

May 13, 2021

**Minutes of the Washington County Commissioners'
Unorganized Territories Regular Meeting
Held May 13, 2021
in the Washington County Superior Courtroom
Machias, Maine**

**Attending the meeting were:
Commissioner Christopher Gardner
Commissioner John Crowley, Sr.
Commissioner Vinton Cassidy
Betsy Fitzgerald, County Manager
Carla Manchester, Administrative Assistant
Susan Hatton, SCEC
Josh Rolfe, RCC Director
Barry Curtis, Sheriff
Michael Crabtree, Chief Deputy
Rich Rolfe, Jail Administrator
Paula Johnson-Rolfe, Sheriff's Office
Tammy Gay, Deeds
Sharon D. Strout, Deeds
Robert Simpson, Whiting
Carlene Holmes, Probate
Jill Holmes, Treasurer**

Commissioner Gardner called the meeting of the Unorganized Territories to order at 4:00 p.m.

**Approval of the U.T. meeting minutes of April 8, 2021.
(Cassidy / Gardner, 2-0-1)**

AGENDA ITEM: Monthly Report

Unorganized Territories Supervisor Dean Preston's monthly report was submitted and is attached.

In Dean's absence, County Manager Betsy Fitzgerald highlighted several items in Dean's monthly report.

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- The Shellfish Conservation Ordinance has been revised and is being submitted to the Commissioners for their review. Dean plans to present the ordinance for the Commissioners to sign at

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the meeting next month. (See attached). Commissioner Gardner stated the Board of Commissioners will review the Shellfish Ordinance under advisement and be prepared to sign the final draft at the next meeting.

- The U.T. Shellfish Committee is partnering with D.E.I. in a research project for conservation efforts.
- The U.T. Shellfish Committee is partnering with Lubec to share resources and conservation efforts.
- The U.T. office is applying for an Army Corps of Engineers permit to install 48 recruitment boxes.
- The U.T. office is applying for DMR permits for identified flat closures for 2021 - 2023.
- The temporary bridge on the Mitten Mountain Road Bridge Project is being removed, guardrails are being installed and traffic is crossing the bridge. The final inspection will be on or about May 17, 2021.
- Highway maintenance projects are continuing on West Street in Big Lake Twp, the Marion Station Road and Mile #6 on the 19 Road.
- Paving operations continue in Trescott Twp., Edmunds Twp., Marion Twp., Centerville Twp. and Big Lake Twp.
- Barry Gillis has notified the U.T. office that he will not be able to fulfill the final year of his contract. The U.T. office will advertise for this contract in early July.

County Manager Betsy Fitzgerald presented an Animal Control Agreement. The Washington County U.T. will provide ACO services to the municipality of Topsfield beginning July 1, 2020 through June 30, 2023 for an annual stipend of \$200.00. In addition to the annual compensation amount of \$200.00, Topsfield agrees to pay each individual call for Animal Control Services at a rate of \$20.50 per hour plus \$0.44 per mile.

***MOTION* Commissioner Crowley moved to approve the Animal Control Agreement between the U.T. and Topsfield as presented. (Crowley / Cassidy, 3-0.)**

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AGENDA ITEM: TIF Committee Update

Ms. Hatton's monthly report was submitted and is attached. Ms. Hatton stated there were no action items.

Ms. Hatton gave an update on Bailey Grant of Olde Mill Storage. His storage building was full again this year, he added storage capacity

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to the Wagner building and has extended the lease for another five years.

AGENDA ITEM: Public Comment

Commissioner Gardner renewed the discussion regarding the wind project that Washington County is currently working on with APEX Wind. Commissioner Gardner suggested APEX Wind be put on notice that the Washington County Board of Commissioners plan to officially withdraw their motion to support APEX Downeast Wind until clarification on the revaluation of turbines can be given.

***MOTION* Commissioner Crowley moved to withdraw the motion to support APEX Downeast Wind. (Crowley / Cassidy, 3-0.)**

This notice is due to the actions of a similar project in Hancock County in which State officials granted an abatement to TerraForm, owners of Bull Hill Wind. This abatement forced Hancock County to return TIF funds already received. Washington County was also notified by the State that an abatement was granted to First Wind due to an over-assessment of the wind turbines. The Commissioners were informed of the over-assessment and the request by the State to return the difference of the allocations received for revenue from the TIF First Wind program and the abatement amount. During the April meeting, Commissioner Gardner directed the Treasurer to put a hold on sending any money back to the State. Treasurer Jill Holmes asked the Commissioners again about the overpayment. Commissioner Gardner stated the Board of Commissioners do not agree to returning the funds at this time. Commissioner Gardner stated First Wind made a fiduciary promise, and the assessment that Maine Revenue Service made cannot change the agreement. County Manager Betsy Fitzgerald stated that the assessment does not change the agreement but it does change the value of the turbines. County Manager stated that based on the assessed

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value of the turbines, the County was paid more than should have been allowed. Treasurer Jill Holmes noted that we were not guaranteed a certain amount in the agreement but a percentage was to be paid. Commissioner Gardner stated he wants to look at all TIF documentation before funds are returned. Paula Johnson-Rolfe noted the terminology used by the wind project companies for funds to be realized for the TIF program is "projections". Commissioner Gardner pondered what the projected amount would be for obsolete turbines. Commissioner Gardner asked the Treasure how much is in the TIF account at this time.

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Treasurer Jill Holmes reported there is approximately \$1.9 million in the account. Commissioner Gardner concluded the discussion by stating the Board of Commissioners based their decision to support the wind projects for the economic benefit. In light of the possible decline of the economic benefit, Commissioner Gardner stated the Board of Commissioners will take this into consideration and address this matter at a later date.

ADJOURNMENT

4:15 p.m.

ATTEST:

Carla J.R. Manchester, Admin. Asst.