

TOWN OF KENNEBUNKPORT, MAINE

Board of Selectmen/Voter Registration Appeal Hearing Agenda March 23, 2022 @ 6:00 PM VIRTUAL MEETING VIA ZOOM

Ways to join this webinar

Join by **computer or mobile device** and click on: <https://us06web.zoom.us/j/81225841813>

or go to **ZOOM** and enter the **webinar ID**: 812 2584 1813

By **phone** 1(929) 205 6099 US

International numbers available: <https://us06web.zoom.us/u/kbwYR7ht1b>

1. Call to Order.
2. Presentation of evidence by Jamie Mitchell, former Town Clerk and Registrar of Voters.
3. Presentation of evidence by Appellant, Louis Braxton.
4. Discussion by Board.
5. Adjournment.

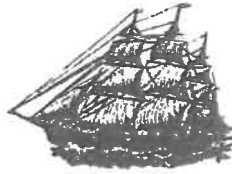
Voter Registration Appeal Hearing
March 23, 2022
6:00 PM via Zoom

TABLE OF CONTENTS

- Section One: Notice of Voter Registration Hearing on January 13, 2022**
- Section Two: Decision by Registrar of Voters of January 13, 2022, Voter Registration Hearing**
- Section Three: Mr. Braxton's response to Registrar's Findings**
- Section Four: Notice of Appeal and supporting documents**
- Section Five: Documents provided by Mr. Braxton to support his residency in Kennebunkport**

Section One:

Notice of Voter Registration Hearing on January 13, 2022



TOWN OF KENNEBUNKPORT, MAINE

– INCORPORATED 1653 –

December 6, 2021

Louis Braxton, Jr.
128 Ocean Avenue, Unit 7
Kennebunkport, Maine 04046

NOTICE OF HEARING

I have received information that indicates you may no longer make Kennebunkport your principal residence. Pursuant to Title 21-A, Maine Law on Elections, section 161.4, your presence is requested at a hearing on **Thursday January 13th, 2021 at the Kennebunkport Town Hall at 9:00 AM** to offer proof of your qualifications as a registered voter.

Reason for Challenge: The physical dwelling located at 128 Ocean Avenue, Unit 7, Kennebunkport, Maine has been recently demolished. There is no known intention to rebuild housing at this location.

Please be aware that section 111.3 states that a person “must have established and maintain a voting residence in that municipality” in order to qualify as a voter. Section 112, defines voting residence as “that place where the person has established a fixed and principal home to which the person, whenever temporarily absent, intends to return.”

Please be prepared to offer testimony and written documentation as proof of residency. The following items, outlined in section 112.1 of the law, may be offered as proof of residency:

- A direct statement of intention by you pursuant to section 121, subsection 1;
- The location of any dwelling you currently occupy;
- The place where any motor vehicle you own is currently registered;

Please note all of the above must be accompanied by a Lease Agreement, Rental Agreement or statement from a landlord/property owner inclusive of the address you intend to rent.

- The residence address, not a P.O. Box, shown on your current income tax return;
- The residence address, not a P.O. Box, at which your mail is received;
- The residence address, not a P.O. Box, shown on your current resident hunting or fishing license;
- The residence address, not a P.O. Box, shown on your motor vehicle operator’s license;
- The receipt of any public benefit conditioned upon residency, defined substantially as provided in this subsection; or
- Any other objective facts tending to indicate your place of residence.

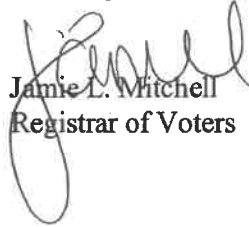
6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470

TOWN OF KENNEBUNKPORT, MAINE

– INCORPORATED 1653 –

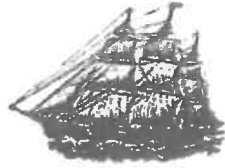
Please be aware that failure to appear to produce documentation may result in the removal of your name from our voting list. **Please contact me at 967-1610 immediately if you are unable to attend this hearing or have any questions.**

Sincerely,



Jamie L. Mitchell
Registrar of Voters

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470



TOWN OF KENNEBUNKPORT, MAINE

– INCORPORATED 1653 –

December 14, 2021

Via USPS First Class Mail, Postage Pre-paid and Email to:
lbraxton@rsu21.net

Mr. Louis Braxton
PO Box 1189
Kennebunkport, Maine 04046

Re: Voter Eligibility Status

Dear Mr. Braxton:

This letter is to follow up on your recent inquiry as to what documentation would satisfy proof of residency in the Town of Kennebunkport. While this information does not constitute legal advice nor it is conclusive of all possible evidence, it is my hope that it will provide you with some guidance of what may be acceptable documentation confirming residency.

First and foremost, as outlined in Title 21-A, Maine Law on Elections, section 112.1 and provided to you in the Notice of Hearing dated December 6, 2021, the types of customary documentation a Registrar of Voting looks for would be one of the following:

- A direct statement from the owner of 128 Ocean Avenue or location you claim to be intending to return to that you will be provided with housing once construction is completed;
- The location of any dwelling you currently occupy by virtue of a Lease Agreement, Rental Agreement or letter from the property owner confirming you are staying at said property;
- A State of Maine Driver's license with a physical address in Kennebunkport;
- The residence address, not a P.O. Box, shown on your current income tax return;
- The residence address, not a P.O. Box, at which your mail is received;
- The residence address, not a P.O. Box, shown on your current resident hunting or fishing license.

You have stated that you may qualify for what's called non-traditional residency in the Town of Kennebunkport. Because the Town does not currently house any shelters, or have a typical transient population that would be easily verifiable such as in larger municipalities, some types of documentation that would support this claim would include:

- A letter from the Town's General Assistance Administrator indicating that you have applied for housing assistance; or

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470

TOWN OF KENNEBUNKPORT, MAINE

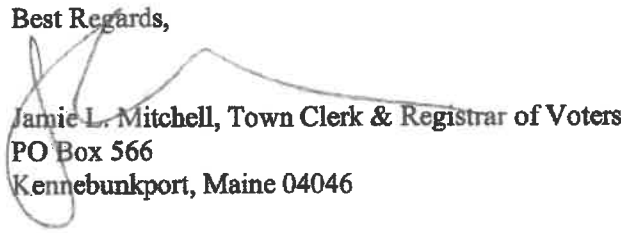
– INCORPORATED 1653 –

- A letter from the State of Maine Department of Health and Human Services regarding State assistance payments; or
- A letter from local law enforcement or other government agency who might verify the location of your temporary residence in Town, ie where you “hang your hat” at night.

I hope this information assists you in obtaining the documents or evidence which confirms your residency in the Town. If you have additional questions or concerns, please feel free to call me. Also, I would encourage you to contact the Secretary of State’s Office, Voter Eligibility Department or an attorney to guide you on additional documents that may constitute verifiable evidence of residency.

This will further confirm the Voter Eligibility Hearing that is currently scheduled for January 13, 2022, at 9:00 am at the Town Hall, 6 Elm Street, Kennebunkport, ME 04046.

Best Regards,



Jamie L. Mitchell, Town Clerk & Registrar of Voters
PO Box 566
Kennebunkport, Maine 04046

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470

Section Two:

Decision by Registrar of Voters of January 13, 2022 Voter Registration Hearing



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

January 28, 2022

Via e-mail to: louisbraxtonjr@gmail.com and U.S. First Class Mail, Postage Pre-paid

Mr. Louis Braxton
PO Box 1189
Kennebunkport, Maine 04046

Re: Voter Registration Eligibility

Mr. Braxton:

Below you will find important information regarding your voter eligibility status.

RECAP OF VOTER REGISTRATION HEARING:

On Thursday, January 13th, 2022, at 9:00am you were called, and attended a Registrar Hearing at the Kennebunkport Town Hall. You, myself and the Deputy Registrar, Rebecca Nolette, were all present at that meeting. When asked for evidence of residency to uphold your current registration you provided the following documents:

- A statement from the Kennebunkport Inn with general service information (Attachment A);
- A statement from the Kennebunkport Inn for one night stay on January 12, 2022 (See Attachment B);
- A survey from booking.com regarding a recent booking at the Rhumb Line (See Attachment C).

You further testified that you were by definition "homeless but not indigent", and that you spent five or six days a week as an in-home care giver for a gentleman in Saco, Maine. You then indicated that you spent your one to two days off in Kennebunkport between various hotels. You then presented a Freedom of Access Act request asking for (1) any evidence of challenges to your residence in the Town of Kennebunkport and (2) any other rulings or challenges to the residences of other resident of the Town.

FOAA REQUEST:

With regard to the FOA request made at said hearing, you were provided with a partial response on January 20, 2022, as it related to Request #1. (See Attachment D) With regard to the second request, this letter includes all documentation collected

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046

Tel: (207) 967-4243 Fax: (207) 967-8470

TOWN OF KENNEBUNKPORT, MAINE

– INCORPORATED 1653 –

with respect to your voter eligibility status, including an initial inquiry to the RSU #21 school board, and subsequent follow up(s) (See attachment E). By providing this additional information, the Town has met its requirements under FOAA.

DECISION OF REGISTRAR:

I have determined the following material facts:

- You are currently registered to vote to at 128 Ocean Avenue (See Attachment F);
- Your vehicle is currently registered to 128 Ocean Avenue (see Attachment G);
- You are not the current or former owner of said real estate at 128 Ocean Avenue (See Attachment H);
- Pursuant to the Department of Code Enforcement records, the property at 128 Ocean Avenue (a/k/a Fontenay Terrace) was demolished by the Owner on or about October 15, 2021, by virtue of a demolition permit (See Attachment I); and
- The documents provided by you at the hearing do not establish a right to possession or residency at 128 Ocean Avenue (See previously provided Attachments A-C).

Therefore, I have concluded that you do not have the authority or possession right to the property located at 128 Ocean Avenue and cannot be registered to vote with that address. Therefore, I am hereby removing you from the Kennebunkport Incoming Voter List effective the date of this letter, January 28, 2022, pursuant to the requirements of the Registrar as outlined in 21-A MRSA 3 § 161(4) (See Attachment J).

APPEAL:

Pursuant to 21-A MRSA 3 § 163, you have a right to the appeal procedure as outlined in the attached statute (See Attachment K).

NEW VOTER REGISTRATION REQUIRED:

If it is your intent to be a registered voter in the Town of Kennebunkport, you must immediately file with my office a Voter Registration Application. Your application must include proof of residency which acceptable documentation includes, but is not limited to:

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470

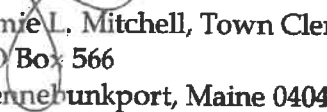
TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

- A lease agreement, rental agreement, letter from owner or other utility and/or statement identifying the dwelling unit please use that as the physical address and provide proof of the same; or
- A direct statement of intention by you pursuant to Section 121, Subsection 1 (commonly used for non-traditional residences), which must be a written document presented under oath and provide a physical address/description of the location you would like to establish as your place of residence.

A list of all documentation acceptable to register to vote as established by 21-A, Section 112.1.

Regards,



Jamie L. Mitchell, Town Clerk & Registrar of Voters
PO Box 566
Kennebunkport, Maine 04046

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470



ATTACHMENT A
LOUIS BRAXTON

Welcome to the Kennebunkport Inn!

We are available daily at our reception desk from
24-hours a day!

Housekeeping Services

Your safety remains our highest priority. We have taken extra precautions to clean and sanitize your room prior to your arrival. Out of an abundance of caution, we will not be providing daily housekeeping. Please fill out the hang tag with any items you may need and we will leave outside your door by 4pm

Morning Nosh

Our daily morning treat will be placed on the hook outside your door each morning by 8:30am

ICE

Ice is available in the freezers:
First Floor Riverhouse
First Floor Mansion

WIFI PASSWORD:

Network Name:
kennebunkport inn
Password: **KRC5450!**

Check Out is at 11:00am

The Burleigh

Open Wednesday- Sunday
4pm-9pm
Bar Snacks, Cocktails and more!

