

**ST. GEORGE SELECT BOARD & ASSESSORS**  
**MEETING MINUTES**  
**Monday, June 26, 2017**

The Select Board meeting was called to order at 6 p.m. Members present were: Richard Bates, Chairman; Randy Elwell, Gerald Hall, Wayne Sawyer, and Tammy Willey (at 7 p.m.). Also present: Tim Polky, Elizabeth Curtis, Scott Sullivan, Steve Thomas, Evelyn Blum, and Wendy Carr.

PUBLIC COMMENTS: None.

**REGULAR SESSION:**

- Adjustments to Agenda: The following items were placed on the agenda:

Under Old Business

- Maine Coast Petroleum Contract
- Certificates of Appointment

Under New Business

- Tax Collector's Annual Report
- Property Sales Data – Discussion Item

- Minutes: - The minutes of June 5, 2017 were amended as follows:

Page 1, Public Comments, 3<sup>rd</sup> paragraph, last sentence change hid to **hide**

Page 3, Narrative on Maine Aqua Ventus, 1<sup>st</sup> paragraph, line 1, change to read ...bothers me, **it** ruffles...

Page 5, Paragraph 6, line 3, change to read ...corporate guys **who** tell you... as

On a motion by Sawyer, seconded by Elwell, it was voted 3-0-1 (abstention) to approve the June 5, 2017 Select Board minutes, as amended.

- Communications: None.

- Warrant: The warrant for the week of June 26, 2017 was reviewed and signed. The total warrant was \$183,891.03, and included three weeks of payroll, payment for roads and contracted services of \$24,375 for Factory Road, Clark Island Road and Marshall Point Road, renovations and planning at 10 Cold Storage Road of \$3,000, and a transfer of the balance of the reserves for the current year of \$47,265.01 which is the Office Equipment Reserve balance, and the Solid Waste Equipment Reserve Fund. The other reserves were transferred last meeting.

**TOWN MANAGER'S REPORT:**

- Road Work Updates: Polky said the road paving company came early and the paving will be done on time.

- Maintenance Employee Position: Polky said Steve Jarrett was hired to fill the maintenance employee position. Jarrett will start Monday, July 3, 2017.

- Clerk/Secretary Position: Polky said he has received applications for this position, and the closing date is Friday, June 30<sup>th</sup>.

- Committee Meetings: Polky said the Planning Board meeting is Tuesday, June 27 at 7 p.m. The Planning Board, Select Board, and the town attorney, will be in Executive Session from 6 p.m. to 7 p.m.

- Town Office Closing: Polky said the Town office will close at 1 p.m. on Friday, June 30. There will be a reception from 1 - 4 p.m. to honor Peggy Black for her 23 years of dedication and service to the town. June 30<sup>th</sup> will Peggy's last day of work.

## COMMITTEE REPORTS:

- Harbor Committee: Selectperson Elwell said the Harbor Committee met last week to review and finalize the minutes, and they will be posted on the website. It is expected the committee will not meet again until September, unless issues arise.

- Shellfish Committee: Selectperson Sawyer said the clam committee met in Executive Session on Monday, June 19<sup>th</sup> to discuss a personnel matter.

Selectperson Sawyer said the current clam warden resigned and Justin Hills was voted in as his replacement. Hills is employed by the Sheriff's Department. Selectperson Sawyer said the amended agreement for the interlocal clam management had a few, small updates on grammar/language. Sawyer said the committee had signed the amended agreement; it would be forwarded to Peggy Black, to be placed on file.

- Planning Board: Chair Bates said the Planning Board met on June 13. Five items were taken up.

- A permit application to add a deck and steps at 43 Factory Road. The application was complete and was approved.
- A site plan for the Tiki Hut at 13 River Road was reviewed; the Board requested additional information. The application was not considered complete.
- The application to create the Wyeth Reading Room at 20 Horse Point Road was reviewed and the application was found to be complete. The Planning Board scheduled a Public Hearing on this project for June 27, at 7 p.m.
- The application to repair damaged cribbing/bulkhead at 3 Boatyard Road was reviewed and found to be complete, contingent on the DEP permit-by-rule and an agent's letter. Satisfying the site plan review, and waiving the onsite visit, the application was approved.
- The pre-application to create a subdivision on Seal Harbor Road was reviewed and the representative was appreciative of the comments. Chair Bates thought the applicant would submit an application for a subdivision, later this year.

