

ST. GEORGE SELECT BOARD & ASSESSORS
St. George Town Office
MEETING MINUTES
April 1, 2019 – 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: Terri-Lynn Baines, Tara Elwell, State Representative Ann Matlack and Michael Felton.

PUBLIC HEARING:

- Dockside Seafood, d/b/a The Dip Net Restaurant – Application for a Liquor License. The applicant is Alexandra Rackliff Zable. Chair Bates opened the public hearing at 7:00 p.m. and hearing no public comments, closed the hearing at 7:02 p.m.

- Georges River Regional Shellfish Management Ordinance (GRSSMO) Proposed Amendments- Chair Bates opened the public hearing at 7:03 p.m. and distributed a handout which outlined the proposed change to the GRSSMO ordinance. Chair Bates said the proposed change was to help get more participation amongst the clam diggers or have them pay a fee. He said if there was no disagreement with the proposed ordinance, it would be on the May ballot and voted on the day before town meeting.

Selectperson Hall asked about depuration digging. Selectperson Elwell said the State of Maine, Department of Marine Resources has guidelines and sanitary standards on depuration harvesting of shellfish. One guideline includes a special processing to flush and cleanse red tide or polluted clams after they have been dug. He said there are facilities in the down east area that process the clams for resale. Elwell said depuration harvesting is used to keep the clam flats healthy.

At 7:05 p.m., hearing no public comments, Chair Bates declared the hearing closed.

PUBLIC COMMENTS: None.

REGULAR SESSION:

- Adjustments to Agenda: The following adjustments were made. Under New Business:

- State Representative Ann Matlack – Review of State Legislative Activities was moved and taken up under Regular Session.
- Review of the Town Warrant with Tara Elwell was moved and taken up under Regular Session.
- Vote on Dockside Seafood, d/b/a The Dip Net Restaurant Liquor License was added to the agenda.

- Representative Ann Matlack – Review of State Legislative Activities:

Chair Bates introduced Rep. Matlack. Ms. Matlack said she had been appointed to sit on the Taxation Committee, they recently heard five local tax bills and discussed broadband issues. Rep. Matlack said she would try to address questions submitted by the Select Board on areas of interest concerning the town.

- 1) Rumors of attempts to revive the offshore wind turbine trial off Monhegan.
- 2) The likelihood that some combination of LD1192 and 1063 would get approved.
- 3) The various proposals for a local sales tax.

Wind Turbine: Rep. Matlack reported there was still a plan to put the wind turbine into operation but Aqua Ventus would not be running the cable to St. George. Aqua Ventus found another area to run the cable but she did not think a contract had been signed. Chair Bates noted that as far as the residents of the town were concerned, the cabling would not be laid, would not run up the peninsula, and the fishing between St. George and Monhegan would not be affected by that cable. Ms. Matlack assumed that would be the case.

Broadband Bills: Rep. Matlack said there had been a lot of broadband bills submitted to the legislature. She noted that one of the bills went directly to Appropriations and Financial Affairs committee. Another bill went directly to Taxation Committee. That bill involved tax incentives for broadband services. Ms. Matlack said all other broadband bills would go to the Energies, Utilities and Technology (EUT) Committee. She noted the Chair of the EUT Committee was Seth Berry and he, other members of the committee, and many members of the legislature were very supportive of broadband. Rep. Matlack noted that two separate bills had already been heard and public hearings were held. She said those bills will next go into work sessions. Ms. Matlack said cost to the state would be a factor in considering the funding of broadband.

Rep. Matlack said a number of broadband bills encouraged statewide broadband access (not just along I-95 or in Portland, Bangor and Bar Harbor). She said access to broadband needed to be implemented across the state as an economic development tool. Ms. Matlack said there was great interest at the legislature, and they would like to see some funding for the broadband, perhaps through bonding.

Rep. Matlack said she had been attending broadband coalition meetings State House and the State DECD (Department of Economic and Community Development) was working on the statewide broadband issue. Chair Bates said the St. George Community Development Corporation (CDC) had been pushing broadband issues. He noted the CDC, being an independent organization, had some latitude to move ahead to try to address this issue. Rep. Matlack said she would be meeting with the CDC next week and they planned to discuss statewide broadband issues. Ms. Matlack said she knew that St. George was working with the Island Institute on a project to further broadband on the peninsula.

