

**ABANDONED AND DISCONTINUED MEETING MINUTES**  
**Subcommittee Group 2 Limited Liability for Landowners**

**June 11, 2024**  
**Remote Meeting**

**In attendance:** Jim Katsiaficas, Roberta Manter, and Karla Black,

The meeting was called to order by Chair Jim Katsiaficas at approximately 1:00 pm.

Jim opened the meeting briefly touching on the Commission's Limited Liability draft from early this year. Jim emailed the draft to those in attendance at the meeting.

Roberta raised the issue that she cannot use screen share.

Heather will check with OIT and zoom to see work arounds or how to get it so everyone can share.

Jim then went through the previous template that the Commission had worked on last session, covering limitations of liability for damages and personal injury due to road work and issues around nonpayment for use, reimbursement for cost of care of the road, and environmental damages.

Roberta discussed her history with her road and issues.

Roberta stated that the issue was who is on the hook for environmental damage when you don't know who is responsible. Roberta proposed that the public or town should be required to pay for the damages if they are keeping the public easement.

Jim stated that the issue would be if the town decided not to hold the public easement, landowners would lose their public access to their land if there is no deeded right of way.

Roberta and Jim discussed the issues and solutions that might work.

Roberta suggested a poll with MMA to see if the members have public easements and how many vote to work on the public easements in their districts.

Jim thought we could ask and see.

Roberta thought of some solutions when no one know who caused the damage to a public easement would be a State fund or have it go through landowners relations program.

Karla felt it comes down to either the municipality or landowner to fix or repair.

Roberta stated the hardest thing is catching the perpetrators.

Jim had suggested cameras.

Roberta stated some people steal the cameras and some cameras can't sync to the cloud because there are no Wi-Fi connections.

Roberta, Jim and Karla further discussed public easement damages and the difficulty of catching the people who damage the road.

Roberta recommended those who jack up their trucks pay an excise tax and that money go to fixing the Public Easements.

Jim said the biggest issues for Limited Liability are that public easement maintenance by municipalities is fluid, so it can be hard to know what tasks the private owner or road association is to perform.

Roberta asked if there was an environmental disaster, is there an agency, fund or something else that could help pay for the damage.

Jim stated that he is not aware of one.

Jim then turned to the idea of asking our Commission members and members of the groups the Commission represents to look through the draft on the Limited Liability to see what other solutions or issues may arise.

Karla then pointed out that the draft Jim sent wasn't the official last draft and she listed out the two changes needed in the template which were in the language the commission had agreed to change the word may to shall in the cost and fees section and under number 4 limitations, the section added "reasonable known to the landowner."

Jim will send out an email with the draft landowner liability legislation to all the commission members, and a report of what the Subcommittee has done, what we hope to do and asking for any suggestions or thoughts.

Commission meeting ended at approximately 1:35 p.m.