## OLD BUSINESS:

- Janitorial Services Contract: Polky said a selection had been made and a one-year contract was written. He said they are waiting for the insurance paperwork before signing the contract. The insurance company said they did not see any problems, and Polky thought the paperwork would be ready by the next Select Board meeting.

- Revised Select Board Policy Manual: Selectperson Hall said he had taken all the changes from the last red line draft, incorporated them into a final draft and re-arranged the order, as the Board had discussed. He will update the table of contents and circulate it on Tuesday. His plan is to have it ready for signing at the July 10 or July 24 meeting. Selectperson Hall said there are still several items in the manual that need to be reviewed.

- Maine Coast Petroleum Contract: Polky said the company agreed to extend their contract for another three years through the year 2020, at the same rate. The price is \$1.64 gallon. On a motion by Selectperson Elwell, seconded by Hall, it was voted 4-0 to accept the three-year contract with Maine Coast Petroleum through the year 2020.

- Certificate of Appointments: The Select Board signed the twelve committee appointments which had been previously approved.

- Maine Aqua Ventus Project: Chair Bates opened the discussion by explaining what had occurred in the last few weeks.

He said, "So, the Board won't be surprised to learn that after the behavior of some members of the public at the last Select Board meeting, some boorish, uncivil and threatening behavior of some members of the public at the last Select Board meeting... After that behavior, Aqua Ventus has determined that the

town is an undependable partner in any venture. And, therefore, Aqua Ventus has decided to make other arrangements in the area to land the cable and connect to the CMP system. So, I am personally very disappointed that the behavior of a minority should subvert the democratic process. And, I am also very disappointed that a town, that in the past, that has taken advantage of the natural resources of things like granite, fish and other things, that it has provided livelihood for the town and it has provided income and it has provided wealth to this town, that it should now turn its back on another major natural resource, that is wind power. But, that's where we are. And, it would be really too bad, if in 10 to 15 years this town depends solely on the summer tourist trade; but, there we are. So, just to be clear, as far as this municipality is concerned, any more discussion with Aqua Ventus is at an end. So, do we have any comments or discussion, here?"

Selectperson Elwell: I think that it is too bad because I think the town could have benefitted from tourists who would want to come see them. I think, from the Rt. 131 corridor from Thomaston to Port Clyde is going to... that tourist trade is going to be gone, I think. Land and house sales for people with families – workers for this, for the school, etc. I just think it is a poor thing. The town, in a whole, did not get a chance to weigh in on it. But it is what it is.

Selectperson Sawyer: I can understand their concern, though, not wanting to work with the community that is, how do you say it? Threatening lawsuits, threatening to tie things up in court, calling their elected leaders morons.

Chair Bates: That is why we get paid the 'big' bucks."

Sawyer: Yes. People ask me what is it like being a selectman? Well, you're either a genius or a moron, and it doesn't matter what issue it is. It doesn't matter, what issue it is.

Selectperson Hall: No comment.

Chair Bates would not entertain any comments from the public. He read from the Select Board policy manual: "Public Comment on Agenda Items. The Select Board meeting is a meeting open to the public, not a meeting at which the public has a right to participate." Chair Bates said the last time the Board met, there were some people who told him they were unable to attend the Public Hearing, and he believed them. He said, "Nonetheless, we essentially had Public Comment at the last Select Board meeting; but I see there is actually no point in having any more discussion of this, because it is closed."

- Update on ad hoc Solar Committee: Chair Bates said the town voted 205 to 41 to move forward with the solar panel project. Selectperson Hall said the study group received three proposals and it recommended the town sign a PPA (Power Purchase Agreement) with Revision Energy. Revision said they are running a 10-week job que and are confident, as long as the town puts together an agreement with them in a reasonable period of time, the project can be completed and commissioned well before the end of the year. The town will be able to realize the net-metering reimbursement which is available through the end of this year.

