

## ST. GEORGE SELECT BOARD & ASSESSORS

### St. George Town Office

### MEETING MINUTES

May 18, 2020 – 7 p.m.

The Select Board meeting was called to order at 7 p.m. via Zoom. Members present were: Richard Bates, Chair; Randy Elwell, Jerry Hall, Wayne Sawyer, and Tammy Willey. Also present: Terri-Lynn Baines, Tim Polky, Tara Elwell, and John Falla.

PUBLIC COMMENTS: None.

#### REGULAR SESSION:

##### - Adjustments to Agenda:

- Added under Old Business, Discussion Items: Chair Bates to Report on the Subgroup's Progress in Re-working the FY'21 Budget.

##### - Minutes: The minutes of May 4, 2020, were amended as follows:

Page 2, paragraph 1, line 1, change the word is to the word **are**

Page 2, paragraph 4, line 3, change to read: ...are working on **a** way to...

Page 2, paragraph 6, line 6, put period (.) after out and delete remaining part of the sentence

Page 3, paragraph 4, line 2, delete the word **a**

Page 5, paragraph 8, line 1, change to read: ... ambulance got, **the Association** picked that...

Page 5, paragraph 3, line 2, correct word to **PPP**

Page 6, paragraph 7, line 1, delete the word **a** and change to read: ...was for new **equipment**

Page 6, paragraph 2, line 3, insert the word **asked**

Page 7, paragraph 4, line 4, change word from Hall to **the Board**

Page 9, paragraph 1, line 4, change to read: proposed **allocation for revenue sharing** in March...

Page 10, paragraph 5, lines 4 & 5, delete sentence from Fund Balance to end of sentence and delete next sentence in its entirety. Line 4 reads: ...the two-month Fund Balance **as a minimum**.

Page 10, paragraph 6, line 3, add the word **it**, change to read: ...referred to **it** as a...

Page 11, paragraphs 3, 6, and 7 correct Planning Board to **Budget Committee**

Page 12, paragraph 3, line 3, correct word to **latitude**

A motion was made by Selectperson Elwell, seconded by Sawyer, to approve the May 4, 2020, Select Board minutes, as amended. The vote was 5-0. Motion carried.

- Communications: A letter was received from New Hope for Women thanking the town for its support and asking to please continue supporting them during these uncertain times.

- Warrant: The warrant for the week of May 18, 2020 was reviewed. The total expenses were \$77,483.85 and included the audit payment of \$8,500, a payment to CivicPlus (a website) of \$1,700, two weeks of payroll, and other regular expenses.

Chair Bates asked if the payment of \$14,850.00 to J.K. Kalloch listed under Roads and Property Management was the last payment of the winter roads contract. Baines said yes.

Chair Bates asked about the \$10 a month TurboBridge charge. Had the town signed up with them for a year or could that be canceled since they were using Zoom? Baines said it could be canceled but thought the Fire Department was still using TurboBridge. Polky confirmed that the Fire Department was using TurboBridge instead of Zoom.

Selectperson Willey asked when streetlights costs would start to decrease. Polky said he was not sure when that would happen, but the contract was signed, and CMP had started to take down some of the streetlights. Polky said he had not yet seen any change in the billing amounts.

Chair Bates asked about Matt's Excavation, LLC charge. Polky said Matt's Excavation had worked on the parking lot at Meadow Brook, and they also supplied some of the crushed rock for the trail. Polky said it was a Conservation Commission program and the money had to come out of the conservation budget. But Chair Bates asked why it had been placed under town office. Polky said it should be placed under Conservation under Planning Board; Baines noted it was the Meadow Brook grant. Chair Bates said okay.

Select Board members will follow the pandemic protocol and get the signed copies of the warrant to Terri-Lynn Baines.

TOWN MANAGER'S REPORT - Tim Polky reported the following: When the pandemic was declared, the town signed up for relief through FEMA. He spent most of last week in seminars and reviewing YouTube learning how to fill out the applications and said they had to keep track of everything that would be refundable.

Bids on the Burn Building were opened. He knew this was not necessarily a town issue but of interest, there were three bidders. The lowest bid was \$725,000 and the highest bid was \$1,200,000 but they had hoped to get a bid in around \$650,000. The Fire Department was scrambling to find money to cover the \$150,000 shortfall. Polky noted that Jake Barbour, Inc. was the low bidder and said he would keep the Select Board updated.

