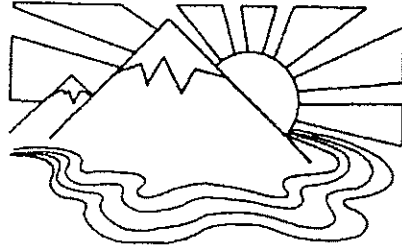


**Carrabassett Valley Select Board Meeting
5:00 p.m. Monday January 23rd, 2023 at the Town Office**



The Town provides a zoom link for members of the Public to link into Town of Carrabassett Valley Select Board and other public meetings. To participate by zoom you must use the link provided in an email from the Town (this link is the same for any Town public meeting and is provided on the email in which the Board or Committee Agenda was sent out in). You may also obtain this link by sending an email to the town office (townofcv@roadrunner.com) during normal business hours.

Join Zoom Meeting:

<https://us02web.zoom.us/j/5312682243?pwd=TGxrUEExKcXdqQTdlZUZhYUVteG5GZz09>

If you need to "phone in":

Dial by Phone – 1-929-205-6099 US (New York)

Meeting ID: 531 268 2243

Passcode: 04947

Review and sign Payroll Warrants: #3 (\$33,409.72)

Review and sign Expenditure Warrants #4 (510,808.99)

AGENDA:

1. MINUTES of the previous meeting (January 9th, 2022) attached.

2. PUBLIC HEARING CONCERNING A REQUEST FOR A LICENSE RENEWAL FROM JARCO CV LLC, (d.b.a. Jar Cannibis Co.) FOR A MARIJUANA RETAIL STORE at 1221 Carrabassett Drive (the new building being constructed across from the Airport. Please see attached copy of the Public Hearing Notice. A copy of the application (to the State) can be viewed in the Town Clerk's Office.

3. RECOMMENDATION FROM THE COMPREHENSIVE PLAN CONSULTANT SELECTION COMMITTEE: This Committee met with the Musson Group of Southwest Harbor on January 19th and are recommending hiring this firm to complete the Town's Comprehensive Plan Update working with the Comprehensive Plan Committee. The Selection Committee was very impressed with their proposal and with the results of meeting with them (via Zoom). Please find attached a copy of their proposal. There probably will be some slight changes to the Scope of

Services based on the discussion and upon meeting with the full Committee. The Musson Group also submitted the lowest bid of \$67,500 (the other bids were \$104,050 and \$140,000) to complete the Town Comprehensive Plan Update.

As you know, we have budgeted \$15,000 over the past three years and there is \$45,000 available for this project (the Town has supported the project). We have also included a 2023 budget request of \$22,500 to cover the additional cost to complete the project. If the Board is comfortable, we will start the process of hiring this firm. They, like other consultant firms, are busy and if we wish to engage them, we may want to try to move this along.

4. BID RESULTS FOR CONSTRUCTION OF THE PROPOSED “ STONEY BROOK TRAILHEAD”

PARKING LOT: As the Club is providing the financing for this project (hopefully, with promised State funding and Franklin County T.I.F. funding) we are turning over the bids received to the Club for review. We received six bids and anticipate a fair bid process (making sure that if the low bid is not chosen there is adequate justification and insurance requirements, etc.) as the Town is the fiscal agent for this project.

5. DISCUSSION OF SOME BUDGET CONSIDERATIONS: The Town currently has \$64,446 in unexpended American Rescue Plan Act (ARPA) funds. There seems to have previously been some confusion as to what are acceptable expenditures for these Federal/State funds. We have budgeted three items in the 2023 draft budget for a total of \$41,500. Recent information (see attached legal opinion from Maine Municipal Association) suggests that ARPA funds can now be used for infrastructure, and governmental services (but not debt service) and not just for COVID related expenditures and loss of revenues. The expenditures we proposed in the draft budget we believe can be considered infrastructure and they are one-time expenditures.

We may (or may not) have some preliminary general information on what the 2023/24 School Budget might look like as it affects the overall Tax Commitment. This would be “good to know” as we meet with the Budget Committee to determine what the total tax commitment might look like as the Committee reviews the draft municipal budget.

