

Fort Fairfield Town Council Meeting Minutes
Council Chambers
Wednesday, August 20, 2014
6:00 P.M.

Councilors: David McCrea, Jason Barnes, Robert Kilcollins, Susan LeVasseur and John Herold
Staff: Mike Jalbert, Bill Campbell, Tony Levesque, Ella Leighton and Billie Jo Sharpe
Citizens: approximately 47 people including media

- I. Roll Call - Chair David McCrea asked that the record reflect all councilors are present.
- II. Prayer – Tony Levesque offered the prayer
- III. Pledge to the Flag - All in attendance pledged their allegiance to the Flag.

- III. Public Comment Period – Chairman McCrea began the meeting by saying that he realizes that there are several people here that would desire to speak on the wind power project and that is under correspondence and reports. So lets leave the Public Comment Period to other things, we will definitely get to that under reports.

John Holschuh - Commander at the VFW here in Fort Fairfield, thanked the Town and community for their support and donations for the veteran's memorial wall on Presque Isle Street.

- V. Correspondence and Reports

- A. Licenses/Permits- None

- B. Financial Report – Our yearly audit is underway, due to a surplus on the Excise Tax line item coupled with the diligence of all department heads, it looks like we will be left with approximately \$165,569 surplus from last year's budget. After the audit is complete, recommendations will be made on how to handle the surplus. We need to remember that we had to upgrade computers from Window XP to Windows 7 and we need to cover that Unbudgeted expense. The auditors, Felch and Company, should have our Audit completed soon.

- C. Tri-Community Landfill Report – Stev – Last meeting was on Friday the 15th, we are glad to say that our physical house is in good order, we are a little bit ahead on budget. The swap we were doing with Pine Tree is complete. We have just moved our CD investments from a .4% CD to a 1.5% CD, which is a gain. We did sustain some storm damage during the wind storm we had in July. There was about 600 feet of litter fencing that had blown off the poles on the south side, we are working to put that back together. Our recycling revenues are above par right now. As a reminder to the citizens, milk jugs and orange juice jugs are recyclable.

Mark has invited Town Managers, Town Clerks, Selectmen, Councilors and other interested parties to a regional workshop that has been scheduled for September 25th from 9:00 am to 11:00 am. The purpose of the workshop is to inform people of TCL's contracted communities about key aspects of TCL's policies, procedures and plans. This will take place at the Caribou Inn and Convention Center.

- D. Comments & Concerns from Windmill Citizen Group - David McCrea spoke, we the council and we the community, we friends of each other, we neighbors, we land owners, we everything. This is a community, there are going to be people on this issue that are

going to feel strongly both ways. Your best friend might feel differently than you do, they may say something that really infuriates you, but God I hope they will still be your friend when this is all over with. I have been really struggling where we are going to be going with this six months down the road and one of the things that we as a council deal with, don't take anything from what I am saying because I am going to play both sides here. If we eventually voted in favor of windmills somewhere in this town there will be people that will say "you did what; you sold your souls to the devil for a mil rate". If we go against it there will be people who say, "there you go, you had a chance to save us some taxes, you missed your chance". That is the delima that we find ourselves and our job as councilors is to sort through this and do what is best for the community knowing full well that maybe 51% support us and the other 49% says, you guys screwed this up. We are all in that boat and I just hope that we keep this in mind and gather evidence the best way we can.

Rick Shepard – Well said David, thank you. I am here to represent a growing group of citizens concerned about the possible windmill project here in Fort Fairfield. And I think our focus is to open up the floor to the town that we need a moratorium in order to study and put into place an ordinance so that you will have some control over the wind mill projects and so that there will be some guidance. One of the questions was who gets to approve wind projects, and tonight I was told the Town Council, CEO and the Planning Board, that means that the planning board needs guidelines to go by and I don't think the Town has adequate guidelines for all of the unique issues of wind mills.

The first that I think anyone heard of this was when a lady and one of our neighbors came to the house and asked us to sign an easement. By signing this easement we would be signing our life away, our property rights and our freedom of speech. When talking to Town Officials they told me that nothing has been brought before them regarding the Shamrock LLC Wind project. I did research on Shamrock LLC and found that they have Maine PUC approval. When Susan Jones was asked, she stated that they had approval which was assumed she meant the PUC, but on reading it states that the Maine PUC approval of a community based energy project by Shamrock is based partially upon the fact that "The project is supported by the Fort Fairfield Town Council" So I looked at the minutes of April 3, 2013 it states that the council passed a resolution of support and that the council will get enough information to know whether this is a viable project and if it is in the best interests of the community". Now that's totally different then saying the Town Council supports us. My questions is where are you going to get this information, if the wind company is the only source of information then you are missing a big part of the story. From what we have gathered, comprehensive information gathering has not been done and this needs to be done sooner than later.