Rep. Matlack thought refunding Connect ME would be good for broadband.

Local Sales Tax: Chair Bates said St. George has a population that varies dramatically and in the summer months, there are issues that do not exist during the rest of the year. He said one question that often arises is the issue of whether or not the town needs a police person, a parking attendant, or something similar during those summer months. He feels the use of a local sales tax to pay for things that arise in the summer is an appropriate use of the tax. Chair Bates said other towns have also been discussing implementing a local sales tax.

Rep. Matlack said five bills on local sales tax use were submitted to the legislature this year, and this year was the first time the Maine Municipal Association (MMA) spoke in favor of the local sales tax bills. Several of the bills were:

- Support Regional Service Centers which would be similar to Belfast and Rockland.

- A 1% (one per-cent) sales tax on lodging. Any Municipality that had lodging including Air B & B's, businesses would be automatically taxed and 1% of that tax would go directly to the town.
- A bill to allow a municipality to impose a local option tax but 15% of the tax would be accumulated and then redistributed statewide for preventing and for the treatment of opioid use disorder. Within the bill was a section which stated, "or in a couple of years, there may be something else to concentrate on but the tax would be a way to accumulate a pot of money that could be used by municipalities."

Revenue Sharing: Rep. Matlack said the Taxation Committee dealt with municipal revenue sharing but the committee was not the final word on it. She said if a fiscal note was attached to a bill, the bill ended up in Appropriations who then would decide whether the bill got through. Ms. Matlack said recently the Taxation Committee met with approximately 45 people from all over the state – city managers, town managers, county administrators, firefighters, select board members, who said they needed more revenue sharing than just an extra one-half a point. Rep. Matlack said there had been a lot of legislative pressure to increase the per cent of revenue sharing, but it would depend on what the state could afford.

Rep. Matlack said the Revenue Forecasting Committee noted that revenues were, by and large, on the increase, but they were seeing a flat workforce, even a decrease. The other problem, she said, was if revenue sharing did go to 5%, she was not sure if the local option sales tax would go through. But if the local option sales tax went through, she was not sure if revenue sharing would go to 5%. She thought the Legislature might see that was a tradeoff and people would not hurt nearly as badly if they gave them a local options sales tax.

Rep. Matlack also explained how revenue sharing worked and noted the differences between the two revenue sharing formulas - Revenue Sharing I and Revenue Sharing II. She said Revenue Sharing II is supposed to be an add on for communities that really need assistance such as the City of Rockland. Ms. Matlack said St. George only receives Revenue Sharing I.

Rep. Matlack reported on a volunteer program called LD 62, Tax Relief Program for Seniors. She said if a municipality engaged senior volunteers in work around town, in lieu of money, their property taxes would be offset. Ms. Matlack said the program had been a law for a number of years, but recently there was a request to increase the dollar amount because it had been flat for the last 10 years.

Rep. Matlack said decisions on bills concerning revenue sharing or other bills which have a fiscal note attached, needed to be discussed and voted on by June 30, 2019. Other bills that do not have fiscal notes attached to them or if the legislature cannot iron out the details, can be pushed off until the next session, starting January 2020. The local options sales tax which does not affect the state funding does not have to go through the budget.

Chair Bates asked Mike Felton, Superintendent of St. George MSU, if he had questions. Mr. Felton said the biggest issue the school was struggling with, as well as many other school districts, was the rising cost of special education. He said for St. George, the special education proposed budget for FY'20 was a 60% increase or one-half a million dollars. Mr. Felton said they were seeing an increase in the number of students, mainly K-2, that have pretty severe needs and the school may or may not be able to meet their needs. Mr. Felton said if they cannot

meet the student's need that would result in out-of-district placements. An out-of-district placement (at a surrounding district) costs approximately \$70,000 to \$100,000 or more. He said there are much more expensive placements in private residential settings or out of state. Mr. Felton said MSU and other school districts were struggling how to make sure they were meeting the needs of all students, making sure the students with the needs had their needs met, and then having the resources to meet the needs of all students.