The PPP loans. The Ambulance Association did receive a \$64,000 PPP loan. Polky was not sure how that would help but the loan was forgivable if they did everything they were supposed to do. Polky said with the lack of revenue from fundraising and lack of revenue from billing for services, he was not sure how this is going to affect the ambulance budget but would keep the Select Board posted.

St. George would try to open the town office on June 1st and it may or may not be successful. Polky said the plan was to place a plexiglass shield up at the front counter so there would be a barrier between the customers and the staff. The plan included replacement of the town office front door which has had some issues staying closed. Polky said they would take out the sidelights and put in a regular door. This would give them room to install a mailbox so people could drop items through; the mailbox would be secure on the inside of the building.

Selectperson Willey asked, "You were supposed to be meeting about the citations related to the accident. How did that work out?"

Polky said, "I sent a letter to the Department of Labor requesting two things. An extension of the due date that corrects the violations for the citations. The other one would be a penalty discussion, where you explain to them why you should not pay the penalty. We have four citations and as of Wednesday night we should have them all corrected. I have 10 days to talk with someone at the Bureau of Labor to come up with a date to sit down and talk with them."

Selectperson Willey asked about the grant for the ambulance and thought there was a discussion about the money having to be spent within a certain amount of time.

Polky said, "We talked with the bank and the bank came up the amount of money the Ambulance Association could use; so, it was a predetermined amount. If we do everything we are supposed to, the loan will be forgiven. The other thing I do know is, Amy Drinkwater is applying for a SAFER (Staffing for Adequate Fire and Emergency Response) grant through FEMA but it is to help pay for personnel."

The first day of re-opening the Transfer Station for recycling was terrible as they took in a lot of cardboard but on Saturday it was a little better. The Transfer Station was now taking everything except for brush. Chair Bates asked if the staff felt safe handling all the material. Polky said the staff now have two sets of work clothes which they leave on-site before going home. They also have masks, gloves, and goggles. Chair Bates said that was good and was glad that worked out as a lot of people wanted to start recycling again. Selectperson Hall asked if they were taking metal. Polky said they do; but it would be nice if anyone had any amount of metal, to call the staff ahead of time, as the compost was down back on the lower level and the attendants were in the process of getting it dried out, so it could be sold.

#### COMMITTEE REPORTS:

- Conservation Commission: Selectperson Willey reported the Conservation Commission (CC) met on Thursday, May 7th. The CC had been doing maintenance and work on the bridge at Fort Point to make it safer for people to use. She said it appeared the Fort Point Trail was open though there had been discussions about closing it. The CC was looking to organize small groups of volunteers to work from 9 a.m. to 12 noon to catch up on trail maintenance. This plan has not been finalized but Willey said she would get back to the Select Board with the details.

The Georges River Land Trust (GRLT) reported that someone had written graffiti at Roaring Spout and did vandalism. The GRLT was looking into that and ways to clean and remove the graffiti, but they were not sure how they were going to clean it or how many people they could involve. Chair Bates asked why the CC was involved with Roaring Spout. Selectperson Willey was not sure but thought one of the members might have been there, seen the graffiti, and contacted the GRLT or the CC to report what had happened and to find out how to clean the graffiti off.

Educational programs are being planned now but probably will not be held until September or October. The CC will follow the coronavirus guidelines for these programs but hopefully the restrictions will be lifted by then.

The Conservation Commission is investigating options for a solar farm in St. George. Selectperson Willey stressed that the CC was only just investigating this.

- Shellfish Committee: Selectperson Sawyer reported that he and Mr. Polky attended the Shellfish Committee meeting last week. It was a normal meeting with some discussion about repairing a contradiction in the ordinance. Polky said he was not sure what the committee was proposing to do met the requirements of the ordinance amendment. The committee sent St. George an amendment to the ordinance several months ago; this was their second amendment to the ordinance. Chair Bates asked if it was the amendment the Select Board reviewed a couple of months ago for the warrant. Sawyer said because a public hearing could not be technically held (due to pandemic), he thought this would be a 2021 situation. Polky said St. George would probably be hosting the committee before anything could be done about the change. Chair Bates suggested if that became the situation, the proposed ordinance be reviewed by the legal department.

- Planning Board: Chair Bates reported the Planning Board met on May 12, 2020 at 7 p.m.

