

Kingfield Selectmen Meeting Minutes
Monday, August 5th, 2024; 6:00 PM Webster Hall 38 School Street

Attendance

Municipal Officers: Wade Browne, Hunter Lander, Chris Rushton, Morgan Dunham, Kim Jordan

Municipal Staff: Leanna Targett (Town Manager). Travis Targett (Wastewater Superintendent)

Public: Terry Coffin, Sue Davis, Brent West, Ralph Parker, Judy Bemis, Valarie Cheimis, Gary Cheimis, Jane Deely, Kathy Houston, Rob Woodhouse, John Goldfrank, Diane Christen, Lynn Duttlinger (and husband), Claudia Diller and Karyn Varney

Via Zoom: Dee Menear, Beth Strout, Danielle Mathieu, Julie Swain

Absent:

Chairman Browne calls the meeting to order.

Board reviews meeting minutes from July 15, 2024. Selectman Lander makes a motion to accept all minutes as written. Seconded by Selectman Rushton. Motion passes 3 to 2 abstain.

Board reviews year end financials covering July 1, 2023, through June 30, 2024.

Old Business: None

New Business:

Chairman Browne recognizes Shiloh Pond committee Chairman, Kathy Houston to explain the gate requirement. Kathy says she would like to thank the committee for cutting back branches leading into the pond recently. She is before the board as Leanna contacted her as a resident questioned why there was a locked gate. Kathy says first, there was a gate there before, in the same location however it was designed so that you could not get around it at all. We changed the gate as we wanted to open up for better access. We needed to keep in mind the purpose of Shiloh Pond, which is to preserve and protect the waters, and to maintain the traditional uses on that property. We kept that in mind with our decision making. Kathy says we can not have vehicles down by the water as we need to preserve the water, noise is also a nuisance. We determined that less change may mean more acceptance. It also costs less; we haven't asked for any money from the town.

Brent West indicates that a lot of community work has gone into the bridge and property from Walter Kilbreth, the Jordans, Birch Royall, Jake Kilbreth and more. Brent says we were concerned with the road going into the property and agreed that it would be kept at a Subaru access level. Brent says we have limited the amount of canoes and have tried to resolve many requests. The project agreement that was recorded at the registry from DEP is about Water quality and stream crossings. We are in the process of building a primitive trail to the back of the property for hiking. Kathy says, this is not a state park.

Diane Christen states that it is a long way from the gate for someone to carry a kayak and that should be addressed. Someone asks about handicapped access. Kathy says that is not the purpose of this property. Brent says we need to have a balance for the land conservation. Kathy

says we determined it was not a good use of funds to fix up the road leading there, there are other places people can go. Brent says there is a high cost to create accessibility for everyone and suggests that there are other places in town that could be made more accessible.

Selectman Jordan asks if the old gate was always locked. The committee has said yes for the past 25-30 years. Selectman Jordan says she drove in and even if someone in a wheelchair was able to get beyond the gate they can't go any further.

Danielle Mathieu, who attended the meeting via Zoom, was approved to speak. Danielle says I was the one that posed the question. I feel that it was locked before as it was privately owned and now it is publicly owned. Danielle says can you get the key to go through the gate. Kathy says no, the key is for town staff, fire department and committee members. This is a remote wilderness pond. The purpose of the key for the committee is for maintenance. It is only to be signed out for official business, emergencies and work. Kathy suggests if someone is looking for a pond that has easy access then Grindstone would be the place as you can drive right up to it. Danielle says with the wilderness pond hunting and fishing is still allowed. She understands that the mission is to protect the pond but if you cant walk 200 ft then you are out of luck on the public owned property.

Chairman Browne asks if it would behoove us to leave it unlocked or if it would get abused. Selectman Lander asks who has keys to the property. Kathy says the Town, EMS and Rob Woodhouse.

Selectmen Jordan says here concern was for people with disabilities, it's unfortunate that they cant get to the pond.

Kathy says the point is we don't want people driving beyond the gate. Chairman Browne suggest the committee come up with a buggy idea where someone could load their kayak or canoe onto it and wheel down to the pond.

Selectman Dunham says she appreciates all the work done and the gate. Selectman Jordan asks if the camp is gone. Selectman Lander asks about a porty potty. Kathy says yes the camp is gone, we did discuss a porta potty however we decided we wanted less to maintain, so unless it becomes a problem there is not one.

