Wayne Newbegin to the Town of Standish" [Olson]

Chair Olson reported that this is a clarification of the original order as follows:

ORDERED that the Standish Town Council thanks Linda Newbegin and her late husband, Wayne, for their generosity in agreeing to convey to the Town an 18,730 square foot parcel off Harmon's Beach Road, which will be a portion of the access road to the Cargill Lot beach; and further confirms the Town's acceptance of this gift conveyance with an appraised value of \$1,633.00 and that said access road will be formally named Newbegin Way and confirming that with said new access on Newbegin Way, Ms. Newbegin will have sufficient road frontage to develop a third buildable lot without improvements to her existing private way or having to remove her existing drive from her private way, which private way, as constructed, the Council hereby declares is sufficient for a total of three (3) family homes without the need to meet any other municipal development access requirements."

Chair Olson continued that the Newbegin's are donating land that will be used as part of the road to the beach. This amendment clarifies that they can build up to three family homes without additional access requirements.

Gordon Billington noted that after the original order was approved, the Newbegin's attorney challenged the wording as being vague. The order was sent to our legal counsel and re-written with what's before tonight.

The Clerk read the amended order aloud.

Chair Olson called for public comments.

William Orr asked if there were any stipulations to the style of house that could be built.

Chair Olson said that they would have to follow any building code requirements of the town.

Gordon Billington stated it would be the Code Enforcement Officer who would give approval based on the Town's building standards. Mr. Billington then reiterated that our legal counsel re-wrote the order. The draft was then sent to the Newbegin's legal counsel.

The Clerk noted that she had forwarded the amendment to Lynda Newbegin and it was acceptable to her.

Chair Olson called for Council Comments.

Councilor Sargent said that Councilor Newbegin had worked tirelessly for this beach, many meetings and site walks, it's too bad that he's not here for the completion of the project.

The following vote included the motion to reconsideration and motion to approve.

VOTE: 6 Yeas

105-15 Authorize Town Manager to Execute Letter of No Objection for Construction of a Septic System in the Right-of-Way Limits on Ward's Cove Road [Olson]

Town Manager, Gordon Billington explained that this is in regards to a septic system that will service four properties where there is a failed system.

Richards Sweet the Site Evaluator for the project explained that the properties that involved, where the old system is and where the new system will be constructed due to other properties owners not wanting to tie into the common septic system. A site walk was attended by Code Enforcement, Portland Water District representatives and Health Engineering staff where this location was deemed to be safest site to install the system for water quality.

Chair Olson asked Mr. Sweet what was his role was in this process.

Mr. Sweet explained that he is a consultant, geologist, licensed site evaluator, and has the ability to design septic systems. He said that he was hired to design this system.

Chair Olson commented that the construction of a shared system is not a new concept.

Mr. Billington reported that process of the *Letter of No Objection* is new to us and brought forward through Maine Municipal Association's materials. He explained that road was formerly a portion of Route 114 and we have no deed for that road. We can't prove ownership so we can't provide an easement. The *Letter of No Objection* will state that it system will have to be outside pavement area and we can't guarantee the right will always be there if circumstances change.

Roger Mosley the Public Works Director said that the ability to deal with drainage matters have to be maintained.

Chair Olson said that this order is not to rule on it but not object to it.

Chair Olson called for public comments. There was none.

Chair Olson called for Council Comments. There was none.

VOTE: 6 Yeas

PUBLIC ITEMS

William Orr wanted confirmation that an engineer would certify that the roads were in condition for acceptance.

ANNOUNCEMENTS

Several upcoming meetings were announced.

EXECUTIVE SESSION

An Executive Session was not needed at this meeting.

ADJOURN

Moved by Blanck seconded by Ordway and voted to adjourn. The meeting adjourned at 9:02 pm by unanimous consent.

Submitted by: _____
Clerk/Secretary