

Proposed Ordinance

AN ORDINANCE TO RE-ESTABLISH THE SOUTH THOMASTON CONSERVATION COMMISSION (STCC)

ESTABLISHMENT

There is hereby re-established a South Thomaston Conservation Commission (hereinafter Commission) consisting of seven (7) members, serving without compensation. Commission members shall be appointed by Municipal Officers (hereinafter Selectboard) pursuant to 30-A M.R.S.A. Sec. 3261

BYLAWS

The Commission's initial bylaws, appended hereto as Appendix A, are by reference incorporated into and made part of this ordinance.

The Commission may, from time to time, propose amendments to its bylaws to the Selectboard. Proposed amendments may be considered at any regular meeting of the Commission. Approval requires a two-thirds vote of Commission members attending, provided written notice of intent to consider proposed amendments is sent to each member at least seven days prior to the meeting.

Proposed amendments shall only become effective when and if approved by the Selectboard.

Bylaw amendments shall be compliant with and may not amend this ordinance.

MEMBERSHIP

Commission members shall be appointed by the Selectboard initially for terms of one, two and three years, such that the terms of approximately 1/3 of the members will expire each year. Their

successors shall be appointed for terms of three years each. Members shall serve until the appointment of their successors.

The Commission may recommend to the Selectboard that Associate Members be appointed to assist the Commission.

Associate Members terms shall be one, two or three years as designated by the Selectboard.

Associate Members are non-voting members of the Commission.

There shall be no limit on the number of Associate Members.

DUTIES AND POWERS OF THE COMMISSION

The Commission shall:

- perform the duties as prescribed at 30-A M.R.S.A. Sec. 3261, 2, A-D and as may be more fully described by the Commission's bylaws.
- keep records of its meetings and activities and provide copies to the Town Clerk.
- make an annual report to the Selectboard to be published in the Annual Town Report.

The Commission may:

- in the name of the Town, and with the approval of Town Meeting, acquire land, easements or other interests in real property. At least 30 days prior to making any recommendations to the Selectboard pursuant to this section, the Commission shall submit its recommendation to the Town's Planning Board for review and comment.
- in the name of the Town, and with approval of Town Meeting or the Selectboard, whichever is required, accept gifts of money, equipment, supplies and other items of value.

- in the name of the Town, and with approval of Town Meeting and/or the Selectboard, whichever is required, apply for grants, fund raise and solicit donations.

Nothing in this section shall be construed to:

- conflict with or usurp any duties, powers, or functions of other Town committees, officers and/or employees.
- grant to the Commission the care and superintendence of municipal property in Town ownership as of the date of this ordinance's enactment.

OFFICERS

The Commission shall elect annually a Chair, Vice Chair, and Secretary. The Treasurer of the Commission shall be the Town Treasurer.

MEETINGS

The initial meeting of the Commission shall be called by the Town Clerk.

Commission meetings shall be posted at least five days in advance, open to the public, and held in compliance with Maine's "Right to Know Law" (Title 1, section 401). Copies of meeting notices shall be provided to the Town Clerk.

A majority of Commission members shall constitute a quorum. A majority of members present and voting, if a quorum is present, shall be required to conduct Commission business, unless otherwise provided by statute.

FUNDING

The Commission may submit a request for an annual budget to the Selectboard. Any funds appropriated by the Town Meeting for the Commission's use may not be disbursed except on a warrant approved by the Selectboard.

Any funds from any source procured, invested and/or expended to further the purposes of the Commission shall be managed by the Town Treasurer, entered upon the Town's financial records and subject to the Town's annual financial audit.

APPENDIX A
INITIAL BYLAWS OF THE
SOUTH THOMASTON CONSERVATION COMMISSION (STCC)

I. NAME AND PURPOSE

The name of this Commission shall be the South Thomaston Conservation Commission, hereinafter Commission. This Commission was established by Town Meeting on 18 March 1974 and is hereby re-established pursuant to an ordinance entitled AN ORDINANCE TO RE-ESTABLISH THE SOUTH THOMASTON CONSERVATION COMMISSION (STCC) as enacted at a South Thomaston Town Meeting held on June 15, 2021.

