

August 7, 2010

**MINUTES OF THE ANNUAL MEETING OF BUSTINS ISLAND VILLAGE  
CORPORATION**

Minutes of the Annual Meeting of the legal voters of the Bustins Island Village Corporation held at the Community House on Bustins Island, Freeport, Maine at 9:00 a.m. EDT August 7, 2010.

The Clerk of the Village Corporation called the meeting to order. On a motion made and seconded it was **VOTED** to waive the reading of the warrant.

Members of the Board of Overseers present were Tony DeBruyn - Chair, Pat LaFleur - Vice-Chair, Roger Leland, and Faith Baker. Absent Scott Bonney. Ninety-one (91) voters attended the meeting.

**ARTICLE 1: ELECT MODERATOR**

Bill Cooper's name was placed in nomination and seconded. A motion was then made and seconded to close nominations. It was so **VOTED**. A written ballot being required to elect the Moderator, five votes were cast by the Board of Overseers, with the rest of the voters refraining from voting. Bill Cooper was **VOTED** unanimously. He was duly sworn in by the Clerk.

The Moderator welcomed new community members Don and Lorraine Cline.

The Moderator announced that the parliamentary procedures in the Maine Moderator's Manual will be used. The Moderator noted that the Clerk would be using a tape recorder as a check in recording the minutes of the meeting and asked that those wishing to speak at the meeting please stand and go through the chair, and also that any motions or amendments of more than a few words be presented in written form to the Clerk. For voting purposes, the voters are required to use their colored voting cards (orange). Only voters may speak. Nonvoters may speak with

2/3 consent of the voters present at the meeting.

Bill Cooper asked for a moment of silence in remembrance of Islanders who passed away over the past year: Bob Ewing, Charlie Thomas, Midge Walker, Marion Hancock, Karen Record, Melinda Thomas Moore.

The moderator appointed Kip Shields, Dan Jellis, Jeff Carrier, and Judith Hayes as tellers for said meeting. The tellers were duly sworn in by the Clerk.

## **ARTICLE 2: HEAR OFFICERS & SUPERINTENDENT REPORTS**

Tony DeBruyn moved in the words of the article:

To listen to and pass upon reports from the Officers, Overseers, and the Superintendent of the BIVC. The motion was seconded and **VOTED**. The following committee reports were heard:

1. The Clerk's Report - Sue Spalding. The Clerk reported that as of August 7, 2010 there are 187 votes allowed, and 217 potential legal voters. A motion was made and seconded, and it was VOTED to have the Clerk read a summary of the minutes of the 2009 Annual Meeting. The summary was read.
2. The Board of Overseers Report - Tony DeBruyn, Faith Baker, Pat LaFleur, and Roger Leland reported.
3. The Superintendent's Report - Charlie Johnson
4. The Treasurer's Report - John Garfield

Other committee reports will be heard under Article 9.

## **ARTICLE 3. BUDGET**

Tony DeBruyn moved in the words of the article that the BIVC vote:

- a) To receive and appropriate the sum of \$227,200 to be expended under the direction of the Board of Overseers for the 2010/2011 fiscal year budget as set forth in ATTACHMENT A in the "10-11 Budget" column of page 2;
- b) To fund the sum so received and appropriated in a) above from the Freeport allocation, any gifts, assessments, and any other revenues; any excess or deficiency therefrom to be reconciled through the Reserve Excess and Deficiencies (RED) Fund and any amounts otherwise authorized from the CASCO fund;
- c) To authorize the Board of Overseers to:
  - i) Expend monies from the reserve accounts for the general purposes for which such accounts were established; and

- ii) Make transfers among operating and reserve accounts including any amounts otherwise authorized from the CASCO fund.

The motion was duly seconded and **VOTED**.

**ARTICLE 4. RESOURCE PROTECTION DISTRICT DIMENSIONAL REQUIREMENT**

Marcia Hohn moved in the words of the article that the BIVC vote:

To amend the BIVC Zoning Ordinance by adding the following as new first paragraph to section 4.1.6 Dimensional Requirements.

Any lot created in the Resource Protection District after the adoption of this amendment shall contain at least 20,000 square feet and have at least 50 feet frontage on a public way. Pre-existing contiguous lots of record located in the Resource Protection District and existing as of the date of adoption of this amendment shall not be subject to merger under Section 1.4.5.2 of this Ordinance so long as they remain in the Resource Protection District; however, they may not be further divided if doing so would create a lot of less than 20,000 square feet. The provisions of this section shall not prevent the addition to the Resource Protection District of any pre-existing lot no matter its size.

The motion was duly seconded and **VOTED**.

**ARTICLE 5. SUBDIVISIONS**

Marcia Hohn moved in the words of the article that the BIVC vote:

To amend the BIVC Zoning Ordinance by adding the following new Section 5.18.

**5.18 Subdivisions**

Application for subdivision approval shall be made on a form approved by the Planning Board. Plans for subdivisions must be drawn and certified by a State of Maine registered professional engineer or a State of Maine registered land surveyor and submitted to the Planning Board for approval. All lots created within a subdivision must meet the dimensional requirements of Section 4 for the district within which they are located and the plan shall show lot dimensions, areas, and such other information as the Planning Board may require. The plans shall indicate the location of water bodies, Wetlands and the Normal High Water Line. If construction or earth moving is planned, the plans shall also show how drainage and waste disposal are to be provided. Plans shall address each of the review criteria set forth in Title 30-A M.R.S.A. §4404 and any others that the Planning Board may reasonably require.

