

ST. GEORGE SELECT BOARD & ASSESSORS

St. George Town Office

MEETING MINUTES

October 1, 2018 – 7 p.m.

The Select Board meeting was called to order at 7 p.m. Members present were: Richard Bates, Chair; Randy Elwell, Jerry Hall, Wayne Sawyer, and Tammy Willey. Also present: Elizabeth Curtis, and Ray Koperwhats.

PUBLIC COMMENTS: (edited) Mr. Koperwhats introduced himself and said he had talked with Town Manager Tim Polky a few days ago who recommended he (Koperwhats) come to the Select Board about an address change request. Mr. Koperwhats explained that his father-in-law purchased property on Barter's Point Road sixty plus years ago. He said the property was originally 60 Barter's Point Road and it is now 59 Spruce Lane. He would like to have the name changed back to 60 Barter's Point Road. He was told by Mr. Polky that the name change was for fire and ambulance services. Mr. Koperwhats said the reason given for putting them (the Koperwhats) on Spruce Lane was the opening from their front porch and stairwell entered into Spruce Lane, but Koperwhats noted it was a leach field at one point. He said the stairs always went down towards Barter's Point Road. He said they had to put in a new subfield and now it is a circular drive.

Chair Bates explained that the town manager was on vacation and recommended to the Board that Mr. Koperwhats' request be postponed until the Town Manager, who is on the Addressing Committee, be in attendance. Chair Bates said they would place the item on the October 22, 2018 agenda. Selectpersons Hall and Sawyer thought they should discuss this when Mr. Polky was present, and Selectperson Elwell suggested they could email Mr. Koperwhats the results of the Board's decision.

REGULAR SESSION:

- Adjustments to Agenda: The following adjustments were made:

Select Board to vote on Policy Manual Changes was added under Old Business, Action Items
Select Board to Review the Monthly Board Committee Reports was added under Old Business, Discussion Items

Preliminary Revaluations for 2019 was added under New Business, Discussion Items

- Minutes: The Select Board minutes of September 10, 2018 were amended as follows:

Page 2, under Wyeth Reading Room, paragraph 3, line 2, change sentence to read: ...total control. **Mr. Polky understood that Coggeshall had also talked** to Mr. McCarthy...

Page 3, Westervelt Letter, paragraph 2, line 3, correct word to recyclables

Page 3, Warrant, paragraph 3, line 1, correct to \$1,270.00; **it** included...

Page 3, Warrant, paragraph 3, line 2, change to read: ... printing, the postage. **Also, there were** 50 hours of staff time.

Page 5, paragraph 2, line 2, change to read: She said **she** would...

Page 5, under 10 CSR, paragraph 2, line 1, correct spelling to **Poor**

Page 6 corrections: Under Solar Panel Update, paragraph 2, lines 5-8, change to read as: ...we are using, **buying all of our power from ReVision and banking credits, but because the system hasn't been working I am not sure if that is happening.**

Paragraph 3, lines 1-7, change to read: Mr. Hall, "CMP **should be sending** us a bill each month with that fixed \$20 charge (or whatever it is), and nothing else at this point. Then once **the system** stops producing **an excess**, they would **use the credits** that **have been** banked until **those** run out. Then we **would pay** the difference **between that used and that produced** through the winter months. That is my understanding."

Paragraph 4, line 4, change to read: **What does the financial side in the contract look like?"**

Paragraph 4, lines 6-8, change to read: ... even if the system isn't, but **we need to get** the system fixed **because it's costing us money**. **And we should ask ReVision if they are going to make us whole?**

On a motion by Selectperson Willey, seconded by Sawyer, it was voted 5-0 to approve the Select Board minutes of September 10, 2018, as amended.

The Select Board minutes of September 17, 2018 were amended as follows:

Page 1, under Public Comments, line 9 change to read: ...series **is** free of charge.

Line 10: change word active to **activate**

Page 3, under Shellfish Committee, paragraph 3, line 3, change to read: ... (the change would be) **that** this would raise a clamming...

Page 4, under 10 Cold Storage Bond, paragraph 1, line 3, change to read: ...a proposal of 3.**25**%

Page 5 changes, under Solar Panels, paragraph 1, lines 3 and 9, delete words **some kind of** ...

Line 9: correct word to **Conservation** Commission

Paragraph 5, line 1, change to read: ... reviewed the **introductory letter** from ReVision, ...

Paragraph 5, line 2, change to read: ...said **should have been** included.

