

March 9, 2017

**Minutes of the Washington County Commissioners'
Unorganized Territories Regular Meeting
held March 9, 2017
in the Commissioners' Conference Room
Machias, Maine**

Attending the meeting were:
Commissioner Christopher Gardner
Commissioner John Crowley, Sr.
Commissioner Vinton Cassidy
Betsy Fitzgerald, County Manager
Carla Manchester, Administration
Nancy Oden, C.E. Farms
Paul Williamson, APEX
Linda Belfiore, APEX
Michael R. Brown, Machias Valley News Observer
Dean A. Preston, U.T.
Mike Hinerman, EMA
Susan Hatton, SCEC
Joshua Rolfe, RCC
Jill Holmes, Treasurer
Lee A. Bourget, Jail
Rachel Bell, Edmunds
Rich Rolfe, Jail Administrator
Barry Curtis, Sheriff
Mike Crabtree, Chief Deputy
Carlene Holmes Probate

The meeting for Unorganized Territories business was called to order at 4:30 p.m.

**Approval of the January U.T. meeting minutes of January 12, 2017
(Crowley/Cassidy, 3-0)**

AGENDA ITEM: Monthly Report

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

Dean reported he is preparing to enter a Project Management Professional course. The course will provide necessary continuing education credits for Dean to retain his certification. He stated that the course will also provide skills and resources helpful to his

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position as U.T. Supervisor. By consensus, the Commissioners acknowledged their full support of Dean's continued educational pursuits.

Dean stated he is working on the annual Shellfish report. He anticipates the report to be ready for submission no later than March 31, 2017. The annual Shellfish Conservation meeting will be held in April. The date will be announced once it has been set.

Dean reported citizens have expressed concern regarding the LD 646 bill. The bill states:

"This bill limits the authority of shellfish conservation ordinance to the intertidal zone within a municipality. It also allows the Commissioner of Marine Resources to grant regional shellfish management programs additional powers beyond those powers granted to municipal shellfish management programs."

Dean stated LD 646 has generated many questions on local control of marine resources and has created grey areas for shellfish conservation. Commissioner Gardner stated the bill has caused concern for the Board of Commissioners also. Commissioner Gardner recognized the bill raises the question of control to local resources which he states is "best managed locally". Commissioner Gardner noted the local Shellfish Committees takes care of reseeding and setting conservation plans. Commissioner Gardner stated the Board does not understand the intent of the bill. Without understanding the intent of the bill, the Commissioners are hesitant to support it. County Manager was directed to draft a letter addressing the Commissioners' position. Clarification is needed for better understanding as to how the bill will all marine resources, including clams and wrinkles.

Dean reported the U.T. office has developed an early construction list from winter damage assessments. This list will be used to define summer maintenance projects and identify the projects as Maintenance or Capital Projects for the 2017 construction season.

Dean reported the thawing roads are susceptible to damage. Select roads have been posted for "Heavy Loads Limited" from present until May 15, 2017.

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Dean stated there have been concerns raised about the roadway conditions during winter storms. The consistent areas of concern have been in Marion Twp. (East Ridge Road & Eagle Drive) and Big Lake Twp. (West Street intersection with Big Lake Road). Dean has contacted the contractors responsible for these areas to discuss concerns. An assessment will be made with the contractors during the contract renewal period.

The septage spread site license renewal packet has been completed and submitted to the DEP. There has been no information concerning the status of this application to date.

The U.T. office has received a "petition for discountenance" on a small piece of property in Edmunds Twp. The land is adjacent to US Route 1. In 1954 the highway was transferred from County to State jurisdiction. The U.T office is researching the process of "petition for continuance".

AGENDA ITEM: TIF Grant Committee Update

A report was submitted and is attached.

Program Manager Susan Hatton had two program related action items for the Commissioners' consideration.

