MINUTES

AROOSTOOK COUNTY COMMISSIONERS' MEETING – THURSDAY - MARCH 3, 2016 - 4:30 P.M. - REGISTRY OF DEEDS OFFICE - CONFERENCE ROOM (FIRST FLOOR) - FORT KENT

PRESENT

Paul J. Adams, Chairperson, County Commissioners (participated by teleconference)
Norman L. Fournier, County Commissioner
Paul J. Underwood, County Commissioner
Douglas F. Beaulieu, County Administrator
Bryan Jandreau, Facilities Manager
Paul Bernier, Public Works Director

ART. 1. Acting Chair Norman L. Fournier called the meeting to order at 4:33 p.m.

ART. 2. Approval of agenda.

Acting Chair Norman L. Fournier entertained a motion to approve the agenda.

MOTION:

Motion by Paul J. Underwood and seconded by Paul J. Adams to approve the agenda.

VOTE:

Motion voted on and passed.

ART. 3. Public Comment Period.

There was no public comment.

ART. 4. Approval of minutes of the February 17, 2016 County Commissioners' Meeting.

Acting Chair Norman L. Fournier entertained a motion to approve the minutes of the February 17, 2016 County Commissioners' Meeting.

MOTION:

Motion by Paul J. Underwood and seconded by Paul J. Adams to approve the minutes of the February 17, 2016 County Commissioners' Meeting.

VOTE:

Motion voted on and passed.

ART. 5. The County Commissioners approved and signed the following:

A) Attendance Record.

B) Bills and Warrants.

C) National Incident Management System (NIMS) Coordinator Designation.

MOTION:

Motion by Paul J. Underwood and seconded by Paul J. Adams to designate Darren Woods as the National Incident Management System (NIMS) Coordinator for Aroostook County.

VOTE:

Motion voted on and passed.

D) Hazardous Mitigation Plan Update.

MOTION:

Motion by Paul J. Underwood and seconded by Paul J. Adams to approve the Hazardous Mitigation Plan Update.

VOTE:

Motion voted on and passed.

ART. 6. Northern Maine Veterans' Cemetery Corporation Funding Request. (David Bell)

Acting Chair Norman L. Fournier welcomed and introduced Mr. Bell. Mr. Bell proceeded to thank the County Commissioners for allowing him to pitch a financial request on behalf of the Northern Maine Veterans' Cemetery Corporation. He indicated that he prepared his presentation in writing, which is appended to these meeting minutes. (Attachment I)

After Mr. Bell read his presentation, he entertained questions and comments from the County Commissioners. Acting Chair Norman L. Fournier indicated that a decision would be made by the end of the month. He thanked Mr. Bell for appearing before the County Commissioners.

ART. 7. County Administrator's Report:

A) Other Items of Interest.

1) Municipal Joinder Agreement.

Public Works Director Paul Bernier reviewed the Municipal Review Committee's (MRC's) recommendation regarding solid waste disposal for communities that currently have contracts with Penobscot Energy Recovery Company (PERC). He gave a synopsis of a Power Point presentation, which is appended to these minutes. (Attachment II)

Mr. Bernier entertained questions from the County Commissioners and recommended that the County Commissioners adopt the Resolution Authorizing Execution of the Municipal Joinder Agreement with the Municipal Review Committee.

MOTION:

Motion by Paul J. Underwood and seconded by Paul J. Adams to adopt the Resolution and to authorize the County Administrator to sign any documents to execute this agreement.

VOTE:

Motion voted on and passed.

2) Additionally, County Administrator Doug Beaulieu updated the County Commissioners on the following issues:

- Legislation on deorganization of both Cary and Oxbow Plantations;
- Notice that Municipal Cost Component legislation will be heard on Tuesday, March 8, 2016 before the Taxation Committee in Augusta. Both he and Paul Bernier will be attending;
- The Criminal Justice & Public Safety Committee reported out LD 1614 on a majority ought-to-pass an amended report of 10-1. This legislation provides supplemental funding for the jails of $2.4 M in both FY 16 and FY 17;
- LD 1586 would prohibit the ability of County Commissioners to conduct their meetings by teleconference.

