



STATE OF MAINE  
COMMISSION ON GOVERNMENTAL ETHICS  
AND ELECTION PRACTICES  
135 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0135

To: Commissioners  
From: Martha Currier, Assistant Director  
Date: October 28, 2024  
Re: Concerned Citizens for York Yes on 12

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On October 24, 2024, attorney Newell Augur filed a complaint on behalf of his client, *No on 12*, a municipal ballot question committee advocating for the defeat of question 12 on the York municipal ballot on November 4, 2024. The complaint suggests that activities undertaken by *Concerned Citizens for York Yes on 12* (“Yes on 12”) reached or exceeded the threshold of \$5,000 and require them to register and file campaign finance reports with the Commission. Mr. Augur also raised the issue that certain communications lacked the proper disclaimer.

During its preliminary review of this complaint, Commission staff reached out to Adam Flaherty based on information from Mr. Augur. Commission staff were able to contact Mr. Flaherty who provided a written response on behalf of the *Yes on 12* committee.

### **LEGAL REQUIREMENTS**

In October 2023, the law changed to require municipal BQCs in towns with less than 15,000 people to report to the Commission. At that time, the Commission reached out to all town clerks and provided them with our “2023 Municipal BQC Guidebook”, which is also posted to our website. In 2024, Commission staff again reached out to the town clerks as a reminder of the new filing requirement.

#### **Registration**

A ballot question committee (BQC) is defined as a person (either an individual or organization) that receives contributions or makes expenditures of more than \$5,000 for the purpose of initiating or influencing a ballot question campaign. 21-A M.R.S. § 1052(2-A). Once a BQC raises or spends more than \$5,000 to influence a municipal referendum in a town with less than 15,000 people, the BQC is required to register with the Commission. 21-A M.R.S. §§ 1052-A(1)(A-1) & 1053-A.

Disclaimer on Certain Communications

When a person makes paid communications (e.g., ads or signs) costing more than \$500 expressly advocating support for a referendum, they must include the name and the address of the person(s) who paid for the communication. 21-A M.R.S. § 1055-A.

**DISCUSSION AND STAFF RECOMMENDATION**

Based on the information provided to the Commission, *Yes on 12* is a group of York citizens supporting question 12 on the municipal November ballot. During an initial discussion with Commission staff, Mr. Flaherty acknowledged the group had made expenses to influence the election, but that they did not reach the \$5,000 threshold to register and report with the Commission, and the figures in the complaint were far off from the actual expenses made by *Yes on 12*.

In their written response to the Commission, *Yes on 12* outlined their contributions and expenses to date, which are below the \$5,000 registration and reporting trigger.

<b>Contributions</b>	<b>\$3,790.00</b>
Banner	\$16.87
Fed Ex Flyers	\$28.81
Postcards	\$1,232.16
Signs 1	\$481.95
Signs 2	\$530.96
Signs 3	\$353.93
Signs 4	\$276.39
Sign Stakes 1	\$51.17
Sign Stakes 2	\$31.64
Website Domain	\$11.46
Website Hosting	\$44.00
Newspaper Ad	\$585.00
Retractable Banner	\$159.00
PO Box (3 months)	\$64.00
<u>Legal Fees</u>	<u>\$1,022.00</u>
<b>Expenses</b>	<b>\$4,889.34</b>

When a person makes expenditures exceeding \$500 expressly advocating for or against a referendum on the ballot, the communication must clearly and conspicuously state the name and address of the person who made or financed the communication. 21-A M.R.S. § 1055-A. *Yes on 12* acknowledged the flyer at Anthony’s Food Shop, but the cost of those flyers was \$88.00, and

did not require a disclaimer.

Since the *Yes on 12* has not met the \$5,000 statutory requirement to register and file campaign finance reports with the Commission, and their campaign communications have all met the disclaimer requirements, Commission staff recommend no further action on this complaint. We see no reason to doubt the specific, documented itemization of expenses provided by the group.

157 Capitol Street  
Suite 3  
Augusta, ME 04330

**PH** 207.791.1281  
**FX** 207.623.9367  
naugur@pierceatwood.com

pierceatwood.com

October 24, 2024

Jonathan Wayne  
Executive Director  
Maine Ethics Commission  
135 State House Station  
Augusta, ME 04330

Dear Mr. Wayne:

On behalf of No on 12, a ballot question committee registered with the Ethics Commission (the 'Commission') engaged on a local referendum in York, ME, I am writing to request that you undertake an investigation into the activities of a group operating under the name 'Yes on 12.' Given the proximity to election day and in the interests of transparency, we would request that the Commission give this matter its immediate attention.

We believe Yes on 12 was obligated to file as a ballot question committee pursuant to M.R.S. 21-A § 1053-A on or before October 15, 2024. This statutory provision requires a ballot question committee be properly registered with the Commission within seven days after the minimum contribution or expenditure levels set forth in 21-A MRSA §1052-A (1)(A-1) were met. The activities of the Yes on 12 campaign have substantially exceeded the \$5,000 threshold for expenditures meant to influence voters on any municipal referendum. See 21-A MRSA §1052 (1)(F).

The specific examples of expenditures by the Yes on 12 campaign of which we are currently aware are attached as Exhibits A-E. The estimated financial cost of each of these individual campaign expenditures is set forth below. Arguably, there have been additional in-kind contributions made to this campaign that push the total expenditures even higher.

- Design and maintenance of a Yes on 12 website at an estimated cost of \$2,000 (Exhibit A). Upon information and belief, this website has been operational since September 15, 2024.
- Multiple sets of Yes on 12 road signs posted throughout the town of York at an estimated cost of \$2,000 (Exhibit B). These signs have been in place since September 30, 2024.

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- Yes on 12 flyers on bulletin boards at an estimated cost of \$250 (Exhibit C). Exhibit C was posted in Anthony's Food Shop, 679 Rt. 1, on October 7, 2024. Note also that there was no disclaimer or address of the entity on the document in violation of 21-A MRSA §1055.
- Engagement of Dr. Richard Summerbell, Sporometrics, at an estimated cost of \$2,500 to provide expert commentary, dated September 23, 2024, meant to challenge a DNA study conducted by mycologist Dr. Serita Frey (Exhibit D).
- Advertisement in the October 11, and October 18, 2024 editions of The Sentinel at an estimated cost of \$596 (\$298 per week)(Exhibit E).

Please advise at your earliest convenience as to your staff's determination of the appropriateness of a further investigation. If your staff or the Commission need any further supporting documentation or information pursuant to this request, please do not hesitate to let me know. Thank you in advance for your consideration.

Sincerely,



Newell A. Augur  
Counsel for No on 12

## Exhibit A

# ✔ ABOUT QUESTION 12

### Background:

For two years, York residents have become entangled in a debate about spirit aging warehouses, proposed to be situated on a parcel of mostly wetlands on Route 1 which is zoned "industrial," but is surrounded on three sides by private residences and businesses.

In other parts of the country, the byproducts of distillation and spirit aging have been devastating to communities, towns, and the environment—and have led to many complicated lawsuits.

### The Risks of Distilling & Spirit Aging in Close Proximity to Neighborhoods:

- [Barrel house fires](#) putting nearby properties in danger
- [Barrel houses collapses](#) causing massive devastation to wildlife
- [Baudoinia](#) ("Whiskey Fungus") reducing property values and risking health

The proposed ordinance addressed in Question 12 on November's ballot is an effort to protect York residents' private properties and health from the risks described above. The goal of the ordinance has never been to target or attack a local business, or to prevent them from growing or expanding.

Craft spirit distilling has become an immensely popular industry, and based on the well-earned success of our only current York distillery, it's likely that more will follow. We believe that any distiller has the right to grow and prosper in York, and this ordinance will ensure that they do so safely, responsibly, and respectfully of their neighbors.

### Fact Checking:

#### *"Wiggly Bridge Distillery is being targeted."*

WBD is not currently proposing to increase production or their spirit-aging capacity, so these requirements would apply to distilleries going forward, which are the focus, as future distilleries are more likely to piggyback on WBD's success. Again, the proposal does NOT affect WBD's current operations.

#### *"A small craft distillery should not be subject to the same rules that govern large distilleries."*

In Kentucky, there are minimum buffer requirements that apply to ANY size distillery, not just the large producers. The proposal puts a check on any future distilling operation to ensure York, with its increasingly humid climate, does not need to raise the concern of whiskey fungus growth in the future.

#### *"The Woods family have given a lot back to the community."*

This proposal does not change or diminish that. York, like many towns, will continue to rely on its residents—from any and all families—who care about the community, its people, and its lands, as members of the Woods family clearly do.

#### *"Yes on 12 is against small business."*

This couldn't be further from the truth! Question 12 is specific to one industry (spirit distilling), and putting reasonable buffers in place to protect the residents who live near these operations. It doesn't shutter any businesses, and it's not aimed to. It encourages current and future York distilleries to grow and expand responsibly.

#### *"There's a new DNA study which shows no Baudoinia at all."*

Despite being instructed to (and agreeing to) conduct an Atmospheric Dispersion Model in the Fall of 2023, WBD opted to privately fund their own study to try to disprove the [Spatial Analysis Report conducted by the University of Maine in Summer 2023](#). The results of the DNA study did indeed show no presence of Baudoinia—however, the sampling methods and results were [quickly called into serious question by mycologist Dr. Richard Summerbell](#), a leading expert on Baudoinia. Without further independent review by the town and additional testing using the correct methods, WBD's DNA test does not in any way constitute proof that there is no present Baudoinia. Regardless, Question 12 pertains to the location of [future](#) spirit distilling and aging structures.