We would like to review the current Debt Service Payment Schedule (see attached) with the Board. This may provide useful information as additional large capital projects are considered in the next couple of years.

INFORMATIONAL:

The Town’s Auditors will be here the week of January 30th.

BUDGET COMMITTEE MEETING(S): 5:30 p.m. January 25th at the Library and, if necessary, and the same time and location on January 26th.

Town of Carrabassett Valley
Minutes of the Select Board Meeting
January 9, 2023

Location: Carrabassett Valley Town Office Conference Room

Time: 4:34-5:22

Topic: County MOU, Contract Zoning, comp plan, public hearing, town investments, budget

Board Present: John Beaupre, Karen Campbell, Lloyd Cuttler, Bob Luce, Jay Reynolds

Others Present: Dave Cota, Sue Davis, Annie Twitchell, Mark Lopez; zoom: Mark Green, Wendy Russell

Chair Bob Luce opened the meeting at 4:34. Jay Reynold moved acceptance of the minutes, seconded by Karen Campbell. The motion passed unanimously.

County's public safety communication system upgrade

Carrabassett Valley police chief Mark Lopez was present to explain Franklin County's pending communication system upgrade. The County has contracted with IMC (Information Management Corp.) to upgrade its current system. Of the \$744,000 county-wide cost, Carrabassett Valley's part is \$6,599.18 for its share of subscription, licensing, and maintenance of the service.

Lopez explained that the system maintains records from licenses and registrations to felonies, available to members instantaneously. Initial expense is for the transition of files; Carrabassett's annual cost will be \$3,970/year starting in 2024. Carrabassett's low share reflects the size of its police department. John Beaupre moved agreement to sign the MOU, seconded by Lloyd Cuttler. The motion passed unanimously.

Contract zoning ordinance

The Workforce Housing Coalition has been researching alternative zoning ordinances to reduce density requirements for special instances without the complexity of re-writing entire zoning ordinances. Contract zoning provides such advantages, along with less set back and reduced parking requirements, for example. Projects would then follow the normal permitting process: review by planning boards, public hearings, approval by select boards and potentially town meeting approval. The primary advantage is not having to rewrite entire zoning ordinances, often a multi-year process.

Carrabassett Valley's Chris Parks and Kingfield Planning Board member Richard Hawkes found Dayton, Maine's, "contract zoning ordinance," which meets that need. Hawkes and WHC's executive director Mark Green have subsequently found multiple examples of it statewide.

Town Manager Dave Cota requested that Carrabassett Valley have the sample contract zoning ordinance reviewed by a lawyer so as to develop a model that can be used by all five communities represented by the Coalition: Kingfield, Carrabassett, Coplin Plantation and Stratton-Eustis, to turn it around as quickly as possible. Select Board Member John Beaupre, also the chair of the Workforce Housing Coalition confirmed that there was money in the Coalition's budget to assist with if not cover the estimated 2-to-4 thousand-dollar expense.

Lloyd Cuttler moved to direct the planning board to further investigate contract zoning by having ordinance language reviewed legally, with funding to come from the WHC, seconded by Jay

Reynolds. After hesitation to commit WHC money but clarification that WHC's budget included such funding, the motion passed unanimously.

Comprehensive Plan

The selection committee to choose a consultant to facilitate rewriting Carrabassett's comprehensive plan has tentatively narrowed the selection to the low bidder at \$67,500, Musson Group of Southwest Harbor, Maine. Musson has worked with Camoin Associates, which wrote the regional housing study that motivated creation of the Workforce Housing Coalition.

After meeting with the Selection Committee, Cota then sent a committee summary with questions about the scope of services. Once all have responded, the committee hopes to have a meeting with Musson. There is currently \$45,000 in a comprehensive planning reserve. The difference of \$22,500 will have to be approved in the budget, possibly spreading it out over two years.

Public hearing and budget committee schedule

The Select Board decided to hold a public hearing for relicensing the retail marijuana license for JARCO, LLC to be included in the next Select Board meeting at 5:00 p.m., Monday, January 23 at the Town Office conference room. The Board also set the dates for the Budget Committee meeting(s) to be Wednesday, January 25 and, if necessary, Thursday, January 26 at 5:30, to be held at the Carrabassett Valley Public Library.