ART. 8. Other Business.

The County Commissioners had a brief discussion in regards to the Veterans' Cemetery request by Mr. Bell. The primary issue that was discussed is the difficult financial situation that County is in because of the loss of over $1M in State funding for the jail. The County Commissioners will give the request some thought and make a decision at the next meeting.

ART. 9. Executive Session.

None

ART. 10. Adjournment.

MOTION:

Motion by Paul J. Underwood and seconded by Paul J. Adams to adjourn the meeting.

VOTE:

Motion voted on and passed.

The meeting adjourned at 5:22 p.m.

ATTEST: A True Copy
of Commissioners' Meeting

Douglas F. Beaulieu
County Administrator

AROOSTOOK COUNTY COMMISSIONERS
DATE: March 3, 2016

Veterans Cemetery in Caribou is one of the finest in the country, and one of the newest at 17 years old. It was made possible by 44 acres donated by John Nobel of Caribou and a committee of members from all over the county. Much of the accomplishment is through donations from business and private citizens, several communities donate annually, also grants from the Veterans Administration. Every year the Cemetery Committee has raised money for improvements for new facilities or improvements to existing facilities.

Our main project for this year is to improve the Committal Shelter. The existing shelter is a mostly open air building. During inclement weather it is open to rain, cold winds, or snow. Anyone who has attended a service or ceremony in those conditions can testify to the discomfort of these adverse conditions while laying a loved one to rest, or attending a veterans ceremony.

The original plan for this shelter was to have a small chapel. Unfortunately the Veterans Administration only allows one chapel per state. The Maine Chapel is at the Augusta Veterans Cemetery. The VA would not allow the Committal Shelter to be closed in for fear it would be made into a chapel.

We would like to close the north end of the facility to minimize the worst of the adverse conditions. The VA will allow but will not fund it. We need to raise about $50,000.00 for the project. We have about $15000.00 in reserve, and Cary Medicle Center just last week donated $5,000.00, so we are on our way.

I realize we are coming at a bad time, with the Jail problems the state has caused, but we are in need and funds are getting very difficult to find. Any assistanve you could give us will greatly appreciated.

ATTACHMENT II

County of Aroostook

COMMISSIONERS' OFFICE

COUNTY ADMINISTRATOR

DOUGLAS F. BEAULIEU

COUNTY COMMISSIONERS

PAUL J. ADAMS
HOULTON

NORMAN L. FOURNIER
WALLAGRASS

PAUL J. UNDERWOOD
PRESQUE ISLE

AROOSTOOK COUNTY RESOLUTION

March 3, 2016

Authorizing Execution of Municipal Joinder Agreement with the Municipal Review Committee

RESOLVED, by the Board of Commissioners of Aroostook County, that:

(i) the County of Aroostook shall continue as a member of the Municipal Review Committee, Inc. ("MRC"), organized as a Maine nonprofit corporation and acting as a regional association pursuant to Title 13-B and Title 38 of the Maine Revised Statutes, as amended (and specifically Section 1304-B(5-A) of Title 38) for the purposes of managing and facilitating solid waste disposal;

(ii) the County of Aroostook hereby adopts, ratifies and confirms the Restated Articles of Incorporation and the Restated Bylaws of the MRC in substantially the form on file with the Aroostook County Administrator and attached to this Resolution.

(iii) the County of Aroostook hereby is authorized to execute and deliver a Municipal Joinder Agreement with the MRC in substantially the form on file with the Aroostook County Administrator and attached to this Resolution (the "Municipal Joinder Agreement") pursuant to which the County of Aroostook will be a Joining Member of the MRC (as defined therein) and deliver its municipal solid waste for disposal to a waste management facility being developed by Fiberight, LLC and/or its affiliates (collectively, "Fiberight) in Hampden, Maine, or other waste disposal facility; and

(iv) the County of Aroostook hereby authorizes the MRC to take certain actions on behalf of the County of Aroostook as set forth in the Municipal Joinder Agreement.