As a wind supporter, I thought like many of you, it's free, it's green, and it will boost the town coffers. We are not here to debate the merits, but the easement made us suspicious. With research it became plain that it is neither free nor green. It is the most expensive type of electricity that you can gather. It is more expensive than fossil fuel, hydro, biomass, nuclear or solar. MPUC estimates that the Shamrock project will raise rates by 12 cents per KWH. As far as the financial boost to the town, it all depends on how the project is managed. In Mars Hill they were told that their taxes would go down. Speaking with people in Mars Hill, they have told me that their taxes have gone up each year since. Some of the expenses that they run into are Road repairs and maintenance, the heavier trucks will tear them apart. We are talking about the Currier Road, Green Ridge, Forest Ave., Dorsey Road anywhere there is a hill in Town, because we are not just talking about

Shamrock LLC, I am sure you are aware that there is a proposed 120 wind mills coming to Fort Fairfield. The need for proper management is why we need an ordinance. Don't let the wind developers control the process and parameters. Their priority is not what is in the best interests of the community. Their priority is their bottom line. We need a way to protect the Town and its citizens rights. State regulations are inadequate, town zoning regulations are probably inadequate, because they have never had to address the many unique issues that come with wind turbines. The State gives guidelines and that is bases as to where to start, a fair and comprehensive ordinance will set guidelines that we need for the planning of these to go by and see if these projects meet the criteria that we expect. There are two projects that are being planned, there is Shamrock and EDP formally Horizons. Now the ordinance isn't something we have to do from scratch, there are 40 Maine communities that already have wind ordinances and more are pending. The most recent one and closes one is the town of Hammond.

John Herold – Just to back up a little bit you quoted something from the MPUC that said it would raise rate payers electric cost by 12 cents per KWH. It actually is .12 cents per KWH.

Audience Question: Will Fort Fairfield benefit or use the electricity being generated?

Rick: No, this will be used in Connecticut and Massachusetts

Some of the issues that need to be addressed – are Environmental, Health and Safety

- 1) Aesthetic and Quality of Life impact – visual, flicker, noise, low frequency noise and lights.
- 2) Construction Disruption – roadways disruption to existing traffic patterns, wear and tear on roadways, utilities relocation and or addition of power lines, communication lines and possible relocation or addition of cell, TV transmission towers.
- 3) Electronic & Electromagnetic interference – disruption of cell, TV and wireless internet
- 4) Fire risk & fire department will need special equipment
- 5) Ground water impact from blasting
- 6) Hazards to Aviation may or may not be a problem with us here
- 7) High wind failure & other breakdowns – Oil leaks
- 8) Ice throw
- 9) Lightning protection
- 10) Monitoring- for safety
- 11) Noise, including infrasonic – cause sleeplessness, stress and nausea Dr. Neissabaum of Fort Kent, has written a study regarding the Wind Turbine Syndrome.
- 12) Road upkeep & repair – costly to town
- 13) Security – fences, monitoring
- 14) Shadow & flicker effects – reverse flicker vertigo
- 15) Storm water runoff, erosion & sedimentation
- 16) Stray voltage AKA ground current
- 17) Wildlife effects

Some Legal issues are:

- 1) One of the major issues with wind turbines is the decommissioning of these units, whether it is at the end of their service life or the unit is out of commission for some reason, we recommend the town to have a bond.

- 2) Pre-construction and post construction need to be watch very closely.
- 3) Insurance and potential lawsuits
- 4) Wind rights the town should implement language protecting neighboring wind rights.
- 5) Set backs –
- 6) Property values – what the ordinance needs to say is if you are trying to sell your property and it sells for less than value than the wind company needs to pay the difference or buy the property if it doesn't sell.
- 7) Subsequent owners – if the project owners sell, than the same rules and agreements pass onto the new owners.

Conflict of interest – If any official, elected, appointed or hired or if their families or employers have any financial interest or gain whether past, present or future, they should resign or at the very least excuse themselves from any official discussions or promotions or regulations of the wind projects, for their and the towns own good.