**Scan the QR Code for more info
on your stay**

(Open camera on your phone to scan)



ATTACHMENT B

Invoice



Kennebunkport Inn

Braxton Jr, Louis
ADDRESS NOT AVAILABLE
64072
United States of America

Invoice Date: 01-13-2022
Invoice Number: 5990

Arrival Date: 01-12-2022
Departure Date: 01-14-2022
Room Number: 212
Confirmation Number: 105453
Invoice Currency: USD

Date of Charge	Charge Description	Charge Amount	Credit Amount
01-12-2022	Room Charge	\$129.00	
01-12-2022	Destination Fee	\$2.58	
01-12-2022	Lodging Tax	\$11.84	
01-12-2022	Resort Fee	\$20.00	
01-12-2022	Lodging Tax	\$1.80	
	Total Charge		\$165.22
	Total Credits		\$0.00
	Net Amount		\$165.22
	Balance		\$165.22
	Destination Fee		\$2.58
	Lodging Tax		\$13.64

Jamie Mitchell

From: zmpire1 Louis <louisbraxtonjr@gmail.com>
Sent: Thursday, January 13, 2022 10:06 AM
To: Jamie Mitchell
Subject: Fwd: Rate Rhumb Line Resort

----- Forwarded message -----

From: Booking.com <noreply@booking.com>
Date: Thu, Nov 4, 2021 at 9:00 PM
Subject: Rate Rhumb Line Resort
To: <louisbraxtonjr@gmail.com>

Booking.com

Hi Louis



How was your stay at **Rhumb Line Resort**

3 nights in Kennebunkport

1 Nov - 4 Nov

Your feedback is valuable and will help the property to improve

How was your stay at Rhumb Line Resort?

 poor	 fair	 good	 excellent
--	--	--	---

Copyright © 1996–2021 Booking.com. All rights reserved

This e-mail was sent by Booking.com, Herengracht 597, 1017 CE Amsterdam, Netherlands

[Unsubscribe from these emails](#)

Jamie Mitchell

From: Jamie Mitchell
Sent: Friday, January 21, 2022 3:20 PM
To: zmpire1 Louis
Subject: First Response to FOAA Request
Attachments: Braxton FOAA.pdf

Dear Mr. Braxton:

Attached please find my first response to your FOAA request.

I have also mailed a copy to your PO Box provided in your request.

Thank you.

Best Regards,

Jamie L. Mitchell, Town Clerk
Registrar of Voters and FOAA Officer
Town of Kennebunkport
PO Box 566
6 Elm Street
Kennebunkport, ME 04046
E-mail: jmitchell@kennebunkportme.gov
Tel: (207) 967-1610

DISCLAIMER: The contents of this e-mail message and any attachments are confidential and are intended solely for addressee. The information may also be legally privileged. This transmission is sent in trust, for the sole purpose of delivery to the intended recipient. If you have received this transmission in error, any use, reproduction or dissemination of this transmission is strictly prohibited. If you are not the intended recipient, please immediately notify the sender by reply e-mail or phone and delete this message and its attachments, if any.

Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

January 20, 2022

Via First Class Mail, Postage Prepaid and e-mail to: louisbraxtonjr.com

Louis Braxton, Jr.
PO Box 1189
Kennebunkport, Me 04046

RE: MAINE FREEDOM OF ACCESS ACT REQUEST DTD. JANUARY 13, 2022

Dear Mr. Braxton:

This letter serves as acknowledgement of receipt of your Freedom of Access Act request dated Thursday, January 13, 2022 (hereinafter "FOAA"). This acknowledgement and anticipated time and fee allocation is provided to you within the timeline provided by FOAA (See 1 MRSA 13 § 408-A(3)). This will further serve as a partial response to your request.

- I. **Your first request is for any and all documentation relating to a question of your residency status in the Town of Kennebunkport.** My response is that providing you with this information would not generate any costs or fees; however, is the same information that will be provided to you with respect to your voter eligibility determination and would be overly burdensome and redundant to provide that information while I am still determining factors and any response may be inconclusive. Therefore, this shall not be deemed a response, but confirmation of an estimated timeline that you can reasonably expect all documentation to be provided to you with said decision Voter Registration hearing, which will be forthcoming within the next week or two at most.
- II. **Your second request was for any and all information relating to challenged voters for the last five (5) years.** I find that this request does not warrant any fees or additional time to address. First, the Maine retention schedule issued by Records Management Division in Accordance with *Maine Title 5, Chapter 6, §95-B*, provides that municipalities must retain these records for two (2) years. Therefore, there is no information in our possession prior to January of 2020. Historically, we conduct about 2-3 Voter Registration hearings per year; however, the former Clerk has confirmed that each time the Voter failed to attend the hearing and was removed from the Voter rolls.

Additionally, we have never had a voter register in Kennebunkport with a non-traditional residence and thus there are no records or similar outcomes to provide.

Based on this information, there is no documentation available that would be responsive to your request. By providing you this response the Town has met its requirements under FOAA as it pertains to your second request.

Should you have any additional questions, please do not hesitate to contact me.

Sincerely,
s/ *Jamie L. Mitchell*
Jamie L. Mitchell, FOA Officer

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4743 Fax: (207) 967-8470

I Louis BRAXTON Jr

- ① REQUEST ANY EVIDENCE OF CHANGES TO MY RESIDENCE IN THE TOWN OF KENNEBUNKPORT
- ②. Any ~~with~~ other RULINGS OR CHALLENGES TO THE RESIDENCES OF OTHER RESIDENTS OF THE TOWN

Jenni Barber 13 June 2022
P.O. Box 1189
KENNEBUNKPORT, ME 04956

Jamie Mitchell

From: James McMann <jmcmann@systemsengineering.com>
Sent: Friday, November 12, 2021 1:57 PM
To: Laurie Smith; schoolboard@rsu21.net
Cc: Jamie Mitchell
Subject: Additional Protocols to validate Residence of Elected Officials in Kennebunkport

Good Afternoon Laurie and Members of RSU21 School Board,.

Recently it was brought to my attention that the housing structure occupied by School Board member Louis Braxton has been demolished.

I called the town office today to inquire on the updated address of School board member Louis Braxton and the clerk expressed to me that there is no updated address in Kennebunkport provided.

Currently, the only protocol in place for validating residence to run for office is during the initial pulling of papers to run as a candidate.

The town has no process in place to validate any elected Kennebunkport officials place of residency on a regular basis or after the initial candidacy.

It makes sense to have this validation measure in place to ensure accurate records of residency as a means of public information.

The town clerk continued to explain that the only way to receive the updated address of residency for School Board member Braxton would be to make an inquiry with the School Board.

Can School Board member Louis Braxton contact the town clerk this week to provide his current Kennebunkport address of residency?

Or can this email serve as the official request to the School Board to work with the town clerk to update the new Kennebunkport address of Mr. Braxton's residence?

Laurie Smith, let me know your thoughts on what internal protocols would make sense in the future to perform regular validation of residency of elected Kennebunkport officials to ensure updated public information.

All the best,

James McMann

Get [Outlook for Android](#)

Jamie Mitchell

From: Art LeBlanc <aleblanc@rsu21.net>
Sent: Wednesday, November 24, 2021 5:44 PM
To: James McMann
Cc: Jamie Mitchell; Laurie Smith; schoolboard@rsu21.net; Terri Cooper
Subject: Re: Additional Protocols to validate Residence of Elected Officials in Kennebunkport

Good Evening James,

I will be communicating with Laurie on this issue as it is a municipally elected position. I wish you well this Thanksgiving.

Regards,

Art

Art LeBlanc
Board Chair
RSU21

CONFIDENTIALITY NOTICE

This e-mail is intended only for the person(s) to whom it is addressed.

It may contain information that is privileged, confidential, and exempt from disclosure under applicable laws. If you received this e-mail in error, please notify me immediately, delete the e-mail, and destroy any copies.

On Wed, Nov 24, 2021 at 11:37 AM James McMann <jmcmann@systemsengineering.com> wrote:

Good Morning,

Per my original request 13 days ago regarding the request to get Louis Braxton to help update his Kennebunkport current address for means of public information, should we anticipate a response soon, either from him, the Superintendent or the School Board, stating that this task will be taken care of or should I consider what I assume is the

Best Regards,

Jamie L. Mitchell, Town Clerk

Town of Kennebunkport

PO Box 566

6 Elm Street

Kennebunkport, ME 04046

E-mail: jmitchell@kennebunkportme.gov

Tel: (207) 967-1610



From: James McMann <jmcmann@systemsengineering.com>

Sent: Monday, November 22, 2021 2:33 PM

To: Laurie Smith <lsmith@kennebunkportme.gov>; schoolboard@rsu21.net; 'Terri Cooper' <tcooper@rsu21.net>

Cc: Jamie Mitchell <JMitchell@kennebunkportme.gov>

Subject: RE: Additional Protocols to validate Residence of Elected Officials in Kennebunkport

Good Afternoon,

Per Laurie's email last week, has the School Board and/or Superintendent validated or reported the current Kennebunkport address of Louis Braxton to the Kennebunkport clerks or has he reached out to them to update the public information?

Thanks and have a great day,

Good Afternoon Laurie and Members of RSU21 School Board,.

Recently it was brought to my attention that the housing structure occupied by School Board member Louis Braxton has been demolished.

I called the town office today to inquire on the updated address of School board member Louis Braxton and the clerk expressed to me that there is no updated address in Kennebunkport provided.

Currently, the only protocol in place for validating residence to run for office is during the initial pulling of papers to run as a candidate.

The town has no process in place to validate any elected Kennebunkport officials place of residency on a regular basis or after the initial candidacy.

It makes sense to have this validation measure in place to ensure accurate records of residency as a means of public information.

The town clerk continued to explain that the only way to receive the updated address of residency for School Board member Braxton would be to make an inquiry with the School Board.

Can School Board member Louis Braxton contact the town clerk this week to provide his current Kennebunkport address of residency?

Or can this email serve as the official request to the School Board to work with the town clerk to update the new Kennebunkport address of Mr. Braxton's residence?

Laurie Smith, let me know your thoughts on what internal protocols would make sense in the future to perform regular validation of residency of elected Kennebunkport officials to ensure updated public information.

Jamie Mitchell

From: Laurie Smith
Sent: Friday, January 21, 2022 12:08 PM
To: James McMann
Cc: Jamie Mitchell
Subject: RE: Hearing for Louis Braxton

Hi Jim,

The outcome has not yet been decided. Jamie has 30 days to make a decision and has taken some time off this week, so there is no outcome to report at this time.

Laurie Smith
Town Manager
P.O. Box 566
Kennebunkport, ME 04043
(207) 967-1606

From: James McMann <jmcmann@systemsengineering.com>
Sent: Friday, January 21, 2022 10:12 AM
To: Laurie Smith <lsmith@kennebunkportme.gov>
Subject: Hearing for Louis Braxton

Good Morning Laurie,

I wanted to touch base with you to see what the outcome of the hearing for Louis Braxton was regarding voter registration?

Thanks,

James McMann



SYSTEMS
engineering

Jamie Mitchell

From: Laurie Smith
Sent: Monday, December 13, 2021 9:42 AM
To: Tracey O'Roak; Jamie Mitchell
Subject: FW: FW: Update of Kennebunkport SOP for current residency of elected School Board members

FYI

Laurie Smith
Town Manager
P.O. Box 566
Kennebunkport, ME 04043
(207) 967-1606

From: Art LeBlanc <aleblanc@rsu21.net>
Sent: Friday, December 10, 2021 3:38 PM
To: James McMann <jmcmann@systemsengineering.com>; Loreta McDonnell <lmcdonnell@rsu21.net>; Laurie Smith <lsmith@kennebunkportme.gov>
Subject: Re: FW: Update of Kennebunkport SOP for current residency of elected School Board members

Good Afternoon Jim,

My review of our policy determined that it is not in the purview of the Board Chair to verify or investigate the residences of elected school board members. As you have brought this issue forward again I will confer with our town managers at our next meeting and will look at our municipal policies. Any changes to those policies would of course have to be worked through at the town level. I have added Laurie and Loreta to the distribution.

