

Kingfield Selectmen Meeting Minutes
Tuesday, September 3rd, 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: Sue Davis, Lynn Burnell, Dennis Burnell, Aaron Hanson, Rodney Dunham, John Goldfrank, Jeff Maget, Polly MacMichael, Rob MacMichael, Nate Manzer, Josh Nunes, Bob Lightbody, Dee Menear and Taylor Jordan

Via Zoom: Rebecca Richard, Karyn Varney, Danielle Mathieu, Whitney Rhodes

Absent: None

Chairman Browne calls the meeting to order.

Board reviews meeting minutes from August 19th, 2024, and August 26th, 2024. Selectman Jordan makes a motion to accept all minutes as written. Seconded by Selectman Dunham. All in Favor.

Old Business: Discussion on transferring one-user unit design flow to new location for coffee shop. Chairman Browne explains that Whitney Rhodes requested the ability to transfer a user unit from her vacant property on Main Street to 256 Main Street (formerly known as the Sugarloafer shop) where she would like to start a coffee shop prior to building on her land. Chairman Browne explains that the issue is that there needs to be a study completed to determine what if any room we may have on our wastewater system.

Chairman Browne says if we all agree to allow this to happen then there should be something written and then reviewed by a lawyer. Chairman Browne says he understands it to be a temporary switch. Polly MacMichael says Kingfield/USA has 2 user units now with 3 apartments and 1 commercial space and Whitney would add one additional space. Superintendent Travis Targett notes that the current user units are one for each building the former Sugarloafer shop and the former smoothie building. Polly says we call them North and South. Selectman Rushton asks if they have two separate tanks. Travis indicates that they are on the main line.

Selectman Jordan asks if two commercial uses would carry-on after Whitney leaves. Polly says yes. Rob MacMichael says he is confused by the question. Selectman Jordan says when Whitney moves out will that area be a commercial space. Polly says how do we know, it could go back to one commercial space. Selectman Rushton asks Travis how he will keep track of this. Travis says by permits, provided they are done in the first place.

Selectman Rushton says that we are waiting for Maine Rural Water to complete their work to pass along for the study to be complete. He also says he would like to point out that there were untrue statements made at the last meeting. Rob MacMichael says he believes everything has been permitted in the past, so if Whitney wants to move one of her units she should be allowed to. Travis asks if they will give her unit back when she leaves their building. Polly says no, obviously we wouldn't keep it. Polly says this only needs a signature from Travis, because we are in this predicament Whitney has offered a trade, we wouldn't take it from her. Polly says this should not be our issue this should be a town issue. We shouldn't have to do any of this. Polly says its not our fault that the town hasn't taken care of the system for years.

Chairman Browne says he believes the comp plan notes that it can not support anything else. Whitney Rhodes is recognized via Zoom. Whitney says that she can't wait for the survey to be complete. The coffee shop is the most entry level with no food prep there as it will be brought in.

So much of the wastewater is going out the door. There is already a toilet there, I will be adding two sinks. What I will be pulling from the water district will be going out the door. Whitney says I am willing to set a date for check-ins as far as moving my business. My build time for my other building is 3-5 years.

Sue Davis says when Whitney came to the Planning Board to talk about setbacks we talked about so many unused units such as Air B & B's and 45% of the homes are owned by people from away so there seems to be plenty of capacity. Travis says this is not the case, the Herbert is the perfect example of a rather large change in use from a hotel to workers apartments that have many individuals in them also many homes have added additional living facilities all of which have not been signed off on. Selectman Rushton says we don't know what there is for capacity until a study can be completed. Sue says Whitney is talking about adding a dishwasher and some sinks. Following further discussion, it is agreed that TM Targett will forward the memorandum of understanding to the town attorney for review. The board instructs Whitney to follow up with TM Targett on this. It is agreed if there is an issue down the road we will deal with it then.

New Business:

Chairman Browne moves the discussion to the changes in West Kingfield Road Construction with Engineer Bob Lightbody. Bob says as far as changes go on West Kingfield Road there have not been a lot, 2 culverts were added, some ditching, pavement cutting and guardrail removal and replacement, most of the drainage has been done.

Chairman Browne asks about the giant culvert to an 18" culvert. Bob says that is my fault, it was an oversight. I never intended to address that culvert. Selectman Jordan asks why he showed a replacement 18" culvert in that location. Bob says it was labeled incorrectly.

Chairman Browne says we need to address the culvert, either reline or take it out for replacement. Chairman Browne says the idea that was discussed last time with Bob about a concrete structure would made more since in this location then where Bob suggested. Bob says he looked at it when Leanna reached out to him on Friday. He looked at the report and it just gives current condition. Bob says it needs to be bigger, if it is undersized you will only deal with 80% of the stream channel. Should be 1.2 times the stream bank. It may need to be 3-4 feet wide and may need to be a box culvert to meet today's standards.