Mr. Felton said the mid-coast superintendents met with the new Education Commissioner and discussed this issue. He felt it was important for the legislature to be aware of this issue because the cost was growing and felt it would continue to grow. Mr. Felton said the trend was that more and more students were coming into schools with pretty severe needs and that cost was being born by the local communities. He asked, "If the cost is \$80,000 to \$100,000 per student, how can we make sure all communities whether it is a big community or small community that sustainable?" Mr. Felton asked that everyone be thinking about the cost of special education and how to sustain the costs because every district was struggling with the same challenges.

Rep. Matlack said special education is a topic of conversation in Augusta because of the number of children entering school who are addiction babies. She noted there is real concern about this issue.

Mr. Felton said some cases are related to substance abuse but not all cases. He thinks one thing the state should grapple with is the fact that the opioid epidemic is devastating a generation of families; and the children are now entering public schools and local communities are having to invest the resources to help heal and rehabilitate the children and support families. Mr. Felton said, "That is part of the opioid epidemic and crisis I don't think is talked about. But I think there has to be a way to think about how you can help local communities that are now bearing the brunt of this other side of the opioid epidemic."

Rep. Matlack said she is on the Knox County Penquis Board, and the Board hears about these issues all the time from the Head Start staff - the lack of day care; the lack of educational and job opportunities for the parents. Ms. Matlack said it is a whole community problem. It has a lot of moving parts and those parts need to be dealt with together in order to make a real dent in what has happened to a lot of people in our towns, especially the children.

Mr. Felton thought this was just the tip of the iceberg and the problem would continue grow for years. He asked, "How are schools and communities going to meet those needs?"

Rep. Matlack thanked the Select Board for the invitation to come and speak and said if anyone had any other questions, to contact her.

- Review of the FY'2019-2020 Fiscal Year Town Warrant with Tara Elwell: The Select Board reviewed the Town Manager's Proposed Budget. Several corrections were made to the budget amounts and several changes were made to the format.

- Minutes: The minutes of March 18, 2019 were amended as follows:
Page 2, under Planning Board, paragraph 1 and 2, correct word to **assessed**.
Page 2, under Shellfish Committee, **delete 4th sentence** in its entirety.

Page 2, under Overview of Proposed Budget, line 7, correct word to lead-in

Page 3, under Budget Committee's Recommendations, paragraph 2, lines 3-5, change to read: ... a decrease in the **Town Manager** line **by approximately \$10,000. This would represent a decrease in the overlap and allow for a consultant, if needed.**

Page 3, under MMA's Regulating Rentals, line 2, change to read: Bates said a bill...

- Communications: The following communications were received.

1. An inquiry from Ken Oelberger asking why the solar system was not working. Selectperson Hall contacted Oelberger to let him know Mr. Polky was away and that he would talk with the other Select Board members at their next meeting to see if they knew about the status of the solar system. Mr. Oelberger sent Mr. Hall a report which showed the system had been down for a week.

Selectperson Willey said last week while at the Transfer Station, she noticed the screens were not lit up with any numbers. Selectperson Hall asked if this had been flagged for ReVision. Chair Bates said ReVision should notice the system was offline. Chair Bates said he checked the online metering and since March 25 onward, nothing had shown up on the charts. Mr. Polky will be notified of this upon his return to work on Tuesday.

Chair Bates said at full moon, he checked the online metering charts to see how much power was being generated. He wanted to know how much solar power the town got from the moon. Chair Bates said it was about (1%) one percent which is just one pixel. He stated, the charts showed a slight blip when there was a full moon and the system was working then.

2. A notice from the Department of Marine Resources (DMR) in Augusta was sent to St. George, South Thomaston, Rockport, and Owls Head informing the towns that applications had been made for a limited-purpose (3-year, experimental) aquaculture lease by the following:

Baines, Robert S. - application for an experimental aquaculture lease located east of Muscle Ridge Channel, west of Hewitt Island, south of Clam Ledges, in Unorganized Territories within Penobscot Bay, Knox County, Maine, for suspended culture of sugar kelp, skinny kelp, winged kelp, horsetail kelp, dulse, Irish moss, and laver.

