

ST. GEORGE SELECT BOARD & ASSESSORS

St. George Town Office MEETING MINUTES

November 18, 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, Larry Bailey, Debbie Flack, Matt McCollom, Ben Vail, Rob Sloat, Gerry Cushman, Kevin Lipson, Jan Lipson, Wendy Carr, and Evelyn Blum.

Chair Bates read the following prior to taking Public Comments (edited and nonverbatim).

There have been two items in the news recently regarding Maine Aqua Ventus (MAV).

1. MAV received a Federal grant in order to test a larger wind turbine. The original plan was to test two, 6-megawatt wind turbines off Monhegan Island; now they have approval to accommodate a larger turbine. It is not clear how large the turbine will be. MAV is saying between 10 and 12-megawatts and given that the blade size is proportional to the square root of the power, we are talking about blades which would be about 40% larger.
2. The other news item is the State PUC approved a 20-year Power Purchase Agreement (PPA) with Central Maine Power under which CMP will purchase electricity generated by Maine Aqua Ventus at an offshore wind energy site 2.5 miles south of Monhegan. Once all the permits are in place, the goal is to start construction in 2021.

Chair Bates noted Carr had written Town Manager Polky on November 6th about her concern that Port Clyde was mentioned in the documentation. A letter dated November 15th from UMA attorney Jeff Thaler, read as follows:

I am the co-counsel of the MAV demonstration floating offshore wind project and want to respond to questions that have arisen this week as to why there was one reference to Port Clyde in the Power Purchase Agreement approved by the Maine PUC.

Bottom line, in a definition of "Delivery Point" there was a mistaken reference to CMP's "distribution system in Port Clyde, Maine." This was a carry-over from several years ago when there had been discussions with Port Clyde about possibly bringing the electricity ashore there; it was missed in the updating and should have read, "location to be determined."

This will confirm that MAV has not yet finalized a cable landing location or a cable route.

PUBLIC COMMENTS: Carr did not feel the reference in the letter to Port Clyde was a mistake. She noted in the PUC documentation this was supposed to be the best and the correct iteration of the PPA. She stated: 1. To leave that reference in is suspect; and, 2. In terms of the DOD grant that they will redesign the floating turbine.

Carr: "One issue is whether that restarts the NEPA process. If St. George is the receiving community for the infrastructure, one thing I would push for is them to have to go to the beginning and start the NEPA process with a new scoping meeting, because this is materially different than what was presented to the town in 2016."

Lipson thanked Chair Bates for reading the letter and felt it was very encouraging. He said they will be bound by their words and takes some comfort in that, but it still leaves the question, "When they determine what the appropriate location will be, there will probably be a role for the town to express its view. The only thing I would encourage the Select Board to do is to have a process for accessing the sentiments of the town and to hopefully reflect those sentiments when the time comes."

Lipson: "It is going to be very difficult to control what they do with private property, but the town will have control over what is done with public property. I hope the Select Board will have a process for involvement and engagement with the community to assess where the community is, what the risks are, and for everyone to have a say. Because as you recall, the Maine Coast Fisherman's Association, the Maine Lobsterman's Association and the Audubon Society all weighed in in opposition to the landing in Port Clyde."

Chair Bates doubted the sentiment of the town had changed much but said the Select Board would be on top of it this time and asked if anyone had concerns to bring them to the Select Board so they could try to corroborate the information. Bates said the letter from Thaler was the first communication the town had had about MAV. Carr thought the Select Board should be worried about the fact MAV was not communicating and it was a sign they were keeping it under wraps. She believed if this was a transparent process, everyone would know the cable route and where it was coming on shore.

Cushman said he attended all the meetings in Boothbay when they were planning to land there, and the meetings were more aggressive and ruder than the ones in St. George. He said Carr was right. MAV did the tests; there is too much sediment in Boothbay. They can't disturb it, and they will not disturb the sediment to run the cable there.

Cushman said there were rumors in the community about where the landing could take place and said having the landing somewhere in the community was still a concern. He added that an area such as Long Cove would have a longer cable area than that of Port Clyde and would affect other fishing areas in town. He also thought there might be some sediment in the Long Cove area that could get disturbed. Cushman said if MAV was in negotiations with a private landowner in St. George, they should let the town know.