Fort Fairfield's town motto used to be "Welcome to Friendly Fort Fairfield" Now it is "A Passion for Community", lets hope a bit of that passion for community is evident tonight.

David McCrea asked for comments:

Deana Kilcollins - There is no ordinance and I strongly believe that we need to develop a committee and work on that and in the meantime we would like to see if the town council would at this time do a moratorium to help us in trying to develop research in planning on which way this is going to go.

Sandra Durepo – I was born and brought up here in town and have lived here all my life. First of all I have a big interest in my town, as a land owner and thank you Rick for your speech. If the town council does the moratorium or if you are going to change your ordinance could you please let me know. Because I didn't even know about this public meeting until I was told by a friend, I really wanted to come in and see what is really going on. Thank you

David McCrea – Just so you know Sandra this is a regular council meeting that is held every third Wednesday of each month.

Paul Rediker – I am a tax paying citizen here in town, I rarely attend the town meeting, the council usually does a pretty good job at running the town so I don't worry about it much. I am not a large land owner, I have zip involved with this except up or down of taxes and it's my community. Whether I am in favor of it or not in favor it is over ridden by the fact that probably I will have absolutely nothing to say about it. Which is why I am here talking, I don't see a vote coming on anything, there would defiantly be a vote. All I can see is a little town call Chernobyl, something is going to happen and I am not going to have a say in it, and it is going to directly affect me big time. I hope everyone does a lot of talking, thinking and a lot of work has gone into this already and I want to thank the people that.

Lloyd McLaughlin - I agree with Deana that we need a moratorium to spend much more time looking at this whole issue, I don't know who makes the final decision, whether it is the Council, I am certain that it will not be a tax payer like myself, but I think we really need to think about this. You're talking about a 1200 feet set back, that's probably from here to Rite Aid, that's 400 paces. All I know is what I hear, and what I am hearing is people that are saying they are not good. I have friends who live on the back side of Mars

Hill mountain, where I am sure they are more than 1200 feet from residence. They can't sleep nights, their property values are nil. Like Rick said the people that want to put these things up are not going to tell you these things and what is the town going to gain for tax revenues. This is a long range deal and I am not in favor of this. Make a motion, we need the moratorium, this study needs to be done. Get all the facts.

Stephen Graham – We are told that there is not real cost to the tax payers, that it is all grant money. Who do you think pays this grant money, we do. We need to get all the facts.

Hattie Turcotte - Lives on the Old East Road, it is all ledge, what will the blasting do to our wells. This has been going on since 2009 behind closed doors it's not right, it needs to be addressed by the citizens not just the council.

Bob Kilcollins - Setting here evaluating the degree of concern these people have, I myself can obviously see the concern that is involved in this for that reason I will motion to you Mr. Chairman that we could apply a moratorium on this tonight. The moratorium for that could be applied from 120 to 160 days. At least it would give the people some encouragement and time to form a committee, go over some different regulations that may be reviewed by the Town Council. There is a lot of land available in Fort Fairfield, some of the farmers around would be willing to contribute their time and effort to the findings of that land. I think the people here are not completely negative on the project but obviously in their back yards they are. We can't forget that these are the people that put us where we are today to represent the Town. This is my first term as a town councilor and myself I have never seen such a full house since I have been appointed. The concern is over whelming to me enough to make that motion. I would think the standard motion would be 160 days, I think that would give enough time to come up with a working ordinance that is not negativity for the construction of them but it would protect the well-being, the welfare and the economics. Do a proper investigation, and make it work.

Jon Durepo – I have been farming in this town for 50 years, Franklin Roosevelt had a little saying, "The only thing we have to fear is fear itself". This gentlemen here gave us lots of facts they are not proven. The only thing that I know is that around the United States we have a lot of wind farms. Texas and California have had a lot of wind farms for a number of years. Denmark has wind farms, they generate somewhere between 75% to 80% of their electricity. We need to stop and look at it first, I would like the Town Council to look at this issue, we don't have a lot of industry here. This might be one small piece that we can use for some tax money. As David said there are going to be some people who want it and some who don't. In the end you want to look at it whether then through it out right quick.

Todd Christensen – This is going to be one of the largest wind farms in the world, in the top ten. One of the top 5 in the United States, 120 wind turbines within the confines of one municipality is nearly unheard of. It will transform the fabric and nature of this town for 40 plus years. This is about something that you can't get away from, no one can escape the impact of these anywhere in this town. It won't be on a ridgeline somewhere in the distance, it won't be in a gravel pit that you can choose to live next to or not, this will be everywhere, this is huge.