I wish you well this weekend,

Art
Art LeBlanc
Board Chair
RSU21

I am following up on my phone voicemail from yesterday afternoon to see if you would be willing to review the current and future protocol for Kennebunkport town clerks ability to have a revised protocol to reach directly out Kennebunkport elected School Board members for updated residency.

As you know I made the inquiry with the Kport town clerk about a month ago regarding Louis Braxton's current residency knowing that his place was demolished and I was advised that the protocol was for someone else to do all the legwork or be the middleman if you will to extend a conversation with the School Board committee and/or the Superintendent in order to request that the School Board help furnish the current residency. This was done on 11/12.

I received an email the following week from you stating it would be handled on the municipal side. Further details were provided by Laurie Smith, the town manager, who stated that she conferred with you and that you considered this a municipal matter and an issue the School Board did not need to be involved in.

Based on the outcome above, I want to continue with the town to push them to update their protocols so in the future the SOP will allow the town clerk to directly work with elected Kport officials for the current residential information.

Please let me know if you have time to discuss this over the phone so we can briefly discuss and confirm that the expectation going forward would not involved the School Board which would allow for more efficiency in time and resources to handle a matter that should take less than 30 minutes on the town clerk end.

I have cc'd Loretta on this email because it seems important for the Chair and Co-Chair to be involved in the potential changes to protocols/SOP's.

My thought is the phone discussion should not take more than 15 minutes of your time and I have flexibility over the next day or two in order to accomplish this.

Look forward to speaking with you.

Thanks,

James McMann

207-205-2770

Jamie Mitchell

From: Audrey Williamson
Sent: Tuesday, November 16, 2021 1:51 PM
To: Jamie Mitchell; Laurie Smith
Subject: James McMann FYI

I took a call from James, he was looking for Jamie. I relayed that she is at a conference until Monday, I asked if I could help. He wanted to know if Jamie had an updated address for a school board member. I told him I was fairly sure that no new address has been provided, and asked if he had inquired to the school board. His phone was a bit wonky but he said he'd reached out to Laurie via email and he'll call back in a few days.

ACW

Audrey Williamson, CCM
Deputy Town Clerk
Assistant Tax Collector
Town of Kennebunkport
Notary Public
207.967.1611

Jamie Mitchell

From: James McMann <jmcmann@systemsengineering.com>
Sent: Tuesday, December 07, 2021 3:08 PM
To: Laurie Smith
Cc: Jamie Mitchell; Allen Daggett; Sheila Matthews-Bull; Edward Hutchins
Subject: RE: Additional Protocols to validate Residence of Elected Officials in Kennebunkport

Thanks for responding Laurie.

If you have a few moments to explain this over the phone I'd love to hear the process, especially knowing that it takes over a month to finalize.

Regrettably we are officially 5 days shy of me doing the initial inquiry on this so another month seems so frivolous and such a waste of town resources for a matter that should take this particular elected official 30 minutes to speak to the clerk and verify. I do understand that this process is necessary to perform proper due diligence on your end.

You are the town manager and probably the highest echelon of our town government, including the group of Selectmen, is there any way we can just go ahead and formally demand the Kennebunkport address and if he refuses the suggestion be made that he should resign rather than dragging this out for another 30 days all the while he maintains the ability to vote on school issues that effect our kids and community?

I don't want to see this become an issue of a Kennebunkport School Board member choosing a path of unethical behavior in order to fill a seat and voters getting mislead making the town look bad.

Thanks for your time and hope we can rectify this kind of nonsense to prevent it from happening in the future.

I have cc'd several Select Board members that I have emails for but encourage you to forward this to the remainder of them.

Thanks,

James McMann
207-205-2770

From: Laurie Smith <lsmith@kennebunkportme.gov>
Sent: Tuesday, December 7, 2021 2:24 PM
To: James McMann <jmcmann@systemsengineering.com>
Cc: Jamie Mitchell <JMitchell@kennebunkportme.gov>
Subject: RE: Additional Protocols to validate Residence of Elected Officials in Kennebunkport

This message originated outside of Systems Engineering.

Hi Jim,

207-967-1606

From: James McMann <jmcmann@systemsengineering.com>
Sent: Friday, November 12, 2021 1:57 PM
To: Laurie Smith <lsmith@kennebunkportme.gov>; schoolboard@rsu21.net
Cc: Jamie Mitchell <JMitchell@kennebunkportme.gov>
Subject: Additional Protocols to validate Residence of Elected Officials in Kennebunkport

Good Afternoon Laurie and Members of RSU21 School Board,.

Recently it was brought to my attention that the housing structure occupied by School Board member Louis Braxton has been demolished.

I called the town office today to inquire on the updated address of School board member Louis Braxton and the clerk expressed to me that there is no updated address in Kennebunkport provided.

Currently, the only protocol in place for validating residence to run for office is during the initial pulling of papers to run as a candidate.

The town has no process in place to validate any elected Kennebunkport officials place of residency on a regular basis or after the initial candidacy.

It makes sense to have this validation measure in place to ensure accurate records of residency as a means of public information.

The town clerk continued to explain that the only way to receive the updated address of residency for School Board member Braxton would be to make an inquiry with the School Board.

Can School Board member Louis Braxton contact the town clerk this week to provide his current Kennebunkport address of residency?

Or can this email serve as the official request to the School Board to work with the town clerk to update the new Kennebunkport address of Mr. Braxton's residence?

Laurie Smith, let me know your thoughts on what internal protocols would make sense in the future to perform regular validation of residency of elected Kennebunkport officials to ensure updated public information.

All the best,

James McMann

Get [Outlook for Android](#)



Jamie Mitchell

From: Jamie Mitchell
Sent: Friday, January 14, 2022 4:47 PM
To: zmpire1 Louis
Cc: Becky Nolette
Subject: Receipt of additional documentation

Good Afternoon Mr. Braxton:

This e-mail will confirm that I am in receipt of the additional documentation you are submitting as evidence of your residency in Town. The item below is a survey that does not provide sufficient evidence of actual accommodations at the Rhumb Line during these dates but that a room may or may not have been booked.

The purpose of this e-mail is evidentiary in that I am respectfully requesting that you provide any additional documentation, including but not limited to:

~ A receipt from the hotel, credit card, bank statement, invoice clearly identifying the dates of your stay at the Rhumb Line Resort.

~ Additional documentation of your motel stays in Kennebunkport outside the period of November 1- 4th and January 12th.

I will accept any of the above-mentioned documents if received before 4 pm on Tuesday, January 18th.

I will be out of the office next week, but any questions can be asked to our Deputy Register, Becky, who is cc'd on this e-mail and as you know attended the hearing yesterday.

I appreciate your time and attention to this matter.

Best Regards,

Jamie L. Mitchell, Town Clerk
Registrar of Voters and FOAA Officer
Town of Kennebunkport
PO Box 566
6 Elm Street
Kennebunkport, ME 04046
E-mail: jmitchell@kennebunkportme.gov
Tel: (207) 967-1610

DISCLAIMER: The contents of this e-mail message and any attachments are confidential and are intended solely for addressee. The information may also be legally privileged. This transmission is sent in trust, for the sole purpose of delivery to the intended recipient. If you have received this transmission in error, any use, reproduction or dissemination of this transmission is strictly prohibited. If you are not the intended recipient, please immediately notify the sender by reply e-mail or phone and delete this message and its attachments, if any.

Copyright © 1996–2021 Booking.com. All rights reserved
This e-mail was sent by Booking.com, Herengracht 597, 1017 CE Amsterdam, Netherlands
[Unsubscribe](#) from these emails

Jamie Mitchell

From: Jamie Mitchell
Sent: Wednesday, December 15, 2021 9:54 AM
To: lbraxtonjr@rsu21.net
Subject: Voter Eligibility Guidance
Attachments: Ltr to Louis re guidance on acceptable documentation.pdf

Dear Mr. Braxton,

Please find attached hereto a letter which intends to offer you additional assistance as to acceptable documentation for voter residence eligibility purposes.

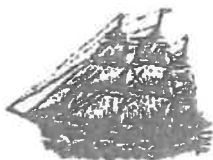
Please let me know if I can be of further assistance.

Best Regards,

Jamie L. Mitchell, Town Clerk
Registrar of Voters & FOAA Officer
Town of Kennebunkport
PO Box 566
6 Elm Street
Kennebunkport, ME 04046
E-mail: jmitchell@kennebunkportme.gov
Tel: (207) 967-1610

DISCLAIMER: The contents of this e-mail message and any attachments are confidential and are intended solely for addressee. The information may also be legally privileged. This transmission is sent in trust, for the sole purpose of delivery to the intended recipient. If you have received this transmission in error, any use, reproduction or dissemination of this transmission is strictly prohibited. If you are not the intended recipient, please immediately notify the sender by reply e-mail or phone and delete this message and its attachments, if any.

Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.



TOWN OF KENNEBUNKPORT, MAINE

INCORPORATED 1653 -

December 14, 2021

Via USPS First Class Mail, Postage Pre-paid and Email to:

lbraxton@rsu21.net

Mr. Louis Braxton
PO Box 1189
Kennebunkport, Maine 04046

Re: Voter Eligibility Status

Dear Mr. Braxton:

This letter is to follow up on your recent inquiry as to what documentation would satisfy proof of residency in the Town of Kennebunkport. While this information does not constitute legal advice nor it is conclusive of all possible evidence, it is my hope that it will provide you with some guidance of what may be acceptable documentation confirming residency.

First and foremost, as outlined in Title 21-A, Maine Law on Elections, section 112.1 and provided to you in the Notice of Hearing dated December 6, 2021, the types of customary documentation a Registrar of Voting looks for would be one of the following:

- A direct statement from the owner of 128 Ocean Avenue or location you claim to be intending to return to that you will be provided with housing once construction is completed;
- The location of any dwelling you currently occupy by virtue of a Lease Agreement, Rental Agreement or letter from the property owner confirming you are staying at said property;
- A State of Maine Driver's license with a physical address in Kennebunkport;
- The residence address, not a P.O. Box, shown on your current income tax return;
- The residence address, not a P.O. Box, at which your mail is received;
- The residence address, not a P.O. Box, shown on your current resident hunting or fishing license.

You have stated that you may qualify for what's called non-traditional residency in the Town of Kennebunkport. Because the Town does not currently house any shelters, or have a typical transient population that would be easily verifiable such as in larger municipalities, some types of documentation that would support this claim would include:

- A letter from the Town's General Assistance Administrator indicating that you have applied for housing assistance; or

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470

Jamie Mitchell

From: Jamie Mitchell
Sent: Monday, December 06, 2021 4:15 PM
To: lbraxtonjr@rsu21.net
Cc: Becky Nolette
Subject: Notice of Hearing - Voter Eligibility
Attachments: Notice of Hearing re Voter Reg Braxton.pdf

Dear Mr. Braxton,

Attached please find a Notice of Hearing which is scheduled for January 13th at 9:00 am at the Kennebunkport Town Hall. This notice has also been mailed to you via First Class, US Mail, Postage Pre-paid to your last known address as required by law. I understand based on our last conversation that you may have a PO Box in Kennebunkport and hereby request that you forward that information to me.