### Who is Directly Affected:

The map to the right highlights areas that are either *in a zone or border a zone* where a distillery or spirit aging warehouse could be erected based on current York zoning regulations.

If that happens, residents in these areas could be embroiled with the same issues that residents of the Winterbrook/Orchard Farms/Brickyard Landing/York River Farms neighborhoods and more have been dealing with for over two years now, like those covered in the local news stories linked below.



Exhibit B (1)



Exhibit B (2)



Exhibit B (3)



Exhibit B (4)





Exhibit C

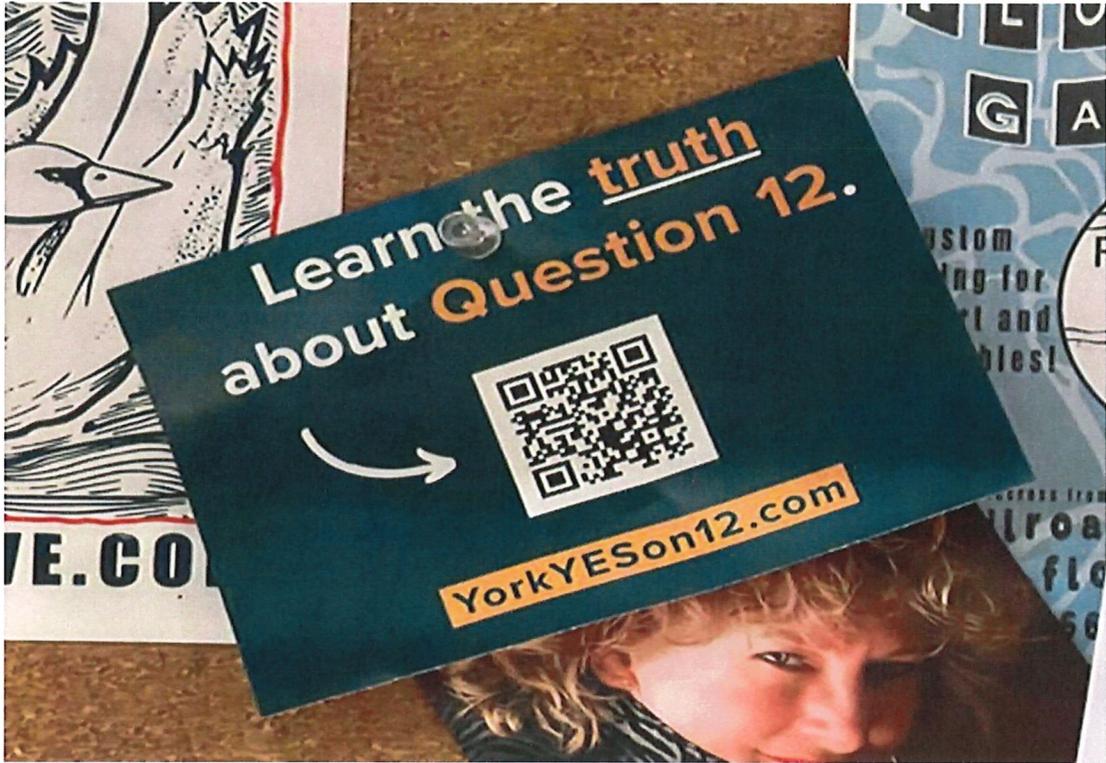


Exhibit D



Report of Dr. Richard Summerbell, per Sporometrics, on *Baudoinia* 'whiskey fungus' findings near Wiggly Bridge Distillery, York, ME.  
Sept. 23, 2024

I have been engaged on behalf of Sporometrics of Toronto, Ontario, Canada, to provide expert commentary on a Sept. 5, 2024 report from Dr. Serita Frey for Wiggly Bridge Distillery, LLC and Woods Family, Inc., on "the Geographical Impact of *Baudoinia* near Wiggly Bridge Distillery."

I have not been to the Distillery location myself and have not received any samples from it. This analysis is a review of the methods used by Dr. Frey, and the results, in contrast with previous reports from the area.

The most serious scientific shortcoming of the Frey report is that the method used lacks a suitable positive control. The report says, "during DNA extraction, both positive and negative controls were included. The positive control was a known fungal standard, while the negative control was Millipore water." This implies that a single fungus type chosen arbitrarily, or for its past desirable performance, can stand in for the accuracy of the testing method in relation to every type of fungus in nature, including distantly related and phenotypically distinct targets like *Baudoinia* species. This is not reasonable. The positive controls used in such a *Baudoinia* study must include a field-collected (not cultured, since cell walls and chemistries may be different) sample of material that has previously been shown to contain *Baudoinia*, along with a demonstration that the current test, using current reagents and conditions, has faithfully indicated the correct identification of that *Baudoinia* and correctly gauged its quantitation. Dr. Frey states, without evidence, "Our methodology (high throughput sequencing) is highly sensitive and is readily able to detect *Baudoinia* (we have experience and documentation of detecting *Baudoinia* in other contexts)." I have found no Frey publications in public databases that attest to this. Even if it is true, reagents and equipment conditions in molecular procedures are well known to vary sufficiently over time that a truly representative positive control test must be done in the same test series and using the exact same materials and conditions as the test samples.

The pose that Illumina-based environmental sequencing techniques provide a reliable and unbiased census of the fungal materials present in a substrate is grossly inaccurate. Many technical biases exist that can suppress the detection of some members of fungal communities and overemphasize others. *Baudoinia*, as an organism that, when mature, occurs on the substrate almost entirely as clumps of refractory, melanized, rough-walled, broad-ellipsoidal to subglobose cells, is of a type of material that is particularly likely to resist cell breakage for DNA extraction and to contain inhibitors of PCR.

Illumina amplicon sequencing and the alternative shotgun metagenomics techniques are both strongly subject to various types of technical biases that cause them to miss or underestimate DNA types that are present. Potential sources of error are:

- primer bias – no set of primers is equally efficient at binding to DNA of all candidate fungi potentially present in an environment, and some may be omitted entirely (Tedersoo et al. 2015)
- GC content bias – The Illumina amplicon sequencing technology particularly tends to embed a bias against regions of high quantity of guanine + cytosine bases within the DNA. “It is the GC content of the full DNA fragment, not only the sequenced read, that most influences fragment [amplicon] count.” (Benjamini and Speed, 2012).
- Other biases intrinsic to the DNA sampled, such as amplicon length bias, sometimes based on presence of introns (sections of DNA apparently appearing as unique insertions in individual species/lineages, not found in related organisms. Some may descend from inserted viruses)
- DNA extraction bias – some fungal materials have factors that diminish the likelihood their DNA will be released in proportion to their abundance: heavy cell walls; small, intactly walled cells that escape grinding; presence of ‘PCR inhibitor’ chemicals acting to bind or sequester released DNA
- Gene copy number bias. Fungal species mostly have multiple copies of the ITS regions commonly used in Illumina amplicon sequencing, but they vary widely in copy number (Cox et al. 2021). At a larger scale, the number of genomes (e.g., nuclei) per unit of biomass also varies among species.
- The aforementioned genome number variability in turn is one of many factors influencing ‘stochasticity’ error in amplicon sequencing (Krebschull et al. 2015), where chance primary amplification of random sequences early in the process may cause these arbitrarily process-selected sequences to predominate in subsequent analyses.

Whenever adequate controls are used for Illumina community sequencing, deviations from ideal perfectly representative sampling are consistently seen.

Although Dr. Frey has mentioned using the ITS region to identify taxa, she does not specify in the report which segment of it she used; such studies usually use ITS1 or ITS2 because the lengths involved are more compatible with the overall method than the full-length ITS would be. In a recent study, where a rigorous comparison was done between the two portions of the ITS region (Mbareche et al., 2020), the following was found:

The results obtained are unequivocal towards ITS1 outperformance of ITS2 in terms of richness, and taxonomic coverage. The differential abundance analysis did demonstrate that *some taxa were exclusively detected only by ITS2, and vice-versa for ITS1*. However, the shotgun metagenomic approach [used as a third method for control] showed a taxonomic profile more resembling that of ITS1 than ITS2. Based on these results, neither of the barcodes evaluated is perfect in terms of distinguishing all species.

Another comparison that can be done with Illumina high throughput sequencing is with quantitative PCR (qPCR) targeted at particular elements of the diversity in the samples. In such cases, more disturbing results can be found. The following observations were made by Unterwurzacher et al. (2018):

*Cladosporium* species were highly abundant within the qPCR measurements (up to 15%), but were not frequently identified by [Illumina amplicon] high-throughput sequencing...

The discrepancy for *Cladosporium* between qPCR and high-throughput sequencing needs further elucidation. A strong bias of the primers used for preparation of the MiSeq libraries against *Cladosporium* is not expected, as no mismatches to published sequencing data were detected. A similar sequencing approach in the authors' laboratory revealed abundant reads for *Cladosporium* from dead plant material (unpublished data).

Although Unterwurzacher et al. duly noted that “biases are expected from differences in the copy

number of the rRNA gene cluster, genome size, ploidy and number of nuclei per propagule,” their results are also compatible with physical DNA extraction bias, since plant material bearing *Cladosporium* would probably have many thread-like hyphae, easily broken in DNA extraction, whereas the collection bioaerosols analysed in the main study would have consisted mainly of spores, whose wall structures or chemistry may have resisted the extraction technique used.