Chair Bates said he last recalled that the Select Board urged the fishermen and Aqua Ventus to work together to reach a satisfactory and acceptable agreement, if MAV was to land anywhere near here. Bates said the town had no jurisdiction over the water and the onus as far as what was happening was between Cushman representing the fishermen and Maine Aqua Ventus.

Lipson: "It generally may be true that with respect to private property owners, it is more difficult for the town to operate but there are Shoreland Ordinances that can be enacted that would have

an impact on private property owners and their ability to bring that sort of thing onto the property. The only thing I would urge is that we think more expansively and more creatively. I know there is a statue and we have a governor that actively is encouraging this and that is a little different than the last time. But as a town, you have a tremendous amount of authority and control over Shoreland Zoning Ordinances that can be very effective in precluding even on private property."

Chair Bates said after MAV's last actions, the Planning Board did rewrite the Shoreland Zoning section regarding cable landings. The Select Board was assured by the town's attorney, Bernstein Shur, that the town had the most stringent, yet legal ordinances pertaining to cable landings. Bates stated, "I believe that as a result of that last offensive, we as a town, have done what we can."

Chair Bates noted for the record, William Kelly, Esq. reviewed the draft of the Shoreland Zoning Ordinance, not Bernstein Shur.

Carr: "On the PPA in Section 6.1(A) there is a call for a plan for a 100-megawatt wind farm in the Gulf of Maine. So, if the infrastructure from one turbine comes in here, people may think the effects are going to be small but if there is a wind farm and we are the only infrastructure on the Maine coast, believe that they are coming right in here. That is right in the PPA that it is contemplated that that is in the near future."

Chair Bates said that was good to know it was in the PPA. He stated, "That from a commercial point of view, it is more likely to be at least 800-megawatts as they are doing off the coast of Massachusetts because that is where the economies really kick in. Even at 100-megawatts, we are talking about major pylons to support the electric cables that carry that which is completely different for the infrastructure that we have."

Cushman said that MLA had sent letters to Maine Aqua Ventus, and MAV had not responded to them and was not interacting with the fishermen, at all. "It is one sided. That is how they are rolling."

Chair Bates stated he would contact the town's state representatives in Augusta to see if they had any new information regarding the cable landing issue.

REGULAR SESSION:

- Adjustments to Agenda: The following adjustments were made:

Administrative Ordinance Review was removed from the agenda

Connect St. George Update by Selectperson Hall was added under Old Business

Sea Level Rise Meeting Update was added under New Business

Proposed Scoreboard at the Big Ballfield was taken up under Regular Session

New Boat Discussion by Matt McCollom was taken up under Regular Session

- New Boat Discussion - Matt McCollom, Harbor Master: McCollom said the boat he had emailed the Select Board about had sold; but he did want to keep looking for one and wanted to discuss it with the Select Board. He noted the type of boat he was looking into did not become

available very often and when one did, it did not remain on the market long. He asked if the Select Board would permit him to continue to search for a boat. He said other options he wanted to look into were the Dept. of Homeland Security and Port Security grants and to work on specs for a new boat from them, if a used one did not come up any time soon.

Chair Bates said his understanding was the Harbor Master's current boat was fine in flat seas but from a safety perspective in difficult weather conditions, he needed a more suitable boat. McCollom said the boat would not be just for the Harbor Master but the Fire Department could use it for their needs, as well.

The Reserve fund has approximately \$42,000. Chair Bates did not think that would cover a new boat unless McCollom could get a grant and asked how long it would take to get a grant. McCollom said they did not release funds until March or April. Terri-Lynn Baines offered to help McCollom write a grant proposal.

Selectperson Hall asked, "If another boat like this becomes available, the town needs to be ready to move quickly, so what are the procedures necessary to put the town in that position?"

Chair Bates said McCollom had summarized his request, so Bates suggested the Select Board give a general approval and not to exceed a certain amount. That way, if a boat came along, McCollom would be in a position to move. Selectperson Elwell agreed. McCollom stated the Harbor Committee requested a survey be done prior to the purchase of a boat and the purchase would be contingent upon the Harbor Committee's review.

A motion was made by Selectperson Elwell, seconded by Hall, to allow St. George Harbor Master Matt McCollom, to spend up to \$45,000 on the purchase of a suitable boat to be used for town purposes and to provide a survey/assessment to the Harbor Committee for their review. The vote was 5-0. The motion carried.