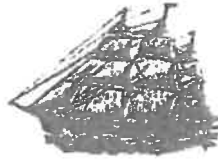
As you are aware, I contacted you in my capacity as Registrar of Voters to confirm your eligibility to be a registered voter of Kennebunkport. Your qualification as a voter has been challenged, due to the fact that your physical dwelling unit has been torn down. Title 21-A, Section 112(1) defines residence as, "(1) that place where the person has established a fixed and principal home to which the person, whenever temporarily absent, intends to return." During our phone conversation, you indicated that you intend to return to a physical residence in Kennebunkport, but at this point are unable to provide a verifiable location. As such, as required by law, I am officially requesting qualification of your registration as a voter in Town.

Thank you for your time and attention to this matter.

Best Regards,

Jamie L. Mitchell, Registrar of Voters
Town Clerk and Freedom of Access Officer
Town of Kennebunkport
PO Box 566
6 Elm Street
Kennebunkport, ME 04046
E-mail: jmitchell@kennebunkportme.gov
Tel: (207) 967-1610





TOWN OF KENNEBUNKPORT, MAINE

INCORPORATED 1653 -

December 6, 2021

Louis Braxton, Jr.
128 Ocean Avenue, Unit 7
Kennebunkport, Maine 04046

NOTICE OF HEARING

I have received information that indicates you may no longer make Kennebunkport your principal residence. Pursuant to Title 21-A, Maine Law on Elections, section 161.4, your presence is requested at a hearing on Thursday January 13th, 2021 at the Kennebunkport Town Hall at 9:00 AM to offer proof of your qualifications as a registered voter.

Reason for Challenge: The physical dwelling located at 128 Ocean Avenue, Unit 7, Kennebunkport, Maine has been recently demolished. There is no known intention to rebuild housing at this location.

Please be aware that section 111.3 states that a person "must have established and maintain a voting residence in that municipality" in order to qualify as a voter. Section 112, defines voting residence as "that place where the person has established a fixed and principal home to which the person, whenever temporarily absent, intends to return."

Please be prepared to offer testimony and written documentation as proof of residency. The following items, outlined in section 112.1 of the law, may be offered as proof of residency:

- A direct statement of intention by you pursuant to section 121, subsection 1;
- The location of any dwelling you currently occupy;
- The place where any motor vehicle you own is currently registered;

Please note all of the above must be accompanied by a Lease Agreement, Rental Agreement or statement from a landlord/property owner inclusive of the address you intend to rent.

- The residence address, not a P.O. Box, shown on your current income tax return;
- The residence address, not a P.O. Box, at which your mail is received;
- The residence address, not a P.O. Box, shown on your current resident hunting or fishing license;
- The residence address, not a P.O. Box, shown on your motor vehicle operator's license;
- The receipt of any public benefit conditioned upon residency, defined substantially as provided in this subsection; or
- Any other objective facts tending to indicate your place of residence.

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470

Jamie Mitchell

From: Jamie Mitchell
Sent: Monday, December 06, 2021 4:15 PM
To: lbraxtonjr@rsu21.net
Cc: Becky Nolette
Subject: Notice of Hearing - Voter Eligibility
Attachments: Notice of Hearing re Voter Reg Braxton.pdf

Dear Mr. Braxton,

Attached please find a Notice of Hearing which is scheduled for January 13th at 9:00 am at the Kennebunkport Town Hall. This notice has also been mailed to you via First Class, US Mail, Postage Pre-paid to your last known address as required by law. I understand based on our last conversation that you may have a PO Box in Kennebunkport and hereby request that you forward that information to me.

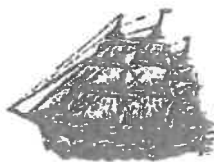
As you are aware, I contacted you in my capacity as Registrar of Voters to confirm your eligibility to be a registered voter of Kennebunkport. Your qualification as a voter has been challenged, due to the fact that your physical dwelling unit has been torn down. Title 21-A, Section 112(1) defines residence as, "(1) that place where the person has established a fixed and principal home to which the person, whenever temporarily absent, intends to return." During our phone conversation, you indicated that you intend to return to a physical residence in Kennebunkport, but at this point are unable to provide a verifiable location. As such, as required by law, I am officially requesting qualification of your registration as a voter in Town.

Thank you for your time and attention to this matter.

Best Regards,

Jamie L. Mitchell, Registrar of Voters
Town Clerk and Freedom of Access Officer
Town of Kennebunkport
PO Box 566
6 Elm Street
Kennebunkport, ME 04046
E-mail: jmitchell@kennebunkportme.gov
Tel: (207) 967-1610





TOWN OF KENNEBUNKPORT, MAINE

INCORPORATED 1653 -

December 6, 2021

Louis Braxton, Jr.
128 Ocean Avenue, Unit 7
Kennebunkport, Maine 04046

NOTICE OF HEARING

I have received information that indicates you may no longer make Kennebunkport your principal residence. Pursuant to Title 21-A, Maine Law on Elections, section 161.4, your presence is requested at a hearing on Thursday, January 13th, 2021 at the Kennebunkport Town Hall at 9:00 AM to offer proof of your qualifications as a registered voter.

Reason for Challenge: The physical dwelling located at 128 Ocean Avenue, Unit 7, Kennebunkport, Maine has been recently demolished. There is no known intention to rebuild housing at this location.

Please be aware that section 111.3 states that a person "must have established and maintain a voting residence in that municipality" in order to qualify as a voter. Section 112, defines voting residence as "that place where the person has established a fixed and principal home to which the person, whenever temporarily absent, intends to return."

Please be prepared to offer testimony and written documentation as proof of residency. The following items, outlined in section 112.1 of the law, may be offered as proof of residency:

- A direct statement of intention by you pursuant to section 121, subsection 1;
- The location of any dwelling you currently occupy;
- The place where any motor vehicle you own is currently registered;

Please note all of the above must be accompanied by a Lease Agreement, Rental Agreement or statement from a landlord/property owner inclusive of the address you intend to rent.

- The residence address, not a P.O. Box, shown on your current income tax return;
- The residence address, not a P.O. Box, at which your mail is received;
- The residence address, not a P.O. Box, shown on your current resident hunting or fishing license;
- The residence address, not a P.O. Box, shown on your motor vehicle operator's license;
- The receipt of any public benefit conditioned upon residency, defined substantially as provided in this subsection; or
- Any other objective facts tending to indicate your place of residence.

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470

ATTACHMENT F

Braxton

MAINE VOTER REGISTRATION APPLICATION



Federally required questions:

- * Are you a citizen of the United States of America? * YES NO
**If NO, DO NOT complete this application.
- * Are you at least 18 years of age? ** YES NO
**If NO, but you are at least 16 years of age, you may pre-register to vote.

- PARTY AFFILIATION**
- Democratic
 - Green Independent
 - Republican
 - Other qualifying party:
 - Unenrolled (no party choice)

LAST NAME Braxton Braxton Jr	FIRST NAME Louis	MIDDLE NAME —	DATE OF BIRTH 06 05 1956 MM DD YYYY
CURRENT RESIDENCE ADDRESS (Physical address where you live)			
STREET NAME AND NUMBER, NOT A P.O. BOX 128 Ocean Avenue		CITY, TOWN, PLANTATION OR TOWNSHIP Kennebunkport	
CURRENT MAILING ADDRESS (Complete if different from above address)			
STREET NAME AND NUMBER, OR P.O. BOX, etc.		CITY/TOWN	ZIP CODE
Have you previously been registered to vote? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If the answer is "yes" provide address of previous registration below.			TELEPHONE (Optional) 347 813-3718
CITY/TOWN New York	COUNTY New York	STATE NY	

COMPLETE BOTH SIDES OF THIS CARD - PLEASE PRINT

ATTACHMENT G

State of Maine Vehicle Registration

Mileage 162,000

Eff. Date is Validation Date, But Not Prior To: 03/01/2021		Expires: 03/31/2022		Insurance:		CLASS: PC	REGISTRATION NUMBER: 4225XG																
VIN: 3LNHM26186R633773	YEAR: 2006	MAKE: LINC	MODEL: ZEPHYR	COLOR: WH	TYPE: 2D	NET WEIGHT:	REGISTERED WEIGHT (LBS): G																
REGISTRANT(G): BRAXTON, LOUIS JR			DOB: 06/05/1956		<table border="1"> <tr><td>Base</td><td>28.995</td></tr> <tr><td>MR. Rate</td><td>0.0040</td></tr> <tr><td>Local</td><td></td></tr> <tr><td>Ex Tax</td><td>115.98</td></tr> <tr><td>Ex Tax Bal</td><td>115.98</td></tr> <tr><td>Ex Tax Date</td><td>06/01/2021</td></tr> <tr><td>Fee</td><td>35.00</td></tr> <tr><td>Agent Fee</td><td>5.00</td></tr> </table>			Base	28.995	MR. Rate	0.0040	Local		Ex Tax	115.98	Ex Tax Bal	115.98	Ex Tax Date	06/01/2021	Fee	35.00	Agent Fee	5.00
Base	28.995																						
MR. Rate	0.0040																						
Local																							
Ex Tax	115.98																						
Ex Tax Bal	115.98																						
Ex Tax Date	06/01/2021																						
Fee	35.00																						
Agent Fee	5.00																						
LESSOR:		UNITY:	DOT#:																				
MAILING ADDRESS: 128 OCEAN AVE UNIT 7 KENNEBUNKPORT ME 04046		LEGAL RESIDENCE CODE: 128 OCEAN AVE UNIT 7 KENNEBUNKPORT ME 31120		<p>Registration Void Unless Validated</p> <p>VALIDATED REGISTRATION</p> <p>KENNEBUNKPORT 31120 06/01/2021</p> <p>\$155.98</p> <p>25096676</p>																			
PT		User Id		ACW		E-Reg-reg																	

Tax Receipt #: 25096676

Sticker # (M)

(M) 22D 04690397

ATTACHMENT H

KENNEBUNKPORT
11:37 AM

RE Account 2618 Detail as of 01/26/2022

01/26/2022
Page 1

Name: BOUGHTON HOTEL CORP.
Location: 128 OCEAN AVENUE
Acreage: 0.36 Map/Lot: 008-008-014
Book Page: B18127P102

Land: 303,000
Building: 218,100
Exempt 0

Total: 521,100

2022-1 Period Due:

Ref1: BP
Mailing 140 OCEAN AVENUE
Address: KENNEBUNKPORT ME 04046

Year/Rec #	Date	Reference	P C	Principal	Interest	Costs	Total
2022-1 R				0.00	0.00	0.00	0.00
2021-1 R				0.00	0.00	0.00	0.00
2020-1 R				0.00	0.00	0.00	0.00
2019-1 R				0.00	0.00	0.00	0.00
2018-1 R				0.00	0.00	0.00	0.00
2017-1 R				0.00	0.00	0.00	0.00
2016-1 R				0.00	0.00	0.00	0.00
2015-1 R				0.00	0.00	0.00	0.00
2014-1 R				0.00	0.00	0.00	0.00
2013-1 R				0.00	0.00	0.00	0.00
2012-1 R				0.00	0.00	0.00	0.00
2011-1 R				0.00	0.00	0.00	0.00
2010-1 R				0.00	0.00	0.00	0.00
2009-1 R				0.00	0.00	0.00	0.00
Account Totals as of 01/26/2022				0.00	0.00	0.00	0.00

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

8-8-15

ATTACHMENT I
RECEIVED
AUG 13 2021
BY: NCC



Town of Kennebunkport
Building or Growth Management Permit Application

FOR OFFICE USE ONLY

Zone Riverfront. Map 8 Block _____ Lot 6-4, 8-14,
8-15, 8-16.