Josh Nunes is recognized he explains the concept of slip lining the culvert in place. Josh says it is a 12-foot-wide culvert that currently specs at 46,200 gallons per minute, with a new 10-foot smooth lined culvert it would spec at 68,000 gallons per minute which is an increase of 21,800 gallons or a 30% increase in volume. Josh says if you wait it will cost more. Josh explains that the slip line could get done this year however it may take a month to get. Selectman Jordan says she believes a box culvert will cost more and will be harder to get.

Bob Lightbody says he would not recommend slip lining as it decreases the size of the culvert 2 feet. Bob says there will be rip rap down stream and the water could back up higher than it is now due to the velocity. Josh says it is the volume that is of concern not the velocity. Josh says the number could be \$250k but a bridge is half a million, the slip line alone is over 100k.

Selectman Jordan and Chairman Browne says they support the slip lining. Selectman Dunham says she would like to find some kind of balance. Following further discussion, the board agrees that they like the slip lining concept, and that Leanna will make a final decision (after reviewing finances) and will let the board know if it is anything astronomical.

The board reviews the 2025 Commitment covering July 1, 2024, to June 30, 2025. TM Targett explains that after further review it was determined that there was a computer glitch from what was presented to the board for approval on August 26th. The commitment would be for a 19.25 mil taking \$300,000.00 from surplus. Selectman Rushton makes a motion to accept as presented. Seconded by Selectman Lander. All in Favor.

Next item is to discuss the replacement of Cindy Orcutt on Western Maine Workforce Housing committee. TM Targett indicates that she has received an email from Cindy that she is selling her property here in Kingfield and is moving away to be with her grandchildren. Cindy did stress the importance of someone being appointed to this committee. TM Targett will see if there is any interest to present to the board.

TM Targett says the last item is to review the legal response from Town Attorney. First is the declaration on the Bunker Property. The attorney has stated that the expectation by multiple buyers that the town will reimburse them for 200 feet of pipes represents a misunderstanding of the Declaration of Covenants. The first structure built on the Bunker land gets up to 200 feet of pipe. If it takes less than 200 feet to serve that first structure, then the second structure will also benefit to some degree. She assumes it would take 200 feet to get to the first structure and that anyone who comes along after that is out of luck. The Town has only obligated itself to pay for a total of 200 feet of pipe to serve structures on that property. All buyers of the subject property are subject to the declaration in that nobody can build a house on the Bunker land and use ground water. Whoever wants to live on that land has to use public water.

The other item is the review of the zoning ordinance. The board is aware that the zoning ordinance that the planning board has been working on to include the LD2003 has been sent to the town attorney for review. She has found many issues and a lot of inconsistencies. She along with her planner has returned the document with numerous changes some of which are similar some of which vary in that the planner has made some additional comments. Tm Targett says what is in the boards packet tonight is the 5 pages of the planners notes on changes and not the entire ordinance as it is 74 pages. The feedback has been provided for the planning board to begin to review as a board and make edits. The attorney has asked that the "track changes" function is used from now on. TM Targett says she briefly told Chairman Clay Tranten of this and will contact him first thing in the morning.

On another note, the Town Attorney is concerned with our other ordinances, our subdivision ordinance in from 1989 and no longer valid or legal. We also discussed our shoreland zoning ordinance, we determined it may be in everyone's best interest for her and her planner to come up with a template that could be geared to Kingfield that the planning board could review instead of taking a year or two to make changes that the attorney kicks back, it will save everyone time and we start with a clean "legal" document. The board makes it clear to remind the planning board this is Kingfield and not Carrabassett Valley, we need to advocate for Kingfield.

Town Manager Updates/Discussion: TM, Targett states she has no updates to provide at this time as she has been consumed by many projects.

Selectmen Discussion: None

Public Comment: John Goldfrank is recognized he says he read in the town report on the Treasurers page that there was \$1,450,000.00 in the sweep account and asks why we have not taken more from surplus to lower the mil rate. He understands that we would like to keep one million to operate the town, but we used to take more from the surplus. TM Targett explains why the board and municipal body have chosen to keep 1 million dollars in surplus as it is to operate the town for 6 months if needed before a recommitment could be done. She explains that the school payment alone is more than \$800,000 for 6 months, count is at least \$175,000.00 there is payroll and other expenses.

Selectman Jordan asks what would constitute the need to keep the million dollars. TM explains that past auditors have declared that it is best to keep 3-6 months of operational costs in the coffers in case “crap” hits the fan, meaning that if there were some huge emergency expenses that the town needed to pay and a recommitment to recoup more revenue couldn’t be completed in a timely fashion then there would be no funds to pay for the “emergency”. A perfect example is the \$480,000.00 that we were able to take from our road reserves for the last storm, if we didn’t have that account we would have needed to take from Surplus with municipal body approval.

Polly MacMichael states that we should understand what the bank is paying for interest rates, she expects the town to manage this and stay on top of it.

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

**The minutes provided above are a summary. The Town meets record management requirements and retention schedules by maintaining permanent records of electronic recordings of meetings to satisfy the requirements of §403-A. Minutes by Leanna Targett.*