COURTHOUSE, 144 SWEDEN STREET, SUITE 1, CARIBOU, MAINE 04736
Tel: (207) 493-3318 Fax: (207) 493-3491 e-mail: doug@aroostook.me.us

NOW, THEREFORE, BE IT HEREBY VOTED AND ORDERED BY THE BOARD OF COMMISSIONERS OF AROOSTOOK COUNTY;

Paul J. Adams, Chairman or his designee or designees is authorized as a representative of the County of Aroostook to execute and deliver the Municipal Joinder Agreement on behalf of the County of Aroostook and to execute and deliver on behalf of the County of Aroostook in conjunction therewith such other documents and to take such further actions as they may deem necessary or appropriate in order to effect the transactions contemplated by the Municipal Joinder Agreement.

Dated this 3rd day of March, 2016, in Fort Kent, Maine

AROOSTOOK COUNTY COMMISSIONERS

Paul J. Adams

Norman L. Fournier

Paul J. Underwood

MRC

Municipal Review Committee, Inc.

ENSURING AFFORDABLE, LONG TERM, ENVIRONMENTALLY SOUND DISPOSAL OF MSW

The Plan For 2018

Managing Our Future Together

Who Is MRC?

Municipal review committee with a goal of ensuring affordable, long-term environmentally sound disposal of municipal solid waste (MSW)

- Representing 187 Communities (*including yours*)
- Elected 9 Member Board of municipal officials
- 25 Year History
- Distributed over $60 million in cash to members from re-structured deals with PERC since 1998

Problem

Current 30 year MSW contracts with PERC end in 2018.

- Subsidized electricity contract (4x market rate) expires 2018
- PERC is not economical without the subsidies
- PERC does not work as it has at lower tonnage
- Hard to meet new air emission limits at lower volume

PERC Closure Memo

Submitted to MRC October 14, 2011

- Future not economically feasible
- Begin process of planning for closure
- Recommends MRC to seek alternative options

Kaminski Law Office, PLLC
641 East Lake Street
Suite 718
Wayzata, Minnesota 55391

MEMORANDUM

Greg Lounder, George Aronson, Sophia Wilson, and Greg Brown

Stephen Kaminski

October 14, 2011

CT: Response to MRC Proposal

...nudsen and I met with John Noer, Kevin Tritz and Kevin Nordby on October 11, 2011. ...g this meeting, we discussed, at length, the results of our meeting on October 4, 2011. We ...came to an agreement as to our recommendation on what should be done with respect to the ...obscot Energy Recovery Company, Limited Partnership ("PERC") after 2017.

...you know, we are all in agreement that our goal is to find a way to continue PERC's mission ...ich we have succinctly described as follows.

PERC helps manage the municipal solid waste needs of Maine municipalities through an environmentally friendly, jobs creating, taxpaying, and market stabilizing business that provides a public service by generating reliable and cost effective energy that helps reduce our dependence on foreign sources of energy.

Fundamentally, we are in agreement that, if possible, all those involved with PERC need to find a way to continue this legacy well beyond 2017.

Unfortunately, given the current project operating assumptions as they were detailed at the last meeting on October 4, 2011, we have concluded that it will not be economically feasible to continue operating PERC beyond the expiration of the Bangor Hydro Power Purchase Agreement on February 14, 2018. Consequently, based on these operating assumptions, we have recommended to John, Kevin and Kevin that the partners begin the process of planning for the orderly closure and decommissioning of the PERC facility. This conclusion, while difficult, is based upon the following operating assumptions discu... October 4, 2011. They are summarized as follows ... dated September 28, 2011:

1. the municipalities will not commit ... (GAT) of more than 125,000 tons ... and