Growth Area Permit # _____
Rural Area Permit # _____
Transition Area Permit # _____

Property Owner Boughton Hotel Corp. Phone _____ Issue Date _____

Property Address 140 Ocean Ave. Kennebunkport, ME 04046 Time _____

Owner's Mailing Address 140 Ocean Ave. Fee _____

Email Address gm@thecolonyhotel.com Approved By _____

Contractor Wright-Ryan Construction Inc. Phone 773-3625 Building Permit # 21-353

Email Address skeav@wright-ryan.com Issue Date 10/15/21

Contractor's Address 10 Danforth St. portland, ME 04101 Fee \$ 100

Proposed Use Hotel Historic Building? _____
What Year _____ Approved By AW

New Construction

Provide Detailed Plans and Plot Plan Estimated Project Cost \$80,000

Project Description

Demolition of 4 existing buildings at the North Campus to enable the new construction of 2 new buildings providing 41 guest rooms and related support spaces. The buildings to be demolished include; Fontenay Terrace, Cove Dormitory, East House, Wilson House. All other required permits for the construction phase will be applied for prior to construction per the Town Ordinance.

Number of Stories

Present N/A

Proposed _____

Height of Building

Present N/A

Proposed _____

Number of Bathrooms

Present N/A

Proposed _____
Full Half

Number of Bedrooms

Present N/A

Proposed _____

Year Round Use _____

Seasonal Use N/A

***Proposed = Total, Existing + Requested**

INFORMATION REQUIRED FOR
BUILDING PERMIT/ GROWTH MANAGEMENT PERMIT
Town Of Kennebunkport, Maine

1. Building Permit Application, completed fully and signed.
2. Recorded Deed or proof of ownership (If ownership has changed w/in past 6 months).
3. If applicant is other than owner, a signed letter of authorization from owner.
4. Plot plan or survey to scale showing: set backs, wetlands, shape & dimensions of lot, size & location of all buildings, structures, water bodies and other significant features currently existing on the lot.
5. Where applicable, the location of soils test pits, reserve disposal areas, subsurface sewage disposal systems, parking lots and driveways, signs, buffer strips and private wells.
6. Detailed construction plans, drawn accurately to scale **MUST BE INCLUDED**. Plans must be designed to meet Maine Uniform Building & Energy Code.
7. If new construction or renovation over \$20,000 that has or will have an alarm system or fire suppression system, please review Section 5 of the Key Lock Box Ordinance. A copy can be provided.
8. Radon Mitigation Plan (if applicable) to scale must be included by registered radon mitigation contractors.
9. Show ALL types of lot coverage including but not be limited to: sheds, pools, patio, walkway, etc. If unsure what constitutes, lot coverage, please ask.
10. Septic plan/HHE200 (must be less than 2 years old) OR Sewer Connection Application completed and approved by Sewer Department (967-2245)
11. Department of Environmental Protection Permit, if required
12. Does project include any asbestos or lead paint removal? If so, provide separate description and contractor details.
13. Zoning Board of Appeals and/or Planning Board Approval, if needed.
14. Completely filled out Curb Cut Application signed by Police Chief & Highway Superintendent; be sure to include your name, address, property address, etc. Curb cut is not required for private roads. State roads require MDOT approval.
15. Form 1190 from Central Maine Power.
16. Maine Chimney Installation Disclosure, if needed.

The Code Enforcement Office will try to notify you within 20 days of receipt of your application whether it has been deemed complete, has been denied or requires additional information.

POST IN VISIBLE LOCATION ON PROPERTY BEFORE STARTING ANY WORK

PERMIT NO. 21-353

TOWN OF KENNEBUNKPORT

CONTRACTOR Wright - Ryan

BUILDING PERMIT

THIS IS TO CERTIFY THAT Boughon Hotel Corp.

HAS PERMISSION

TO Demolish - demo 1 existing buildings at

the north campus to enable new construction.

STREET 140 Ocean Ave.

ZONE R5 MAP 8 BLOCK 16 LOT 41

ALL WORK DONE UNDER THIS PERMIT SHALL COMPLY WITH ALL FEDERAL, STATE AND LOCAL LAWS, ORDINANCES OR OTHER RESTRICTIONS. NO WORK SHALL COMMENCE UNTIL ALL REQUIRED PERMITS AND APPROVALS ARE ON FILE WITH THE TOWN OFFICE. NO CHANGES FROM THE BUILDING APPLICATION SUBMITTED SHALL BE MADE WITHOUT APPROVAL FROM THE CODE ENFORCEMENT OFFICE.

ANY PERMIT ISSUED SHALL BECOME INVALID IF THE AUTHORIZED WORK IS NOT COMMENCED WITHIN ONE YEAR FROM THE ISSUANCE OF THE PERMIT. WORK MUST BE SUBSTANTIALLY COMPLETED WITHIN TWO (2) YEARS OF THE DATE ON WHICH THE PERMIT WAS ISSUED, UNDER ARTICLE 11, §240-11.7 OF THE KENNEBUNKPORT TOWN CODE.

CERTIFICATE OF USE AND OCCUPANCY REQUIRED BEFORE FURNISHINGS ARE MOVED IN.

Adrian White
TOWN OF KENNEBUNKPORT - CODE ENFORCEMENT OFFICER
DATE ISSUED 10-15-21

FOUNDATION & FOOTING

SEWER

DATE _____

FRAMING _____

DATE _____

INSULATION _____

DATE _____



DATE _____

DATE _____

NUMBER _____

DATE _____

REPLACE/CHANGE _____

DATE _____

THIS PERMIT MUST BE POSTED AND VISIBLE UNTIL ALL WORK IS COMPLETE

COLONY HOTEL

KENNEBUNKPORT

Colony Hotel
140 Ocean Avenue
Kennebunkport, Maine

Applicant / Record Owner:

BOUGHTON HOTEL CORP.
140 OCEAN AVENUE
KENNEBUNKPORT, MAINE

Parcel ID:

MAP 3
LOTS 8-14 - 128 OCEAN AVENUE
6-18 - 12 COLONY AVENUE
9-8 - 2 COLONY AVENUE

Utility Providers:

WATER SERVICE
KENNEBUNK, KENNEBUNKPORT
KENNEBUNK, MAINE 04043
707-686-5385

ELECTRICAL SERVICE
CENTRAL MAINE POWER
ALBANY, MAINE
800-780-4000

SEWER SERVICE
KENNEBUNKPORT
WASTEWATER DEPARTMENT
25 RECREATION WAY
P.O. BOX 899
KENNEBUNKPORT, MAINE 04040
207-897-2245



North Campus Rendering by Michael Spitzer Architects

Location Plan:



Map of Kennebunkport, Maine
Scale: 1" = 100'

Drawing List:

- COVER SHEET
- TOPOGRAPHIC SURVEY OF THE COLONY HOTEL
- C1.0 NORTH CAMPUS PROJECT NOTES & INFORMATION
- C1.1 GENERAL PROPERTY PLAN
- C1.2 EXISTING CONDITIONS PLAN
- C1.3 ROADWAYS PLAN
- C2.1 NORTH CAMPUS SITE LAYOUT AND UTILITIES PLAN
- C2.2 NORTH CAMPUS GRADING AND DRAINAGE PLAN
- C2.3 NORTH CAMPUS EROSION CONTROL PLAN
- C2.4 COLONY AVENUE PLAN & PROFILE
- C2.5 TIDAL PORT STORMWATER TREATMENT PLAN
- C2.6 NORTH CAMPUS LIGHTING PLAN
- C3.1 SITE DETAILS
- C3.2 SITE DETAILS
- C3.3 SITE DETAILS
- C3.4 SITE DETAILS
- C3.5 SITE DETAILS
- C3.6 SITE DETAILS

Design Consultants:



EWAL ENGINEERS
WALSH ENGINEERING ASSOCIATES, INC.
1 WARDEN DRIVE, SUITE 201
WESTBROOK, MAINE 04092
207-883-8888



CONSTRUCTION PROJECT MANAGEMENT
WRIGHT-RYAN CONSTRUCTION, INC.
10 EMFORTH STREET
PORTLAND, MAINE 04101
207-773-0603



ARCHITECT
MARKET SQUARE ARCHITECTS
104 CONGRESS STREET
SUITE 300
PORTSMOUTH, NEW HAMPSHIRE 03801
603-881-0202



LANDSCAPE ARCHITECT
EMMA REILLY LANDSCAPE, LLC
500 BUSH ROAD
NORTH YARMOUTH, MAINE 04070



TRAFFIC ANALYSIS
TRAFFIC SOLUTIONS
17 MOUNTAIN VIEW DRIVE
OBSIDIAN, MAINE 04059
207-600-9900



LAND SURVEYORS
DOW & COLCLOUGH, INC.
10 PARK STREET
BANGOR, MAINE 04402
207-984-4821

Town of KENNESHUNKFORT
----- Receipt -----

Thank You for Your Payment

10/15/21 10:32 AM ID:MCF 45563-1
TYPE----- REF----- AMOUNT
Code Enforcement
Demo Permit

Balancing 100.00
Total: 100.00*
Paid By: BPP 21-353 - Boughton
Remaining Balance: 0.00
Balance reflects all related accounts
Check : 100.00
135067 - 100.00

Title 21-A: ELECTIONS
Chapter 3: VOTER REGISTRATION
Subchapter 4: VOTING LIST

§161. Responsibilities of registrar

(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)

1. List prepared.

[PL 2005, c. 453, §32 (RP).]

2. List current.

[PL 2005, c. 453, §32 (RP).]

2-A. Maintenance of voter registration information. The registrar in each municipality shall keep the central voter registration system current at all times for the voters in the registrar's municipality. The Secretary of State is authorized to conduct maintenance of the central voter registration system. The Secretary of State shall adopt rules for conducting voter list maintenance required by the National Voter Registration Act of 1993. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A (/5/title5ch375sec0.html). A registrar may not cancel a voter's registration in the central voter registration system solely because the registered voter did not vote in previous elections. A voter's registration record in the central voter registration system must be cancelled by either the registrar for the voter's municipality or by the Secretary of State as follows:

A. When it is determined that a voter has registered to vote in another jurisdiction in the State, the voter registration record from the former jurisdiction must be cancelled; and [PL 2009, c. 370, §1 (NEW).]

B. When it is determined that the voter has registered to vote in another jurisdiction outside of the State, the voter registration record in the State must be cancelled. [PL 2009, c. 370, §1 (NEW).]

[PL 2013, c. 131, §9 (AMD).]

2-B. (TEXT EFFECTIVE 1/1/23) Information sharing with other states. The Secretary of State shall contract with a nonprofit corporation of member states for periodic sharing of voter registration information, including information on names and addresses of voters in member states. The Secretary of State shall periodically update the central voter registration system based on the information obtained from the nonprofit corporation of member states.

[PL 2021, c. 398, Pt. UUUU, §1 (NEW); PL 2021, c. 398, Pt. UUUU, §7 (AFF).]

3. List of deceased residents.

[PL 2005, c. 453, §32 (RP).]

4. Proof of qualification is requested. If the registrar is in doubt as to the qualifications of a person to vote, the registrar shall fix a reasonable time and place for a hearing and give written notice of the hearing to the voter at the last known address provided by the voter at least 20 days in advance. The voter must have the opportunity to testify and to present witnesses and other evidence at the hearing. The voter may respond in person or in writing with proof of qualifications prior to the date of the hearing. After the hearing, the registrar shall determine whether the voter has met the voting qualifications and shall act accordingly. If the voter offers satisfactory proof of qualifications to the registrar, either prior to or at the hearing, the registrar may not cancel the voter's registration in the central voter registration system. ~~If the voter fails to offer satisfactory proof of qualifications to the registrar, either prior to or at the hearing, the registrar may cancel the voter's registration in the central voter registration system.~~ If the voter fails to appear at the hearing and the registrar has proof that the voter does not meet the qualifications, the registrar may cancel the voter's registration in the central voter registration system. The registrar shall notify the voter, in writing, of the action taken and advise the voter of the appropriate appeal authority as specified in this Title. If the registrar decides to cancel the voter's registration in the central voter registration system after the hearing and a municipal or state election occurs before the cancelled voter has exhausted all appeals, then the voter remains in the central voter registration system for the election and may cast a challenged ballot.

