

September 13, 2018

**Minutes of the Washington County Commissioners'  
Unorganized Territories Regular Meeting  
Held September 13, 2018  
in the Washington County Probate 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  
Dean Preston, UT  
Michael Hinerman, Machiasport  
Paula Johnson-Rolfe, Sheriff's Office  
Rich Rolfe, Jail Administrator  
Mike Crabtree, Chief Deputy  
Barry Curtis, Sheriff  
Susan Hatton, Sunrise County Economic Council  
Lynn Dwelley, Emergency Management Agency  
Jill Holmes, Treasurer  
Josh Rolfe, Regional Communications Center  
Bill Sternbergh, Emergency Management Agency**

---

Commissioner Gardner called the meeting of the Unorganized Territories to order at 4:20 p.m.

Prior to the start of the meeting, the public meeting for the proposed Washington County budget for F/Y 2019 was held.

**Approval of the U.T. meeting minutes of August 9, 2018  
(Cassidy / Crowley, 3-0)**

**AGENDA ITEM: Monthly Report**

Unorganized Territories Supervisor Dean Preston's monthly report was submitted. (See attached).

Dean reported that his office was contacted regarding a land ownership change that has affected the public boat launch availability in Forest City. Dean stated the Spednic Road in Forest City is a 2-mile long

September 13, 2018

county way providing access to what has been a public boat launch for as much as 50 years. The original owner developed the site for local access with a verbal agreement that it could be used as such. The land was sold and the new owner immediately communicated that this piece of land was no longer to be considered a public access point.

The new land owner stated any vehicles or boats left there would be towed. Dean was contacted by local concerned citizens regarding their options. Dean stated he recommended those concerned seek the advice of a lawyer. The local citizens are looking to the U.T. office to organize, communicate and guide them for the purpose of their continued use of the road. Dean requested the Commissioners to advise him as to how the U.T. office should be involved and their recommendations to move forward.

Commissioner Gardner asked if the roadway would fall under adverse possession. After some discussion on the legal aspects of ownership, the use and access of the land, it was discussed what part the County and the Commissioners should play in this dispute. Forest City is in the U.T. so there are no town officials. Dean inquired if the U.T. has access to the County lawyer. Commissioner Gardner suggested a phone call to the County attorney regarding the situation. Dean stated that he has made a phone call to the County attorney for guidance. Dean also noted that there is no anticipated cost or time associated with the professional services of the County attorney at this point. Commissioner Gardner asked if there is a case. Dean affirmed there is a case. Dean stated there is a certain amount of expectation; the local citizens have rights but the landowner does as well. Commissioner Gardner questioned whether there had been a disclosure from the previous owner. Commissioner Cassidy stated "the law is the law". Dean agreed but stated there are a lot of questions and clarifications needed in order to navigate through this dispute. Commissioner Gardner recommended the State Representative, Beth Turner, be contacted. Commissioner Gardner stated the LUPC may be of assistance as well. Dean stated he has spoken with Nick Livesay of the LUPC. There were no resolutions to the issue. The Commissioners requested Dean to continue gathering information and looking for

80

solutions to this dispute. Dean stated he will continue to work on a solution and report his progress at the October meeting.

Dean reported bids for Snow Removal Contract #11 were opened on September 7, 2018. The two bids received were from Hallowell's Construction with a bid of \$11,480.00, and a bid from Peter Hall with

September 13, 2018

a bid of \$9,850.00. Dean stated the previous years' contract was \$3,900.00. The low bidder would represent a 152% increase. Dean recommended, due to the vast increase in price, the Commissioners reject all bids and move to have the U.T. Supervisor solicit and negotiate with local vendors to secure a bid that is more in line with the U.T. budget. Dean stated his goal is to have a contract for review at the October meeting. Commissioner Gardner agreed the U.T. cannot afford the bid amounts received and stated the bid process has been satisfied.

**\*MOTION\* Commissioner Crowley moved to reject all bids for Snow Removal Contract #11 and allow the U.T. Supervisor to solicit and negotiate as presented. (Crowley / Cassidy, 3-0.)**

Dean reported the U.T. office was notified on September 7, 2018 that Chris White, contractor for Snow Removal Contract #4, is no longer interested in performing this contract due to a change in his employment. The contract still has two years on it and is currently paid \$53,400.00 per year. Dean is concerned there is not enough time to advertise and go through the bid process before the season begins. Dean stated he is still seeking interested contractors. Dean has also contacted MDOT Northern Division to express his concern as the State is ultimately responsible for the roads. MDOT is also faced with having difficulties of finding contractors to plow in this area. U.T. will do due diligence and give advance notice to MDOT. Dean requested the Commissioners task him with soliciting and negotiating this contract with local vendors as well. Dean plans to have a contract to review at the October meeting.