A study by Mbareche et al. (2019) comparing Illumina high-throughput sequencing (abbreviated HTS in the study) to culture (one of several comparisons) found that *Cladosporium* did appear to be underemphasized by Illumina or overemphasized by culture, and that many predominantly cultured fungi from dairy barn air samples appeared to be radically less prominent in Illumina studies than culture studies.

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H. Mbareche et al. / Science of the Total Environment 653 (2019) 253–263

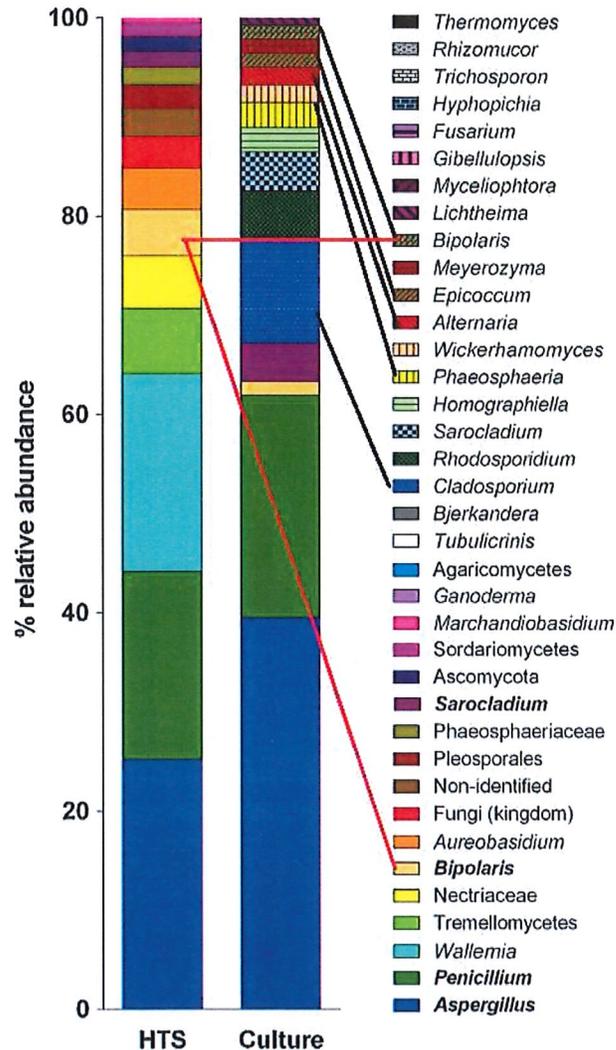


Fig. 5. Relative abundance of fungal genera identified by high-throughput sequencing and culture in air samples collected from five dairy farms. Fungi in bold character are common to both approaches.

Mbareche et al. (2019) state that only three genera isolated in culture, *Hyphopichia*, *Gibellulopsis* and *Myceliophthora*, were not detected by HTS. Another 13 frequently cultured genera were detected with a

total abundance of <1% in HTS. As seen in the graphic, fungal types represented by small or rounded, melanized spores in air samples (*Cladosporium*, *Alternaria*, and *Epicoccum*, but not the more elongated *Bipolaris*) appeared to tend to underestimation in HTS, though percentages in comparisons were influenced by a few organisms, notably the xerophile *Wallemia*, that were under-detected in the mesophile-oriented culture techniques used.

Such findings of discrepancy, of which those presented here are merely the tip of the iceberg, are significant in that they raise reasonable doubts about accuracy that can only be addressed by including a true positive control of field-collected *Baudoinia*-bearing material, ideally material of around the same shelf life (collection time), so that the techniques used can be directly demonstrated not to be excluding *Baudoinia* that is truly present.

*Baudoinia* species, because they produce conspicuously roughened structures, interpreted by Scott et al. (2007) as conidia, as their main growth feature, are relatively straightforward to identify accurately under the microscope in a habitat where ecological conditions are known to be conducive to their growth. The “coarsely verrucose surface ornaments that often coalesce into tufts or short linear ridges” are not seen in the great majority of fungal conidia, swollen cells, chlamydospores and other structures seen in comparable habitats. They are not SO distinctive that any similar structure found on any tropical leaf or other exotic substrate could be reliably diagnosed as *Baudoinia* or not-*Baudoinia*, but when the probability of positivity has been significantly altered by known conducive ecology (that is, the presence of an emitter emitting substantial quantities of ethanol into the air in a non-arid environment, combined with a low-microbial-competition outdoor surface), a reasonably accurate presumptive microscopic diagnosis can be made. It should be confirmed with sequencing methodology, but if that has not yet been accomplished, a positive microscopic report by an experienced or even a new but careful investigator still yields a credible high index of suspicion.

There are many situations in mycology, such as medical diagnosis of fungal diseases, where it is axiomatic that direct microscopy must be used as a check and possible corrective when fallible or potentially variable techniques, such as culture or PCR, provide the gold standard for diagnosis. It must be issued as a strong criticism of the Sept. 5 Frey report that this was not done, or at least, not reported. Many of the OTUs (operational taxonomic units, i.e., categories of organism) elucidated by the Illumina methodology are shockingly incompatible with any fungus that could form a *Baudoinia*-like blackened surface covering on inert materials. Some of the OTU findings suggest un-named organisms so exotic that not even a fungal Phylum name can be attributed to them. Frey says, “At each sampling point, a ‘blackened’ area was targeted to ensure any *Baudoinia* present would be collected,” but it is remarkable that, in samples where lichen thalli (specialized symbiotic fungi forming leafy or crusty, discrete structures with photosynthetic partners) were visible in photos of the sample sites, these fungi also showed up as main significant sequence loadings. The principal fungal signals elucidated in the Frey report are summarized in my Table 1. The table includes the top 40 OTUs in Frey’s Excel spreadsheet of data, with an X for all sampling sites where they exceeded 10% of the sequence count. A few later-ranked fungi also forming more than 10% of the sequence counts at a site are also included.

*Baudoinia* is ecologically consistent with organisms called ‘sooty molds’ that form a coating of dark, slow growing filamentous fungal material on relatively inert surfaces, either plant exteriors (leaf surfaces, bark surfaces) or inert materials (rock, artificial structural materials). A sample that has mainly harvested leafy material of a surface-growing lichen such as *Parmelia sulcata*, predominant at sample site 1, clearly is far from optimal as a test of sooty mold communities – the distinctive chemistry of the lichen may even exclude or structure such communities. A simple microscopic examination showing that material consists mainly of lichen parts (tangles of hyaline, septate fungal hyphae mixed with algal or cyanobacterial symbiont cells) would clarify that it was inappropriate as a representative of “blackened areas” under suspicion of growing *Baudoinia*.

Most of the names of the organisms prominently detected by Illumina sequencing are so implausible as alternative explanations for *Baudoinia*-like growth that, to the mycologist, the data, which are impenetrable to any except the most experienced professional mycologists, appear to function as an inadvertent smokescreen obstructing explanation of the original *Baudoinia* findings by Hayes Microbial Consulting (reports of Feb 17, 2023 and July 7, 2023). The taxa listed include mostly lichens, Ingoldian hyphomycetes and leaf and twig spot fungi that could not possibly be confused by any microscopist, at any stage of their growth, for any growth stage of *Baudoinia*. There are also predominant items such as Ascomycota of unknown class, Fungi of unknown phyla, and a major sequence type *not even classifiable as a fungus* despite being elucidated by fungal primers, predominant at sample sites 9 and 13, that suggest that a glance under the microscope to determine, at least, what types of organisms are making visible cell walls, would be essential to understanding. Otherwise, the data showing “NA” on the spreadsheet for Kingdom Fungi might as easily say ‘alien life form’ in terms of promoting understanding.

*Baudoinia*, because it grows on dew-trapped ethanol vapour, has a distinct natural pattern of growth that includes blanketing near-uniform coverage of otherwise relatively bare outdoor surfaces that are relatively uniform in temperature and humidity conditions. It must be remarked that the absence of any site showing such a pattern in the photographs presented raises questions about whether the sampling process was strongly aimed at targeting potential *Baudoinia*, or simply, ‘any apparent fungal darkening.’ In other cases, we have encountered efforts to demonstrate that *Baudoinia* is not the sole potential cause of fungal darkening of surfaces; but to concede that reality, which is self-evident in the general label ‘sooty mold,’ is beside the point. The limited areas of darkening that occur under other circumstances are controllable in various ways, often by altering local humidity conditions, and are not so all-encompassing (e.g., growth on entire houses excepting a clear zone immediately under the eaves) as *Baudoinia* growth is in areas of consistent ethanol exposure. The only realistic way to control *Baudoinia* growth is by controlling the ethanol exposure. I am aware a transect was used here as an attempt to eliminate bias, but must comment that many of the items sampled appeared not to resemble typical *Baudoinia* habitats; some are highly distinct. Even the blackening at site 10, which showed a continuous fungal lawn with typical snail grazing trails, as often seen in *Baudoinia* growths, only extended through a potential splash zone near the driveway surface, and tapered off to faint blackening further up. Unfortunately, the Illumina results for that site, showing the mysterious Lecanorales not-otherwise-specified (name misspelled in Frey report; almost all Lecanorales are lichens, easily recognized as such by the naked eye, and the few non-lichenized members, e.g., some Stictidaceae, tend to be wood-decay or lichen-parasite fungi with morphologies unlike those of sooty molds) and the Ingoldian hyphomycete *Tricladia diella phivialis* (which does not produce dark pigments and was most probably present on the surface as spores from rain-splash), shed no light whatsoever on what this blackening consisted of.