[PL 2007, c. 455, §9 (AMD) .]

5. Record of names added and cancelled. The registrar shall keep a record of the names added to or the registrations cancelled in the central voter registration system and the date when the action was taken.

[PL 2005, c. 453, §32 (AMD) .]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1985, c. 273, §§1,3 (AMD). PL 1991, c. 466, §10 (AMD). PL 1993, c. 473, §8 (AMD). PL 1993, c. 473, §46 (AFF). PL 1993, c. 695, §15 (AMD). PL 1995, c. 459, §18 (AMD). PL 1997, c. 436, §39 (AMD). PL 2001, c. 310, §13 (AMD). PL 2005, c. 453, §32 (AMD). PL 2007, c. 455, §9 (AMD). PL 2009, c. 370, §1 (AMD). PL 2013, c. 131, §9 (AMD). PL 2021, c. 398, Pt. UUUU, §1 (AMD). PL 2021, c. 398, Pt. UUUU, §7 (AFF) .

The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.
If you need legal advice, please consult a qualified attorney.

Office of the Revisor of Statutes (mailto:webmaster_ros@legislature.maine.gov) · 7 State House Station · State House Room 108 · Augusta, Maine 04333-0007

Data for this page extracted on 11/18/2021 08:05:59.

Title 21-A: ELECTIONS
Chapter 3: VOTER REGISTRATION
Subchapter 4: VOTING LIST

§163. Appeal

In a municipality that does not have a registration appeals board, if a person is aggrieved by the decision of the registrar of voters to cancel that person's registration in the central voter registration system or to reject that person's registration application, the person may appeal in writing to the municipal officers. The appeal must be filed within 30 days after receipt of notice of the registrar's decision. The municipal officers shall immediately fix a time and place for a prompt hearing. The voter must be given written notice of the hearing at least 20 days in advance and must have the opportunity to testify and to present witnesses and other evidence at the hearing. The hearing is de novo. After hearing, the municipal officers may affirm, modify or reverse the decision of the registrar of voters. The municipal officers shall issue the decision to the voter in writing and shall provide information on how the voter may appeal the decision. The aggrieved person may appeal the decision of the municipal officers to the Superior Court in accordance with Rule 80B of the Rules of Civil Procedure. [PL 2019, c. 371, §9 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1995, c. 459, §19 (AMD). PL 1999, c. 426, §9 (AMD). PL 2005, c. 453, §34 (AMD). PL 2007, c. 455, §10 (AMD). PL 2009, c. 253, §15 (AMD). PL 2019, c. 371, §9 (AMD).

The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.
If you need legal advice, please consult a qualified attorney.

Office of the Revisor of Statutes (mailto:webmaster_ros@legislature.maine.gov) · 7 State House Station · State House Room 108 · Augusta, Maine 04333-0007

Date for this page extracted on 11/18/2021 08:05:59

MAINE VOTER REGISTRATION APPLICATION



Federally required questions:

- ◆ Are you a citizen of the United States of America? * YES NO
*If NO, DO NOT complete this application.
- ◆ Are you at least 18 years of age? ** YES NO
**If NO, but you are at least 18 years of age, you may pre-register to vote.

PARTY AFFILIATION

- Democratic
- Green/Independent
- Republican
- Other qualifying party: _____
- Unenrolled (no party choice)

LAST NAME	FIRST NAME	MIDDLE NAME	DATE OF BIRTH MM / DD / YYYY
CURRENT RESIDENCE ADDRESS (Physical address where you live)			
STREET NAME AND NUMBER, <u>NOT</u> A P.O. BOX		CITY, TOWN, PLANTATION OR TOWNSHIP	
CURRENT MAILING ADDRESS (Complete if different from above address)			
STREET NAME AND NUMBER, OR P.O. BOX, etc.		CITY/TOWN	ZIP CODE
Have you previously been registered to vote? <input type="checkbox"/> YES <input type="checkbox"/> NO If the answer is "yes" provide address of previous registration below.			TELEPHONE (Optional)
CITY/TOWN	COUNTY	STATE	

COMPLETE BOTH SIDES OF THIS CARD - PLEASE PRINT

MAINE VOTER REGISTRATION APPLICATION

- COMPLETE BOTH SIDES OF THIS CARD -

CHANGE OF NAME (Prior legal name, if applicable)

LAST FIRST MIDDLE

SIGN AND DATE THIS CARD. I certify that all the information I have provided on this form is true.

Signature of Applicant on line above Date on line above

VOTER ID: By federal law, **NEW Maine voters** must provide an applicable ID number as follows:

1. Your **Maine driver's license/Maine State ID**; or
2. The last 4 digits of your Social Security number (**ONLY if you don't have a Maine driver's license/Maine State ID**); or
3. Write "none" **ONLY** if you don't have either 1 or 2.

REGISTRAR'S USE ONLY: Date Received: _____

Ward-Princt: _____

Source of Registration: In Person By Mail Agency BMV Voter Registration Drive/3rd Person

Type of Registration:

NEW Maine Voter Registration Form of Proof for ID: _____ for Residency: _____

Change of Existing Voter Registration (check boxes below) Form of Proof for Residency: _____

- Address Change to new municipality Address Change within municipality Party Enrollment Change
- Name Change Other Change _____

Duplicate Application (no changes made)

INSTRUCTIONS TO VOTERS: Failure to complete this entire application may prevent registration.

- Deliver or mail this completed card to your municipal registrar or to the Division of Elections, #101 State House Station, Augusta, ME 04333-0101. This properly completed application must be received by the municipal registrar 21 days or more before an election. If less than 21 days before an election, you must register in person.
- If you are a NEW Maine voter and mail this card, you must include a photocopy of your Maine driver's license, Maine State ID, or current utility bill, bank statement or government document that shows your name and address.
- For election information, call 207-624-7650 or visit www.maine.gov/soa/elec/

(rev. 1/20)



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

January 28, 2022

Via e-mail to: louisbraxtonjr@gmail.com and U.S. First Class Mail, Postage Pre-paid

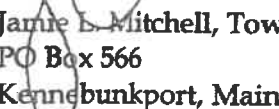
Mr. Louis Braxton
PO Box 1189
Kennebunkport, Maine 04046

Re: Voter Registration Eligibility

Mr. Braxton:

After sending you my decision, and response to your FOA request, I discovered that four (4) pages had been inadvertently omitted from the provided response. Thus, in good faith, please accept the attached supplemental documentation as it relates to Exhibit E of your letter.

Regards,



Jamie B. Mitchell, Town Clerk & Registrar of Voters
PO Box 566
Kennebunkport, Maine 04046

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470

SUPPLEMENT

TO ATTACHMENT
E

Jamie Mitchell

From: Jamie Mitchell
Sent: Friday, December 10, 2021 10:42 AM
To: Craig Sanford
Subject: FW: Braxton School Board Issue(s)
Attachments: Title 21-A, §112_ Residence for voting purposes.pdf; Untitled

Good Morning Chief,

Please see the below recommendation from our attorney. If possible, without burden on your department, could you please periodically patrol public areas that would allow overnight parking and/or benches. I am also attaching a snapshot of the location Mr. Braxton is claiming to occupy.

I appreciate your assistance as I take the necessary steps in due diligence.

Best Regards,

Jamie L. Mitchell, Town Clerk
Town of Kennebunkport
PO Box 566
6 Elm Street
Kennebunkport, ME 04046
E-mail: jmitchell@kennebunkportme.gov
Tel: (207) 967-1610



Jamie Mitchell

From: Craig Sanford
Sent: Friday, December 10, 2021 11:03 AM
To: All Staff
Subject: Looking for someone sleeping on park benches
Attachments: Braxton.png

I am asking all patrols to be on the look out for Louis Braxton who claims to be living on a park bench in town. Specifically, on government wharf. If you come across him on a bench or sleeping in his car in town, please make note and take a picture if possible. Please let me know if you do find him in town.

Thanks 1

Craig A. Sanford
Chief of Police
Kennebunkport, ME
207-967-2454
csanford@kennebunkportme.gov

Jamie Mitchell

From: Jamie Lynn Mitchell <mitchell.jamielynn@gmail.com>
Sent: Wednesday, December 08, 2021 1:14 PM
To: Jamie Mitchell

12:07



< Louis Braxton Jr 🔍

...

📷 Photos 📅 Life events

 **Louis Braxton Jr** ...
1d · 🌐

My new voting address, Second Bench from Government Wharf, Kennebunkport, Me 04048(mailing address PO. Box 1188, Kennebunkport, Me 04046)



👍👍 4

👍 Like

➦ Share

...

 **Louis Braxton Jr** ...
6d · 🌐

Please read this letter and share if you care about great education in Kennebunkport, Arundel and Kennebunk!

🏠 Home 📄 Pages 📰 News 📖 Decks 🔔 Notifications 🌐 More

Sent from my iPhone

Jamie Mitchell

From: Craig Sanford
Sent: Wednesday, January 12, 2022 8:28 AM
To: Jamie Mitchell
Cc: Laurie Smith
Subject: RE: Lewis Braxton

We have not seen anyone one park benches for unusual purposes nor extended periods anywhere in town.

From: Jamie Mitchell <JMitchell@kennebunkportme.gov>
Sent: Wednesday, January 12, 2022 8:21 AM
To: Craig Sanford <csanford@kennebunkportme.gov>
Subject: Lewis Braxton

Hi Chief,

Could you let me know if anyone has seen Mr. Braxton, and specifically if he has been seen on his proclaimed bench at the government wharf?

My Registrar hearing is tomorrow so I am just crossing our AT's and dotting our I's.

Thank you for all of your assistance.

Best Regards,

Jamie L. Mitchell, Town Clerk
Registrar of Voters and FOAA Officer
Town of Kennebunkport
PO Box 566
6 Elm Street
Kennebunkport, ME 04046
E-mail: jmitchell@kennebunkportme.gov
Tel: (207) 967-1610

DISCLAIMER: The contents of this e-mail message and any attachments are confidential and are intended solely for addressee. The information may also be legally privileged. This transmission is sent in trust, for the sole purpose of delivery to the intended recipient. If you have received this transmission in error, any use, reproduction or dissemination of this transmission is strictly prohibited. If you are not the intended recipient, please immediately notify the sender by reply e-mail or phone and delete this message and its attachments, if any.

Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

Jamie Mitchell

From: Laurie Smith
Sent: Monday, February 28, 2022 12:18 PM
To: Jamie Mitchell; Jamie Mitchell
Subject: FW: Louis Braxton

Laurie Smith
Town Manager
P.O. Box 566
Kennebunkport, ME 04043
(207) 967-1606

From: John Martin <jmartin@thecolonyhotel.com>
Sent: Monday, February 28, 2022 11:34 AM
To: Laurie Smith <lsmith@kennebunkportme.gov>; Front Office The Colony Hotel <frontoffice@thecolonyhotel.com>
Subject: Louis Braxton

Laurie,

Sorry, I somehow forgot to send this last week.

As of today the Colony hotel has made no commitment for employment or housing to Louis Braxton.

Let me know if you have any questions regarding this issue.