Options

Planning ahead to take control of our future

- Do nothing = lose local control of cost, impacts & consequences
- Take action = control cost, destination and environmental impacts

Finding The Solution

We've engaged in a multi-year effort to find the best answer to our needs

- **2007:** Planning for 2018 starts
- **2009**: MRC warns membership that tipping fees might spike up in 2018
- **2011:** PERC informs MRC it will be unsustainable past 2018
- **2013**: MRC issues RFP to find options; 15 responses
- **2013 – 2015:** MRC conducts research and site visits
- **2015:** MRC selects solution aligned with members' collective needs

The Chosen Path

Once in a generation opportunity to control our future

- **Innovative Technology Partner:** Fiberight
- **Strong Financial & Technical Backing:** Covanta
- **Centralized Accessible Location:** Hampden

Project Strategic Partner

support from Covanta Energy

- One of the largest owner/operators of infrastructure for the conversion of waste-to-energy
- $1.8 billion company per year in annual revenues
- Waste Disposal:
  - Operates 45 Energy from Waste facilities
  - Processes 20 million tons of waste annually
- Metals Recycling
  - Recycles 500k tons of metal annually

MRC Municipal Review Committee, Inc.
ENSURING AFFORDABLE, LONG TERM, ENVIRONMENTALLY SOUND DISPOSAL OF MSW

Fiberight

COVANTA
Powering Today. Protecting Tomorrow.

Plan Highlights

Building a next generation recycling facility

- Meets our member communities' current needs
- Flexible to meet the future increase or decrease without penalty
- System provides flexibility in products to be marketed
- More diversion from landfill at less cost than any other option
- Capacity at Crossroads Landfill as a fallback plan if needed

Community Benefits

Local control. Local oversight. Local benefits.

- Diverts 80% of incoming material from landfill
- One-stop location for MSW, organics & single stream recyclables
- Does not require out-of-state waste to remain viable
- No change to current trash and/or recycling programs
- Participating communities share in revenue agreements

Equity Charter Reserves

Together our funds go further.

- Custody Account & Tip Fee Stabilization Fund ($25 million)
  - Bridge Waste Transportation Fund (<$1 million)
  - Site Capital Costs ($5 million)
  - Building Reserve ($7 million)
  - Delivery Sufficiency Reserve ($3 million)
    - Charter Members can participate but not in shares that may be released
  - Closure Fund ($1.16 million)
  - Target Reserve Fund (balance after funding other sources)

Evaluating The Options

	MRC / Fiberight	PERC Plan
Tipping Fees:	**$70**/ton	$84.36/ton
Fee Adjustments:	**Annually**	4x Year
Rate Guarantee:	**Yes** – in writing	No
Rebates / Rev. Sharing:	**Yes** – in writing	No
Organics Program Cost:	**Yes** – Included	No – billed extra
Out Of State Waste:	**Not Allowed**	Allowed
MRC Oversight:	**Yes**	No
MRRA Endorsed:	**Yes**	No

MRC
Municipal Review Committee, Inc.
ENSURING AFFORDABLE, LONG TERM, ENVIRONMENTALLY SOUND DISPOSAL OF MSW

The Plan For 2018
Managing Our Future Together

Project Timeline

Building the path to the future

- **Spring 2016**: Communities sign joinder agreements before deadline
- **Summer 2016**: Land purchased, roads & utilities construction begins
- **Fall 2016**: Site work and facility construction begins
- **April 1, 2018**: Facility ready to receive MSW

