

## **Section V.O.**

### **Governance**

“Government is people. It is people deciding the rules they will live by, the services they need, and the representatives they will elect or appoint to carry out their wishes. Municipal or local government is the unit of government closest to the people it serves.” This quote is from the Maine Municipal Association’s manual, Local Government in Maine. It pretty well sums up what our government is all about.<sup>1</sup>

Islesboro has a Town Meeting/Selectmen/Town Manager form of government. This form of local government was approved by the voters in 1948. Ben Kelley was the first Town Manager and his office was in the east anteroom off the stage of the Town Hall, now the Islesboro Historical Society kitchen.

A town manager, as defined by Maine Statutes in the 1939 *Town Manager Plan*, or enabling act enacted by the Maine Legislature has the basic responsibility to supervise the operation of the town government and appoint town personnel who are not elected officials. Appointed by the selectmen, the town manager serves at the will of the selectmen. The town’s selectmen have considerable flexibility in determining the specific duties of the town manager.

The Islesboro Town Manager serves as Town Treasurer, Tax Collector, Road Commissioner, Dark Harbor Wastewater Treatment Facility Administrator, Airport Manager, Law Enforcement Administrator, Fire Department Administrator, Health Center Administrator, and Overseer of the Poor.

The Town Manger has the responsibility of preparing the town budget for the selectmen to present at Town Meeting and the management of it following the Town Meeting approval.

The basic function of town government once Town Meeting determines the amount of money needed to operate the Town is to assess property and collect taxes. The Town Assessor is charged with the responsibility of setting the town’s tax rate or “the mil rate” needed to raise the money approved at town meeting.

The Maine Revenue Service (MRS) determines a town’s state valuation by comparing the assessed value with the actual sales prices. By using this method the MRS is able to determine the Town’s assessed value if all property were being assessed at 100% of market value. The state valuation is the yardstick used to determine the state aid the town will receive and the amount of county tax it will be assessed. Simply said, the higher the town’s state valuation, the less state aid it receives and the higher the county tax.

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<sup>1</sup> The source of information for portions of this report has been: Maine Municipal Association Manual, “Local Government in Maine”, chapters 1-8.

County government is supported by the towns and unorganized territories in the county. The basic function of county government is to support the county sheriff and the county judicial system. It has been said county government, which goes back to colonial times, is “archaic” form of government, which served small Maine towns well 300 years ago, but is not now a necessary level of government. Belfast is the shire town of Waldo County and houses the courts, county offices and the county jail.

The 1969 Maine Constitutional amendment established Home Rule in the State. It gives towns the right to govern themselves in all areas except those prohibited by state or federal law. Under the provisions of Home Rule, a town’s legislative body may take action to change its form of government.

A town may adopt a charter that can identify specific responsibilities of the town administrator and the operational procedures in the town. When a town considers adopting a town charter, this issue is usually studied and researched by a Charter Study Committee which makes recommendations to the town meeting.

The town meeting has been called “the purest form of democracy” and it has also been referred to as the most inefficient form of government. It performs the legislative functions of the local government. The town meeting is presided over by a moderator who is elected by the first article in the warrant. S/he is empowered to regulate the meeting using the Maine Moderator’s manual which is adopted at the town meeting after the moderator’s election. The moderator may have unruly persons removed if it is deemed necessary. Following the election of the moderator the town officers are elected. These include candidates for selectmen and school committee. Candidates for elective office may file nomination papers or be nominated from the floor. The most popular way of being nominated at the Islesboro Town Meeting is to be nominated from the floor. Only registered Islesboro voters may speak and vote on the warrant articles. Non-residents may speak only if recognized by the moderator and the voters approve the request to speak.

The town meeting form of government was established during colonial times in New England. On a day in March, during the mud season, the male citizens of the community met in the Town Meeting House to transact town business, set taxes, and elect officers. The officers were called “select---men” and it was their function to carry out the decisions of the voters expressed at town meeting. The voters also elected a “fence viewer” whose job it was to settle boundary disputes, and a constable to keep law and order in the town. Fence viewers and constables were still being elected in some rural Maine towns as recently as thirty years ago.

Women were not allowed to vote at colonial town meetings and were seated, at most town meetings, in a section of the hall to one side of the male assembly away from the spittoons that were placed for the chewers at convenient spots in the hall.

Membership on committees in our Town is not much different from other Maine towns. Membership and the duties of each committee is determined either by ordinances or by the selectmen for ad hoc committees. Only two town committees, Board of Selectmen and School Committee, have their members elected at Town Meeting, with the duties of each specified in the Maine Statutes. The budgets of each must have the approval at Town Meeting. It is the responsibility of the selectmen and school committee members to abide by the decision of the voters. Each board operates independently of each other, but cooperation and understanding between them is essential to a smooth running community.

The School Committee is responsible for the maintenance and operation of the schools, as defined in State Statute. This responsibility is broad and cannot be taken lightly. The Committee is required to hire a superintendent of schools to serve as the administrative head of the school department and supervise school personnel and instruction. School Committee members can only exercise authority when they are in a legally called session of the committee. It has been said that when in session a school committee is one of the most powerful governmental agencies backed by the authority it is given in State Statute.

The Board of Selectmen has limited statutory authority compared to a School Committee, basically having to adhere to the decisions of the town meeting voters.

Town committees fulfill an important function in the operation of an efficient, smooth-running town government. A well-functioning committee identifies town needs in its area of responsibility and provides the advice to the administrators of the Town.

Islesboro town committees created by ordinances are: Board of Appeals/Assessment Review, Cemetery Committee, Harbor Committee, Grindle Point Parking, Ground Water Protection Committee, Planning Board, Pollution Control Committee, and Shellfish Conservation Committee. Representatives of these seven committees are appointed by the selectmen and their duties are defined in the ordinance.

The Town currently has nine ad hoc committees whose members and duties are determined by the selectmen. Those committees are: Alice L. Pendleton Library Board of Trustees, Airport, Grindle Point Sailors' Museum, Health Center Advisory Board, Shellfish Conservation, Floodplan Upgrade, Tick-Borne Disease Prevention, Town Centers, Recreation, and Islesboro Road Advisory. The Health Center Advisory Board

and the Alice L. Pendleton Library Board of Trustees, whose members are appointed by the selectmen, serve as advisors to the Town Manager and the Selectmen.

The goal of comprehensive planning should be to create a better community where clear lines of communication and cooperation prevail between town committees, town organizations and town government.

“The courts have provided scrutiny to comprehensive plans and have ruled that it is a town’s responsibility to provide ordinances that facilitate the objectives of the plan”.

“Good government occurs when people actively participate and elected officials and administrators understand and fulfill their roles”.