There is, in the data, one sooty mold detected at 5 sample locations that is known to grow on natural substrates as dark cells with a roughened exterior, a possible doppelgänger for *Baudoinia*, namely, the little-known *Capnobotryella renispora*. This fungus, however, was noted by Titze and de Hoog (1990) to consistently grow in association with lichens, which means its presence may be limited to sites with some lichen growth. *Baudoinia*, by contrast, is the only fungus that, when supplied airborne ethanol via dewfall, can initiate a blackening colonization on materials such as an exposed glass table top, the window of a car parked in an unshaded driveway, or the roof of the same car, at temperate latitudes. No lichen growth is needed or likely (see photograph below). Nothing in the Frey report provides an alternate explanation for the findings of the earlier Hayes Microbial Consulting microscopic reports attesting widespread *Baudoinia* in microscopic observations. The Frey report may merely be a record of what is detected in sites vaguely suggestive of sooty mold darkening, or at least of some kind of fungal darkening, when any *Baudoinia* present has been missed. And that may have happened when, as far as we can determine from Dr. Frey’s report, a glance under the microscope could have led to a corrective reassessment.

		S	I	T	E	S					
Most specific fungal name given	Ecological type of fungus	1 utility box w/ lichen	2 cement retaining wall with yellow lichen	3 green algal mat on shed door splash area	4 dark stain on old wood fence boards	5 black ring on plastic machine cover	6 road sign with grey lichen	7 fire hydrant, black spots	8 mail boxes	9 road sign	10 door & siding with black on splash zone
Lecanorales	Almost always lichens; a few exceptions			X		X					X
Flavoplacarcis	lichen		X								
Exophiala sp.	'black yeast' <sup>a</sup>			X						X	
Capnobotryella renispora	sooty mold <sup>b</sup>	X				X				X	
Xanthoparmelia dierythra	lichen										
Ascomycota unknown class	no info				X		X				
Not even id'd as fungi	no info									X	
Chaetothyriales	black yeast or lichen						X	X			
Fungi	no info				X				X		
Dothiora	twig & leaf decay black spot <sup>c</sup>										
Alatosessilispora	Ingoldian <sup>d</sup>							X			







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- a. Some members of the 'black yeast' group of Chaetothyriales have partly or entirely filamentous growth, while species classed in *Exophiala* are especially likely to have significant growth in a yeast phase.
- b. 'Sooty molds' is a rough ecological classification for black, filamentous, densely and slowly growing fungi on plant or inanimate surfaces. *Baudoinia* is a sooty mold in that sense.
- c. 'Black spots' on branches, twigs, decaying stems and leaves are sexual fruiting bodies (ascostromata, ascomata) or conidiomata of cellulose-decaying organisms or plant pathogens. Growth in situ on inorganic materials like road signs is improbable, and signal may derive from deposited airborne spores. Fungal conidia may have electrostatic properties that facilitate attachment as dust to vertical surfaces.
- d. Ingoldian fungi have elaborately branching conidia and usually grow as plant-material-decaying organisms in running streams or in leaf litter accumulations. Some have sexual states on decaying wood. Presence on inert surfaces may be from conidial or ascospore deposition via splash or airborne distribution of sexual spores. Most do not make dark pigments during colonial growth.
- e. *Verrucaria ceuthocarpa* is mostly known from rocks along ocean-sides, especially in arctic regions, but there is one collection from a pebble found alongside Lake Michigan according to [lichenportal.org](http://lichenportal.org). The foreshortened ITS regions used in Illumina HTS sometimes yield anomalous identifications of organisms merely closely related to the name given, e.g. in a manuscript I reviewed that had the endemic Southeast Asian pulmonary pathogen *Talaromyces marneffeii* showing up as common air spora in a Canadian barn. Clearly some other *Talaromyces* was involved.
- f. Chytrids are mostly single-celled fungi with swimming zoospores. They are native to watery habitats but are known to decay pollen grains and other organic structures that have ended up in habitats with free water (e.g., cracked seeds); thus they may be found in moist soils. Appearance in the type of sample seen here may be via dust.
- g. Leaf spot fungi are often weak pathogens of leaves or endophytic colonizers that sporulate when leaves are starting to decay. Growth on inert surfaces is unlikely.



Scrapings of car window (car left in driveway unused for ~ 1 year) heavily overgrown by molecularly confirmed *Baudoinia panamericana*, Louisville, Kentucky, USA, near spirits storage warehouse. 2015/05/08.

#### References

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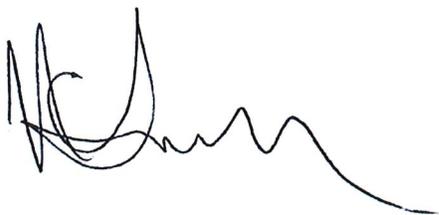
Scott JA, Untereiner WA, Ewaze JO, Wong B, Doyle D. *Baudoinia*, a new genus to accommodate *Torula compniacensis*. *Mycologia*. 2007 Jul-Aug;99(4):592-601.

Tedersoo, L., Anslan, S., Bahram, M., Põlme, S., Riit, T., Liiv, I., Kõljalg U, Kisand V, R. Nilsson H, Hildebrand F, Bork P, Abarenkov, K. 2015. Shotgun metagenomes and multiple primer pair-barcode combinations of amplicons reveal biases in metabarcoding analyses of fungi. *MycKeys* 10, 1-43.

Titze A, de Hoog GS. 1990 – *Capnobotryella renispora* on roof tile. *Antonie van Leeuwenhoek* 58, 265–269.

Unterwurzacher V, Pogner C, Berger H, Strauss J, Strauss-Goller S, Gorfer M. Validation of a quantitative PCR based detection system for indoor mold exposure assessment in bioaerosols. *Environ Sci Process Impacts*. 2018 Oct 17;20(10):1454-1468.

Prepared by Dr. Richard C. Summerbell, for Sporometrics



Sporometrics

219 Dufferin Street, Suite 20C, Toronto, Ontario Canada, M6K 3J1

1-888-516-1660

Exhibit E

WS ~ Arts & Entertainment

PAID POLITICAL AD • PAID POLITICAL AD • PAID POLITICAL AD

**YES ON #12**

**Town of York November 5th Election**

**WHAT?** Yes on #12 establishes clear and logical zoning regulations for the siting of future spirit distilling manufacturing facilities.

**WHY?** Yes on #12 recognizes the rapid growth of distillery manufacturing needs to be done carefully to avoid potential risks to property and families from whiskey fungus and possibility of hazards such as fire and spills in close proximity to hundreds of homes.

**HOW?** Yes on 12 puts in place sensible buffers and property size requirements for future distillery manufacturing locating them a safe and responsible distance away from highly populated areas.

**WHO?** Yes on #12 impacts the FUTURE siting or expansion of distilling spirit aging facilities. It is not intended to impact the current operation of any business in compliance with Town Ordinances.

**WE BELIEVE** in working together for the betterment of all, in absolutely supporting local business 100%, and that Yes on 12 is the best and safest way forward for York.

**Learn more at [www.YorkYESon12.com](http://www.YorkYESon12.com)**

PAID FOR BY CONCERNED CITIZENS FOR YORK YES ON #12

**The Weekly**  
(877) 646  
[www.TheWeekly.com](http://www.TheWeekly.com)

**Free County Jail "Walls" Laid**  
ALFRED. Ever wonder how the county jail operates? People are housed there, how long they stay, the meals, and how they work there? What is the difference between a state prison facility and direct supervision? It's your chance to find out. Right up.

York County Sheriff William L. King, in partnership with Massabesissett Community Education, will host a free, one-hour tour of the jail, located at the Way off Jordan Street (Route 4) in Alfred, on October 28. Those interested in the course, which starts at 4 p.m. that day, must have a prior background check and register with Massabesissett and Community Education on Wednesday, October 27.

The course, "Behind the Walls of the County Jail," will provide an opportunity to see how the facility operates. King, the biggest cost driver for the County government, is adding that he believes it is important for the wider community to see and understand what happens there.



COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES  
Mail: 135 State House Station, Augusta, Maine 04333  
Office: 45 Memorial Circle, Augusta, Maine

Website: [www.maine.gov/ethics](http://www.maine.gov/ethics)  
Phone: 207-287-4179  
Fax: 207-287-6775

**By Email Only**

October 25, 2024

Mr. Adam Flaherty  
[ajflaherty@gmail.com](mailto:ajflaherty@gmail.com)

Dear Mr. Flaherty,

Thank you for speaking with me about the activities of *Concerned Citizens for York Yes on 12* ("Yes on 12"), pertaining to question 12 on the Town of York's November ballot. The Commission received the attached complaint from Mr. Newell Augur, who represents *No on 12*, which questions whether *Yes on 12* has triggered the requirements to register and file campaign finance reports with our office.

One of the roles of the Ethics Commission is to enforce Maine's campaign finance laws, which provide voters with information about who is influencing them in elections. Specifically, Maine law requires groups who raise or spend more than \$5,000 on referendums in municipalities of fewer than 15,000 people to file reports with the Commission. [21-A M.R.S. § 1053-A](#). Additionally, any communications costing more than \$500 requires a disclaimer as to who made it. [21-A M.R.S. § 1055-A](#).

The Commission has a meeting on Wednesday, October 30, 2024 at 9:00 a.m. and will discuss this complaint towards the end of the meeting. If you or a member of the committee would like to participate, you can do so in-person or by Zoom. In the meantime, we would appreciate a written response from you regarding the following:

- How much has *Yes on 12* raised to date?
- A list of all expenditures (both cash and in-kind), dates, and amounts spent by *Yes on 12* for the November 2024 referendum to date.
- Did *Yes on 12* pay for the expert commentary by Dr. Richard Summerbell? Was it an in-kind contribution to the committee? If so, what is the fair market rate for that report?
- Any other information that you deem relevant to this complaint.