- The application to extend the building permit for the construction of a Live Fire Training Facility at 274 Seal Harbor Road was approved, in accordance with Section IX-F of the Site Plan Review Ordinance.

Chair Bates reminded the Board to let Terri-Lynn Baines know about new appointments and alternates to their respective committees. Chair Bates noted they would again review the list of Boards, Committees and Commission at the June 8th meeting.

#### OLD BUSINESS:

- Report on the Subgroup's Progress in Re-working the FY'21 Budget: Chair Bates summarized the subgroup's discussion with St. George MSU.

On May 7th, Tim Polky, Terri-Lynn Baines, Susan Ellis, Jerry Hall, and Chair Bates met remotely with Superintendent Mike Felton and Cassie Kilbride to better understand each other's needs. They agreed on the importance of keeping the mil rate the same as last year while recognizing the difficulties with anticipated reductions in state aid and the increase in the county budget. The subgroup learned that the school does not have a lot of flexibility in its budget and it does not have the reserve funds that the municipality has. So, in terms of adjustments, they are much more constrained than the municipality.

Selectperson Hall said, "I would agree with that and I believe there was a school board member that joined the meeting." Chair Bates noted that Shasta Minery joined the meeting, that Superintendent Felton had been meeting with the school board to go through his budget, and that Mr. Polky had had further discussions with Mike Felton about adjustments.

Polky said, "Yes, and it sounds to me like they are going to stick to their goal of zero increase." Selectperson Hall asked Polky if that was a zero increase in the mil rate or a zero increase in their budget. Polky said it was the school's budget. Selectperson Hall thought Felton had talked

about the possibility of having a reduced budget in the meeting and that he (Felton) was looking for ways to cut back a little further on the budget, if possible.

Polky said, "He was talking about that but the other thing I had talked with him about was, we need to be careful how deep we cut now because I think we will have to make cuts next year at this time, as well. So, you need to be careful where you go. I think that the last I talked with him (Felton), he was looking closer to that zero increase."

Chair Bates said, "So, not making the \$40,000 cut that he had mentioned on this? My thought was that I hoped that the subgroup from the town could meet on Wednesday morning. The town could meet on Wednesday morning and continue looking at the budget to get that nailed down. Then we could bring that to the Select Board on the June 8<sup>th</sup> meeting. Hopefully, at that meeting, have it approved by the Select Board and the Budget Committee and that would be the figures that we take forward to the town." Polky said he thought that was fine and the Select Board agreed that sounded good.

#### NEW BUSINESS:

- Victualers/Innkeepers/Tavern-keepers: A motion was made by Selectperson Elwell, seconded by Hall to approve 16 victualers/innkeepers and tavern-keepers licenses through May 31, 2021. The vote was 5-0. The following licenses were approved:

- The Black Harpoon
- Craignair Inn
- East Wind Inn
- Barn Café
- Seaside Inn
- Dip Net Restaurant
- Happy Clam
- Mill Pond House B & B
- Miller's Lobster Company
- Schoolhouse Bakery & Cafe
- The Humble Farmer
- Village Ice Cream & Bakery
- Historic Ocean House Hotel
- Port Clyde General Store
- Tenants Harbor General Store
- Ancho Honey

The Select Board will follow the physical distancing guidelines by contacting Office Manager Tara Elwell to arrange a time to come to the town office to sign the copies of the licenses. Selectperson Hall made copies, so he will sign those and send them in. In the future, he will come to the office.

- Road Resurfacing Quotes for FY'21: Mr. Polky said he would like to get a couple of contractor quotes. He said that they were looking at Performance Paving, Inc. and Hager Enterprises, Inc. He said the last five or six times the town put out bids, everybody else was so much higher than those two companies. He said if the Select Board wanted him to put it out to bid and get six or

eight contractors to bid on the projects, he would do that as well; it would be just getting a price, at that point. Polky said he wanted to get a price so they would know where they stood budget-wise because paving could not take place until after town meeting when they had the funds.

A consensus of the Select Board was to have Town Manager Polky obtain quotes from Performance Paving, Inc. and Hager Enterprises, Inc.

- Annual Town Meeting for St. George, Possible Arrangements for 2020: Chair Bates offered the following three options.