Paragraph 5, line 3, change to read: ... **It did say** ReVision would bill quarterly, CMP would bill monthly, **but it did not** include the details ...

On a motion by Selectperson Hall, seconded by Sawyers, it was voted 5-0 to approve the minutes of September 17, 2018, as amended.

- Communications: The following communications were received.

- Selectperson Hall and Chair Bates received communications from Joss Coggeshall.
- Information from The Island Institute about the coast of Maine and the activities on the coast.

Selectperson Hall sent a note to Mr. Coggeshall which stated in essence: This is between the four parties, at this point. If they can work out an agreement amongst themselves, then all is okay. We have some concerns. CEO Brackett has been in touch with the parties, expressed the concerns but it is not our jurisdiction. It is the State Fire Marshal's jurisdiction.

Chair Bates said he received a letter from Coggeshall on Saturday in which he explained he talked with the Fire Marshal and had also talked with State Senator Dave Miramant. Mr. Coggeshall stated in the letter he was absolutely sure that it was not the Fire Marshal's responsibility because it was a building that was not open all the time, but it was only by appointment. Mr. Coggeshall said in his letter to the Select Board that because it was by appointment only, it was not the Fire Marshal's responsibility and that Senator Miramant had confirmed that but could not work his computer to send the legal details. Chair Bates received a letter from Senator Miramant saying, "I don't know what he means by that. We spoke mostly about speed limits."

Chair Bates talked with CEO Brackett who felt confident that while it was not a great situation and it was potentially unsafe, the position the town had been taking is legally appropriate. Terry Brackett had said, town had been taking is legally appropriate. Terry Brackett had said, Brackett, "It is not our jurisdiction because the town is less than 4,000 people, and it is the Fire Marshal's job." Chair Bates said a trench had been put in and the presumption was that CMP and the phone and cable company would be down soon to re-run the wires.

- Warrant: The warrant for the week of October 1, 2018 was reviewed and signed. The total expenses were \$691,430.22 and includes the second half of the County payment of \$440,000, all of the Social Services' commitments of \$78,000, a payment of \$27,600 on 10 Cold Storage Road (bond money spent), a payment of \$16,500 for salt and sand, \$5,000 on the fuel tanks' project, and three week's payroll.

Ms. Curtis said she would check to see if a payment was made for veteran's graves.

Selectperson Hall asked if the town had a CMP meter at 10 Cold Storage Road. Ms. Curtis did not think so. Mr. Hall suggested that if they did, they notify ReVision to add another meter at the end of the next quarter.

TOWN MANAGER'S REPORT:

Ms. Curtis said she received information from the Town Manager and she reported on the following in his absence:

- Pad for the fuel tank has been completed
- Selectperson Elwell will talk about the generator test done on September 27th
- Sand had been delivered as of September 25th to start out the winter months
- The shoulder material was finished on September 26th
- Paving and culverts done on Taylor's Point Road
- Rebuilding of Fogerty Corner Road
- Curbing to be done on Horse Point Road near the fire pole

Mr. Elwell said the person never showed up on the 27th to perform the generator test.

COMMITTEE REPORTS:

- Solid Waste & Recycling Committee (SW&RC): Selectperson Willey said the committee met on September 19th. The committee asked if the Select Board would include recycling rates and how recycling was saving the town money as part of the increased communication effort to get information out to the public. Ms. Curtis noted the SW&RC was hoping to offset the current negative press on single sort. Ms. Willey thought Ms. Carr had already written up a short paragraph on this topic for Cherie to put in the newsletter. Selectperson Elwell suggested the SW&RC do a write up for the St. George Dragon and for the town website.

Ms. Willey gave the SW&RC Marilyn Westervelt's communication and, as a group, they will work to help Ms. Westervelt on her recycling issue.

The SW&RC would like to present this issue at a Senior Luncheon to see if there is a need to pick-up recyclables for the elderly in St. George. If the committee found there was interest in this, they would like to have five or six people start a pilot project and go to the residences and pick up the recyclables once a month. If there was interest, the SW&RC would come before the Select Board to discuss and see if a program could be created to support recycling for seniors who wanted to participate.

Chair Bates said his concern was no funds had been budgeted for a program such as this and

the town did not do pick-ups of recyclables. Ms. Willey said the committee realized that and it would be something they would take on themselves for the present time. Chair Bates did not want to raise expectations for something, as a town, "we do not do" and Selectperson Hall added, "and cannot be met." He said a program like this could be very complicated. Selectperson Sawyer said on the other hand, it could work. He said there were probably a handful of elderly people in town who could utilize their relatives; some people have no one.

