

Carrabassett Valley Selectmen's Meeting

4:30 p.m. Monday July 6th, 2020 at the Town Office

Agenda:

Notice: Please note, we are now allowed to hold public meetings allowing up to 50 people to attend. However, like entering the town office, we are requiring anyone who wishes to attend to use the hand sanitizing station at the door and to wear a mask (throw away masks are provided at the town office door also).

Depending on how many people wish to attend and concerns over COVID-19 citizens may wish to participate by **REMOTE ACCESS AS PROVIDED BELOW**. Remote Access Participants will hear all the proceedings and will be allowed to speak.

In addition, the State Legislature passed emergency legislation to allow public proceedings through remote access during the "State of Emergency" under guidelines.

We have set up a remote access process as follows:

- Participants call into this number: 1-425-436-6390
- Enter code following prompts: 668536 (it will then tell you to press the # symbol)
- Once the moderator joins all those on the line can join as well---Please announce yourself when asked.

Meeting will start at 4:30 p.m.

Review and sign 2020 Payroll Warrants:

Review and sign 2020 Town Expenditure Warrants:

MINUTES from previous meeting (June 22nd, 2020) are attached.

DISCUSSION OF PENDING STATE LEGISLATIVE L.D. 2094 'An Act to Implement the Recommendations of the Task Force on Changes to the Maine Indian Claims Settlement Implementing Act':

This discussion has nothing to do with the Recent Posting of Roads by the Penobscot Indian Nation in Carrabassett Valley and is an entirely separate issue.

The Board will discuss the Town's position on what will become State of Maine Legislative Document (L.D.) 2094 which the Legislature will consider when they meet again. This L.D. has potentially serious implications for the Town of Carrabassett Valley. We have attached (separately): (1) copies of an email thread involving Legislative Aids and Analysts the include

various links to a lot of related information, (2) a copy of L.D. 2094, portions of which, we highlighted and a copy of the Governor's testimony. The Task Force included members of the Indian Tribes in Maine, some Legislators and others. It appears it did not include anyone from impacted municipalities in Maine. It's important to note that this legislation would involve all of the Indian Tribes in Maine and is not exclusive to the Penobscot Indian Nation.

The Penobscot Indian Nation (PIN) owns approximately 24,000 acres of land in our community which is almost 50% of the land in Carrabassett Valley. Among many parts of this legislation, if approved in its current form, PIN could apply to the Federal Bureau of Indian Affairs to have their CV lands placed in "Federal Trust" without approval of the Town. The implications of this are significant. If approved, they would not pay property taxes and, more importantly, the Town will lose all land use authority over their lands in CV. The Town would have no control over what happens on these 24,000 acres. Fifteen years ago, the Board of Selectmen appointed a Town Committee who met several times with PIN representatives and after much deliberation the Committee felt strongly that it was not in the Town's interest to allow Federal Trust Lands and all the adverse effects to the community that go with it.

We're a little late getting involved in this process but we still have plenty of time. A legislative task force was formed this past winter and their recommendations were incorporated in L.D. 2094 where it resides with the State Legislative Judicial Committee. It is unknown at this time if the legislature is going to reconvene and what legislative bills will be considered. If the legislature does not reconvene this year, this L.D. would effectively not pass. A new legislature in January could take up this or a similar bill but the entire process would need to start over. Although a lot of testimony has been submitted the time period to submit testimony (for or against) will remain open until sometime after the conclusion of a vote of the Judicial Committee if that happens.

There is a lot of information to grasp including L.D. 2094. The emails provided in the attached information include links to much of this information including: L.D. 2094, the Tribes recommended revisions and testimony to date. If nothing else, please read the email from Legislative Aid Janet Stocco. You may also want to read the testimony from Governor Janet Mills. We are continuing to obtain more information on this issue and will keep you informed. The Board may want to draft a letter of testimony to the Judicial Committee in the very near future to let them and others know of our serious concerns. The Board may also want to consider hiring a legal firm to represent the Town in this process. We are in the process of talking with legal firms who have no conflicts with other clients in this matter and who may wish to represent us. This is a complex issue with serious potential implications for the Town.

INFORMATIONAL:

--We believe unrelated to L.D. 2094 above, the Penobscot Indian Nation Tribal Council has apparently voted to post most of their roads in Carrabassett Valley with the exception of the Carriage Road (including the Huston Brook Road above the intersection of the Narrow Gauge

Pathway, Lower Narrow Gauge railbed from Carriage Road sough, Highland Road extension, and most of the roads off the Carriage Road).

We have attempted to talk with their representatives concerning reasons for doing this and to work with them with any related concerns. We have been told: "You are correct in understanding that the posting of the Penobscot Nation lands in Carrabassett Valley was done by a Tribal Council motion. As you may or may not know, all Tribal office facilities are shut down due to the pandemic. It is my understanding that representatives from the Penobscot Nation will be in contact with your office to facilitate a meeting to discuss this issue once we are able to do so. Until such time, you can forward your concerns to me and I will forward them on to the Chief and Council for their review".

---Household Hazardous Waste Clean Up Day this year will include Carrabassett Valley citizens and taxpayers at the Kingfield Transfer Station on July 11th from 9:00 a.m. to Noon.

TOWN OF CARRABASSETT VALLEY
MINUTES OF SELECTMEN'S MEETING
June 22, 2020

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

Others Present: **Dave Cota** **Chief Mark Lopez**
 Josh Tauses **Anne Twitchell**

Bob Luce opened the meeting at 4:34 p.m. and welcomed those in attendance. Bob asked phone-in callers to identify themselves for the record and Lynn Schnorr identified herself.

Payroll warrant # 26 in the amount of \$27,326.58 was reviewed and signed by Selectmen.