1. Section D(1) from March 18, 2020, Governor's Pandemic Order, supplemented by the more recent law changes lets the town go ahead with last year's budget. Section D(2) of the March 18, 2020 law allows municipalities to make a few adjustments. Chair Bates said this would be complicated because changes would need to be made but he felt in principle the Select Board could do this, legally. This was Chair Bates's least favorite suggestion.
2. A ballot would already be printed to hold elections for the school board and the select board vacancies, the sign ordinance changes, and the Georges River Regional Shellfish Management Ordinance (GRSSMO) would be on the ballot, so extra warrant articles could be added. Chair Bates thought some of the towns were adding warrant articles to their ballots and some towns were going to try to do it all by ballot. Chair Bates thought that method would be difficult when trying to count votes.
3. Hold a traditional meeting on Tuesday, August 18, 2020 at 6 p.m. in the open air under the tents. Chair Bates said the tent could be set up outside the town office in the parking lot. For those who could not attend, the meeting could be live streamed over YouTube.

Regular voting with paper ballots would be held on Monday, August 17, 2020. Adherence to the governor's pandemic guidelines would be followed, i.e., social distancing, taking temperatures, limiting the number of people in the building, and entering and exiting through different doors.

There would be certain details to adhere to for the outdoor meeting. You do not attend if you have any signs or symptoms of COVID-19. Everyone would wear a mask and masks would be handed out to those who did not bring one. As people approached the tent, their temperature would be taken using no-touch thermometers. People who came together would sit in groups and the groups themselves would be six feet apart. Chair Bates felt they could comfortably get 50 people under a tent and other people could be spread out over the blacktop. People who had difficulty walking could park close by. A rain date would need to be set.

They would encourage people to have an attendee ask their questions if they were not able to attend because of health or pre-existing conditions. To have good outside audio for the meeting, a sound system would need to be rented. Chair Bates said Zoom calls could be taken and then streamed live (with a 20-second delay) on YouTube.

Chair Bates said one point which could be controversial would be to allow proxy voting for any attendee who did not feel comfortable attending because of health or pre-existing conditions. The non-attendee would sign an affidavit which would allow the attendee to cast the proxy vote. Chair Bates felt it was important not to exclude people by having this open (town) meeting. Chair Bates said he would recommend two proxy votes per attendee for those who felt uncomfortable attending.

- Comments by the Select Board: Selectperson Sawyer asked if a group of 100 people would be allowed to gather by August 18th. The governor's plan as of July 1, 2020, is that up to 50 people can gather in a group. Polky was concerned about needing to schedule a rain date for a group that large. Chair Bates felt having more than 50 in a parking lot with a breeze going through seemed much better than 50 people confined in a building with confined air movement and other issues.

Selectperson Elwell suggested people bring a face covering or mask rather than pass out masks as they were difficult to come by and necessary for town staff. Polky thought by August 18, there would be plenty of masks available. Selectperson Elwell asked if they went with the third option, could there be absentee voting on the warrant articles? Polky said, "It is hard to do that because the warrant article states 'what amount, if any' and you do not know what that amount is going to be until a motion is made."

Selectperson Elwell thought option #3 might work. The meeting could be scheduled, and if things changed between now and then, the meeting could be canceled.

Selectperson Willey asked if the school gymnasium could be considered since there needed to be a large space. Elwell said the school administration was not letting any nonessential people in the school building. Chair Bates's concern about the gymnasium, though initially in favor of it, was about confined spaces with limited air circulation. He said if 50 people were trying to get into the gym, everyone would have to file through the set of doors, it could take a half-hour to get everyone in there and even if the meeting was done in half an hour, people would be confined up to a one and one-half hours in this area with not a lot of airflow. He did not think that would be a good situation.

Selectperson Hall asked when a decision needed to be made. Mr. Polky said the town report needed to go to the printers by June 8th. Chair Bates said normally at the top of the warrant articles, there is a time and place printed. They could leave the time and place blank (to be determined) and just have the warrant articles listed. If by August it was decided they could not hold a meeting, they could fall back to options #1 or #2.

Selectperson Hall said he would like to think about this a little more. The report could be printed with a tentative date and time but what concerned him was options #1 and #2. He said, "If you don't really have an opportunity for the townspeople to discuss the options then it is kind of not okay. But I am having trouble seeing it working close to normal even with option #3. You go through a lot of trouble to do option #3 and it still comes up quite short. But we could schedule it tentatively, propose to go that way and then think more about it."