Please provide the requested information to me via email at [martha.currier@maine.gov](mailto:martha.currier@maine.gov) by Monday, October 28, 2024.

Sincerely,

Martha Currier  
Assistant Director

10/26/24

To Whom It May Concern,

This serves as a response to Martha Currier's 10/25/24 letter requesting information pertaining to Question 12 on York's November ballot.

As a representative of the independent residents who support Yes on 12, I've collected the "donations" report from Cheryl Patten, a fellow York resident who has been tracking the donations, as well as receipts or documentation for residents' personal expenditures. I've included all of the above for your review.

Collected donations, personal expenditures, and in-kind donations total \$4,872.47 — below the \$5,000 threshold which would require the formation of a Ballot Question Committee. As a result, names and addresses included in the included reports and receipts have been omitted for privacy reasons. I'd also note that this information and these materials are intended only for the review of the Maine Ethics Committee, and I ask that you do not share them with the complainant, any representative of the complainant, or the complainant's legal counsel out of concern for personal retribution. I do not foresee any additional associated expenses.

In regards to the report from Dr. Richard Summerbell the complainant referenced in "Exhibit D", there was no cost associated with the consultation and report. Further, "Exhibit D" is not germane to the ballot referendum. It is a response to materials that the complainant submitted to the York Planning Board to support their application which has since been approved. I've included my email to the Planning Board requesting that they consider Dr. Summerbell's report as part of the application review. The complainant's assertion that this report was created to directly support Yes on 12 is false and intentionally deceptive.

In regards to the legal fees included in the documentation, (which were not noted in the complaint), I want to clarify that we worked with legal counsel regarding the setup of this Citizen's Petition *as well as* the Planning Board application addressed in the above paragraph. I've highlighted the line items in the Curtis Thaxter, LLC invoices which pertain to the ballot referendum.

Those of us who support and promote Yes on 12 remain consistently mindful of the finances, and it is and has been our full intention to follow the guidelines. The complainant's repeated efforts to intimidate those who support Yes on 12 are unacceptable. This investigation request, and their estimates of our expenses, are frivolous and unsubstantiated.

Further, their primary message of "Support Local Business" is designed to mislead the public into believing that Yes on 12 is *anti*-small business, when in reality, Question 12 *only* impacts a single industry (spirit distilling) and does not prevent distillers from growing or expanding. Perhaps the complainant's repeated deception and baseless misuse of the legal system is what should instead be investigated.

If we receive a link to join your upcoming Zoom meeting where you will be reviewing our response, a representative from our group will be present to answer any questions as requested.



Adam Flaherty  
ajflaherty@gmail.com / 207.329.8753

Date	Neighbor	Income Money IN	Tender	Trans. Fee	Expense Money OUT	Available Balance
9/17/24		\$100.00	Venmo	\$0.00		
9/19/24		\$25.00	PayPal	\$1.36		
9/19/24		\$20.00	Venmo	\$0.00		
9/19/24		\$25.00	Venmo	\$0.00		
9/20/24		\$75.00	Venmo	\$0.00		
9/20/24		\$250.00	PayPal	\$9.22		
9/21/24		\$400.00	Venmo	\$0.00		
9/21/24		\$100.00	Venmo	\$0.00		
9/21/24		\$200.00	Check	\$0.00		
9/22/24		\$200.00	PayPal	\$7.47		
9/23/24		\$50.00	PayPal	\$2.24		
9/27/24		\$500.00	Check	\$0.00		
9/27/24		\$250.00	Venmo	\$0.00		
10/1/24		\$25.00	Venmo	\$0.00		
10/2/24		\$500.00	PayPal	\$17.94		
10/7/24		\$25.00	Venmo	\$0.00		
10/9/24					\$1,749.17	
10/9/24		\$20.00	Venmo			
10/10/24		\$25.00	Venmo			
10/18/24		\$500.00	Check			
10/18/24		\$400.00	Check			
10/20/24					\$400.00	
10/20/24					\$1,232.16	
10/20/24		\$100.00	PayPal	\$0.00		
		\$3,790.00		\$38.23	\$3,381.33	\$370.44

horizontal banner print	16.87
fedex office (flyers)	28.81
postcards	1232.16
signs 1	481.95
signs 2	530.96
signs 3	353.93
signs 4	276.39
sign stakes 1	51.17
sign stakes 2	31.64
website domain	11.46
website hosting	44
sentinel ads (3 weeks)	585
retractable banner	159
PO box (3 months)	64
Legal Fees	1,022.00
Total Expenditures	4872.47



**Fwd: Thank you for shopping at Walgreens.**

1 message



Fri, Oct 25, 2024 at 6:34 PM

Sent from my iPhone

Begin forwarded message:

**From:** [Redacted]  
**Date:** October 25, 2024 at 6:34:07 PM EDT  
**To:** [Redacted]  
**Subject:** Fwd: Thank you for shopping at Walgreens.

Sent from my iPhone

Begin forwarded message:

**From:** "Walgreens.com" <[Walgreens@ecs.walgreens.com](mailto:Walgreens@ecs.walgreens.com)>  
**Date:** October 23, 2024 at 12:56:35 PM EDT  
**To:** [Redacted]  
**Subject:** Thank you for shopping at Walgreens.  
**Reply-To:** Walgreens <[support-bgz1xg9bf9ac2gauhuk6dbwes72rgw@ecs.walgreens.com](mailto:support-bgz1xg9bf9ac2gauhuk6dbwes72rgw@ecs.walgreens.com)>



Store #19796 400 US ROUTE 1 York, ME 03909  
October 23, 2024 • 12:56 PM • Transaction ID: 7967  
(207) 363-4312



**Thank you for making that Walgreens trip!**

 \$0.15 Walgreens Cash rewards earned





### How are we doing?

Tell us about shopping at 400 US ROUTE 1

[Take survey](#)

Survey expires 72 hours after transaction



### INTERNET PHOTO

Qty: 1

Return value: \$15.99

**\$15<sup>99</sup>**



### Purchase summary

Subtotal:	\$15.99
Sales tax:	\$0.88

<b>Total:</b>	<b>\$16.87</b>
MASTERCARD:	\$16.87



### myWalgreens Cash rewards

Opening balance:	\$0.90
Earned this visit:	\$0.15
Redeemed this visit:	\$0.00

<b>Closing balance:</b>	<b>\$1.05</b>
-------------------------	---------------

### Return items with a quick scan

RFN #1979-6717-9670-2410-2303



FedEx Office® Print On Demand—Order Confirmation

2 messages

no reply.ecommerce@fedex.com no reply.ecommerce@fedex.com  
Reply To no reply.ecommerce@fedex.com  
To [Redacted]

Mon, Sep



## This is an automated response Please do not reply to this email ##

Hi [Redacted]

We've got it from here! Thanks for choosing FedEx Office

If you need to cancel this order, please contact us at 1 800 GoFedEx or 1 800 463 3339 as soon as possible

We look forward to working with you again soon!

ORDER SUMMARY

Order Number [Redacted]

Click your order number for more information

 FedEx Office (3 items)	Qty	Price
Copies & Custom Documents	6	\$17.45
Copies & Custom Documents	8	\$5.68
Copies & Custom Documents	8	\$5.68
Items (3)		\$28.81
<b>Total Discount</b>		<b>-\$0.00</b>
Tax		\$0.00
<b>Total</b>		<b>\$28.81</b>

Order Placed On Sep 30, 2024 at 08 24 AM CST

If you have questions about your order, please call 1 800 463 3339

Customer Information

Pickup Location

Payment

Contact

FedEx Print & Ship

Payment Method

FedEx Office Print & Ship

Payment by Credit Card ending in \*2873

 **FedEx Office (3 items)** Qty Price

Copies & Custom Documents 6 \$17.45

Copies & Custom Documents 8 \$5.68

Copies & Custom Documents 8 \$5.68

Items (3) \$28.81

**Total Discount** **-\$0.00**

Tax \$0.00

Total \$28.81

Order Placed On: Sep 30, 2024 at 08:24 AM CST

If you have questions about your order, please call 1.800.463.3339.

**Customer Information**

**Contact**

[Redacted]  
[Redacted]  
[Redacted]

**Pickup Location**

**FedEx Print & Ship**

FedEx Office Print & Ship

775 Lafayette Rd,  
Portsmouth, New  
Hampshire 03801

603.431.3535

Estimated pickup time:  
Tuesday, October 1,  
8:00am

[Quoted text hidden]

**Payment**

**Payment Method**

Payment by: Credit Card  
ending in [Redacted]

**Billing Address**

[Redacted]  
[Redacted]  
[Redacted]



Hello [REDACTED],

Thank you for using [USPS.com](https://usps.com).

We've received your PO Box application and payment.  
The details of your order are below.