Thanks,

John E. Martin
Managing Partner
Colony Hotel
140 Ocean Avenue
Kennebunkport, ME 04046

207.967.3331 X510
207.967.8738 Fax

Section Three:

Mr. Braxton's response to Registrar's Findings

February 11, 2022

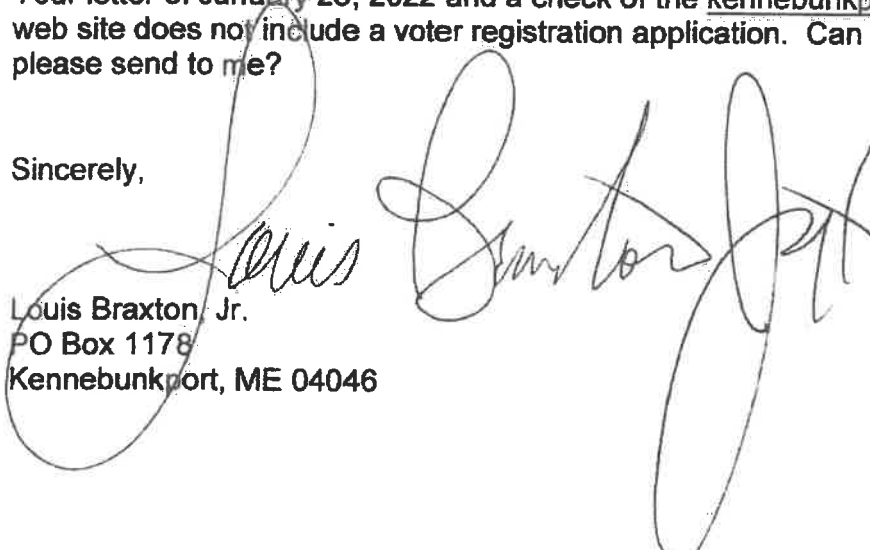
Jamie L. Mitchell
Town Clerk & Registrar of Voters
PO Box 566
Kennebunkport, Maine 04046

Dear Registrar,

As a follow-up to your letter of January 28, 2022 removing me from the Kennebunkport Incoming Voter List effective immediately, I'm providing this notarized direct statement of intention to live at 140 Ocean Avenue, Kennebunkport, ME 04046. This is the address of my employer provided housing.

Your letter of January 28, 2022 and a check of the kennebunkportme.gov web site does not include a voter registration application. Can you please send to me?

Sincerely,


Louis Braxton, Jr.
PO Box 1178
Kennebunkport, ME 04046

PLEASE SEE
NOTARIAL
CERTIFICATE
ATTACHED

CALIFORNIA JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

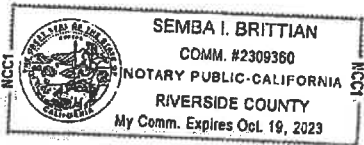
State of California)

County of Riverside)

Subscribed and sworn to (or affirmed) before me on this 11th day

of February, 20 22, by Louis Braxton, Jr.

proved to me on the basis of satisfactory evidence to be the person(s)
who appeared before me.



(Seal)

Signature Semba I. Brittan

Optional Information

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this jurat to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

This certificate is attached to a document titled/for the purpose of

containing _____ pages, and dated _____

Additional Information	
Method of Affiant Identification	
Proved to me on the basis of satisfactory evidence:	
<input type="radio"/> form(s) of identification	<input type="radio"/> credible witness(es)
Notarial event is detailed in notary journal on:	
Page # _____	Entry # _____
Notary contact: _____	
Other	
<input type="checkbox"/> Affiant(s) Thumbprint(s)	<input type="checkbox"/> Describe: _____

SWORN AFFIDAVIT OF RESIDENCY

I swear that I am a resident of Kennebunkport, Maine and a citizen of the United States and that I deny all claims and privileges for residence in any other community in OR out of the State of Maine. I understand that a person who makes a false oath before an official concerning the qualifications of any person for registration or enrollment and who does not believe the statement to be true commits a Class D crime punishable by up to 365 days in jail. (Title 21A, § 159)

Louis BRAXTON JR

Printed Name of Voter

140 OCEAN AVE

Street Address of Voter

P.O. 1178, KENNEBUNKPORT, ME

Mailing Address of Voter


Signature of Voter

State of ~~Maine~~ ^{California}

County of ~~York~~ ^{San Bernardino}

Subscribed and sworn to before me this 12th day of February, 2022

see attached

for notary

Notary Public Attorney at Law

California Jurat Certificate

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Bernardino

S.S.

Subscribed and sworn to (or affirmed) before me on this 10th day of February Month

2022, by Louis Braxton JR and

Name of Signer (1)

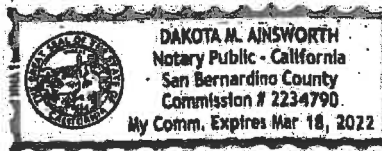
NA

Name of Signer (2)

, proved to me on the basis of

satisfactory evidence to be the person(s) who appeared before me.

Signature of Notary Public



For other required information (Notary Name, Commission No., etc.)

Seal

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this jurat to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The certificate is attached to a document filed for the purpose of

Sworn affidavit of Residency

containing 1 pages, and dated 2/10/22

Method of Affiant Identification

Proved to me on the basis of satisfactory evidence:

form(s) of identification credible witness(es)

Notarial event is detailed in notary journal on:

Page # _____ Entry # _____

Notary contact: _____

Other

Affiant(s) Truemaprint(s) Describe: _____

Section Four:

Notice of Appeal and supporting documents

Jamie Mitchell

From: Jamie Mitchell
Sent: Wednesday, February 23, 2022 2:24 PM
To: zmpire1 Louis; Louis Braxton Jr.
Cc: Zach Heiden; Tim Murphy; Flynn, Julie; Laurie Smith
Subject: Voter Registration and Pending Vacancy in Office
Attachments: Ltr to L. Braxton re Voter Registration and Pending Vacancy.pdf

Mr. Braxton:

Attached please find a letter regarding your current voter registration status, and pending vacancy of an elected position.

The original of this letter is being mailed to you at the PO Box of record.

Best Regards,

Jamie L. Mitchell, Town Clerk
Registrar of Voters and FOAA Officer
Town of Kennebunkport
PO Box 566
6 Elm Street
Kennebunkport, ME 04046
E-mail: jmitchell@kennebunkportme.gov
Tel: (207) 967-1610

DISCLAIMER: The contents of this e-mail message and any attachments are confidential and are intended solely for the addressee. The information may also be legally privileged. This transmission is sent in trust, for the sole purpose of delivery to the intended recipient. If you have received this transmission in error, any use, reproduction, or dissemination of this transmission is strictly prohibited. If you are not the intended recipient, please immediately notify the sender by reply e-mail or phone and delete this message and its attachments, if any.

Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.



TOWN OF KENNEBUNKPORT, MAINE

— INCORPORATED 1653 —

February 23, 2022

Via E-mail and First-Class US Mail, Postage Pre-paid

Mr. Louis Braxton
PO Box 1178
Kennebunkport, Maine 04046

Re: Voter Registration and Vacancy

Dear Mr. Braxton:

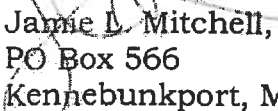
We have not yet received your Voter Registration card. On February 15, 2022 you forwarded a blank Voter Registration card.

In addition, I have received your Sworn Affidavit of Residency of your intent to reside at your employer provided housing at: 140 Ocean Avenue, Kennebunkport, Maine 04046. However, please be advised that the owner of 140 Ocean Avenue, has advised the Town that you are (i) not employed by the Colony Hotel and (ii) even if you were employed at a future date, housing availability is undetermined. Therefore, I am unable to register you at that location.

Please further be advised that your right to appeal my prior decision cancelling your registration expires on February 28, 2022. At that time, I am required by law to notify the Board of Selectman of a vacancy in the office of RSU #21 School Board representative.

Should you choose to register at a different location within the Town, or as a non-traditional resident **with a physical address** I encourage you to do so at your earliest opportunity.

Sincerely,


Jamie D. Mitchell, Registrar of Voters
PO Box 566
Kennebunkport, Maine 04046

cc: Julie Flynn, Dep. Secretary of State
Zach Heiden, Esq.
Tim Murphy, Esq.

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470

SWORN AFFIDAVIT OF RESIDENCY

I swear that I am a resident of Kennebunkport, Maine and a citizen of the United States and that I deny all claims and privileges for residence in any other community in OR out of the State of Maine. I understand that a person who makes a false oath before an official concerning the qualifications of any person for registration or enrollment and who does not believe the statement to be true commits a Class D crime punishable by up to 365 days in jail. (Title 21A, § 159)

Louis BRAXTON JR

Printed Name of Voter

140 OCEAN AVE

Street Address of Voter

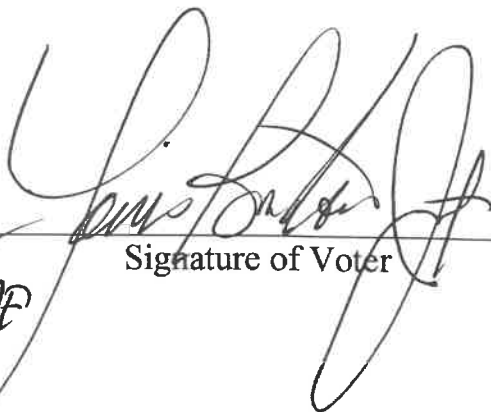
P.O. 1178, KENNEBUNKPORT, ME

Mailing Address of Voter

State of ~~Maine~~ ^{California}

County of ~~York~~ ^{San Bernardino}

Subscribed and sworn to before me this 12th day of February, 2022



Signature of Voter

see attached

for notary

Notary Public Attorney at Law

California Jurat Certificate

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Bernardino


S.S.

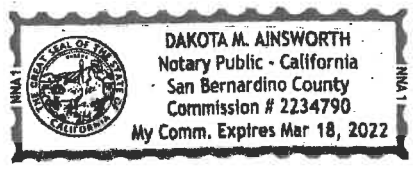
Subscribed and sworn to (or affirmed) before me on this 12th day of February Month

2022, by Louis Braxton JR and
Name of Signer (1)

NA, proved to me on the basis of
Name of Signer (2)

satisfactory evidence to be the person(s) who appeared before me.


Signature of Notary Public



For other required information (Notary Name, Commission No., etc.)

Seal

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this jurat to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The certificate is attached to a document titled/for the purpose of

Sworn affidavit of Residency

containing 1 pages, and dated 2/12/22

Method of Affiant Identification
Proved to me on the basis of satisfactory evidence: <input type="radio"/> form(s) of identification <input type="radio"/> credible witness(es)
Notarial event is detailed in notary journal on: Page # _____ Entry # _____
Notary contact: _____
Other: <input type="checkbox"/> Affiant(s) Thumbprint(s) <input type="checkbox"/> Describe: _____

February 11, 2022

Jamie L. Mitchell
Town Clerk & Registrar of Voters
PO Box 566
Kennebunkport, Maine 04046

Dear Registrar,

As a follow-up to your letter of January 28, 2022 removing me from the Kennebunkport Incoming Voter List effective immediately, I'm providing this notarized direct statement of intention to live at 140 Ocean Avenue, Kennebunkport, ME 04046. This is the address of my employer provided housing.

Your letter of January 28, 2022 and a check of the kennebunkportme.gov web site does not include a voter registration application. Can you please send to me?

Sincerely,


Louis Braxton, Jr.
PO Box 1178
Kennebunkport, ME 04046

PLEASE SEE
NOTORIAL
CERTIFICATE
ATTACHED

CALIFORNIA JURAT

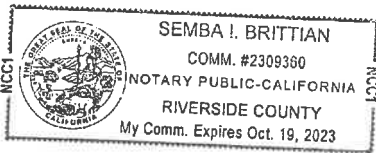
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Riverside)

Subscribed and sworn to (or affirmed) before me on this 11th day
of February, 2022, by Louis Braxton, Jr.

proved to me on the basis of satisfactory evidence to be the person(s)
who appeared before me.



(Seal)

Signature Semba I. Brittan

Optional Information

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this jurat to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

This certificate is attached to a document titled/for the purpose of

containing _____ pages, and dated _____

Additional Information

Method of Affiant Identification

Proved to me on the basis of satisfactory evidence:
 form(s) of identification credible witness(es)

Notarial event is detailed in notary journal on:
Page # _____ Entry # _____

Notary contact: _____

Other

Affiant(s) Thumbprint(s) Describe: _____

Jamie Mitchell

From: zmpire1 Louis <louisbraxtonjr@gmail.com>
Sent: Monday, February 28, 2022 8:57 AM
To: Jamie Mitchell
Cc: Louis Braxton Jr.; Zach Heiden; Tim Murphy; Flynn, Julie; Laurie Smith
Subject: Re: Voter Registration and Pending Vacancy in Office

Ms. Mitchell I am formally requesting to appeal your verification of my voter registration and would like the opportunity to form a do so with my attorney present. Please tell me of the time and place for the appeal.

