

October 12, 2016

**Minutes of the Washington County Commissioners'
Unorganized Territories Meeting
held October 12, 2016
in the Probate Courtroom
Machias, Maine**

Attending the meeting were:
Commissioner John B. Crowley, Sr.
Commissioner Vinton E. Cassidy
Commissioner Christopher M. Gardner
Betsy Fitzgerald, County Manager
Carla Manchester, Administration
John Rule, Quoddy Tides, Lubec
Harry Dowling, Cathance Twp.
Carl Coletti, Cathance Twp.
Peggy Dowling, Cathance Twp.
Toff Toffolon, Office of the District Attorney
Dean Preston, U.T. Supervisor
Paula Johnson-Rolfe, Sheriff's Office
Rich Rolfe, Jail Administrator
Josh Rolfe, RCC Supervisor
Eric Sargent, Crime-Star Representative
Cat Cannon, MVNO
Barry Curtis, Sheriff
Mike Crabtree, Chief Deputy
Judy East, Calais/WCCOG
Carlene Holmes, Probate
Jill C. Holmes, Treasurer
Alan Furth, CCLC, Trescott
Charles Rudelitch, SCEC

Unorganized Territories business was called to order at 3:58 p.m.

**Approval of the U.T. meeting minutes of September 8, 2016
(Crowley / Cassidy, 2-0-1)**

AGENDA ITEM: Monthly Report

Unorganized Territories Supervisor Dean Preston submitted a monthly report. (See attached)

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U.T. Supervisor Preston stated that he completed the introductory period evaluation for ACO/Shellfish Warden Benjamin Robinson. The Commissioners signed the certificate of completion presented.

Dean reported that he will begin preparing a draft budget that will be ready for review at the Commissioners' meeting in November. Dean plans to send the budget to Augusta after the Commissioners' review and expects to have the public hearing take place at the December Commissioners' meeting.

ACO Benjamin Robinson will be attending Animal Control Officer training the week of October 23rd. Dean will be attending the training with Ben so that he will be able to cover when needed.

Dean reviewed the summer highway maintenance projects being finished up and closed out for the season. One new project has been added to the project list. A beaver blockage on Shadagee Road in Township 24MD needs to be removed and necessary repairs made to allow safe passage for traffic. Contact has been made with the Inland Fisheries and Wildlife to obtain a permit to have the beavers relocated.

Dean reported on the progress he has made on the Bailey Grant land project. Dean had been directed by the Commissioners to research land in Centerville that had a Centerville Town Office building on it and is owned by Bailey Grant. Dean explained the confusion came with the de-organization of Centerville. It may have been an agreement that was not officially recorded. Dean is working on capturing the proper dimensions of the land to be signed over to Mr. Grant with a Quit Claim deed. Dean plans to present the Quit Claim deed at the November Commissioners' meeting.

Dean stated the septage spreading site is closed for the season. The Marion Twp. Septage Utilization and Storage Site license expires on January 18, 2017. Dean has begun the license renewal process and anticipates the application will be complete and ready for Commissioners' review and signatures at the January meeting.

Dean briefed the Commissioners on his meeting with representatives for the Axiom fiber build project. Dean explained that the "biggest take away" from the meeting was that the immediate investment benefit would be for the 20 - 30 customers on the South Edmunds Road. The bigger picture is that the project would set the stage for future build-out to the unorganized territories of Trescott, Edmunds, Marion and

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Cathance. Commissioner Gardner voiced his concerns with investing TIF funds in a competitive business. Dean explained his understanding of Axiom's use of funds would not be used to circumvent competitors, but expand and build on the technology that would be available to a rural population.

Dean presented nine of the eleven snowplow contracts for approval.

MOTION Commissioner Crowley moved to approve the snowplow contract #1 with Hallowell Construction to cover the area of Trescott Twp. for \$82,700.00 for the period 2016-2020. Commissioner Cassidy seconded the motion which passed 3-0.

MOTION Commissioner Crowley moved to approve the snowplow contract #2 with B&A Transport to cover the areas of Rte. 191 Marion, Cathance and Berry Twps. for \$54,500.00 for the period 2016-2020. Commissioner Cassidy seconded the motion which passed 3-0.