"What we are going to propose for the warrant articles, financially, is going to be what we decide on June 8. So, if we have something that does not increase the mil rate, I think there is a likelihood of a high degree of acceptance. Part of the story you are going to have to tell is that we've got these kinds of contingencies built in that if this or that happens, then we will not fund reserve or something like this. You have got a complicated story to tell. We need to think about how we do that."

Selectperson Sawyer said most of the people he knew had gotten used to living on a day-to-day basis, so he tended to agree with Hall that if they could do it even if a tentative date was set, most of the townspeople would understand. He thought if on August 5<sup>th</sup>, the town meeting had to be canceled, most people would understand.

Chair Bates said if the townspeople have confidence letting the Select Board go ahead with a flat mil rate then the way the law is written, they can enact the budget in this exceptional time without a town meeting; but he thinks that is the least democratic scenario.

Selectperson Willey said a lot of people she talked with just wanted to start moving forward. They were kind of sick of "this whole thing." They just wanted to get their lives going again.

Chair Bates asked, "But as far as the town meeting is concerned, they are not holding their breath." Selectperson Willey said they had not mentioned much about the town meeting, just everything else that was going on. She thought people paid attention to town business when it affected them personally, and that they were not terribly concerned (about town meeting). Selectperson Elwell agreed with Selectperson Willey.

Mr. Polky thought if they explained everything to the townspeople, they would probably understand the situation. Polky said his current concern is that as of July 1, 2020, the town has no authority to spend any money. Town funding runs out on June 30, 2020. Selectperson Willey said they had to start moving forward to get this accomplished.

Chair Bates said they needed to do that on June 8 and on June 22, they could enact the November 18 law that lets them use last year's budget. The Select Board could then proceed with those numbers so the town could spend money on July 1, 2020, and once they got a proper budget passed, the numbers in TRIO would be re-done.

Polky said, "That is a possibility but you have to be careful because if you are living on last year's amounts and you exceed what the town meeting appropriates for you, there would be problems, and you will just need to have a town meeting sooner than later."

Selectperson Hall said, "You either need to have the town meeting or not. The concern is that we put together a budget and then when the town meeting is held, the voters don't approve the amount we budgeted, so then we have to change course.

"But the other option is that they say we have the ability to do this and that we move forward. Even if we put out a budget that has a flat mil rate and the voters cut back on it, there are not an awful lot of things that are going to be impacted in that by the middle of August. Recognizing



there is some risk of what people might approve, you watch your spending on that basis, so you conduct yourselves in a manner that you are not going to get into a mess."

Mr. Polky said if you explained to the voters of this town that this was the best budget we could get and had considered all issues including a flat mil rate (same as last year's), he thought the voters would support it. Selectperson Hall thought so, too, particularly if they did a good job explaining their thinking and what they are proposing. Selectperson Sawyer thought that the voters would be considerate of dealing with this budget.

Selectperson Hall asked if the specific proposal was to put out the town report with the proposed warrant articles that the Select Board would agree on June 8? Chair Bates said yes. Selectperson Hall said he did not see a downside to moving forward with the town report. Selectperson Sawyer was in favor of printing a tentative date in the town report and getting it out the sooner the better.

Selectperson Willey asked Polky for his opinion. Was that date out too far? Polky did not think the date was out too far but did not think they could not go out any further on the calendar and make it work. His only concern was if they were going to issue a warrant, they would need to have the time and place in the warrant. Selectperson Hall asked what the proclamation said about this.

Chair Bates read from the proclamation: "If the ballot has been printed for the postponed election, the municipality may use these ballots despite the inclusion of the original election date." Chair Bates noted Section D(3) of the governor's proclamation address, the issue of postponing the town meeting if listed in the town warrant. Chair Bates said if the 2020 election had to be postponed, a notice of such postponement needed to be in a conspicuous public location at least two days prior to the date of the election and seven days' notice to the date of the re-scheduled meeting.

Mr. Polky asked about changing the start time of the town meeting if it were to be held outside under the tent and suggested a 6 p.m. start time instead of 7 p.m. The Select Board agreed.

At 8:15 p.m., on a motion by Selectperson Sawyer, seconded by Willey, it was voted to adjourn the meeting.

Respectfully Submitted,

Marguerite R. Wilson  
Select Board Recording Secretary