The group recommended hiring an attorney to advise the town on this project. Selectperson Hall talked with Attorney William Kelly about this. He charges \$225/hr. but for municipalities he charges \$175/hr. Selectperson Hall said Attorney Kelly had experience negotiating PPA agreements with Revision on behalf of other municipalities. There are 4 to 5 clauses the attorney recommended the town insert into the contract which would provide a little extra protection to the town. One clause is the surety of the buyout figure in year seven. Selectperson Hall thought the attorney's rate was reasonable. Chair Bates said it would probably amount to a couple of hours of his time. If the agreement is completed quickly, the solar power system could be up and running by the fall.

- Public Statements to the Select Board: Public members felt there was no point in staying to the meeting as, "We can't converse with you privately, because you turn us down. We can't speak," (about Aqua Ventus). A discussion took place as to where and how the public could get in touch with the Select Board. It was recommended they either write or call the Select Board if they had anything to say. Selectperson Elwell, "It is already cut and dry." Chair Bates explained there was no need to continue (about Aqua Ventus).

- Cont'd ad hoc solar Committee: On a motion by Selectperson Hall, seconded by Elwell, it was voted 4-0 to negotiate a Power Purchase Agreement with Revision, from the proposal they had submitted to the ad hoc solar Committee.

On a motion by Selectperson Hall, seconded by Elwell, it was voted 4-0 to hire Attorney William Kelly to negotiate the Power Purchase Agreement with Revision.

Town Manager Polky said the ad hoc solar committee now needs to meet with Attorney Kelly. Selectperson Elwell asked about the energy spike. Polky said it looked like the dishwasher was causing the spike. Chair Bates said the town would pay a small penalty rate until May 2018, but it was better to get the system in now, and get the full compensation for the next 15 years.

#### NEW BUSINESS:

- Board/Committee Appointments: The Select Board is working on a list of appointments and reappointments; their goal is to have the list finalized by the July 10 meeting.

- Harbor Committee Recommended Parking Regulations for Port Clyde Public Landing and 10 Cold Storage Road: Selectperson Elwell said the Harbor Master had been talking with the contractors about the parking situation. The Harbor Committee's plan is to have a four (4) hour parking limit. Curtis said Polky found a Port Clyde Public Landing Regulation policy, and the Harbor Master Schmanska updated the General Use section, clarified a few sections and posted it on the Town website.

There will be a Public Hearing on July 10 at 7 p.m. to discuss temporary changes to the parking for the remainder of the 2017 year.

- 38 Main St. Lease Extension: Polky said the renter has a three-year lease and it expires March 15, 2018. The tenant asked if the town would review her lease early, and the town agreed. The lease agreement and rental amount would remain the same, and it would be extended to March 15, 2021. Chair Bates had concerns the building was old, but Polky said the building was in good condition. It had been rebuilt in the late 1980's and upkeep on it had been done fairly, regularly.

On a motion by Selectperson Elwell, seconded by Sawyer, it was voted 5-0, to approve the lease agreement at 38 Main St. Extension and extend the lease to March 15, 2021 at the same rental rate, and to allow the Town Manager to sign the lease agreement.

- Victualers/Innkeepers Licenses: On a motion by Selectperson Elwell, seconded by Hall, it was voted 5-0 to approve the victualers/innkeepers license of Emily Gaudio, d/b/a The Black Harpoon.

- Tax Collection: Curtis presented the 2017 Tax Collector's Report to the Select Board for their review and signatures. The report includes what taxes have been collected and what has gone to lien. This report is prepared by the town clerk on a yearly basis.

- State of Maine Marriage License Applications: Town Manager Polky said the State Marriage License applications are now online and done live. He said there are problems with the system, statewide, and a number of municipalities are limiting the application hours. It is taking the staff approximately two hours to process an application and this is causing work flow issues and coverage problems. On a motion by Selectperson Elwell, seconded by Sawyer it was voted 5-0 to allow staff to process marriage license applications on Tuesdays, Wednesdays and Thursdays, from 9 a.m. to 2 p.m.

- Possible State Shutdown: Polky brought up the issue of a possible state government shutdown because a State budget may not get passed by midnight, Friday, June 30, 2017. Polky spoke with elected officials who said if there is a shutdown, it could be extended at least 10 days, as the Governor can wait to sign the budget or veto it. This could affect some municipal services such as car registrations, marriage licenses, or anything that goes through the state. Polky said the town cannot collect any money during the shutdown.