Sherry Levesque – Yes, there are wind mills in California, I have been there I have seen them, there are row after row of them. But they are not near anything, they are in the dessert, they are not impacting any ones homes or lives.

Todd Christensen – I would also like to say that I lived in Denmark, they are in the fore front of wind mills in the world, their plan is to be off shore. It is more expensive to put them off shore so they are moving to land and the country of Denmark, which is smaller than Maine, there are over 120 anti-wind mills groups on shore because of the health risks these things have.

- E. Department Report: Police - Bill – Thanked his officers for their good work while he was on vacation. We all know now that we have had some car burglaries during the festival and some of the food court buildings were broken into. We have arrested 4 juveniles and they have been charged with these crimes. Next week we will be working on interviews for the patrol officer position that is opened, we received about 5 applications. We have had a recall on one of the cruisers and Griffeth Ford will be doing the work. The next drug take back is scheduled for September 27th 10 AM – 2 PM, but people don't need to wait for this day, they can bring drugs into us any day of the week. The officers are due for their firearms training by the end of September, it is mandatory training, consisting of 12 hours and this can be done on line.
- F. Department Report: Festival – Mike – On August 6th the festival committee met to wrap up the festival for another year. By all indications the 67th Annual Maine Potato Blossom Festival was a success. Items to be worked on for next year are numerous, a few are earlier deadline for the brochure, return the banner across Main Street, and invite towns to have floats in the parade, battle of the Town floats.
- G. Quality of Place Council- 85 Presque Isle Street Project Update- The home is on the market, Mike has shown the house several times and currently has at least 3 families considering purchasing the home.
- H. Bureau of Labor Standards Inspection - Update – All items sited for has been abated and report sent to the State. Waiting to meet with them to assess penalties.
- I. Computer System Update–Mike – Greg Murchison has been working diligently changing our XP programs over to Windows 7. Windows XP became a security issue with hackers having a gateway into the individual computers as well as into servers.
- J. Update Doughty's Top Shelf Redemption Building – Mike, Tony - Since the last meeting Mike has been monitoring the activity at the redemption center. After seeing little activity and no activity regarding the removal of the siding or metal roofing. Devon was asked how things were progressing, he indicated that his father was certified and had safety harnesses he could use to remove the roofing and metal from the building. He stated that he was still waiting to hear from the bank on the Clukey building. Dates and times inspections with notes attached to these minutes.
- K. Marketing & Economic Development Director Position – Update- starting advertising a week ago, have received 5 resumes and have received two other calls from interested people.

VI. Old Business –

- A. Doughty's – Initiation of Process for Dangerous Building

Motion: John Herold moved to approve Tony to initiate the Process for Dangerous Building of the Doughty's Top Shelf Redemption building.

Second: Jason Barnes

Vote – All affirmative

Gary Sirois – We have been talking about this issue for at least four years. To date there has been no formal action and I would like to know what the time frame is for this initiation and the ultimate conclusion of this issue.

VII. New Business –

- A. Approval – Accept General Assistance Guidelines changes from State –These are established each year by the State of Maine and in order for us to be reimbursed by the State for 50% of our costs we are required to approve these limits for general assistance.

Motion: Susan LeVasseur moved to approve the new General Assistance Guidelines changes from the State

Second: Jason Barnes

Vote – All affirmative

- B. Approval - Appoint Mike Woodman and Carolyn Dorsey Durepo to Quality of Place Council, due to new by-laws the committee is required to seek representation from the Chamber of Commerce.

Motion: Jason Barnes moved to approve the appointed of Mike Woodman and Carolyn Dorsey Durepo to Quality of Place Council

Second: John Herold

Vote – All affirmative

Paul Rediker asked what the Quality of Place Council was?

Mike Bosse – About 3-4 years ago the community got together and brained stormed ideas and came up with about ten different committees on ten different areas in the community that needed work. You can see the end product that they come up with on our web site, The economic investment strategy which was a group of 150 citizens in Fort Fairfield who got together and brained stormed. By virtual of that document, the chairperson of each of those ten committees were formed into the QOPC to implement the economic investment strategy. That group meets every other month to discuss various issues. They are the group that owns the property on Presque Isle Street, they initiated the HOME Buyer program, and they also formed a program for scholarships called Fort Kids First. They are the eyes and ears of the community.