**\*MOTION\* Commissioner Crowley moved to authorize the U.T. Supervisor to solicit and negotiate the Snow Removal Contract #4 with publication. (Crowley / Cassidy, 3-0.)**

81

It was noted there is still an active border crossing in this area and part of the road that must be plowed is part of this contract.

Dean stated there are concerns for enough space to dump septic waste. The Batson's site in Addison has closed, putting a crunch on local vendors. Dean has been researching the opportunity to lease and license a piece of land in order to provide some relief to the industry. Dean has located a piece of land in the U.T. that may be a possible fit. Commissioner Gardner asked if the land could be leased

September 13, 2018

at a net zero. Dean stated it can be done over a three to five-year period but there would be some upfront funds needed. Commissioner Gardner inquired about the Marion Transfer Site. Dean stated the compost site was sold to the Coast of Maine. Commissioner Gardner asked if the Coast of Maine would be interested in selling. Dean stated he did not believe the U.T. could buy that site. Commissioner Gardner tasked Dean with examining options for a septic site and report back in October.

Commissioner Gardner stated there were some concerns by Land Vest and ATV Clubs about the portion of the Nineteen Road being used as snowmobile and ATV trails. There are large trucks traveling this road. Commissioner Gardner stated the County needs to be involved. Dean reported that Land Vest has been in touch with him and he agreed that snowmobiles and ATV's using the same roadway as large trucks could be disastrous. Dean stated he will work with Land Vest and the ATV clubs in a possible resolution such as expanding the trails to other places to keep the traffic off the road.

**AGENDA ITEM: Signatures on Agreement for SCEC to Administer TIF funds**

The contract between County of Washington and Sunrise County Economic Council to administer the TIF funds was presented. The contract was accepted and approved by the Commissioners in their August meeting.

**\*MOTION\* Commissioner Crowley moved to sign the agreement as so presented and discussed in the previous meeting.  
(Cassidy / Crowley, 3-0.)**

**AGENDA ITEM: TIF Grant Committee Update**

82

A report was submitted and is attached.

Ms. Hatton presented a request from Tide Mill Creamery for a release of collateral on loan #TMC-TIF-02-02-17. The original loan amount of \$140,000.00 was closed on April 28, 2017. The original collateral was first position on the creamery business, including real estate and all assets located in Edmunds, Maine. The current balance on this loan as of September 4, 2018 is \$125,700.00. Tide Mill Creamery is requesting the first position for collateral being held on the company pick-up truck be released. The net value of the truck with the SCEC discount applied is \$9,000.00. Commissioner Gardner asked what the term is on the loan. Ms. Hatton replied the term of the loan is 15 years. Ms.

September 13, 2018

Hatton explained Tide Mill would like to sell the truck to reallocate those funds elsewhere. Tide Mill recently purchased a reefer truck which is considered part of the business' assets. The Loan Committee recommended approval to release this collateral.

**\*MOTION\* Commissioner Crowley moved to release the company pick-up truck as collateral for Loan #TMC-TIF-02-02-17 as recommended by the TIF Loan Committee.  
(Crowley / Cassidy, 3-0.)**

Ms. Hatton presented a collateral substitution request. The request comes from Nickey Dubey of Ben's Dive Shack, Loan #ND-TIF-08-17-16. The request is to substitute the original collateral of second position on real estate in Trescott (Map WA032, Plan 01, Lot 142.2) to second position on real estate in Trescott (Map WA032, Plan 01, Lot 146). The increase in the value of the collateral substitution was noted. The Loan Committee recommended approval of this collateral substitution with the client paying all costs associated with the transfer of collateral.

**\*MOTION\* Commissioner Crowley moved to approve the collateral substitution for Loan #ND-TIF-08-17-16 as recommended by the TIF Loan Committee.  
(Crowley / Cassidy, 3-0.)**

Ms. Hatton briefly reviewed other grant updates. (See written report)

83

**AGENDA ITEM: Public Comment**

Bob Berta of the County Wide requested a meeting with Sheriff Curtis to collaborate on running an article in his publication on the Sheriff's Department. Bob suggested publishing pictures of all the patrol deputies.

County Manager reported the BAC re-elected Lewis Pinkham as chairman. BAC meetings were scheduled and are as follows:

- Thursday, September 17<sup>th</sup>
- Thursday, October 11<sup>th</sup>
- Wednesday, October 17<sup>th</sup>

September 13, 2018

- Wednesday, October 24<sup>th</sup>
- Wednesday, October 31<sup>st</sup>

All meetings will be held at the 28 Center Street Conference Room and will begin at 9:00 a.m.

**ADJOURNMENT**

5:01 p.m.

**ATTEST:**

Carla J.R. Manchester, Admin. Asst.