The purpose of the Commission is to promote and protect the natural resources within the Town, as provided in Title 30-A, MRSA, Section 3261.

The Commission shall:

- prepare and keep an index of all open areas, publicly or privately owned, within the Town, including but not limited to, open marsh lands, bogs, fens, swamps, and other wetlands, for the purpose of assimilating and retaining information pertinent to the proper utilization, protection and potential development or use of such open areas.
- conduct research and provide recommendations to the Selectboard or other Town committees or any organization

(private or public), regarding the utilization, protection, development or use of such open areas noted above.

- coordinate its activities with existing Town committees and departments, private conservation bodies organized for similar purposes, and with the regional, state and federal natural resources agencies.
- conduct research and provide recommendations to the Selectboard or other Town committees or any organization (private or public), regarding the development or improvement of recreational and eco tourism facilities and attractions.
- advertise, prepare, print, and distribute books, maps, charts, plans, and pamphlets which, in its judgment, it deems necessary.
- conduct a broad educational program.
- recommend to the Selectboard that the Town employ such personnel and subcontractors as may be approved by the Commission.

II. ELECTION OF OFFICERS

At its initial meeting the Commission shall elect officers from its membership. Commission officers shall include a Chair, Vice Chair, and Secretary

Thereafter the Commission shall annually elect officers from its membership at the first meeting of the Commission after the Annual Town Meeting. If an officer shall vacate his/her position prior to term completion the Commission shall elect a replacement from its membership.

III. DUTIES OF OFFICERS

The Chair shall:

call, prepare agendas for, and preside at all meetings of the Commission; prepare draft budgets requests and reports; appoint members to any sub committees and designate chairs; be an ex-officio member of all committees; recommend action and transmit to the Town Treasurer all invoices received by the Commission; coordinate with the Town Treasurer on all financial matters related to the Commission including compliance with budget limitations; notify the Selectboard of any Commission vacancies.

The Vice Chair shall:

perform all duties and shall have all powers of the Chair in case of absence or incapacity of the Chair.

The secretary shall:

ensure that all Commission meeting agendas are posted seven (7) days in advance and provide a copy to the Town Clerk; take minutes of all Commission meetings and provide copies of all approved minutes to each Commission member and the Town Clerk; inform the Maine Association of Conservation Commissions of the names of Commission members and contact information.

IV. ASSOCIATE MEMBERS

Associate Members shall have the right to participate in Commission meetings and activities except that they may not vote.

The Commission may hold nonbinding advisory votes from whoever attends a Commission meeting, including Associate Members, to determine interest and willingness to work to further the projects of a Commission. Volunteers may work on Commission projects without being formally appointed as an Associate Member

V. DUTIES AND RESPONSIBILITIES OF MEMBERS

Commission members shall perform the duties and responsibilities as set forth in Maine Revised Statutes Annotated, Title 30-A, Section 3261, the ordinances of the Town, and these bylaws.

Members shall make every effort to attend all Commission and committee meetings and when unable to attend shall notify the Secretary.

VI. COMMITTEES

Committees, composed of Commission Members and Associate Members and volunteers, may be created by amendment of these bylaws. Committees shall be responsible for planning within their specific areas of concern and for reporting the results of this planning to the Commission. Any proposed bylaw amendment to create a Committee shall include a detail description of the duties and responsibilities of the proposed committee.

Committees may include, but are not limited to, Planning, Land Acquisition, Information and Education, Land Management, and Pollution Control.

Committees shall act in the name of the Commission only when directed to do so by vote of the Commission.

VII. MEETINGS

The Commission shall normally meet at least monthly, in the evening and in a community building, such as the town office or a community center. A regular meeting schedule is desirable.

Notices of meetings will be given by the Secretary as specified in Article III.