Paul Rediker – Does this committee have anything to with the wind mills.

Mike – Actually they met this week and they had a discussion on that topic and they do want to be involved and if you look at that document, “The economic Investment Strategy”, you will see a section on this topic.

Todd Christensen – So who on that committee was the head of the committee on wind development.

Tony Levesque – Went through the process, citizens gathered at the High School where they brained stormed what they felt was needed in this community whether it was new infrastructure, new schools, new housing. Then they had issues that they knew were on the table, what do you think will affect Fort Fairfield, what do you think will impact Fort

Fairfield and everyone taped their thoughts and concerns to the wall. Dan Foster categorized these ideas, one of his goals was wind energy.

- C. John Herold made a motion that we tonight declare a 6 month (180 day) moratorium on construction of any wind turbines or wind turbine facilities in Fort Fairfield. We use that time to formulate a workable satisfactory wind mill ordinance for the Town of Fort Fairfield so that we may in some agreeable fashion to the majority of the population move forward.

Second: Susan Levasseur

David McCrea - The moratorium won't start tonight but the process will start tonight.

John Herold amended his motion to direct the necessary town officials to formulate the wording of an appropriate moratorium ordinance that we may view and act on at a later council meeting.

Rick Shepard – I know that Tony was speaking from memory but I have the Economic Strategy right here and it states under wind energy development, the goals stated “Aggressively seek opportunities that will enhance our ability to facilitate the development of wind energy projects in Fort Fairfield” That sounds pretty definitive to me.

Stev Rogeski - Asked Rick to read further on.

Rick – “Partner with interested developers and landowners to create projects that clearly benefit the community, while working with regulators to ensure that proper placement of these turbines does not negatively impact existing residential homes or businesses.” That is exactly what we are looking for, thank you Stev.

Mike – Asked John to amend his motion one more time to say, “to establish a technical review committee made up of council people, citizen at large, Quality of Place Council member and staff”.

John Herold – So amended!

David McCrea – Now that John has amended it I need to have it re-seconded.

Second: Susan Levasseur

Bob Kilcollins – Is it possible that maybe one of the concern citizen's group member would like to be part of that committee.

Town manger to form committee immediately before next meeting.

Phil Christensen – President of the Quality of Place Council we were asked to take the economic investment strategy and revise as needed make recommendation with town councils with specific items. When we had discussions at our last meeting, it was the consensus that we need to all learn more, we didn't know the facts. EDP formally Horizons Wind is a Portage company, which is ¼ owned by China and they see Fort Fairfield as a gold mine for wind power. We need to make sure that the citizens of Fort Fairfield has the right standards to establish what they are going to do. We need to be the one to decide what is going to happen, we need to educate and we need to get the facts. They need to place these in appropriate place

where people are least affected.

All Voted – In favor of John’s motion and the two amendments

VIII. Minutes: Council Meeting July 16, 2014

Motion: Jason Barnes moved to approve Minutes of July 16, 2014 as written.

Second: John Herold

Vote – All affirmative

IX. Warrants: #2 - \$316,219.19 and #3 - \$328732.38

Motion: Susan LeVasseur moved to accept warrant #2 & #3 as presented.

Second: John Herold

Vote – All affirmative

XI. Other – Mike added a couple of updates from the Highway Department – With council approval George attended the State of Maine Surplus Property Auction in Augusta on July 30th and at that time purchased he was able to purchase a 2000 Sterling plow truck and two 5 cubic yard stainless steel sander hoppers.

It was reported by the Police Dept. and the Fire Department that several of our exterior building wall packs lights were not working and this is a safety problem for both departments at night. Have requested a quote from Stev Rogeski to replace these and the total was approximately \$2,024.00

XII. Executive Session – 7:52 PM

Motion: Jason Barnes moved to go into Executive Session to discuss

1 MRSA 405(6) (A) Personnel

1 MRSA 405 (6) (C) – Economic Development

Second: Robert Kilcollins

Vote – All affirmative

Came out of executive session at 8:17 PM

Motion: John Herold motioned to authorized Mike to negotiated a lease at puddle Dock Building to Heather Beaulieu for up to three years at \$300.00 per month.

Second: Jason Barnes

Vote – All affirmative

Motion: John Herold to adjourn at 8:18 PM

Second: Jason Barnes

Vote – All affirmative

Respectfully submitted,

Council Secretary
Rebecca J. Hersey