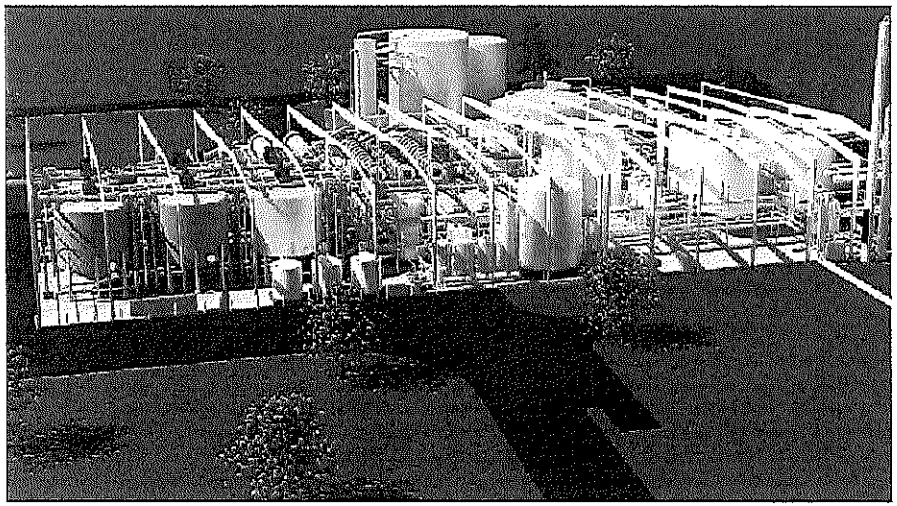
We Seek Your Commitment

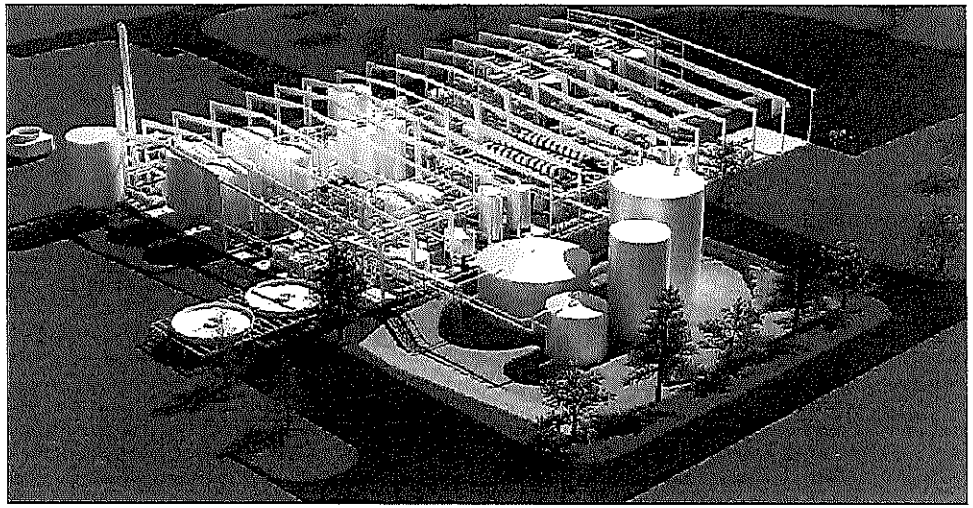
Together we can better manage the future

Your timely support will help ensure the continuation of affordable, long-term and environmentally sound MSW management in our region.

Fiberight/Covanta Hampden Project

The right solution at the right time





Fiberight

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Project Strategic Partner

Capital, Engineering and Operations support from Covanta Energy

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Fiberight

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Powering Today. Protecting Tomorrow.

An Experienced Team

Unparalleled Experience to ensure success of the Hampden project

- **Covanta Team:**
- Long and extensive experience in construction and commissioning of complex waste processing plants
- Recently completed successful commissioning of two major WTE facilities in Durham, Ontario and and Dublin, Ireland
- Long and extensive experience in operating waste facilities, understanding all the pitfalls and problems that come your way
- Significant energy and materials marketing capacity

Fiberight

COVANTA
Powering Today. Protecting Tomorrow.