Thank you,
Fr. Louis Braxton, Jr+

On Wed, Feb 23, 2022, 11:24 AM Jamie Mitchell <JMitchell@kennebunkportme.gov> wrote:

Mr. Braxton:

Attached please find a letter regarding your current voter registration status, and pending vacancy of an elected position.

The original of this letter is being mailed to you at the PO Box of record.

Best Regards,

Jamie L. Mitchell, Town Clerk

Registrar of Voters and FOAA Officer

Town of Kennebunkport


PO Box 566

6 Elm Street

Kennebunkport, ME 04046

E-mail: jmitchell@kennebunkportme.gov

INTEROFFICE MEMORANDUM

TO: LAURIE SMITH
FROM: JAMIE MITCHELL 
SUBJECT: VOTER REGISTRATION APPEAL
DATE: FEBRUARY 28, 2022

The purpose of this Memo is to outline the Voter Registration appeal process.

Voter files appeal with municipal officers (Selectboard) [Authority: 21-A MRSA 3 § 163] **Voter filed appeal on 02/28/22.**

Selectboard promptly schedules hearing, with notice to Voter not sooner than 20 days from the date of the Appeal [Authority: 21-A MRSA 3 § 163]. Attorney Tim Murphy will be present to represent the BOS. Voter Registration Appeal should be scheduled for **March 24th** *23rd* currently scheduled BOS meeting with notice to Voter no later than March 4th. Per advice of counsel, agenda should state "Voter Appeal Hearing – not a public hearing" Though this should be held in a public forum counsel does not believe public input should be heard. Counsel is prepared to speak to that if questions arise.

Selectboard holds Voter Appeal Hearing. Jamie L. Mitchell testifies (presents her evidence collected during decision). Voter testifies. Voter is allowed to present witnesses and evidence to present his case. No other parties should be heard.

After hearing the testimony and evidence presented the Selectboard then renders a decision as follows:

- (a) BOS upholds decision of Registrar of Voters, determines that voter is not a registered voter and declares a vacancy in position of RSU #21 School Board of Directors. Next action - requests that anyone interested in filling this interim position to submit a letter of interest. Board schedules April 14th meeting to appointment representative. BOS alerts RSU of vacancy and pending appointment.
- (b) BOS overturns decision of Registrar of Voters determines that sufficient evidence has been presented and declares voter a registered voter of Kennebunkport. Next action: directs Registrar of Voter to qualify voter as a registered voter at a then determined address. Registrar immediately adds voter to voter roll; or
- (c) BOS takes presented testimony under advisement and postpones issuing a formal decision until (April 14th meeting?)

Following this process, Voter has one additional appeal opportunity provided by 21-A MRSA 3 § 163 in which he/she may file an appeal with the Superior Court.

Title 21-A: ELECTIONS
Chapter 3: VOTER REGISTRATION
Subchapter 4: VOTING LIST

§163. Appeal

In a municipality that does not have a registration appeals board, if a person is aggrieved by the decision of the registrar of voters to cancel that person's registration in the central voter registration system or to reject that person's registration application, the person may appeal in writing to the municipal officers. The appeal must be filed within 30 days after receipt of notice of the registrar's decision. The municipal officers shall immediately fix a time and place for a prompt hearing. The voter must be given written notice of the hearing at least 20 days in advance and must have the opportunity to testify and to present witnesses and other evidence at the hearing. The hearing is de novo. After hearing, the municipal officers may affirm, modify or reverse the decision of the registrar of voters. The municipal officers shall issue the decision to the voter in writing and shall provide information on how the voter may appeal the decision. The aggrieved person may appeal the decision of the municipal officers to the Superior Court in accordance with Rule 80B of the Rules of Civil Procedure. [PL 2019, c. 371, §9 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1995, c. 459, §19 (AMD). PL 1999, c. 426, §9 (AMD). PL 2005, c. 453, §34 (AMD). PL 2007, c. 455, §10 (AMD). PL 2009, c. 253, §15 (AMD). PL 2019, c. 371, §9 (AMD).

The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.
If you need legal advice, please consult a qualified attorney.

[Office of the Revisor of Statutes \(mailto:webmaster_ros@legislature.maine.gov\)](mailto:webmaster_ros@legislature.maine.gov) · 7 State House Station · State House Room 108 · Augusta, Maine 04333-0007

Data for this page extracted on 11/18/2021 08:05:59.

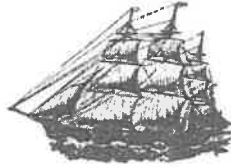
Jamie Mitchell

From: Tracey O'Roak
Sent: Tuesday, March 01, 2022 3:33 PM
To: zmpire1 Louis
Cc: Laurie Smith; Jamie Mitchell
Subject: Voter Registration Appeal Hearing
Attachments: Notification of Appeal Hearing 3-1-22.pdf

Mr. Braxton,

Attached please find a letter notifying you of the date of your Voter Registration Appeal Hearing.

Regards,
Tracey O'Roak
Asst. to Town Manager
Town of Kennebunkport, Maine



TOWN OF KENNEBUNKPORT, MAINE

– INCORPORATED 1653 –

March 1, 2022

Via First Class US Mail and E-mail to: louisbraxtonjr@gmail.com

Louis Braxton
PO Box 1178
Kennebunkport, Maine 04046

Re: Voter Registration Appeal Hearing

Dear Mr. Braxton:

This letter is to inform you that the Board of Selectmen have scheduled a Voter Registration Appeal Hearing for Wednesday, March 23, 2022, at 6:00 pm via Zoom. The agenda packet (which will include the current findings of fact of the Registrar) and Zoom link will be posted to the Town of Kennebunkport website no later than Monday, March 21, 2022.

Pursuant to 21-A MRSA 3 §163, you have a right to provide both evidence and testimony, including yourself and any witnesses you designate at the hearing. Because the Board of Selectman will conduct this meeting by ZOOM, please provide to the Town Clerk's Office a copy of any evidence and documents you wish for the Select Board to consider, as well as the names of any witnesses you intend to call, no later than Wednesday, March 16th for inclusion in the appeal packet.

The Board of Selectman will hear from the Registrar first, and then you will present your testimony and other evidence. Please be advised you may also appear by and through legal counsel, if that is your preference. If you plan to be represented by Counsel, please notify the Town Clerk's Office by March 16, 2022.

Sincerely,

Tracey O'Roak

Tracey O'Roak
Administrative Assistant
to the Board of Selectmen

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470

Section Five:

Documents provided by Mr. Braxton to support his residency in Kennebunkport



MAINE VOTER REGISTRATION APPLICATION

Federally required questions:

- ♦ Are you a citizen of the United States of America? * YES NO
*If NO, DO NOT complete this application.
- ♦ Are you at least 18 years of age? ** YES NO
**If NO, but you are at least 16 years of age, you may pre-register to vote.

PARTY AFFILIATION

- Democratic
- Green Independent
- Republican
- Other qualifying party: _____
- Unenrolled (no party choice)

LAST NAME BRAXTON Jr	FIRST NAME Louis	MIDDLE NAME	DATE OF BIRTH 06 05 1956 MM DD YYYY
CURRENT RESIDENCE ADDRESS (Physical address where you live)			
STREET NAME AND NUMBER, NOT A P.O. BOX 10 DRAGON FLY LANE		CITY, TOWN, PLANTATION OR TOWNSHIP KENNEBUNKPORT	
CURRENT MAILING ADDRESS (Complete if different from above address)			
STREET NAME AND NUMBER, OR P.O. BOX, etc. P.O. 1178		CITY/TOWN KENNEBUNKPORT	ZIP CODE 04046
Have you previously been registered to vote? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If the answer is "yes" provide address of previous registration below.			TELEPHONE (Optional)
CITY/TOWN KENNEBUNKPORT	COUNTY YORK	STATE ME	347-813 3718

COMPLETE BOTH SIDES OF THIS CARD - PLEASE PRINT

MAINE VOTER REGISTRATION APPLICATION

- COMPLETE BOTH SIDES OF THIS CARD -

CHANGE OF NAME (Prior legal name, if applicable)	VOTER ID: By federal law, NEW Maine voters must provide an applicable ID number as follows: 1. Your Maine driver's license/Maine State ID ; or 2. The last 4 digits of your Social Security number (ONLY if you don't have a Maine driver's license/Maine State ID); or 3. Write "none" ONLY if you don't have either 1 or 2.
LAST _____ FIRST _____ MIDDLE _____	_____
SIGN AND DATE THIS CARD. I certify that all the information I have provided on this form is true.	
Signature of Applicant on line above _____ Date on line above _____	

REGISTRAR'S USE ONLY: Date Received: 3/11/22 Ward-Precinct: _____

Source of Registration: In Person By Mail Agency BMV Voter Registration Drive/3rd Person

Type of Registration:
 NEW Maine Voter Registration Form of Proof for ID: _____ for Residency: _____
 Change of Existing Voter Registration (check boxes below) Form of Proof for Residency: _____
 Address Change to new municipality Address Change within municipality Party Enrollment Change
 Name Change Other Change _____

Duplicate Application (no changes made)

INSTRUCTIONS TO VOTERS: Failure to complete this entire application may prevent registration.

- Deliver or mail this completed card to your municipal registrar or to the Division of Elections: #101 State House Station, Augusta, ME 04333-0101. This properly completed application must be received by the municipal registrar 21 days or more before an election. **If less than 21 days before an election you must register in person.**
- **If you are a NEW Maine voter and mail this card,** you must include a photocopy of your Maine driver's license, Maine State ID, or current utility bill, bank statement or government document that shows your name and address.
- For election information, call 207-624-7650 or visit www.maine.gov/sos/cec/elec/

(rev. 1/20)

SWORN AFFIDAVIT OF RESIDENCY

I swear that I am a resident of Kennebunkport, Maine and a citizen of the United States and that I deny all claims and privileges for residence in any other community in OR out of the State of Maine. I understand that a person who makes a false oath before an official concerning the qualifications of any person for registration or enrollment and who does not believe the statement to be true commits a Class D crime punishable by up to 365 days in jail. (Title 21A, § 159)

LOUIS BRAXTON JR

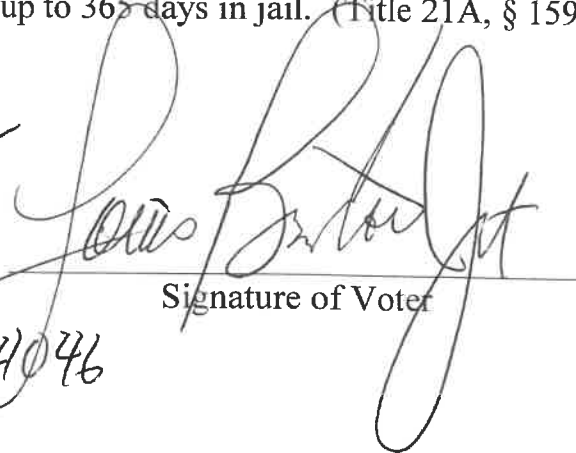
Printed Name of Voter

10 DRAGONFLY LANE

Street Address of Voter

P.O. 1178, KENNEBUNKPORT, ME 04046

Mailing Address of Voter



Signature of Voter

State of ~~Maine~~^{CA} California
County of ~~York~~^{San Bernardino}

Subscribed and sworn to before me this 8th day of March, 2022

See attached for notes ^(1A)

Notary Public/Attorney at Law