Expense warrant #27 in the amount of \$239,564.98 was reviewed and signed by Selectmen.

The minutes of the June 8, 2020 Selectmen's meeting were reviewed. Lloyd Cuttler made a motion to approve the minutes as written. Jay Reynolds seconded the motion. Motion approved via roll call.

A concern has been raised with regard to loud noises created by disrespectful use of ATV's in a certain Redington East neighborhood. Dave Cota has had a recent conversation with the Redington East association president, Jay Reynolds whom wrote a letter last fall to request that the property owner stop disturbing their neighbors. Jay has also reached out to Chief Lopez. Chief Lopez will follow-up on the matter and speak with the offender and citizens who are complaining to help alleviate the problem. He has spoken with the DA's office and the Maine Warden Service. Residents are encouraged to call CV Police Department any time that there is a problem, day or night, and they will respond. Jay Reynolds said that the hope of the residents is that there is simply respect for the neighbors. Lloyd Cuttler noted that the association has the ability to adopt even stricter restrictions than what the law provides.

Dave Cota discussed the status of the 2020 Mountain Bike Trail Development Program. If the Selectmen wish to proceed, there will be a need to approve expending the \$15,000 appropriation from the Town's Public Lots trail account and additional funding from the Town/Club Trail Fund. This money has already been approved at the Town Meeting. The Mountain Bike Club has agreed to expend their share of the Town/Club funding for this project. Dave Cota referenced the map of the Jones Public Lot, noting that two trails, each approximately 4,000' in length are proposed on the North end of the 'Jones Public Lot'. There have been delays in getting approval from the Bureau of Public Lands for the Stoney Brook trail plan, and it's been pending for over a year. For that reason, the development will start on the Jones lot to keep the trail crew working. The first priority trail will cost \$26,000-28,000 ("red trail"). The second priority trail will cost \$14,000-16,000. Bob Luce noted that Longfellow Heritage Trails has an easement across the Jones Public Lot and the Town should work with them on the development plan. The group referenced the map of the property and the proposed trail locations. Dave Cota noted that Josh has done a lot of work to get the plans to where they are. With just about \$45,000 for the trail work for the Jones lots, noting that funds have been approved at \$15,000

from the Town and \$15,000 from the Club fund, the work to the “red trail” could get underway immediately while the Wyman project is still pending approvals. After the “red trail” is built, things would be re-assessed, in terms of the next plan. Lloyd Cuttler made a motion to proceed with the work for this year on the red trail. Jay Reynolds seconded the motion. Motion approved via roll call.

Dave Cota noted that, in order to get federal grant funding, the Club has made application, and in order to move forward they would like to undertake a \$3,800 environmental assessment study to address potential environmental impacts. They propose to hire Hoyle, Tanner Associates (the same firm the Town has hired for airport projects. They’ve asked the Town to sign and approve the contract, and the Club will reimburse the Town. John Beaupre made a motion to approve this. Jay Reynolds seconded the motion. Motion approved via roll call.

Dave Cota reported that the trail bridge replacement work at the Outdoor Center has been completed for this year and the work that Dirigo Timberlands completed looks great. Sugarloaf agreed to pay \$45,000 for the bridge replacement on their property and CRNEMBA volunteers helped “smooth up” trail impacts after the bridge work was completed. John Beaupre extended his appreciation for the great efforts of all who make these projects happen.

The “Welcome to Carrabassett Valley” sign on the north end of town is missing a piece that has not been located for a repair. It appears to have been broken off where the bolts are attached to the sign posts. The sign has been removed, and a new sign will cost approximately \$2,500. Dave Cota has submitted an insurance claim, which has a \$1,000 deductible. Half of the Town’s \$1,000 needed to replace the sign will come from the Signs account and half will come from the Selectmen’s Contingency account. John Beaupre made a motion to proceed with replacement of the sign. Lloyd Cuttler seconded the motion. Motion approved via roll call.

Dave Cota reported that there will be approximately \$77,000 in the Outdoor Center Capital Reserve Account. He presented three potential projects could be undertaken with the support of Sugarloaf: 1) New Parking Lot Lighting Project estimated at \$11,000 (a possible Efficiency Maine grant of \$2,800 would reduce this amount) with Sugarloaf providing labor and equipment at their expense; 2) Expansion of the Drop-off Area near the Building and Adding an Exit Drive estimated at \$5,000 (Sugarloaf providing labor and equipment) and 3) New Wax Building (16’ x 20’), with pricing pending, but a rough estimate of \$16,000. Jay Reynolds made a motion to proceed with each of these projects. Lloyd Cuttler seconded the motion. Motion approved via roll call.

Informational:

School Budget Town Meeting is scheduled for tomorrow at the Town Office/Fire Station at 6pm.

The Town anticipates receiving an FAA grant offer soon for the projected cost of \$168,000 for design, permitting and bidding of the Taxi lane project at the airport.

Construction of the Fire Station continues. There will be a meeting on-site Wednesday morning at 9am for anyone who would like to have a tour.

Dave Cota reported that he received a call from a Penobscot Indian Nation (PIN) representative that they may be limited use (written permission only) of some of their roads in CV, but it does not appear that the Carriage Road is involved. They may be posted these as early as tomorrow. Dave indicated that he was not given a reason for this.

Dave also indicated, that possibly unrelated, there is a legislative study committee (part of the Legislature's Judicial Committee) that is involving all the Indian Tribes in Maine to consider changes in Maine's Indian Land Claims Settlement Act and other changes that may affect their lands. Dave has contacted our State Senator and State Representative and is researching if any of the proposals will impact PIN lands in Carrabassett Valley and the Town. He will report on whatever new information he gets.

Meeting adjourned.

Respectfully submitted,

Lynn M. Schnorr
Secretary to Board of Selectmen