Selectperson Willey said the committee discussed the extended hours at the Transfer Station. Eben Polky attended the SW&RC meeting. He said the extended hours were working out well and they discussed this as an ongoing and year-round possibility. Eben Polky said 20 to 30 people might use Wednesday evening to drop off their trash Polky said it stays busy until 6:30 p.m. and may not need to be open until 7 p.m. Chair Bates said the way it is staffed, it is not costing the town any more money. He asked if the area was illuminated sufficiently. Ms. Willey said Eben indicated it was.

The Select Board postponed a decision on whether or not to extend Wednesday hours through the winter or to offer a different evening until the Town Manager returned.

Ms. Curtis said a new Transfer Station sign was being designed. Ms. Willey was not sure if it would be a separate sign or in addition to the new sign showing recycling rates and how much money the town was saving. Chair Bates thought the recycling sign would be placed inside the site because of the town's sign ordinance.

Selectperson Willey said the SW&RC wanted people to know that compost is still available at the Transfer Station. Compost is \$3 a box and there are plenty of boxes available.

- Cemetery Committee: Selectperson Hall gave a committee report. The committee has written a short Mission statement and also has created a list of definitions. He explained that each cemetery may want to operate a bit differently from each other and gave an example. "It is standard that a grave site be 4' x 12', and the most common lot size would be six (6) grave sites which would be 12' x 24' feet. Some cemeteries have limited space, so they may want to put residency restrictions on people to buy grave sites there. Other cemeteries may have lots of space and may not find that necessary." Selectperson Hall said there are state statutes regarding perpetual care and perpetual care funds that not all the members were familiar with. He said there is a requirement that when you sell a grave site, 30% of what you charge goes to perpetual care. That money is set aside, and the principal cannot be touched. The income which is set aside must be contributed towards the maintenance. He said you are not limited to only spending that amount on the maintenance, but it is something that you would gradually build up over time.

Selectperson Hall noted that some members of the cemetery committee are not in favor of operating this way as 30% of the sales (which are not big to begin with) are put in a separate fund that you cannot touch. This causes the cemeteries to have ask the town for more financial assistance. More research needs to be done on this issue to make sure members understand this requirement.

Selectperson Hall explained that when people buy a grave site, they are not buying ownership of the site, they are buying a right to bury a body or the cremains in that grave site. "You cannot speculate on grave sites, you cannot buy it and sell it later to someone at a higher price. The only way you sell it is to sell it back to the cemetery for the amount you paid for it."

In the next meeting, they will be looking at guidelines on the placement of stones and monuments on grave sites. They will be looking at the rules related to internment, removals and the notifications associated with those. They will also look at rules on decorations and on plants – what is acceptable to place on the site and what is not acceptable. The final section would be

rules for visitors. For instance, could animals be brought in? Or, no ATVs driving through cemeteries. The committee expects of have a first draft done by Christmas time.

- Planning Board: Chair Bates said the Planning Board met on September 25, 2018 at 7 p.m. and three building permits came before the board.

- The building permit application at 105 Long Cove Road, Tenants Harbor (Maine Coast Heritage Trust), to create a combination stone dust/pea gravel surfaced parking lot, was accepted as complete, and, meeting the performance standards of the Site Plan Review ordinance, it was approved.
- The building permit application at 21 Mechanic Street, Tenants Harbor (Look East Investments) to site a storage container was accepted as complete; the application was denied as it does not meet the setback requirements (20-D-4) of the Site Plan Review ordinance.
- The building permit application at 433 Seal Harbor Road, Spruce Head (Masterson) to install a seasonal ramp and float was accepted as complete; the Board denied the application as, according the Shoreland Zoning ordinance, it was unable to make a positive finding that the proposal would:
 - Be consistent with the surrounding character and uses of the area (15-C-5)
 - Not effect erosion, or sedimentation to surface waters (15-C-2 and 16-D-2)
 - Not have an adverse impact on spawning grounds, fish aquatic life, bird or other wildlife habitat (16-D-4)

Prior to this meeting, the board met with Jane Conrad from the Comprehensive Plan Committee, to discuss the recommendations of the Committee that were approved by the voters in May 2018, and how best to proceed with incorporating these recommendations into the Town ordinances.