To the extent permitted by law, and except as may otherwise be provided by any applicable BIVC subdivision regulations or subdivision ordinance, the Planning Board and the applicant shall follow the same administrative procedures as in Section 6.8.3 of the Bustins Island Village Corporation Zoning Ordinance for Conditional Use Permits including the holding of a public hearing with the same notice requirements. In accordance with Section 6.8.3, the Planning Board may attach conditions to its approval of the subdivision plan.

The motion was duly seconded and **VOTED**.

**ARTICLE 6. REMOVE PROPERTY FROM RESOURCE PROTECTION DISTRICT**

Alden Carrier moved in the words of the article that the BIVC vote:

To amend to the zoning map of Bustins Island, Freeport, Maine made for the Bustins Island Village Corporation dated August 2, 2003 revised to include corrections through May 16, 2005, by Island Surveys of Arrowsic, Maine which map is a successor to the Bustins Island Village Corporation Zoning Map of Bustins Island dated September 1, 1975 as subsequently amended and incorporated therein by rezoning Lot 69 in Section A as shown on said map from the Resource Protection District to the General Purpose District.

Submitted by Petition

It was noted that the Planning Board position in the Warrant is not written as submitted. [Revision attached] Since the Planning Board does not recommend approval, a two-thirds majority vote is required to pass.

The motion was duly seconded. A request was made for a written ballot with the concurrence of five other voters. Written ballots were cast and the article was DEFEATED with a vote of 12 in favor and 77 not in favor.

**ARTICLE 7. SCHOOLHOUSE RELOCATION**

Faith Baker moved in the words of the article that the BIVC vote:

To approve the moving of the historic 1888 one-room schoolhouse to a new proposed location next to the BIVC-owned store/library/post office building.

Submitted by Petition

The motion was duly seconded. A request was made for a written ballot with the concurrence of five other voters. Written ballots were cast and the article was DEFEATED with a vote of 40 in favor and 44 not in favor.

## ARTICLE 8. ELECTION

Tony DeBruyn moved in the words of the article:

To elect a Clerk and Treasurer of the BIVC for a term of one year each; and to elect two members of the Board of Overseers for a three-year term each by ballot as provided in the BIVC By-Laws. The motion was duly seconded.

The moderator declared nominations open for position of Clerk.

### CLERK

Sue Spalding was nominated and seconded to serve a one-year term as Clerk. Seeing no objection the Moderator declared nominations closed. A written being required, five votes were cast by the Board of Overseers, with the rest of the voters refraining from voting. Sue Spalding was **VOTED** unanimously.

The moderator declared nominations open for position of Treasurer.

### TREASURER

John Garfield was nominated and seconded to serve a one-year term as Treasurer of the BIVC. Seeing no objection the Moderator declared nominations closed. A written ballot being required, five votes were cast by the Board of Overseers, with the rest of the voters refraining from voting. John Garfield was **VOTED** unanimously.

The moderator declared nominations open for two positions of Overseers for a three-year term.

### BOARD OF OVERSEERS

Bill Cooper, Rob Boone, and Rob Taisey were nominated. Seeing no objection the Moderator declared nominations closed. A written ballot being required, votes were cast by the voters and Rob Boone and Bill Cooper were elected.

The Clerk was duly sworn in by the Moderator, and the Treasurer and Overseers were duly sworn in by the Clerk

## ARTICLE 9. HEAR COMMITTEE REPORTS

Tony DeBruyn moved in the words of the article:

To listen to and pass upon reports from any and all committees. The motion was seconded. The following committee reports were heard:

1. The Planning Board Report - Marcia Hohn. Marcia thanked Bill Cooper for his years of

- service on the Planning Board.
2. Finance Committee Report - Len Larrabee
  3. Non-BIVC affiliated Report - With the consent of the hall, Warren Baker reported on the formation of the Bustins Bay Foundation, Inc., an independent nonprofit organization to receive gifts for the betterment of the Island and bay community.
  4. The Street Acceptance Subcommittee Report - Roger Leland
  5. The Zoning Board of Appeals Report - Warren Baker
  6. The Landscape Committee Report - Ellen Donovan
  7. The Harbormaster's Report - Rob Taisey
  8. The Public Safety Committee Report - Rob Boone. Rob presented the Bustins Island Safety Map dated July 17, 2011.
  9. First Aid Coordinator's Report - Dr. John Abramson
  10. The Boat Advisory Committee Report - Frank Kastenholz
  11. The Water Commissioner's Report - T. DeBruyn read report by Laura Vitali

#### **ARTICLE 10. OTHER MATTERS**

To consider and act upon any other business which may lawfully come before said meeting.

1. Linda and Ron Sweatt via letter - reminded islanders to stay away from propane tanks on the steamer dock.
2. Faith Baker reminded island drivers to keep island vehicle speed down, and asked for cooks for the Annual Dinner with Freeport on August 31.
3. Bill Cooper - spoke about bicycle safety issues, especially the speed down the hill by the store.
4. Kim Bohem - reminded of the BIHS Annual Meeting at 1:00.
5. Martha Cooper - thanked retiring Board members Tony DeBruyn and Pat LaFleur for their six years of service.
6. Crawford Taisey - warned dog owners that there is a resident porcupine.
7. Faith Baker - reminded dog owners to pick up their dog waste.

As there was no further business a motion was made, seconded, and it was **VOTED** to adjourn the meeting at 1:12 PM, EDT.

Respectfully submitted,

M. Susan Spalding, Clerk