Morrill, George Casey & Lucas - application for an experimental lease for suspended culture of sugar kelp, skinny kelp, horsetail kelp, dulse, Irish Moss, and laver on a site located northwest of Hewitt Island and southwest of High Clam Ledges, in Unorganized Territories within Penobscot Bay, Knox County, Maine.

Below is the Department of Marine Resources website which lists all the applications.
<https://www.maine.gov/dmr/aquaculture/leases/pending/index.html>

3. An email from Josiah Wilson inquiring about the status of Aqua Ventus and the cable. Chair Bates stated that Rep. Matlack reported earlier in the meeting that, in fact, Aqua Ventus was planning to continue their wind turbine project. Chair Bates read from a March 26, 2019 feature story in NOAA Fisheries that the Bureau of Ocean Energy Management, NOAA Fisheries, and the Responsible Offshore Development Alliance (RODA) signed a

10-year Memorandum of Understanding. This brought together local and regional fishing interests with federal regulators to collaborate on the science and process of offshore wind energy development on the Atlantic Outer Continental Shelf. RODA. RODA is a broad membership-based coalition of fishing industry associations and fishing companies. Chair Bates said he would contact Mr. Wilson with this information.

4. A communication from Ben Norton reminding the Select Board of grants for 10 Cold Storage Road.

5. Selectperson Willey received a communication from Ken Oelberger which stated: Attached is the document transferring the Conservation Easement on Meadow Brook Preserve from Maine Coast Heritage Trust to the Georges River Land Trust.

6. Selectpersons Elwell and Willey received copies of an email from Josiah Wilson to Rep. Ann Matlack, regarding school and immunizations.

-Warrant: The warrant for the week of April 1, 2019 was reviewed and signed. The total expenses were \$59,689.94 and included two weeks of payroll, April's health insurance payment, and payment to Harris Computer Systems for software licenses.

Selectperson Willey asked why the town had to pay so much every year for software licenses. Terri-Lynn stated that Harris Computer built TRIO and they own it. If the town wants to use it, the town has to pay for it. Since it is licensed, a fee has to be paid every year. Harris Computer does upgrade the software for free as part of the license fee. Ms. Baines said there are very few municipal software program options on the market.

TOWN MANAGER'S REPORT:

Tim Polky was out of the office this week. Terri-Lynn Baines said the office staff had been focusing on getting the annual town report ready for printing and had been working on the end of the quarter reports. She noted the office had been busy processing property tax payments which were due on March 31st. Ms. Baines said she had been working on issuing tax liens and letters would be mailed out the end of April.

COMMITTEE REPORTS:

- Solid Waste and Recycling Committee: Selectperson Willey reported the committee met on March 20th. The Spring Roadside Clean-Up is scheduled for May 4, beginning at 7 a.m. There will be no pancake breakfast this year, so the committee will provide coffee and muffins.

A field trip to the Norridgewock landfill has been scheduled for Friday, April 26, 2019. Meet at Town Office parking lot at 8:15 a.m. and carpooling will be worked out that morning. If anyone would like to go on the field trip, contact Wendy Carr or be at the Town Office by 8:15 a.m. that morning. Chair Bates said that Ms. Carr had sent a report to be published in the Notes from the Boards, Committees and Commissions and it is on the website.

The SW&RC decided not to hold a shredding event this year due to a cost increase. The committee talked with Polky and they will be looking into the cost to purchase a commercial grade shredder that would be located at the Transfer Station. The committee suggested they might hold a monitored shredding event every couple of months.

Selectperson Willey said the committee discussed ways to make St. George residents aware that the town still recycles as the recycling rate is down. The SW&RC said they have heard from residents who think the town is single sort recycling, recycling is no longer viable, and single sort is cheaper. The town does not do single sort recycling. Selectperson Hall suggested putting an article in the newsletter, and Ms. Willey said the committee had discussed doing that.