- Proposed Scoreboard at the Big Ballfield: Recreation Director Ben Vail explained the Rec Booster's request to install a scoreboard at the big ballfield. The Rec Booster's organization has raised money year after year and supported a number of rec programs, purchased rec equipment, and spent funds on recreation. The last two or three years, the group has not spent much of the money they raised. The group would like to install an electronic scoreboard at the big ballfield and place it outside and against the fence in the vicinity of the concession stand and close to the power supply. The scoreboard would be used for soccer games in the fall and baseball and softball games in the spring. The Rec Boosters are not requesting any funds from the town.

Selectperson Elwell asked if the board could be viewed from the Little League field? Vail said yes. The only issue with its placement was being seen from the big ballfield but this was the practical location because installing it on the backside of the field would involve bringing equipment across the field, digging trenches, and getting power there.

Vail said the Boosters are working with Nevco, a company who sells scoreboards. Vail sent requests to four companies for cost estimates on installing the scoreboard and has only heard back from one, at this time. The cost for the purchase of the scoreboard and its installation is

approximately \$12,000 to \$13,000. The hope is to have the poles in the ground, and everything done before winter, so the board could be mounted in the spring and used in the spring.

Selectpersons Hall and Willey asked if the scoreboard would fall under the sign ordinance? Chair Bates noted the town did not yet have a sign ordinance, but the scoreboard was considered a structure. Vail said the Planning Board determined the scoreboard was not actually a sign because no advertising would be used on it. Vail noted that the Planning Board did approve the placement of a small plaque on the structure to allow recognition of the Rec Booster's work.

A motion was made by Selectperson Elwell, seconded by Hall to approve the St. George Rec Booster's request to install an electronic scoreboard at the big ballfield and the costs will be paid for by money already raised by this group. The vote was 5-0. Motion carried.

- Minutes: The minutes of, 2019 were amended as follows:

Page 1, Town Concerns, paragraph 2, line 4, change to: Lapham said his understanding was **that** the formula **was set by** the State.

Page 2, 7th full paragraph, line 1, change to: ... Dispatch **Services** had...

Page 3 changes: paragraph 2, lines 1 & 2, delete parenthetical sentence in its entirety.

Paragraph 3, lines 3 & 4, change to: ... 100% sold on **how** it is going to work **in practice**.

Page 4, paragraph 6, line 1, insert word: ... have an **energy** audit.

Page 5 changes: paragraph 1, after 1st bullet, line 1, change to: ... reviewing **the** social service...

Bullet 2 changes: line 2, change to read: ...food pantries in the **area**.

Paragraph 2, line 1, change to: ... and **the CC is** currently...

Paragraph 3, line 4, change to: ... surprise visit **and did** a walk through **which** turned **out**...

Page 6 changes: paragraph 1, lines 1, indent first paragraph

Paragraph 1, line 2, correct word to goods

Paragraph 2, line 1, delete words **and actively**; line 2, delete word **volunteer**, and change to: ... on committees **and** at events such as Thanksgiving dinner or **who** donate food.

Page 8 changes: Solar Panels, paragraph 1, line 3, change to read: Selectperson Hall reported that he had reviewed the **CMP** and ReVision bills. He said he **understood** the issue **of not** having a way to understand in total what the Transfer Station was using **in electricity because the CMP bills only show the amount of power generated over and above the power used at the transfer station when the system is running**.

Paragraph 2, line 3, change to: is **approximately** 70,000-kilowatt hours.

Paragraph 2, line 5, insert wording: ... on the **CMP** bills...

Paragraph 3, line 1, change word to bills

Line 5, correct spelling to **percentage**

Lines 8 & 9, **delete wording** and change to: ... that we **now** request...

Page 9 changes: paragraph 1, line 5, insert word: ...want to pay **for** an...

Town Manager Report, line 3, insert word: ... 90 **cubic** yards

Paragraph 2, line 1, insert word: ...Tank 3 **that** was ...

Bullet 5, line 1, correct spelling to **lighting**

Page 10 changes: under Clark Hill Cemetery, paragraph 2, line 1, change to: ... sell **just** the...