Rachel Bell of Tide Mill Creamery LLC requested a loan modification. The loan request for \$140,000.00 would result in \$105,000.00 of new money and would pay off the original loan of \$35,000.00. The purpose of the new loan would be to consolidate the debt of TMC and to purchase equipment. Commissioner Gardner inquired about what the collateral would be for the loan. A first security interest in the creamery building with four acres located in Edmunds Twp., creamery assets and goat herd has been offered. A Comparative Market Analysis is valued at \$162,000.00. Commissioner Gardner asked if there has been a formal appraisal or if there has only been a broker's opinion. Program Manager Susan Hatton replied that only a broker's opinion has been given as an assessment for the value of the assets. Commissioner Gardner stated for a loan of this size, the Commissioners would prefer to see a formal appraisal rather than a broker's opinion. A loan of this size must be duly collateralized. Commissioner Gardner inquired if there would be time and opportunity to have a formal appraisal done prior to the Commissioners making a decision. Rachael Bell asked if

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it would be possible to add more equipment to collateralize the loan. Rachel explained that very valuable equipment will be purchased with this loan that TMC would consider offering. Commissioner Gardner stated the Commissioners would rather see a complete formal appraisal. Commissioner Cassidy noted property is a solid asset for collateral. Commissioner Gardner agreed land and building are stable assets whereas equipment is industry dependent. To proceed in confidence with their decision, the Commissioners decided they will need a formal appraisal. Program Manager Susan Hatton asked if the decision will now need to be delayed until next meeting. Commissioner Gardner stated the loan can be approved once the collateral value has been verified.

***MOTION* Commissioner Cassidy moved to approve the TIF loan request, Loan# TMC-TIF-02-02-17, for \$140,000.00 as presented once all collateral as been formally appraised and accepted by the County. Commissioner Crowley seconded the motion which passed 3-0.**

An amendment to the motion was made. By consensus, the Commissioners authorized County Manager Betsy Fitzgerald to make proper review and verification of the formal appraisal. A copy of the appraisal will need to be provided to Chair of the Board.

Program Manager Susan Hatton presented a request for a one-year extension for a TIF grant agreement given to Mike Griffin of Coastal Trap Shop. A grant was provided to Mr. Griffin for his Coastal Trap Shop business but he was unable to complete the Trap Shop and open for business. Mr. Griffin is requesting the agreement to be extended by one year to provide him time to meet his obligations. Mr. Griffin provided a report detailing the unexpected setbacks that he has experienced. He has worked with Ms. Hatton and Ruth Cash-Smith to develop a plan to cover all costs and get the project back on track. Dean Preston added that Mr. Griffin has a TIF loan as well as a grant. The loan is up-to-date and on track.

***MOTION* Commissioner Crowley moved to approve the one-year grant agreement extension. Commissioner Cassidy seconded the motion which passed 3-0.**

Program Manager Susan Hatton provided updates on two other grants. (The updates are attached.)

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AGENDA ITEM: Public Comment

Nancy Oden of Clean Earth Farms submitted written comments in regards to TIF monies for the Commissioners' review. (Report is attached.)

Ms. Oden's written comments are a follow-up to her previous questions and concerns she shared with the Commissioners during the January meeting.

Ms. Oden would like a determination as to whether the TIF funds from Stetson Wind may be expended outside of the Unorganized Territories. Nancy has written to Maine's Attorney General, Janet Mills. Nancy has not yet heard back from the Attorney General. Commissioner Gardner reminded Nancy the Commissioners already asked that question seven years ago and have received the answer. The tax increment financing (TIF) is a portion of deferred property taxes from the Stetson I & II wind farms located in the U.T. and returned to Washington County each year for the use in economic development for the 34 Unorganized Territories. The funds can only be used for that purpose.

Ms. Oden again suggested the program be administered in-house rather than contract with Sunrise County Economic Development Council to administer the program. Commissioner Gardner noted the County does not directly administer the TIF funds but are directly involved in the process as final approval of grants and loans. The Commissioners also review and approve all fund allocations annually.

Ms. Oden stated her concern that the amount of \$700,000.00 is in a fund and should be used for "the people". Her recommendation is to allot all 400 plus families in the U.T. an amount of \$1000.00 for the purpose of building raised-bed gardens. Commissioner Gardner explained people cannot be forced to grow gardens. That is a personal choice.

After Ms. Oden was given the opportunity to air all of her concerns about the TIF funds, Commissioner Gardner stated he appreciated her concerns and recognized Ms. Oden's great interest in the TIF funds.

ADJOURNMENT

4:15 p.m.

ATTEST:

Carla J.R. Manchester, Admin. Asst.