- Select Board Action Plan for 2017-2018: Chair Bates asked the Select Board to think about formulating an Action Plan for the coming year and email their ideas to him and the other Board members before the July 10<sup>th</sup> meeting. Some suggestions were:

- Marijuana in St. George

  - Research decisions of other towns

  - Public hearings in October

  - Ballot question in November

- Opioid Epidemic

  - Quantify issue in St. George

  - Research available treatment

  - Study possible local solutions

- Municipal Cyber Security

  - Access current practices and tools

  - Review more secure alternatives

Chair Bates felt the Select Board and the public will need to spend time on the issue of marijuana in the next few months. Public hearings will need to be held.

Chair Bates said the State has recognized there is an opioid epidemic in Maine, and he asked if the town should be working on this issue. He would like to see if there is anything that can be done for the community of St. George. Selectperson Sawyer suggested working with the school in terms of prevention. Selectperson Elwell said he read a very good article involving the opioid problem in the fishing industry.

Chair Bates and Polky attended a cyber security workshop several weeks ago. Chair Bates noted that neighboring towns are already running into problems with security issues. Polky said it is surprising how many problems are arising in cyber security area.

- Property Sales Data for St. George: 2009-2016: Chair Bates distributed an analysis sheet showing the latest property sales data for St. George. He said there are email lists circulating of town sales data which suggests taxes are completely out of whack, the taxing is unfair, and is "messed up."

Chair Bates looked over the data and said things are actually pretty good. He said one key point is how the state looks at transactions. The State looks at non-distressed "arms-length" transactions. For example, if someone sells to their child, that is not an "arms-length" transaction. Non-distressed means if it is not a foreclosure. As far as the state is concerned, that is not a valid sale.

Chair Bates reviewed the tables. After taking out the sales data of those which are distressed and not "arms-length," there were 58 sales in the last two calendar years, 2015-2016. He explained how the average ratio is derived and the difference between the ratio of the assessed value to the sale value. He said ideally, the ratio would be 100%, or the assessed value would be what the house would sell at. He said this is not the case, as there are some variations because people like different types of houses. The current ratio is now 107% . The town would like it to be around 100%. Chair Bates said it is not bad and the average ratio is getting better.

Chair Bates said the most important question is whether the Sales Ratio now differs significantly between various parts of the town, or between different price bands. For example, if they looked at the ratio in Port Clyde and found it was different than the ratio in Spruce Head, that would tell you that the houses in Spruce Head were being unfairly taxed or vice versa. He explained what really matters is how the ratios look when they look at the north end of town to the southern end of town or whether they look at the inland versus the waterfront. Those are the issues that are really important because if those things get out of line, then people could validly say there is a problem.

Chair Bates said he applied the statistical tests or the p-value to the issue of sales in the north of town compared to the sales in the south of town, sales in inland vs on the waterfront, sales of houses below the average price compared to sales of houses above the average price. Based on his conclusion, there is no significant difference between the sales between the north and the south of town. The likelihood of residential vs waterfront being different is a bit lower. The result for house prices above and below the median value is still probably random; but at this stage, the town cannot say there is a statistical difference. Chair Bates felt that if anything is out of line, the more expensive houses are paying less taxes than they should.

Chair Bates said the last re-evaluation was done in 2009 and cost \$165,000. Polky said if the numbers stay about where they are, then another re-evaluation would probably be done in 2019. Chair Bates said based on the data the town has, we are in good shape. The key thing is you have to look at "arms-length," non-distressed real sales.

Selectperson Willey asked if the assessor had looked at this information. Chair Bates said he would show and discuss with him, the statistical analysis data. Selectperson Sawyer said the town does not have a lot of consistency in the types of houses sold at "arms-length" sale. He did not think the distinction between north and south was all that much different. Chair Bates said he could understand if Port Clyde property was over assessed then there would be grounds for complaint. He said the data does not support that.

At 7:30 p.m., on a motion by Selectperson Hall, seconded by Elwell, it was voted 5-0 to adjourn the meeting.

Respectfully Submitted,

Marguerite R. Wilson  
Select Board Recording Secretary