MOTION Commissioner Crowley moved to approve the snowplow contract #3 with B&A Transport to cover the areas of Edmunds, Rte. 386 Marion and Cathance Twps. for \$67,500.00 for the period 2016-2020. Commissioner Cassidy seconded the motion which passed 3-0.

MOTION Commissioner Crowley moved to approve the snowplow contract #4 with Chris White to cover the areas of Brookton, Forest and Forest City Twps. for \$51,000.00 for the period 2016-2020. Commissioner Cassidy seconded the motion which passed 3-0.

MOTION Commissioner Crowley moved to approve the snowplow contract #5 with Barry Gillis to cover the areas of Twp. 8 R3 & 4 for \$24,000.00 for the period 2016-2019. Commissioner Cassidy seconded the motion which passed 3-0.

MOTION Commissioner Crowley moved to approve the snowplow contract #6 with Allan Seavey to cover the Belyea and South Edmunds Road in Edmunds Twp. for \$47,000.00 for the period 2016-2017. Commissioner Cassidy seconded the motion which passed 3-0.

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- *MOTION*** Commissioner Crowley moved to approve the snowplow contract #7 with Dan Bailey to cover the area of Greenlaw Chopping Twp. for \$12,000.00 for the period 2016-2020. Commissioner Cassidy seconded the motion which passed 3-0.
- *MOTION*** Commissioner Crowley moved to approve the snowplow contract #10 with County Concrete & Asphalt to cover the area of Centerville Twp. for \$26,000.00 for the period 2016-2020. Commissioner Cassidy seconded the motion which passed 3-0.
- *MOTION*** Commissioner Crowley moved to approve the snowplow contract #11 with Johnson's Townline Auto, Inc. to cover Gardner's Lake Road in Marion Twp. for \$3,900.00 for the period 2016-2020. Commissioner Cassidy seconded the motion which passed 3-0.

It was noted that an agreement has been made with Penny Day for Contract #8 to cover the area of Lambert Lake Twp. for \$7,345.00. The contract was not available for signatures, but Dean expects to have it available at the November Commissioners' meeting. Dean also noted that Contract #9 is still in effect.

Dean pointed out the increase for winter maintenance for the four year period is 5%. This increase is comparable to the increase seen in other budget lines annually.

Dean presented a solid waste contract for the Commissioners' approval. The contract is an annual contract with the Town of Machias to cover the areas of Twps. 24, 29, 30 & Day Block Twp. at a cost of \$1,545.31.

- *MOTION*** Commissioner Cassidy moved to approve the solid waste contract as presented. Commissioner Crowley seconded the motion which passed 3-0.

Dean noted that he is working on developing this contract into a three or four year contract as he has done with the snowplow contracts.

Dean presented the Maine Local Road Assistance Program (LRAP) certification form for the Commissioners' signatures. Dean explained that the LRAP provides annual funding to municipalities to be used for highway and bridge capital improvements. The certification form notifies the municipality about its upcoming years' allocation amount

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and requires signatures that the funds will be used pursuant to the law. The allocation amount for all counties has recently changed from a flat rate of \$600.00 per lane mile to 9% of MDOT's portion of the highway fund. Disbursements to counties and municipalities will now rise and fall with MDOT's budget. Commissioner Gardner asked Dean if there was any indication that the formula to calculate the annual funds provided to counties and municipalities would be revisited anytime soon. Dean did not have a sense on the possible change in fund calculations. Dean reported Washington County U.T. will receive \$74,372.00 this year.

***MOTION* Commissioner Cassidy moved to certify the Maine Local Road Assistance Program form as presented. Commissioner Crowley seconded the motion which passed 3-0.**

The LRAP certification form was signed by all Commissioners.

AGENDA ITEM: TIF Grant Committee Update

Program Manager Susan Hatton submitted a report. (See attached)

Executive Director Charles Rudelitch presented several action items for the Commissioners' approval.