Line 3, correct word to **were**

Line 4, change word to **title**

Paragraph 3, line 1, correct name to **St. Clair**

Page 11, paragraph 2, line 4, change to: ...**forfeit** title **of their** lots and turn **them**
Line 8, insert word: ... Cemetery **Committee** is not...

A motion was made by Selectperson Elwell, seconded by Hall to approve the November 4, 2019 Select Board minutes, as corrected. The vote was 4-0 (Sawyer abstained). The motion carried.

- Communications: The following communication was sent to Tim Polky.

- Letter from Jeff Thaler, attorney from the University of Maine and co-counsel for the Maine Aqua Ventus Demonstration Floating Offshore Wind Project

- Warrant: The warrant for the week of November 18, 2019 was reviewed and signed. The total expenses were \$99,172.28 and includes the first winter road payment of \$30,504.00 to J.K. Kalloch.

TOWN MANAGER'S REPORT: None as Mr. Polky was absent.

COMMITTEE REPORTS:

- Budget Committee: Selectperson Hall reported the cemetery committee had not met since the Select Board's last meeting.

- Planning Board: Chair Bates reported the Planning Board met at 7:00 p.m. on November 12, 2019 and took up the following items:

- The application at 69 Patten Point Road to remodel the home and replace the roof was accepted as complete; satisfying section 12-C-1-c-i of the Shoreland Zoning ordinance, it was approved.
- The application at 144 Port Clyde Road, the "big ballfield", to install a 16'x7' electronic scoreboard was accepted as complete; satisfying the performance standards of the Site Plan Review ordinance, it was approved.

The Planning Board met at 6 p.m. with Bill Najpauer and they are beginning to work on the Shoreland Zoning Ordinance revision. Chair Bates said initially the Planning Board will review the ordinances, starting with the Shoreland Zoning to make them more readable and easier to understand for the general public. He said over the years the ordinances have become complex and new sections have been added in non-obvious places.

- Conservation Commission: Selectperson Willey reported the CC met on Thursday, November 7th. They have been working on footpaths and trails to clear away trees that were blown down in recent storms.

The CC is planning to contact a consultant from Trails for Towns, and the CC will be looking into making some of the trails ADA accessible and compliant.

They are continuing to work with the school on topics related to the stream restoration and solar options at the school. The CC is trying to make students aware of solar power, how it works, what the town has for solar, and how well it is working out.

The CC held openings at the Bamford property and at the Meadow Brook Trails. Willey said those were well attended, the events went very well, and the CC was very pleased.

The CC asked Selectperson Willey about the costs for a town email account. Oelberger had spoken to someone at the town office about the committee having email accounts as opposed to using personal email. Willey said she would bring the issue to the Select Board. Chair Bates said the cost was \$50 a seat per year; the same as the Select Board accounts.

Chair Bates explained if a committee volunteer had privacy concerns using their regular email accounts, they should talk with the town administrator. Selectperson Hall said they have encouraged them to get a town account in the past, if they so desired. Willey reiterated, "If they would like to do that, they can contact the town office and have an account set up."

- Harbor Committee: Selectperson Elwell reported the committee is still working out the details regarding the 10 Cold Storage Road project. They will meet on November 19.

- Cemetery Committee: Selectperson Hall reported the cemetery committee had not met since the Select Board's last meeting.

- Notes from Boards, Committees and Commissions: Chair Bates asked the Select Board to have their respective committees write their short summaries and get them to him by November 30th.

OLD BUSINESS:

- Update on Connect St. George: Selectperson Hall did an update on the committee's work. He noted they have not totally completed the audit but have largely completed it. The results Hall found were quite surprising. There are 2,107 numbered addresses in town and 1,804 of those numbered addresses (approximately 86%) are served by Spectrum. There are 181 addresses that are not served by Spectrum (8.6%) and there are 122 numbered addresses where the committee does not know yet. There are 6% that the committee has not figured out whether they are served or not.

Hall explained what this says is that 1,804 of the numbered addresses are served and at most 303 are not. There are probably somewhere between 200 and 300 addresses in town that are not served by Spectrum and that is smaller than he thought it would be. It is not only consistent with what Melinda Kinney (Charter Communications spokesperson who did the presentation) told the committee but it is higher than what she said. Kinney said about 70% of the addresses were served and the committee found it was 86%.