Chair Bates said the sense was just as the comprehensive plan committee had help from Noel Musson in drafting the Comprehensive Plan, the Planning Board would like a consultant to help transcribe some of the recommendations into ordinances.

OLD BUSINESS:

- Post Issuance Compliance Policy (PICP) – 10 Cold Storage Road Bonds: Ms. Curtis handed out the PICP at the last board meeting. She said the PICP was recommended by the Town's bond counsel. This gives the Town procedures to prove the general obligation bonds remain in tax exempt status and the Town is less likely to be selected for audit by the IRS.

On a motion by Selectperson Elwell, seconded by Sawyer, it was voted 5-0 to approve the Post Issuance Compliance Policy on 10 Cold Storage Road bonds.

- Select Board Policy Manual Changes to pages 3-28: Chair Bates circulated the changes made to the Policy Manual at the September 17 meeting.

On a motion by Selectperson Hall, seconded by Elwell, it was voted 5-0 to approve the changes.

- 10 Cold Storage Road Renovations Bond Process: Ms. Curtis reported that the funds have been received and the bonds were closed on Friday, September 28, 2018. She said the money is in a separate bank account. Chair Bates said information on the town's finances, town bonds and bond trading taking place can be found by googling EMMA, municipal bonds, click on Maine, type in George.

- Update on Solar Panels: Selectperson Hall gave an update regarding the solar panels and CMP issue. CMP failed to get the town's additional meters logged in against the power being

generated at the transfer station. What should be happening is the town should be generating much more than it uses at the transfer station and the overage should be applied to the other five meters. The town should be getting monthly CMP bills showing a fixed monthly connection charge on the bill and nothing else. ReVision would be sending quarterly bills which would show all of the electricity generated by the town and since the other meters did not get attached, the transfer station built up a very large bank of excess electricity.

Mr. Hall said CMP admitted they messed up the billing and have now corrected it. Nick Sampson explained to Selectperson Hall that it is very important to get the first three or four months (retroactive) overage applied to the other meters, otherwise the town will have an excess of electricity in the remainder of the year that will go to waste. Nick Sampson said the net energy billing agreement is between the town and CMP. He recommended the October bills be checked to see if CMP applied it retroactively. If they did not, contact CMP; and if they are not responsive, contact ReVision to help resolve the issue.

Selectperson Hall answered the following questions which were listed in the September 17 minutes.

- How do we know who to pay? We pay the bills we receive because we will get dual bills: monthly bills from CMP and quarterly bills from ReVision. In the beginning, if it had worked the way it was supposed to, the bills from CMP would just have the monthly fixed charge at the different meters and that is the fixed connection charge. The transfer station in the summer would be generating a huge amount of electricity. More than all of the six sites the town is using, so there would still be some banked and the town would go along that way for three to five months and then a point would be reached where the town was not producing as much as the town was using, so the town would start to draw against the bank until the bank was drawn down and then the town would not be producing as much as we were using. The CMP bill for the remainder of the year would increase. If we sized it correctly, we are going to produce 95% of what we have used so the bank would run out just before the year ended but if they do not retroactively apply this for the 3 to 5-month period, then there will a lot of excess that will go to waste.
- Why are we paying a connection charge of about \$20 a month for every CMP meter and also a supply and delivery charge? The \$20 connection fee is going to happen anyway. We are paying the supply and delivery charges because these meters haven't been connected to the net electricity billing agreement. Because of CMP's mistake, they were not included, originally. So, they are charging the town for electricity and the town should get that credited. CMP changed all of their account numbers and somehow did not get the account numbers for the other meters entered properly. ReVision had the numbers, but the agreement is between the town and CMP. The town gave the proper information to CMP; they made the mistakes.
- How are they crediting the other five meters, if they are? They are not being credited but that should be corrected in October.
- How does banking work and is it being credited across the other meters? If you look at the transfer station bill for the month of August, you can see how much electricity the town banks each month and it is a lot of electricity. Even with the system being down part time, the town has banked a lot of electricity. No, it has not been credit across the other meters.
- How much has the town banked? As of September 25, 2018, it is 26,195 kilowatt hours and that is with two months of very little activity. By comparison, the town in total uses about 85,000 kilowatt hours a year.