---

<b>Transaction number:</b>	<a href="#">9100273</a> <a href="#">883983</a> <a href="#">6</a>
<b>Payment amount:</b>	<b>\$64.00</b>
<b>Payment period:</b>	<b>3</b> <b>months</b>
<b>Payment method:</b>	<b>VISA</b> <b>credit-</b> <b>card</b>
<b>Next payment due:</b>	<b>12/31/20</b> <b>24</b> <b>10</b>
<b>Post Office location:</b>	<b>WOODB</b> <b>RIDGE</b> <b>RD</b> <b>YORK,</b> <b>ME</b> <b>03909-</b> <b>9998</b>

---

# Order #QP-10074885

ORDER DATE: OCTOBER 18, 2024

## SHIPPING ADDRESS



## BILLING ADDRESS



## SHIPPING METHOD

USPS Delivery

## PAYMENT METHOD

Credit Card  
 Credit Card Type: [REDACTED]  
 Credit Card Number: xxxx-[REDACTED]  
 Processed Amount: \$1,232.16

## ITEMS ORDERED

PRODUCT NAME	SKU	PRICE	QTY	SUBTOTAL
<b>Item # : 130391</b> <b>Status : Mailed</b> 	DIRECT MAIL POSTCARDS STANDARD DIRECT MAIL Design Upload Yes on 12 <a href="#">View File 1</a> <a href="#">View File 2</a>	<b>\$0.68</b> (view/edit details)	Ordered: <b>1812</b> Shipped: <b>1812</b>	\$1,232.16  Select for Re-order <input type="checkbox"/>

Subtotal \$1,232.16

Shipping & Handling \$0.00

Tax \$0.00

**Grand Total \$1,232.16**

# YOUR ORDER SUMMARY

Order Number [REDACTED]

## PRODUCT DETAILS

## PRICE

**Project Name:** My Retractable Banners

\$330.85

**Item Number:** #20900811

**Category:** Retractable Banners

**Graphic Size:** 33.5" x 80"

**Display Options:** Stand + 1 Banner (Single Sided)

**Banner Stand:** Standard Retractable 33"

**Frame Color:** Silver

**Printed Side:** Front Only

**Material:** Smooth 13 oz. Vinyl

**Quantity:** 1

**Printing Turnaround:** 2 Business Days

**Panels:** 1 Panel

**Proofing:** Proof Waived

## SHIPPING

2 Day Transit

[REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED]

Estimated Delivery Date: 10/29/2024

---

<b>Subtotal:</b>	<b>\$330.85</b>
<b>Discount:</b>	<b>-\$198.51</b>
Shipping & Handling:	\$18.78
Tax:	\$8.31

---

<b>Order Total:</b>	<b>\$159.43</b>
<b>Total Paid:</b>	<b>\$159.43</b>

## CUSTOMER FAVES

# ← Transactions



 **Marriott Bo...**



Oct 09, 2024

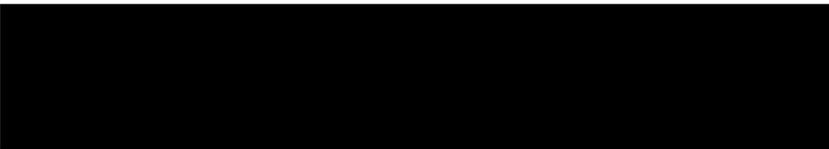


Oct 08, 2024



**WEEKLY  
SENTINAL**

**\$195.00 >**



**Thank you for ordering from SignsOnTheCheap! Your Order Number is 90956950!**

1 message

**Signs On The Cheap** <service@signsonthecheap.com>  
Reply-To: Signs On The Cheap <service@signsonthecheap.com>  
To: 

Thu, Sep 26, 2024 at 2:44 PM

To view this email as a web page, go [here](#)

# SIGNS ON THE CHEAP

Need help? Call us at 1-866-661-9239

**Thank you for ordering from SignsOnTheCheap  
Your Order Number is 90956950**

[Track My Order](#)

Make sure to print out this page or write down your order number for your records.  
Here is a summary of the order you placed on **9/26/2024**:

### Billing & Shipping Information

**Bill To:**



**Ship To:**



**Contact Info:**



**Shipping Method:**

Ground

**Your order should arrive by:**  
10/8/2024

### Order Item Information

Item Description	Material	Size	Unit Price	Qty	Total
 24"h x 10"w Wire Stake	<b>Sides:</b>		\$3.76	40	\$150.40
 Custom Sign (ID: 893220852)	Corrugated Plastic <b>Sides: Double Sided</b>	18" x 24"	\$14.66	40	\$586.40

**Please Note:** Your stakes, frames, or accessories may ship sooner than your custom printed signs. Even if part of your order arrives early, rest assured that your signs will arrive by the delivery date listed above.

Payment Information

**This email is your receipt, so please print out a copy for your records.** We'll email you a shipping notification as soon as your order is carefully packaged and on its way. If necessary, we'll send you additional shipping updates about your order.

**Summary of Charges:**

<b>Subtotal:</b>	\$736.80
<b>Promotion:</b>	(\$368.40)
<b>Shipping:</b>	\$88.42
<b>Tax:</b>	\$25.13
<hr/>	
<b>Total:</b>	\$481.95

Questions or concerns? Contact us at: [service@signsonthecheap.com](mailto:service@signsonthecheap.com) or 1 866 661 9239  
This email was sent by: **Signs On The Cheap**  
[11525 Stonehollow Dr](#) B220 Austin, TX, 78758, U

**Thank you for ordering from SignsOnTheCheap! Your Order Number is 90952814!**

1 message

**Signs On The Cheap** <service@signsonthecheap.com>  
Reply-To: Signs On The Cheap <service@signsonthecheap.com>  
To: 

Sat, Sep 21, 2024 at 2:16 PM

To view this email as a web page, go [here](#)

# SIGNS ON THE CHEAP

Need help? Call us at 1-866-661-9239

**Thank you for ordering from SignsOnTheCheap  
Your Order Number is 90952814**

[Track My Order](#)

Make sure to print out this page or write down your order number for your records.  
Here is a summary of the order you placed on 9/21/2024:

**Billing & Shipping Information**

**Bill To:**



**Ship To:**



**Contact Info:**



**Shipping Method:**  
Ground

**Your order should arrive by:**  
10/4/2024

**Order Item Information**

Item Description	Material	Size	Unit Price	Qty	Total
 24"h x 10"w Wire Stake	<b>Sides:</b>		\$3.76	15	\$56.40
 Custom Sign (ID: 893164851)	Corrugated Plastic <b>Sides: Double Sided</b>	18" x 24"	\$14.66	30	\$439.80



Corrugated Plastic      18" x 24"      \$14.66      30      \$439.80  
**Sides:** Double Sided

Custom Sign  
(ID: 893164854)

**Please Note:** Your stakes, frames, or accessories may ship sooner than your custom printed signs. Even if part of your order arrives early, rest assured that your signs will arrive by the delivery date listed above.

Payment Information

**This email is your receipt, so please print out a copy for your records.** We'll email you a shipping notification as soon as your order is carefully packaged and on its way. If necessary, we'll send you additional shipping updates about your order.

**Summary of Charges:**

<b>Subtotal:</b>	\$936.00
<b>Promotion:</b>	(\$516.60)
<b>Shipping:</b>	\$83.88
<b>Tax:</b>	\$27.68
<hr/>	
<b>Total:</b>	\$530.96

Questions or concerns? Contact us at: [service@signsonthecheap.com](mailto:service@signsonthecheap.com) or 1-866-661-9239  
This email was sent by: **Signs On The Cheap**  
[11525 Stonehollow Dr](#) B220 Austin, TX, 78758, US

Your order is confirmed

1 message

VistaPrint <no-reply@t.vistaprint.com>

Tue, Oct 1, 2024 at 8:41 PM

To: [Redacted]

Order Confirmation



Thanks for your order, [Redacted].

We're processing it now and we will let you know when it's on its way.

Expected delivery: **Thursday, October 10, 2024**

Check order status

Order details

Order number

VP\_43H5S91X

Shipping address

[Redacted shipping address]

Order date

Tuesday, October 1, 2024

Billing address

[Redacted billing address]

Speed

Priority

# Order summary



**Yard Signs**

Quantity: 50  
Expected delivery: Thu, October 10

~~\$517.49~~ **\$310.49**

Subtotal	\$517.49
<b>Savings</b>	<b>-\$207.00</b>
Shipping: Priority	\$24.99
Tax	\$18.45
<b>Total</b>	<b>\$353.93</b>



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a CIMPRESS company

Your order is confirmed

1 message

VistaPrint <no-reply@t.vistaprint.com>

Fri, Oct 18, 2024 at 7:23 AM

To: [Redacted]

Order Confirmation



Thanks for your order, [Redacted].

We're processing it now and we will let you know when it's on its way.

Expected delivery: **Wednesday, October 23, 2024**

Check order status

Order details

Order number

VP\_TMKKHNWX

Address

[Redacted address]

Order date

Friday, October 18, 2024

Billing address

[Redacted billing address]

Speed

Express

# Order summary



## Yard Signs

Quantity: 30

Expected delivery: Wed, October 23

~~\$261.99~~ \$211.99

Subtotal		\$261.99
Savings	SAVEBIG	-\$50.00
Shipping: Express		\$49.99
Tax		\$14.41
<b>Total</b>		<b>\$276.39</b>



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a CIMPRESS company



### Final Details for Order #111-9821724-4070632

[Print this page for your records.](#)

**Order Placed:** October 2, 2024

**Amazon.com order number:** 111-9821724-4070632

**Order Total:** \$51.17

---

### Shipped on October 3, 2024

#### Items Ordered

1 of: *Tacmaster 50 Pack Yard Sign Stakes 30"x10" | Wire Metal Yard H Stakes for 4mm Corrugated Panels, Blank Lawn Sign Posts and Real Estate Signs | Waterproof and Wind Resistant* **Price** \$48.50

Sold by: Express Sign Products ([seller profile](#))

Supplied by: Express Sign Products ([seller profile](#))

Condition: New

#### Shipping Address:

[Redacted Address]

#### Shipping Speed:

FREE Prime Delivery

---

### Payment information

#### Payment Method:

Mastercard ending in [Redacted]

#### Billing address

[Redacted Billing Address]

Item(s) Subtotal:	\$48.50
Shipping & Handling:	\$0.00
	----
Total before tax:	\$48.50
Estimated tax to be collected:	\$2.67
	----
<b>Grand Total:</b>	<b>\$51.17</b>

To view the status of your order, return to [Order Summary](#).