Maine Office of GIS, also known as MEGIS, is requesting a TIF County Match Grant to assist with high resolution topographic mapping. The project will acquire high resolution topographic mapping for approximately 7,000 square miles of land in the state which includes 1,380 square miles of unorganized territories in Washington County. This data will help lower development costs for all communities by providing availability of expensive topographic data to the public at no charge. Judy East, of the Washington County Council of Governments, pointed out the value of acquiring the high resolution topographic mapping is that the data gives far greater elevation and allows one to see what is out there without going out there. Mr. Rudelitch pointed out that this data would be helpful in seeing potential development areas. The TIF Grant request of \$25,000.00 represents 1.6% of the total project budget. Washington County participation will help leverage approximately \$1.5 million in additional funding. Commissioner Gardner inquired if Washington County was the only county being asked to contribute to the project. County Manager Betsy Fitzgerald answered that other counties have considered contributing on their own. Judy East noted there are not

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Unorganized territories in some counties. She also noted the 1.6% is proportional to the Washington County U.T. portion of the project. Charles Rudelitch recommended following the committee request to use county match funds.

***MOTION* Commissioner Crowley moved to approve the county match grant request, Grant#1609-05-CM, of \$25,000.00 by MEGIS to assist with high resolution topographic mapping for U.T. Commissioner Cassidy seconded the motion which passed 3-0.**

Executive Director Charles Rudelitch presented a loan request for Cobscook Community Learning Center. CCLC is requesting \$100,000.00 to satisfy guarantor obligations and debt through debt consolidation. Charles explained that \$55,000.00 would be used to pay off the Cobscook Bay Company loan default that CCLC guaranteed. The additional \$45,000.00 would be used to consolidate all other CCLC debt. Executive Director of CCLC, Alan Furth, was present to answer any questions. Alan summarized CCLC's involvement with the failed seafood venture of CBC. Alan stated the CCLC board believes the loan request consolidates the CCLC debt into an attainable package that CCLC can cover. Commissioner Gardner stated that the Commissioners have shown great levels of support as it pertains to the CCLC and CBC. The Commissioners are committed to the success of the CCLC but also have been given the public's trust and authority for the wise use of the TIF funds. In order to make a determination of the strength of the loan and be assured that approving the loan will not be "throwing good money after bad", the Commissioners will need to review the details of the loan consolidation. Commissioners Crowley and Cassidy agreed. Commissioner Gardner asked Mr. Furth if the approval of funds is time sensitive. Mr. Furth replied he was hopeful to be able to complete the loan closing with Machias Savings Bank within a week. Charles Rudelitch pointed out the loan committee did review CCLC's cash flow very closely. It is the opinion of the committee that CCLC has a good track record and unanimously recommended approval of this loan. Alan Furth stated that in the process of trying to refinance, CCLC's property was appraised by a commercial appraiser. Washington County would hold second security interest in CCLC's real estate and business assets in Trescott with a net value of approximately \$987,027.00. Commissioner Cassidy inquired about the CCLC's plan to add new full-time and part-time positions while working through debt constraints. Alan Furth responded by explaining how the educational program at the CCLC continues to grow, offering a two-year program currently with the expectation of offering a four-year program within

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the next couple of years. Each division of the organization works independently, yet the organization as a whole has to sustain its obligations. Commissioner Crowley stated he also has concerns with the amount and details of the loan request. Commissioner Gardner stated the Board of Commissioners' concern was no reflection on the CCLC. There was a discussion on how to deal with the loan request as the total is based on two individual financial needs and how the County can remain helpful. Commissioner Gardner asked for input from loan committee members Dean Preston and Betsy Fitzgerald. Betsy stated she had lengthy discussions with two separate bankers who have reviewed the CCLC's financials. Both bankers were comfortable with this loan. Commissioner Gardner replied that he would like to see the cash flow and financials. He recommended approval of \$100,000.00; \$55,000.00 of the loan request for the purpose of liquidating CCLC's obligation for Cobscook Bay Company and \$45,000.00 pending satisfactory review of CCLC's cash flow.