Meeting with Camden Wealth Management

Cota would like some of the Select Board to join him for a zoom meeting with Camden Wealth Management to review the Town's investments. Bob Luce expressed interest and availability. Others were interested as well depending on the time of the meeting.

Budget considerations

Cota outlined several items that could increase the 2023 budget. He's looking at \$120,00-to-\$150,000 increases in municipal expenses. There is a golf course reserve fund increase related to increasing the annual contribution to the Reserve from \$10,000 to \$45,000, comprehensive plan expense of an additional \$22,500. Staffing increases throughout, including at the Library and the Anti-Gravity Center, also add to the increases. Cota also mentioned that there should be a lot of unused appropriations that will go to the general fund surplus in 2022, but that Carrabassett may not be able to expend more than normal due to the 2022 expenditures from surplus of \$30,000 for the fire department to fix the ladder truck and the \$100,000 donation to CVA's Podium Project for the new lift. Dave indicated that he will have the draft budget done in the next week, ready for consideration at the budget meetings.

Impact of new T-Bar for ski racers

Bob Luce noted advantages that the new ski racer t-bar-lift-part of Carrabassett Valley Academy's Podium Project is having on lift lines, no longer interrupted by racers. When asked what racers were allowed to use the lift, Luce explained that it depended on reserved slope time, which was paid for by the respective teams using the facility, from CVA to UMF and Colby, all of whom helped raise the \$2 million-plus cost of the Podium project. Any ski team can access the lift when they have reserved and paid slope space.

Other

The Stoney Brook parking lot bids are due by 4:00 p.m., Thursday, January 19. Cota expects bids to be high. Carrabassett is not expected to participate in funding the project. The CVTC (Carrabassett Valley Trails Committee) meets January 20 at 1:00 p.m.

Reynolds and Cuttler asked about the blinking light at the Rt. 27-Sugarloaf access road, currently out-of-order. Although the light is owned by Sugarloaf, CMP is responsible for maintenance and has not gotten to it.

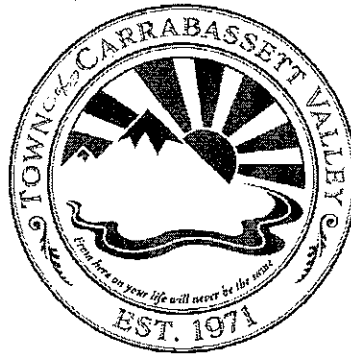
The cardboard compactor is still out of commission, waiting for parts. There is an electrical problem from box to compactor.

The Town is still waiting for a meeting with the Penobscot Indian Nation.

At 5:22, Karen Campbell moved to adjourn, seconded by Reynolds. The motion passed unanimously.

Respectfully submitted,

Sue Davis, secretary



**Town of Carrabassett Valley
Notice of Public Hearing
Concerning Request for Marijuana Retail Store License Renewal**

The Town of Carrabassett Valley Select Board will hold a Public Hearing at 4:30 p.m. January 23, 2023, at the Town Office to consider approval of a Marijuana Retail Store License Renewal for JarCo CV LLC, doing business as Jar Cannabis Co. at 1221 Carrabassett Drive.

A copy of the application can be viewed at the Carrabassett Valley Town Office or at the Public Hearing.

Dave Cota

From: Legal Services Dept <legal@memun.org>
Sent: Thursday, January 19, 2023 9:59 AM
To: towncvtm@roadrunner.com
Subject: Re: Carrabassett Valley - ARPA

Good morning Dave,

It was nice speaking with you yesterday. I appreciate your patience while I double checked to confirm my initial instincts. Fortunately, the general impression I provided over the phone still stands, and I offer the following elaboration with the hope it is helpful.

You had inquired whether equipment for a police vehicle, first responder-related communication investments with Franklin County, and various town park improvements would be permissible expenditures of funds received from the American Rescue Plan Act (ARPA). For the reasons explained below, in my opinion these types of expenditures are very likely to qualify for ARPA purposes.