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[Back to top](#)

English

United States

[Help](#)



**Final Details for Order #111-8284660-4440252**

[Print this page for your records.](#)

**Order Placed:** October 2, 2024

**Amazon.com order number:** 111-8284660-4440252

**Order Total:** \$31.64

---

**Shipped on October 2, 2024**

**Items Ordered**

**Price**

1 of: *12 Pcs H Stakes for Yard Signs 24" x 10" Metal Heavy Duty H Frame Wire Stakes Weatherproof Metal Sign Holder for 4mm 5mm Corrugated Signs Advertising Board Guidepost Yard Halloween Decor* \$29.99

Sold by: Gaifan ([seller profile](#))

Supplied by: Gaifan ([seller profile](#))

Condition: New

**Shipping Address:**

[Redacted shipping address]

**Shipping Speed:**

FREE Prime Delivery

---

**Payment information**

**Payment Method:**

Mastercard ending in [Redacted]

**Billing address**

[Redacted billing address]

Item(s) Subtotal:	\$29.99
Shipping & Handling:	\$0.00
	----
Total before tax:	\$29.99
Estimated tax to be collected:	\$1.65
	----
<b>Grand Total:</b>	<b>\$31.64</b>

To view the status of your order, return to [Order Summary](#).

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English

United States

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# Namecheap Order Summary (Order# 152437785);

1 message

Namecheap Support <support@namecheap.com>

Mon, Sep 16, 2024 at 8:55 PM

To: [REDACTED]

## Namecheap Order Summary

Date: Sep 16, 2024 08:55:56 PM EST

Dear Adam,

Thank you for choosing Namecheap. Here's a summary of your order.

### Order Details

Order Date: Sep 16, 2024 08:55:47 PM

Payment Source: [REDACTED]

Order Number: 152437785

Initial Charge: \$11.46

Transaction ID: 184782979

Final Cost: \$11.46

User Name: [REDACTED]

Total Refund: N/A

Refund Transaction ID: N/A

Refunded To: N/A

TITLE	QTY	DURATION	PRICE	SUB TOTAL
Domain Registration <a href="#">yorkyeson12.com</a>	1	1 year	\$11.28	\$11.28 ICANN Fee \$0.18
Free Domain Privacy	1	1 year	\$0.00	\$0.00 Setup \$0.00
			Sub Total	\$0.00
			<b>TOTAL</b>	<b>\$11.46</b>

### Additional Transaction Details

Order Ref # [REDACTED]

Approval # [REDACTED]

#### Hosting:

If you've purchased a hosting plan, its activation and setup will start [soon](#) →. Once both are complete, we'll send you a welcome email with your IP address and hosting account information.

#### SSL Certificates:

If you've purchased an SSL certificate, you will need to [enable the SSL on your server](#). However, if you purchased a renewal PositiveSSL or EssentialSSL for a domain on Namecheap Shared Hosting, it should be installed automatically within an hour of the purchase.

#### Premium domains:

Please note that the premium purchase may take 24-72 hours to complete. We might get in touch with you to confirm purchase details. Please see our [Knowledgebase](#) for more information.

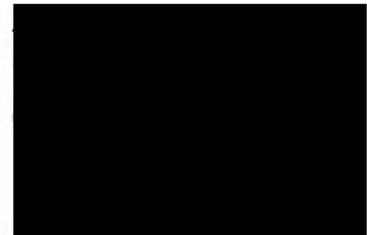
#### Transfers:

If you are transferring domains that require an Auth Code (or "EPP code"), we'll let you know. If it's required, please obtain the Auth Code from your previous registrar and enter it via your Account Panel.



Wix.com LTD  
Yunitsman 5 Tel Aviv  
Israel

Issued to:



Invoice #1134255769 | Sep 1, 2024 | Paid

Description	Site	Billing Period	Quantity	Amount
Premium plan Core		2 Year Sep 15, 2024 - Sep 15, 2026	1	\$528.00

Payment Method: Visa \*\*\*\*4126

Subtotal

\$528.00

**Total**

**\$528.00**

Broken down by month = \$22

**2 months = \$44**

Feel free to contact us:

[wix.com/support](https://wix.com/support)

1-415-639-9034

[wix.com/contact](https://wix.com/contact)

Service and Expense Mailback Summary

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RE: ADVISE ON CITIZENS' INITIATIVE	Inv #	150744
Client / Case No. 28896 -00200	Inv Date	09/13/2024
Total For Professional Services Rendered:		\$1,022.00
Total Expenses:		\$0.00
Total Bill:		\$1,022.00
Previous Balance:		\$0.00
Less Retainer:		\$0.00
Balance Due:		\$1,022.00

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Please return this page with your remittance and please reference the

Client / Case Number 28896 00200

Amount Paid... \$ \_\_\_\_\_

Make secure payments online at [www.curtisthaxter.com/online-payment](http://www.curtisthaxter.com/online-payment)

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## Please Share with Planning Board

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Adam Flaherty <ajflaherty@gmail.com>

Wed, Sep 25, 2024 at 2:55 PM

To: DeCarlo Brown <dbrown@yorkmaine.org>, Dylan Smith <dsmith@yorkmaine.org>

Hi DeCarlo and Dylan,

Since Matt Altieri requested that WBD's new DNA study be shared with the Planning Board, I'd like to kindly request that you share this email and attachment with the Planning Board as well, pertaining to Thursday's meeting:

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In regards to the DNA study that WBD shared with you recently, we've asked the office of Dr. James Scott to review the collection method and lab results as compared to the process and results from the UMaine report from last Summer to understand why the results from the two studies would be so at odds.

Dr. Scott was not available to review, but his colleague and fellow mycologist at his company Sporometrics, Dr. Richard Summerbell, was—and he has pointed out **a significant number of observations that are alarming about WBD's DNA study, which call into serious question the results indicating "no Baudoinia."**

I've attached the report for your review, and here are the most notable points, in my opinion (summarized in my words):

- There was no suitable positive control. They should have tested on the distillery, the rickhouse, or on property to identify Baudoinia as the positive control.
- They tested many surfaces with thick lichen growth. When you have such a high volume and concentration of identifiable organisms, it's very possible that other much more prominent organisms in a sample could result in present Baudoinia going undetected, even by DNA methods.
- It is very possible for a mycologist who is expertly familiar with Baudoinia to identify it under a microscope — and it's also possible for Baudoinia to not be identified by DNA yet still confirmed visually.

Please remember, you had required WBD to conduct an Atmospheric Dispersion Model—which they agreed to do on the record, and they instead opted to privately fund a study intended to disprove the science you already have on file.

If you choose to entertain WBD's DNA study in any fashion, we kindly ask that you also consider Dr. Summerbell's attached report.

Adam

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Here are some quotes from Dr. Summerbell's report which stand out:

"The most serious scientific shortcoming of the Frey report is that the method used lacks a suitable positive control. The report says, "during DNA extraction, both positive and negative controls were included. The positive control was a known fungal standard, while the negative control was Millipore water." This implies that a single fungus type chosen arbitrarily, or for its past desirable performance, can stand in for the accuracy of the testing method in relation to every type of fungus in nature, including distantly related and phenotypically distinct targets like *Baudoinia* species. This is not reasonable. The positive controls used in such a *Baudoinia* study must include a field-collected (not cultured, since cell walls and chemistries may be different) sample of material that has previously been shown to contain *Baudoinia*, along with a demonstration that the current test, using current reagents and conditions, has faithfully indicated the correct identification of that *Baudoinia* and correctly gauged its quantitation. Dr. Frey states, without evidence, "Our methodology (high throughput sequencing) is highly sensitive and is readily able to detect *Baudoinia* (we have experience and documentation of detecting *Baudoinia* in other contexts)." I have found no publications in public databases that attest to this. Even if it is true, reagents and equipment conditions in molecular procedures are well known to vary sufficiently over time that a truly representative positive control test must be done in the same test series and using the exact same materials and conditions as

the test samples.

The pose that Illumina-based environmental sequencing techniques provide a reliable and unbiased census of the fungal materials present in a substrate is grossly inaccurate."

"There are many situations in mycology, such as medical diagnosis of fungal diseases, where it is axiomatic that direct microscopy must be used as a check and possible corrective when fallible or potentially variable techniques, such as culture or PCR, provide the gold standard for diagnosis. It must be issued as a strong criticism of the Sept. 5 Frey report that this was not done."

"Most of the names of the organisms prominently detected by Illumina sequencing are so implausible as alternative explanations for *Baudoinia*-like growth that, to the mycologist, the data, which are impenetrable to any except the most experienced professional mycologists, appear to function as an inadvertent smokescreen obstructing explanation of the original *Baudoinia* findings by Hayes Microbial Consulting (reports of Feb 17, 2023 and July 7, 2023). "

"The Frey report may merely be a record of what is detected in sites vaguely suggestive of sooty mold darkening when any *Baudoinia* present has been missed. And that may have happened when, as far as we can determine from Dr. Frey's report, a glance under the microscope could have led to a corrective reassessment."