Selectperson Hall stated what Kinney reported was there was only a 45% take rate and what she said there were only about 700 subscribers in the town. Hall said, "If 700 is the right number then that is around a 40% to 45% take rate which begs the question of why would that be? It

could be a lot of different reasons: cost, seasonality, etc. So, what the committee has said is that ok, we have quite a good picture of where all the lines go and what areas remain unserved."

Selectperson Hall: "There are two approaches we can take: Take a wholistic approach that we want to build out a big, beautiful system for everybody or could just fill in the gaps. On the fill in the gaps, that of course, has the shortest time frame and the lowest amount of cost associated with it.

The next logical step would be to figure out how many miles, how many yards, whatever unit you want to use, of additional cable that needs to be run to connect all the people that are not connected and how many households would that potentially bring into the mix. So, you could get a distance cost and then making some assumption on uptake, you could get potential benefit.

You could then go to internet service providers and say, we've got many miles of mostly private roads in town that we need to run cable down, and that we have this many addresses that would be served by that additional cable. Can you give us an estimate on what it would cost to build out the rest of the town?' That is separate from the how do you pay for it. If you look at some kind of model that says, the provider will pay for some of it because they will get some additional business. The user is going to need to pay for some of it. The town could pay for some of it. The Feds and the State could pay for some of it. That is a second step question.

The first step is, let's get cost estimates. The next thing the committee is going to do is to try to figure out what the distances are remaining to be covered to provide service to everybody, so the providers are in a position to come up with some cost estimates. Starting early next month, the committee will be inviting internet service providers (ISPs) to talk with the committee about what we know, and can they put together (in the beginning at least) rough cost estimates for us.

If they want to talk about an approach which does more than build out the existing system, then okay talk with us about that as well. But you can quickly see that you are going to get one cost to build out the system and then another one to try to do something different.

One goal the committee has espoused is that our goal should be fiber to the home for everybody in town. That would be future proof. That would be the fast system that would accommodate any need that anyone could have for internet speed for as far into the future as anyone can see. But in a conversation with Melinda Kinney of Charter, she cautioned about focusing too much on future proofing.

One of things I asked was could you tell us where in town you have fiber and where you have coaxial? She said we could probably do that but it is probably a mistake to focus on that too much; because they are close to rolling out is 1 Gb/s over the existing network and they have it in their plans to eventually be able to upgrade to 10 Gb/s over the existing network. That would require amplifiers and things, probably and there is a question whether that is feasible in rural areas versus city areas. But again, this is why we want these people to come in and talk with us. The other thing, too, is if you do something big and grandiose, 1. It is a lot of money; and 2. It is going to take a long time."

Chair Bates said he seconded this from his engineering background. He felt it was incorrect to get hung up over the medium because there may be applications where it is radio. There may be applications where it is coaxial, and maybe where it is fiber; but that is for the supplier to decide. You want the facilities. You want the services. He thought that was a really important point. Fiber is very convenient, but it may not necessarily be the most economic medium when they cost out their plans and their growth.

Selectperson Hall: "The cost issue is a big one and one that would have to be sorted out, but if you are talking between 200 and 300 unserved addresses, you are talking about something that could be accomplished in a 2 to 3-year time frame. Whereas, if you are talking about a total replacement, I think you are talking about a five to ten-year time frame. I have already started and am advocating that we think in terms of building out what we've got and then if at some point people see that it is inadequate for whatever, then. But at least Charters Communications point of view is that they believe that the infrastructure they have in place will be good to supply the needs of anyone for the foreseeable future, so it makes sense to consider that point of view."

Chair Bates: "Kendra Jo from the Island Institute made that point one of the evenings when she spoke at a public meeting. That we should really explore the potential of our existing incumbent."

Selectperson Hall: "The consultant who spoke at the Island Institute meeting that Jeff and I went to said that we should not underestimate the ability of your existing provider to be able to address this because they are clearly in the best position of any of the service providers."

So, it is moving along at a reasonable pace and I think we were all quite surprised at the results."

Selectperson Willey asked Hall if the committee would be doing a survey of the people that could get service but chose not to? Hall said Kinney commented that Washington County had very, very low utilization rates possibly due to families with incomes of \$30,000 or less. So, families were making choices, even though Spectrum offers a cut rate price to families meeting income guidelines.