- Is there a discrepancy in how much has been banked?
- If the system was down for a period of time, how could we have so many credits banked? Because it is not being sent to the other five meters.
- Would the town get reimbursed for the money it spent that it did not need to spend? We should get credits back for the CMP bills that the town has been paid. The town needs to be sure that happens.
- When did the solar panels start to be cost effective for the town? The day they were turned on because every kilowatt hour they generated, the town paid a little less for than the town would have if the town was buying from CMP.
- Had the town paid more for the cost of electricity at this stage? Yes and no. The town has paid more than should have but the town should get the credit back.
- How would this get reconciled with CMP and ReVision? The October bills need to be reviewed to see what CMP has done to fix it and to see whether the town agrees that it has been fixed properly. This will be an action item on the town's part to check CMP's correction and to follow up with them if we believe it has not been done correctly.

- Monthly Reports for the Boards, Committees and Commissions: Chair Bates said Cherie had received monthly updates from the following committees: Cemetery, Solid Waste & Recycling Committee, and the Planning Board. No reports were generated from the following committees as they have not met: Harbor Committee (a meeting is being scheduled for October); the Board of Appeals; the Budget Committee; the Comprehensive Plan Committee. Selectperson Willey said she contacted Ken Oelberger of the Conservation Commission about the monthly update, but Cherie had not yet received it. Ms. Willey will contact him tonight and ask that he write something up and send it off to Cherie by 4 p.m. Tuesday, 10/2/18 and Selectperson Sawyer will write an update on GRSSMO.

NEW BUSINESS:

- Certificate of Settlement of 2017 Taxes: Ms. Curtis explained that the Select Board assesses taxes in July and the tax collector collects until June 30. She presented a report from TRIO showing what was assessed, what was abated, what was put into lien and there is nothing on the books due the town as of the end of the year. Select Board members signed the Certificate of Settlement.

- Quitclaim Deed: Ms. Curtis presented a Quitclaim deed to the Select Board as the property taxes were paid for the years 2014, 2015 and 2016. On a motion by Selectperson Hall, seconded by Sawyer, it was voted 5-0 to approve the Quitclaim deed.

- Select Board Policy Manual Review: The Select Board reviewed policy manual pages 29-57. Chair Bates will document all the changes/notes and compile them for the final revision.

On a motion by Selectperson Hall, seconded by Sawyer, it was voted 5-0 to continue the board meeting beyond 9 p.m. to continue review of the Select Board policy manual.

- 2019 Preliminary State Valuation: Chair Bates forwarded information from the State of Maine's property appraiser's supervisor and Mr. Bates included a few other notes. He felt there were some significant issues to review. He said the one number which comes up a lot is called the ratio which is the ratio of the sale price to the appraised value. Bates, "There was a time back in the middle 2010's after the crash where houses were selling at a lot less than their appraised value. If you saw this latest valuation received from the state, the average ratio is back to 101%. It was as high as 113% in 2014. In other words, things were 13% out of whack on average and

now they are back to 101%. That is a really good situation to be in."

Chair Bates, "I looked at the data, comparing inland to waterfront north of the town compared to the south of the town and also above the median price and below the median – expensive houses vs. less expensive. That ratio is pretty good all the way across. I think that is a big improvement over where we were just a few years ago. To those people that feel like they are paying too much tax in your part of town that is not true."

Chair Bates, "The second point in the period of 2016-2017 is the number of houses sold was way down after you take out sales within families. When you look at arms length's transactions, it is a small amount of data. It is only 33 houses that fit that category during that period and that compares to 58 last year. That was a big difference."

Selectperson Sawyer said right now there were not that many houses for sale in town, maybe 12 to 13 properties. Chair Bates understood that the market was picking up. "I think the message that we can reasonably get out as part of our job is taxes are being fairly assessed."

Chair Bates said the state valuation continues to go up and that is an adjustment the state makes compared to other towns. He said even though the municipal value had not gone up very much in 2016-2017, state valuation had gone up 4% which meant compared to other towns in the state, property in St. George is considered to be a better investment. The down side is when getting rebates back from Augusta, the town gets less because the state thinks the town is wealthier than we used to be compared to other towns. He said the state's valuation of the town had gone up 4.39%. From a municipal viewpoint, the town has changed very little. Selectperson Sawyer said the evidence helps to delay a re-valuation for another year or two. Chair Bates did not think there was a rush to have another re-valuation for a while.

At 9:08 p.m., on a motion by Selectperson Hall, seconded by Sawyer, it was voted 5-0 to adjourn the meeting.

Respectfully Submitted,

Marguerite R. Wilson
Select Board Recording Secretary