Chairman Brown recognizes the owners of 164 Main Street to discuss an appointed official's harassment. Gary Cheimis introduces himself and his wife Valarie as the owners of Mountain Village Farm B&B and Silly Goose Bar and Grill. Gary says we have volunteered for committees, donated to events, and found a wonderful place to live. In January 2023, we started moving into the property to continue operating as a Bed and Breakfast and having Events in the back Barn. Once we Posted on FB to introduce ourselves, many people came to us and asked about opening the "Garage Bar" again. The Garage Bar was a bar the previous owner operated out of the barn's attached garage. Our priority was to get the B&B back running and work on renovating those rooms. During this time, we continued to be asked about the Garage Bar. Recognizing the community's strong desire, we made the challenging decision to revive the Garage Bar. This endeavor involved significant renovations, such as installing a septic system, converting a milking barn into a restaurant kitchen, and transforming an old Garage into a dining area. Despite the numerous hurdles we faced, your unwavering support and encouragement were instrumental in making this dream a reality.

While all this work was being done, residents visited to see what was happening and tell us how excited they were about the new restaurant. On three occasions, this planning board member came by to “just say hi” or “see the work.” On the first occasion, they let me know that they were on the planning board. At that point, I felt they were there on behalf of the planning board. This person asked me if we could move where our motorhome was parked on all three occasions. I was told on all these visits that it needed to be parked out of sight. The Motorhome was parked on the side of the barn on a concrete pad or in front of the large barn off our driveway. The planning board member said it should not be seen from the street. After the second visit requesting that I move my RV, I checked through what I could find online about Kingfield’s code and found nothing stating that RV” S had to be parked out of sight. On the third visit to harass me about my RV, I finally asked if this was a code in Kingfield and if I should go to a planning board meeting.

That is when this member said it was just their preference not to see parked RVs, boats, and trailers on the street while driving in Kingfield. At that point, now not worried that they were here on behalf of the planning board, I said it would not be moved, that it was my property, and that I would park them where I saw fit.

With the restaurant now open for 2 months, we are thrilled to report that the community's support has been nothing short of wonderful. Your support and positive feedback have been key to our success.

Recently, this planning board member came to eat dinner. They made a point to find me and let me know that we had a parking issue for the restaurant, and the Selectman Board was talking about it. This had me extremely concerned that we would need to go talk to the Selectman Board immediately to find out what the issue was. No one had contacted us to say there was a problem, so it came as quite a surprise that this was the person to tell us. It only took a few quick emails to find out that the selectman was not concerned about parking.

In our inquiries, we found out that at a planning board meeting, the parking was brought up by a member, and the chair reminded the board that we had come to them for a change of use, and parking was addressed. I spoke with the Planning board chair and was told there is no issue. If the planning board ever had an issue, they would make official contact and not rely on a member to stop by and casually tell us.

Our question for the selectman is: Why is an appointed town official allowed to continue visiting residents and businesses and trying to influence their likes and dislikes? How do we know if this is an official visit from the board or committee? Why does one member of the planning board assume they know what is best?

At this point, I feel like this committee member is targeting our business. Because they make it known they are on the Planning board, it is assumed what they are telling you to do is also from the planning board.

We feel that Kingfield is a business-friendly community, and residents were excited to have us. What happens to the next new business that comes to town and gets the same harassment we had? Kingfield is a beautiful community that should welcome more business for our residents and

visitors. Yet when a company does come in, they may be met with the same harassment that we received. That changes someone's view that Kingfield is business friendly.

Chairman Browne says the selectboard has never discussed parking being an issue. He says that issues should come before the board in a public meeting and discussed. Then the appropriate individual will be dealing with violations such as the code officer, town manager or chairman of a committee if necessary. Everyone else does not matter.

Board reviews the updated policy for appointments. TM Targett says the policy has been revised to add language regarding incompatible offices and who can serve on committees. Similar to the budget committee serving on one committee the changes define that a planning board official can serve on certain committees that would not be viewed as incompatible such as the Shiloh Pond committee. Board reviews updates. Selectman Dunham makes a motion to accept. Seconded by Selectman Lander. All in Favor.

