

COMMISSIONERS MEETING

October 4, 2023

YORK,ss

At a regular meeting of the County Commissioners of the County of York, begun and holden at the York County Government Building in Alfred, within and for the County of York, being held on Wednesday, October 4, 2023, A. D. at 5:00 P. M.

COMMISSIONERS PRESENT:

Richard R. Dutremble
Richard Clark
Robert Andrews
Justin Chenette-excused
Donna Ring

County Manager Gregory Zinser and Deputy County Manager Linda Corliss were present at the meeting.

YOU ARE INVITED TO RISE AND SALUTE THE FLAG OF THE UNITED STATES

10-04-2023 ITEM

1 PUBLIC COMMENT(S) ON ANY ITEM(S)

None

2 TO APPROVE THE MINUTES OF THE FOLLOWING MEETINGS:

- a. Commissioners' meeting of September 20, 2023
Commissioner Clark motioned to approve the minutes. Commissioner Andrews seconded the motion. Vote 4-0.

3 TO APPROVE TREASURER'S WARRANTS

- a. Warrants to be approved on September 20, 2023 in the amount of \$521,134.85
Commissioner Clark motioned to approve the warrant. Commissioner Andrews seconded the motion. Vote 4-0.
- b. Warrants to be approved on September 27, 2023 in the amount of \$535,509.89
Commissioner Clark motioned to approve the warrant. Commissioner Andrews seconded the motion. Vote 4-0.

**4 TO HEAR ANY REPORTS FROM THE COUNTY
COMMISSIONERS**

Commissioner Ring commented that the Commissioners neglected to mention how impressive the EMA presentation on their drones was at the MCCA convention.

Commissioner Dutremble concurred and added that many Commissioners from other counties commented that they were amazed by the presentation.

5 TO HEAR MCLEAN TAX ABATEMENT DENIAL APPEAL
County Manager Zinser swore Stephen McLean in.

Mr. McLean distributed a photo to the Commissioners that showed the lots in the business park that he owns two lots in. Mr. McLean explained that his two lots are the only ones that are not developed. He added that all the gravel from the other eight lots was dumped onto these lots. Mr. McLean estimated that it would cost \$30,000 to \$40,000 to remove all the stuff that was dumped on his two lots. Mr. McLean informed the Board that other lots in this business park were sold for between \$5,000 and \$6,000. These lots have no water or sewer and, he continued it was a dirt road at the time he presented abatement to the town. He informed all that he is stumped at how his lot was valued at \$36,000. One selectman recused himself and talked the other selectmen out of reducing his land value, he explained.

Commissioner Clark questioned what other lots were sold at. Mr. McLean replied that they were advertised to sell and that is what we got for bids (\$5,00 and \$6,000). These lots have lots of restrictions on them. The first lot was sold for \$90,000 but then he was given an in-kind discount of \$30,000 so it was really \$60,000. The town traded lot #1 in the corner for the lot behind the town hall that was worth \$9,000 as we needed the parking for the town hall.

Commissioner Dutremble asked Mr. McLean what he was looking for? Mr. McLean responded that he believed each lot to be valued in the \$20,000 range.

Town Assessor Mike O'Donnell was sworn in by the County Manager Zinser. He informed all that the Business Park has a long messy history. These lots were in town hands for many years. Recently, Mr. McLean, out of frustration (he has been part of the committee) got a referendum going to force the Selectmen to sell the lots. The sale price is not representative of what these lots would have sold for if they had been sold by a realtor, explained Mr. O'Donnell. Because that happened, now instead of having over half dozen lots, the whole business park is in private hands. Mr. O'Donnell continued that Mr. McLean's appeal is really from 2022. In my opinion, stated Mr. O'Donnell, he owns two of the better lot that are located on the main straight part of the road. When it came time for the selectmen to set the values, the selectmen decided they had to factor the values so they factored up to \$36,000 just like all other property in town. When the abatements came forward, explained Mr. O'Donnell, there was a conflict of interest as one of the selectman owns a lot. If one were to put these lots out on the open market, they would sell for a lot more than they did. The selectperson did recluse himself and did sway the Board. Mr. O'Donnell further stated that his main point is we do not know what the true value is. Right now, \$36,000 doesn't buy you much. The selectmen decided it was best to leave them all the same.