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 **Wiggly Bridge report Summerbell finalized.pdf**

876K

## Commission Penalty Decisions - Candidates

Candidate	Late Report/Other Violation	Preliminary Penalty	Final Penalty	Commission Meeting Date
<b>Legislative and County candidates</b>				
Steve Collins	No Disclaimer on Signs		\$200.00	12/18/20
William Guerrette	No Disclaimer on Signs		\$0.00	03/08/21
Susan Bernard	No Disclaimer on mailing		\$75.00	10/26/22

## Commission Penalty Decisions - PACs, BQCs, Party Committees (2018 - present)

Committee Name	Violation	Preliminary Penalty	Final Penalty	Commission Meeting Date
<b>Other Enforcement Decisions - Committees</b>				
Mainers for Fair Laws BQC	Missing Disclaimers in television ads		\$2,500.00	09/29/21

## 21-A M.R.S. § 1052. Definitions

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As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

...

**2-A. Ballot question committee.** “Ballot question committee” means a person that receives contributions or makes expenditures aggregating in excess of \$5,000 for the purpose of initiating or influencing a campaign, other than a campaign for the nomination or election of a candidate. The term “ballot question committee” does not include a political action committee or an exempt donor.

...

## 21-A § 1052-A. Registration

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A committee shall register with the commission and amend its registration as required by this section. A registration is not timely filed unless it contains all the information required in this section.

**1. Deadlines to file and amend registrations.** A committee shall register and file amendments with the commission according to the following schedule.

**A.** A political action committee as defined under section 1052, subsection 5, paragraph A, subparagraph (1) or (5) shall register with the commission within 7 days of receiving contributions or making expenditures in the aggregate in excess of \$2,500.

**A-1.** A ballot question committee shall register with the commission within 7 days of receiving contributions or making expenditures in the aggregate in excess of \$5,000.

**A-2.** A registered committee that does not qualify for an exception to registration pursuant to subsection 1-A shall register as a political action committee or ballot question committee, as applicable, within 7 days of exceeding the \$10,000 threshold specified in subsection 1-A.

**B.** A committee shall amend the registration within 10 days of a change in the information that committees are required to disclose under this section.

**C.** A committee shall file an updated registration form between January 1st and March 1st of each year in which a general election is held. The commission may waive the updated registration requirement for a newly registered political action committee or other registered committee if the commission determines that the requirement would cause an administrative burden disproportionate to the public benefit of the updated information.

**1-A. [omitted]**

**2. Disclosure of treasurer and officers.** A committee must have a treasurer and a principal officer. The same individual may not serve in both positions, unless the committee is an individual registering as a ballot question committee. The committee’s registration must contain the names and addresses of the following individuals:

**A.** The treasurer of the committee;

**B.** A principal officer of the committee;

**C.** Any other individuals who are primarily responsible for making decisions for the committee;

**D.** The individuals who are primarily responsible for raising contributions for the committee; and

**E.** The names of any other candidates or Legislators who have a significant role in fund-raising or decision-making for the committee.

**3. Other disclosure requirements.** A committee's registration must also include the following information:

- A.** A statement indicating the specific candidates, categories of candidates or campaigns or ballot questions that the committee expects to support or oppose;
- B.** If the committee is formed to influence the election of a single candidate, the name of that candidate;
- C.** The form or structure of the organization, such as a voluntary association, membership organization, corporation or any other structure by which the committee functions, and the date of origin or incorporation of the organization;
- D.** If the committee has been formed by one or more for-profit or nonprofit corporations or other organizations for the purpose of initiating or influencing a campaign, the names and addresses of the corporations or organizations;
- E.** The name of the account that the committee will use to deposit contributions and make expenditures pursuant to section 1054, and the name and address of the financial institution at which the account is established; and
  - E-1.** [2023, ch. 244, § 14 (RP).]
- F.** Any additional information reasonably required by the commission to monitor the activities of committees in this State under this subchapter.

**4. Acknowledgment of responsibilities.** The treasurer, principal officer and any other individuals who are primarily responsible for making decisions for the committee shall submit a signed statement acknowledging their responsibilities on a form prescribed by the commission within 10 days of registering the committee. The signed acknowledgment statement serves as notification of the responsibilities of the committee to comply with the financial reporting, record-keeping and other requirements of this chapter and the potential personal liability of the treasurer and principal officer for civil penalties assessed against the committee. The commission shall notify the committee of any individual who has failed to submit the acknowledgment statement. Failure to return the acknowledgment statement is a violation of this subchapter for which a fine of \$100 may be assessed against the committee. This section also applies to individuals named in an updated or amended registration required by this subsection who have not previously submitted an acknowledgment statement for the committee with the commission.

**5. Resignation and removal.** An individual who resigns as the treasurer, principal officer or primary decision maker of a committee shall submit a written resignation statement to the commission. An individual's resignation is not effective until the commission receives the written resignation statement from the individual. If an individual is involuntarily removed from the position of treasurer, principal officer or primary decision maker by the committee, the committee shall notify the commission in writing that the individual has been removed from the position. The commission may prescribe forms for these purposes.

**6. Modified registration.** The commission may adopt simplified registration procedures and forms for an individual registering as a ballot question committee to initiate or influence a ballot question.

## 21-A M.R.S. § 1053-A. Municipal elections (highlighting added)

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If an organization qualifies as a committee under section 1052, subsection 2 and that organization receives contributions or makes expenditures to influence a municipal campaign in towns or cities with a population of 15,000 or more, that organization must register and file reports with the municipal clerk as required by Title 30-A, section 2502. **If an organization qualifies as a ballot question committee under section 1052, subsection 2-A and that organization makes expenditures exceeding \$5,000 to influence a municipal referendum campaign in a town or city with a population of less than 15,000, that organization must register and file reports with the commission using the electronic filing system pursuant to section 1059, subsection 5.** The reports must be filed in accordance with the reporting schedule in section 1059 and must contain the information listed in section 1060. A committee registered with the commission and that receives contributions or makes expenditures relating to a municipal election shall file a copy of the report containing such contributions or expenditures with the clerk in the subject municipality. The commission retains the sole authority to prescribe the content of all reporting forms. The commission does not have responsibility to oversee the filing of registrations or campaign finance reports relating to municipal campaigns in towns or cities with a population of 15,000 or more. If a municipal clerk becomes aware of a potential violation of this subchapter that the clerk considers to be substantial, the clerk may refer the matter to the commission for enforcement. The commission may conduct an investigation if the information referred by the municipal clerk shows sufficient grounds for believing that a violation may have occurred. After conducting the investigation, if the commission determines that a violation of this subchapter has occurred, the commission may assess penalties provided in this subchapter.

## 21-A M.R.S. § 1055-A. Political communications to influence a ballot question

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**1. Communications to influence ballot question elections.** Whenever a person makes an expenditure exceeding \$500 expressly advocating through broadcasting stations, cable television systems, prerecorded automated telephone calls or scripted live telephone calls, newspapers, magazines, campaign signs or other outdoor advertising facilities, publicly accessible sites on the Internet, direct mails or other similar types of general public political advertising or through flyers, handbills, bumper stickers and other nonperiodical publications, for or against an initiative or referendum that is on the ballot, the communication must clearly and conspicuously state the name and address of the person who made or financed the expenditure for the communication, except that telephone calls must clearly state only the name of the person who made or financed the expenditure for the communication. A digital communication costing more than \$500 that includes a link to a publicly accessible website expressly advocating for or against an initiative or referendum that is on the ballot must clearly and conspicuously state the name of the person who made or financed the expenditure, unless the digital communication is excluded under subsection 2. Telephone surveys that meet generally accepted standards for polling research and that are not conducted for the purpose of influencing the voting position of call recipients are not required to include the disclosure.

**2. Exceptions.** The following forms of political communication do not require the name and address of the person who made or financed the expenditure for the communication because the name or address would be so small as to be illegible or infeasible: clothing, envelopes and stationery, small promotional items, tickets to fundraisers and electronic media advertisements where compliance with this section would be impracticable due to size or character limitations and similar items determined by the commission to be too small and unnecessary for the disclosures required by this section. "Small promotional items" includes but is not limited to ashtrays, badges and badge holders, balloons, campaign buttons, coasters, combs, emery boards, erasers, glasses, key rings, letter openers, matchbooks, nail files, noisemakers, paper and plastic cups, pencils, pens, plastic tableware, 12-inch or shorter rulers and swizzle sticks.

**3. Enforcement.** A violation of this section may result in a penalty of no more than \$5,000. In assessing a penalty, the commission shall consider, among other things, how widely the communication was disseminated, whether the

violation was intentional, whether the violation occurred as the result of an error by a printer or other paid vendor and whether the communication conceals or misrepresents the identity of the person who financed it.

## **30-A M.R.S. § 2502. Campaign reports in municipal elections**

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**1. Reports by candidates.** A candidate for municipal office of a town or city with a population of 15,000 or more is governed by Title 21-A, sections 1001 to 1020-A, except that registrations and campaign finance reports must be filed with the municipal clerk instead of the Commission on Governmental Ethics and Election Practices. A town or city with a population of less than 15,000 may choose to be governed by Title 21-A, sections 1001 to 1020-A by vote of its legislative body at least 90 days before an election for office. A town or city that votes to adopt those provisions may revoke that decision, but it must do so at least 90 days before an election subject to those sections.

**A.** [2009, ch. 366, § 10 (RP).]

**2. Municipal referenda campaigns.** Municipal referenda campaign finance reporting is governed by Title 21-A, chapter 13, subchapter 4.

**3. Public access to records.** A town or city that receives registrations or reports pursuant to this section must keep them for 8 years.