The compost at the Transfer Station was tested and approved. Compost will be going on sale as soon as the pile thaws. This year, they will operate a delivery service to people who would like a large trailer load of compost. For a fee, they will deliver it to customers.

The new Transfer Station sign is ready and will be put up as soon as the ground thaws.

The Solid Waste Committee along with the Conservation Committee (CC) will work together on a plan to remove plastic bags and foam to-go boxes in St. George. Chair Bates asked if the SW&RC was still pursuing the banning of plastic bags. The SW&RC and the CC are discussing this and Ms. Willey anticipates they will come up with a proposal in the future.

- Planning Board: The Planning Board met on March 26 at 7:00 p.m. and Chair Bates reported the following. The Board accepted as complete the building permit application by the Monhegan Boat Line, to replace the ticket booth and pier. There will be an on-site visit at 5 p.m. on April 8, and a public hearing at the Town Office at 6:30 p.m. on Tuesday, April 9, 2019.

The Board continues to work on a draft Sign Ordinance.

- Cemetery Committee: Selectperson Hall reported that the Cemetery Committee cancelled their meeting because they had not received the feedback from the attorney on the proposed guidelines in time but those have now been received. They will be holding a special meeting on Wednesday, April 3, where they will discuss the feedback.

- Budget Committee: Selectperson Hall reported that the Budget Committee received a letter from Larry Bailey commenting on some of the Budget Committee's recommendations. Mr. Hall said the letter was circulated and Chair Bates mentioned the Select Board might want to discuss it further at the meeting.

Selectperson Hall said some of the suggestions in some of the areas were valid comments. On the issue of the salary range process, Selectperson Hall felt Mr. Bailey's comments were wrong and insulting. Mr. Hall explained there were people in town who had worked for a Fortune 500 company, and he (Hall) considered himself to be extremely familiar with salary grades and ranges, and administrative issues. Selectperson Hall noted that this town did not have the resources of a Fortune 500 company to administer such a system. Therefore, the Select Board retained Dacri & Associates, LLC to do the job. Mr. Hall felt Dacri did an excellent job of explaining salary grades and ranges and how they should work as a guide to the town.

Chair Bates thought Mr. Bailey's issue was in the cafeteria plan benefits. Selectperson Hall said he had some sympathy with some of his arguments. Chair Bates said the Select Board did quick review of the cafeteria benefit last year but he felt it was an area they should review again this year. Chair Bates suggested the Budget Committee also review the cafeteria plan.

Chair Bates noted the problem with discussing town salary issues was they deal with confidential and personal information. Mr. Hall said this was not something the town had a lot of visibility on because the personnel reviews, discussions were confidential items. He noted there was a process in place which can always be improved, but it is often a difficult thing to do well.

OLD BUSINESS:

- Signing of Warrants for Town Meeting: The Select Board reviewed and signed the Warrants for the Town Meeting.

- Liquor License for Dockside Seafood, d/b/a The Dip Net Restaurant: A Public Hearing was held at the St. George Town Office on 4/01/19 at 7 p.m. There were no objections.

On a motion by Selectperson Sawyer, seconded by Hall it was voted 5-0 to approve the liquor license for the Dip Net Restaurant.

NEW BUSINESS:

- Certificate of Appointments: The Select Board reviewed the following Certificates of Appointment (Title 30, MRSA 2253) for:

Matthew McCollom, Harbor Master
Tara Elwell, Registrar of Voters
Magan Wallace, Clerk Assistant, Deputy Treasurer, Deputy Tax Collector, and Deputy Registrar of Voters

On a motion by Selectperson Elwell, seconded by Hall, it was voted 5-0 to accept the appointments of Matthew McCollom, Tara Elwell and Magan Wallace. The Certificates of Appointment were signed by the Select Board.

At 8:53 p.m., on a motion by Selectperson Elwell, seconded by Willey, it was voted 5-0 to adjourn the meeting.

Respectfully Submitted,

Marguerite R. Wilson
Select Board Recording Secretary