Mr. O'Donnell informed all that he recommended the Limerick Select board leave the two lots at \$36,000 or reset the value one at a time and that he would have reduced MR. McLean's the least as he has the best lots. The selectmen decided to leave them all at the same value that is reasonable to all other property in town.

He continued that the developed properties are worth more- \$100,000 to \$101,000 and \$83,000. He thinks \$20,000 is too low in the context to other lots.

Commissioner Clark stated to Mr. O'Donnell that he thought his letter said he could agree to \$18,000? Mr. O'Donnell responded that was auction values. He continued that after he went to look at the two lots he changed his mind. That was a point in time, he explained and added that he did not recommend \$18,000 to the selectmen.

Commissioner Ring asked Assessor O'Donnell if all the lots are zoned business lots? Mr. O'Donnell said, yes, and that there is a long list of constraints in the business park. Commissioner Ring then asked Mr. O'Donnell what the value of a standard house lot in Limerick was? Mr. O'Donnell replied \$25,000 to \$55,000 but that with site improvements (well, septic, etc.) they would go up.

Commissioner Clark asked where did the pollution come from? Mr. O'Donnell replied that he do not know but that Mr. McLean will know.

Mr. McLean addressed the Board and stated that he had talked to the DEP today at length. He continued that drinking water is contaminated in the area and that they are conducting testing now. He also informed all that the State had a salt shed across the street from the Business Park. Town dump is also across the street from the Business Park. One needs to have their own water and sewer in this business park. Mr. McLean added that it is hard to sell these lots with all of these circumstances.

Commissioner Ring stated that she would have liked to have seen a valuation made by a realtor as that would have been helpful. Contamination speaks volumes as far as value of property, she commented.

Commissioner Andrews stated that the Commissioners' position is not to access any value just to deny or appeal.

County Manager Ziner responded that the Commissioners do have to establish a value. He asked Mr. O'Donnell if all of the undeveloped lots are assessed at the same dollar value. Mike O'Donnell replied, yes. County Manager Zinser asked if Mr. O'Donnell could answer the Commissioners if at the meeting an amount was given to the Board and something turned down?

Mr. O'Donnell replied that he went and looked at the lots and wrote the (Limerick) Selectboard a note that stated he didn't agree setting them all at \$18,000.

When Steve went in front of the Board, he went with his original abatement. He argued that the two lots should be abated. My last conversation (with the Limerick Select board) was set them all the same and recommended not lowering his lots.

Commissioner Ring asked Mr. O'Donnell when the town assessed the value did they know of the contamination?

Mr. O'Donnell replied that there is a very long history with this business park

including contamination, road put all the way through, etc. The constraints of what you can do there is all taken into consideration, explained Mr. O'Donnell. \$36,000 is not a lot for a business lot. That is because of the status of the lots. Road and plowing and land work will be mitigated. Water will never be on the property. These factors do impact who and what type of business can be there, explained Mr. O'Donnell.

Mr. McLean addressed the Board of Commissioners and further explained that there is a difference between developed vs. undeveloped lots. All of the other lots were prepared and are shovel ready. Mine are not.

Commissioner Dutremble asked wouldn't the town be responsible to clear your lots?

Mr. McLean responded that is why he doesn't think those two lots in their present state are worth what the town is saying.

Commissioner Ring stated that from her perspective, listening to both sides, the two lots that are being discussed are not ready to be built upon. The restrictions mentioned do reduce the value. Under the circumstances and from what she has heard this evening, she can understand why Mr. McLean would want an abatement. She continued that she was not sure what the real value is but that she wouldn't think it would be comparable to other lots.

Commissioner Dutremble responded that the Commissioners need a number.

Commissioner Ring suggested \$28,000 (split the difference between the two given values).