Last year the U.S. Treasury Department issued a "Final Rule" addressing eligible uses of ARPA Funds, which considerably broadened the eligible uses in comparison to the "interim final rule" which preceded it. One of the key changes included offering a new standard allowance option of \$10 million worth of revenue loss in the "replacing lost public sector revenue" eligible use category. The Final Rule now allows every municipality to elect a "standard allowance" of up to \$10 million to spend on "government services" under the "replacing lost revenue" eligible use category, without the need to calculate actual revenue loss. All recipient municipalities can elect to use the standard allowance, even if their actual revenue loss was less than \$10 million, or even if your municipality is not able to demonstrate an actual revenue loss due to COVID. In the [Final Rule](#), the U.S. Treasury establishes its presumption that all recipients have experienced revenue loss because of the pandemic, whether or not they can quantify the specific amount.

So, a municipality may use ARPA Funds under the "lost revenue" category up to the award amount (provided that amount is less than \$10 million) to pay for "government services." Although the term "government services" is not expressly defined, the Final Rule states that "government services generally include any service traditionally provided by a government, unless Treasury has stated otherwise." The [Overview of Final Rule](#) contains a non-exhaustive list of examples, including: construction of schools and hospitals; road building and maintenance, and other infrastructure; health services; general government administration, staff, and administrative facilities; environmental remediation; and the provision of police, fire, and other public safety services.

Bottom line: Because your proposed uses appear to fit within the cited infrastructure and public safety service examples, and because they would otherwise be traditional government services, again in my opinion your proposed uses are highly likely if not certain to qualify as permissible expenditures of ARPA revenues.

For the record, the limited types of prohibited uses are: (1) debt service payments and rainy day fund replenishing; (2) payment on legal settlements and judicial judgments; (3) other expenditures that would violate ARPA or conflict of interest requirements or would otherwise be illegal under federal, state, and local regulations. Additional MMA Legal Services guidance is available [on our website here](#).

Please do not hesitate to let me know if you have any follow up questions. I'll see if I can make some calls to get you the rest of the \$10 million max award in the meantime...

Best,
Garrett

Garrett Corbin, Staff Attorney
Legal Services Department

Maine Municipal Association
60 Community Drive, Augusta, ME 04330
Phone: 207-623-8428
FAX: 207-624-0187
legal@memun.org

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Town of Carrabassett Valley Debt Service Payment Schedule
January 1st, 2023

NOTE/PURPOSE:	Year of Loan	Term/ Years	Year Loan Expires	True Int. Rate	Original Principle	Remaining Principle	Original Interest	Remaining Interest	Annual Payment
New G.C. Clubhouse Bond (37.5% paid by Sugarloaf)	2004	20 years	2024	4.57%	\$800,000	\$117,605	\$451,901	\$7,206	\$62,287
Additional G.C. Clubhouse Improvements	2005	20 years	2025	4.41%	\$167,000	\$35,762	\$86,786	\$1,147	\$12,078
AGC Roof/Lighting Project (paid 50% by CVA)	2016	10 years	2026	1.58%	\$200,000	\$83,382	\$21,861	\$4,452	\$22,049
Outdoor Center Renovations Bond	2007	20 years	2027	4.50%	\$1,323,800	\$451,582	\$707,161	\$54,220	\$96,912
New Library/Community Center Bond	2009	20 years	2029	3.58%	\$675,000	\$302,629	\$281,692	\$31,215	\$42,934
1st Golf Course Irrigation Project Bond (paid 50% by Sugarloaf)	2012	20 years	2032	3.58%	\$239,989	\$136,888	\$104,132	\$33,569	\$17,045
2nd Golf Course Irrigation Project Bond (paid 50% by Sugarloaf)	2012	20 years	2032	3%	\$1,160,011	\$652,733	\$400,741	\$127,377	\$78,011
Jones Public Lot	2020	15 years	2035	2.10%	\$160,000	\$140,715	\$29,644	\$22,498	\$12,555
New Fire Station	2020	25 years	2045	2.90%	\$1,310,000	\$1,226,608	\$567,409	\$486,442	\$74,504
TOTALS:					\$3,147,904	\$768,126	\$418,375		