Board reviews two quotes for crosswalk and parking space painting. Board makes a motion to accept a cost from Nillo Sillanpaa with a three-year contract in the amount of \$8,000.00 in which he will hire his own flaggers. Seconded by Selectman Dunham. All in Favor.

Town Manager Updates/Discussion: TM, Targett provides updates on recent audits, inspections, rampway work, roof project, attorney review of the LD 2003 and contract zoning fees. She explains that MMA Legal has always been very clear: Excluded from their advisory services are matters such as drafting and comprehensive review of individualized legal documents such as ordinances, contracts, or charters; comprehensive review of specific applications before local administrative bodies; on-site training and advice for an individual municipality; routine litigation; and direct representation or negotiation on a municipality's behalf with third parties. Attorney Meader has begun reviewing along with a planner and had determined that there are many flaws with what we have presented. She stated that this could take up to six months and \$5,000.00 to complete and therefore would not be going to the town meeting vote in November.

TM Targett asks that the board allow her to send the Bunker Property declaration of covenants to the town attorney for legal opinion. She explains that her reasoning is that it reads as such: The town covenants that it will reimburse the Estate, its beneficiaries, devisees, successors and assigns for all costs assessed by the Kingfield Water District or its successors and assigns, for the construction and installation of water distribution pipes to and upon the Bunker land at such a time as a structure requiring potable water is placed or constructed upon the Bunker Land, provided that such distribution systems for which the costs are reimbursed by the Town at any time in the future shall not exceed a total aggregate length of 200 linear feet, regardless of the number of structures constructed. She says, "I want to clarify if we will be reimbursing for every split of the land once a structure is built? It has been split twice now that I am aware of, and it could be split more. Are we reimbursing only the first person that builds a structure? And only the first 200 linear feet? I think we need a legal opinion on this – this could become very costly over the years for the town. The board agrees it is in the town's best interest to do this.

TM Targett suggests purchasing generators for public works, transfer station and wastewater with the remaining ARPA money – this will be a good use of the money that will allow these

departments to operate when we lose power from storms and such. Board discusses and requests that TM Targett provide more information as to the cost.

She also informs the board of a few other tasks that she has been working on.

Selectmen Discussion: Selectman Jordan discusses with the board the tremendous success of Kingfield Days.

Chairman Browne asks about taring other roads and feels we should get started on decision making.

Public Comment: Terry Coffin says he has noticed the speed radar on the West Kingfield Road and is concerned that it is programmed incorrectly as it says he was going too fast.

John Goldfrank talks about the last comp plan taking two years to complete and he feels there is not a lot wrong with the current one. He says to get people's input takes time. He also is concerned with there not being a VEC committee and who will be spending TIF dollars. He notes how William Niemi painted the sidewalks in the past as he just hired extra help to get it done.

Sue Davis is recognized. She says she is concerned with the updated policy for committee members that we will run out of people to be on committees. Chairman Browne says we need to be certain that there is fair representation and diversity on these committees.

Claudia Diller says she has heard from past committee members that have not had good experiences with serving on committees. Chairman Browne says a certain respect is needed and sometimes its tough.

Karyn Varney is recognized from the Kingfield Quad Runners ATV Club. Karyn says she is here to ask for money that is in the non-motorized trail account for material to fix the trails that are damaged on the town property that are used by ATV's dog walkers, hikers, walkers and bicyclists. Chairman Browne says he is not in favor of this, the ATVs are making the issues not the bikers and walkers. Karyn says the recent storms have washed away a lot. Chairman Browne says we gave you \$10,000.00 and we also assist in grants. Karybn says the grants are 90/10 in which they must pay 10% so they were just awarded 85,000.00 with 74,000.00 being reimbursed the 10,000 is what is earmarked for matching costs. Chairman Browne asks what the cost is. Karyn explains \$3,600.00 in gravel would be the cost we would ask from the non-motorized trails fund. We would pay the other \$1,600.00. Following further conversation TM Targett reminds the board this is new business; it was not on the agenda and the board should not decide tonight. She will have it listed on the next agenda, so the public is aware. Karyn says we will include this is our work going forward and in our budget so we get grant funds from the state.

Selectman Dunham makes a motion to adjourn. Seconded by Selectman Lander. All in Favor.