Commissioner Ring motioned to grant an abatement and separate that from the value. Commissioner Andrews seconded the motion.

DISCUSSION: Commissioner Clark asked, where does this get us?

Commissioner Dutremble explained that now the Commissioners will determine the amount.

Discussion ensued between Commissioners as to value.

Commissioner Ring modified her previously made motion that \$28,000 is a fair value. Vote 3-1 with Commissioner Dutremble opposed.

County Manager Zinser explained that we will draft a Findings of Fact that will come back to the Commissioners on October 18th and that they will be sent to Mr. McLean and the town.

Mr. O'Donnell asked if the motion was to value each lot at \$28,000. County Manager Zinser replied, yes.

6 NEW BUSINESS

- a. Introduce Deputy Manager/H.R. Director Corliss to seek approval for the hiring/transfer of the following individuals:
H.R. Director Corliss requested that she be allowed to present three other candidates for new hires as their packets are complete. The Commissioners

were fine with this request.

- i. Carlyann Wheelahan in the position of full-time Corrections Officer in the Sheriff's Office with a date of hire of September 8, 2023 (doh should be October 9, 2023)
Commissioner Clark motioned to approve the hiring of Carlyann Wheelahan in the position of full-time Corrections Officer with a hire date of October 9, 2023. Commissioner Andrews seconded the motion. Vote 4-0.
- ii. Emma Kehoe in the position of full-time Corrections Officer in the Sheriff's Office with a date of hire of October 9, 2023.
Commissioner Ring motioned to approve the hiring of Emma Kehoe in the position of full-time Corrections Officer in the Sheriff's Office with a date of hire of October 9, 2023. Commissioner Andrews seconded the motion. Vote 4-0.
- iii. Joshua Rand in the position of full-time Corrections Officer in the Sheriff's Office with a start date of October 16, 2023.
Commissioner Ring motioned to approve the hiring of Joshua Rand in the position of full-time Corrections Officer in the Sheriff's Office with a date of hire of October 16, 2023. Commissioner Andrews seconded the motion. Vote 4-0.
- iv. Kayleigh Hamilton in the position of full-time Corrections Officer in the Sheriff's Office with a date of hire of October 16, 2023.
Commissioner Ring motioned to approve the hiring of Kayleigh Hamilton in the position of full-time Corrections Officer in the Sheriff's Office with a date of hire of October 16, 2023. Commissioner Andrews seconded the motion. Vote 4-0.

H.R. Director Linda Corliss informed the Board that these new hires will attend the January 2024 academy.

- b. General update on policy of deputies living outside of York County as previously discussed at the August 2nd Commissioners meeting-
County Manager Zinser explained that he had a discussion with the Sheriff and that Sheriff King would like to leave the policy the way it is now. The Commissioners are fine with the Sheriff's decision.
- c. Update on Spirit of America Awards Ceremony scheduled for November 15th at 3:30 p.m. in the EMA Training room.
County Manager Zinser reminded the Commissioners that this was discussed at a prior meeting and the Commissioners were fine with us choosing a date and time.

7 OLD BUSINESS

None

8 TO CONDUCT AN EXECUTIVE SESSION ON PERSONNEL ISSUES PURSUANT TO 1 M.R.S.A. § 405 (6) (A), ACQUISITION OF REAL PROPERTY OR ECONOMIC DEVELOPMENT PURSUANT TO 1 M.R.S.A. § 405 (6) (C), LABOR NEGOTIATIONS PURSUANT TO 1 M.R.S.A. § 405 (6) (D) AND CONSULTATION WITH LEGAL

**COUNSEL PURSUANT TO 1 M.R.S.A. § 405 (6) (E), REVIEW OF
CONFIDENTIAL RECORDS PURSUANT TO 1 M.R.S.A. § 405 (6) (F)**
None

9 PUBLIC COMMENT(S) ON ANY ITEM(S)

10 ADJOURN

Commissioner Clark motioned to adjourn. Commissioner Andrews seconded the motion. Meeting adjourned at 5:50 p.m.