NEW BUSINESS:

- Accepting Credits for Tax Payments: Chair Bates explained per the town policy manual, credit cards are not accepted for payment on property taxes. The town does accept credit cards on other transactions and InfoME currently handles these payments; but First National Bank is working on a platform that will accept credit card payments on property taxes. Baines said First National Bank hopes to have their platform ready in January. Chair Bates notes that there is a lot of interest amongst people in town to pay property taxes using their credit card, understanding as with all the other payments, the fee is on top of the tax bill. He said in other words, the town will get the same amount of money whether it comes by a check, cash, or credit card.

Chair Bates said the plan is to have Elwell and Baines talk with the Select Board about the interest and about First National Bank's service, so the issue will be postponed until sometime next year.

Baines added if First National Bank does not come through with their program, the office would like to go forward with InfoME to be able to accept tax payments with our March payment. She said a lot of people call and ask about it. Chair Bates said from the point of view of the town, the town is still going to get the property owner's tax payment.

- Approve Select Board Policy Manual, pages 26-50: On a motion by Selectperson Hall, seconded by Sawyer, it was voted 5-0 to approve the Policy Manual changes as discussed at the November 4, 2019 Select Board meeting.

- Annual Review of Select Board Policy Manual, pages 51 to end: The Select Board reviewed pages 51 through to the end of the manual for corrections, changes, and updates. Chair Bates volunteered to take responsibility to document the changes and see that the policy manual is updated.

Chair Bates asked the Select Board to think about policies the town does not yet have but may need. He mentioned the issue of dealing with Airbnb or Vrbo type situations and whether something needs to be done about that.

- Sea Level Rise: Chair Bates gave a brief summary regarding the Sea Level Rise in St. George meeting. He stated that almost 100 people attended, and most were residents of St. George.

Selectperson Hall: "The turnout was impressive, and I think there was a lot of interest and concern. The focus was as a municipality, we need to plan for the impact of what is projected on the town. There is a budgetary aspect of that.

The selection of speakers, I thought, were excellent. The first person apologized that she was going to be the downer of the group because she was the scientist that talked about what the models were projecting. It was interesting that in 30 years the sea level will rise 2 to 5 feet depending on which model you look at.

But the other issue you have is if you combine what has already occurred with the storm surge and a king tide, and if they occur at the same time, then you have pretty severe results. You go from a situation where they occur a handful of times a year to where you could have flooding of this magnitude nine times a year. But if you had a one-foot rise, it goes to 100 times a year. Then if you have a five-foot rise, it goes to 400 plus times a year which means it happens more than once a day because of the confluence of events.

The impact as the sea level rises just small amounts, the impact of the storms becomes much, much more severe. We are seeing that, and it is only going to get worse. We need to be thinking about Shoreland Zoning Ordinances and what to do." Hall felt if the town had a systematic approach to the issue, "You can plan for it, you can budget it, you can deal with it."

Chair Bates: "I think, the town is in good shape, right now. The roads are in good shape. The culverts are in good shape. This is not like the situation that they are facing in Vinalhaven

where they have quite a pressing emergency because of the way the road goes. But what I came away with is, we need to be planning and thinking about the long term. There is going to be no great chances or crisis that we have to deal with immediately but longer term.

What I would like to propose with the Board's permission is to investigate forming a Sea Level Rise committee made up of members of some of the existing Boards, for example, someone from the Planning Board, the Budget Committee, the Conservation Commission and there are a couple of other people who could be an asset. A couple of people volunteered after the meeting and I would like to explore that. If the various people are interested in doing this, I would come back to the Board and ask to form an ad hoc Sea Level Rise Committee that would just be the focal point for this question.

It is not a crisis. It is not an emergency that we have to deal with in St. George, but they would be the point people for the town."

Select Board consensus was to have Chair Bates talk with the town Boards, Committees, volunteers from the meeting, and others to see if there is interest in serving on an ad hoc Sea Level Rise Committee.

At 8:50 p.m., on a motion by Selectperson Sawyer, seconded by Elwell, it was voted to adjourn the meeting.

Respectfully Submitted,

Marguerite R. Wilson
Select Board Recording Secretary