***MOTION* Commissioner Cassidy moved to approve the TIF Loan request, #CCLC-TIF-08-23-16, for Cobscook Community Learning Center for \$100,000.00. The partial amount of \$55,000.00 approved and the extra \$45,000.00 approved pending examination of CCLC's financials on 10/13/16. Commissioner Crowley seconded the motion which passed 3-0.**

After further discussion pertaining to the time frame of the loan for CCLC with Machias Savings Bank, the first motion was withdrawn. With the recommendation of Commissioner Gardner,

***MOTION* Commissioner Cassidy moved to approve the TIF Loan request, #CCLC-TIF-08-23-16, for Cobscook Community Learning Center for \$55,000.00, with approval of \$100,000.00 pending review and approval of the CCLC's cash flow. Commissioner Crowley seconded the motion which passed 3-0.**

Alan Furth expressed how appreciative he was of the Commissioners' support.

Charles Rudelitch presented a TIF Grant request from Axiom Technologies. The purpose of the funds is for an initial phase of a fiber to home project in rural Edmunds. During the August meeting the request was tabled for further discussion and an opportunity for the Commissioners to review the details of the request. U.T. Supervisor Dean Preston also met with Axiom representatives to review their

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business plan. After consulting with U.T. Supervisor Dean Preston and reviewing the request, Commissioner Gardner acknowledged this is a great project but does not cleanly fit in the Economic Development Planning fund. Commissioners Crowley and Cassidy agreed. Commissioner Gardner attributed his conflict is with approving a grant of \$100,000.00 to a private entity. The Commissioners agreed they would be willing to consider a \$10,000.00 but the request would be contingent on the presentation of a project plan.

***MOTION* Commissioner Cassidy moved to table the TIF Grant request, #1602-04-EDP, from Axiom for \$100,000.00, agreeing to consider \$10,000.00 contingent on the presentation of a project plan. Commissioner Crowley seconded the motion which passed 3-0.**

Charles Rudelitch presented a request from Wayne Jones, WS Logistics, for the Commissioners' approval. Mr. Jones has requested his trailer be released as collateral. His original TIF loan was in the amount of \$37,000.00 with the County holding second position interest. The loan now has a balance of \$16,000.00 and the first lien on the Freightliner has been paid. The County would then hold first position on the truck with a resale value of approximately \$25,000.00. Mr. Rudelitch noted there has been no payment problem history with Mr. Jones. Commissioner Gardner recognized this would give the County a stronger collateral position.

***MOTION* Commissioner Cassidy moved to approve the release of the trailer for the loan collateral while retaining first position on the truck as so described. Commissioner Crowley seconded the motion which passed 3-0.**

Washington County Council of Government Executive Director Judy East gave a brief update on the Comprehensive Planning and Zoning in the Unorganized Territories. Judy described the progress that has been made on the project. A diverse Planning Committee is in place and is focusing on analyzing the multiple acres of the 34 unorganized territories of Washington County and is narrowing them down into a manageable scope; studying development, infrastructure, recreation and conservation suitabilities. The group is also looking for commercial trends and areas that would benefit from TIF investments. Judy stated that the LUPC staff has been extremely helpful and there has been significant turnout and engagement from the public living in the

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unorganized territories. Judy reviewed the schedule for the completed project. Judy also reviewed the possibility of the Planning Committee creating some "floating zones". She stated the prospective zoning changes were tentatively scheduled to be ready to present to the Commissioners for their approval by December of 2016. She suggested that a delay in the presentation for the purpose of more opportunity for interaction with communities that are interested in the process and have a more complete product. Commissioner Gardner agreed it would be best to wait to see the product in its' final form and that it made sense to delay the review of the Prospective Zoning plan. Judy recognized that both U.T. Supervisors Dean Preston and Heron Weston have been very helpful. It was agreed that Judy would return in January with a plan for the Commissioners' approval. The plan will need approval of the Washington County Commissioners before submission to the LUPC.

AGENDA ITEM: Public Comment

Several U.T. residents were present to express their frustration of not having a unique zip code for their residence. Commissioner Gardner stated that he shares in their frustration as a resident living in an unorganized territory. Additional frustrations for the U.T. residents were emergency services not being able to locate them easily without a proper address; the absence of solid waste removal services and poor road conditions. The obstacles facing the U.T. to alleviate the issues were discussed. Commissioner Gardner stated the county will start with concerns with matters of public safety. U.T. Supervisor Dean Preston assured the residents that he will look into the problem.

ADJOURNMENT

5:15 p.m.

ATTEST:

Carla J.R. Manchester, Admin. Asst.