An Experienced Team

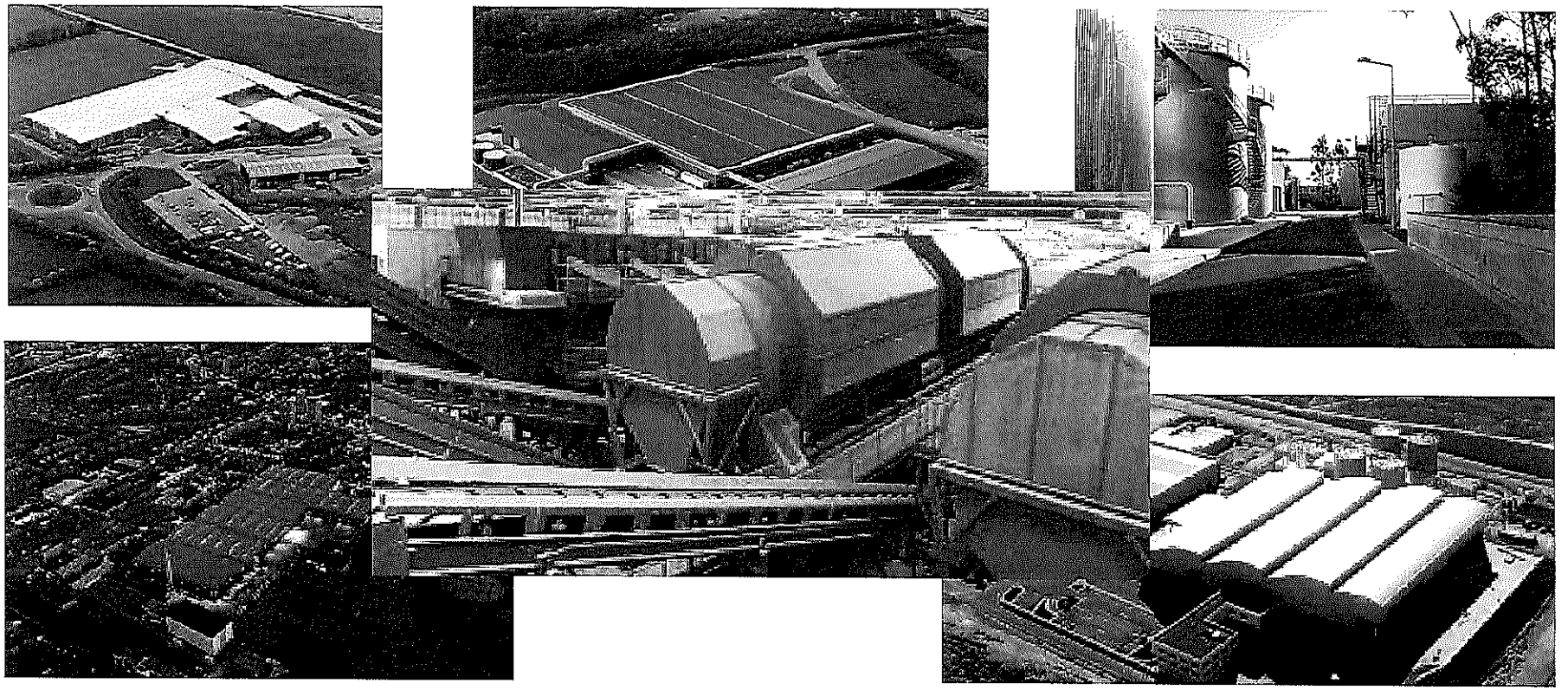
Unparalleled Experience to ensure success of the Hampden project

- **Fiberight Team:**
- Built from the ground up a recycling company that became a market leader in the Mid-Atlantic – Processing over 150,000 Tons per year recyclables
- Developed and commissioned some of the largest recycling centers in the world, including Maryland & UK
- Managed construction, commissioning and operations of Essex County NJ WTE facility – still the largest in New Jersey
- Designed and implemented complex industrial processes that in one instance converted a project to produce 2,000 TPD of chipboard from waste wood

Fiberight

COVANTA
Powering Today. Protecting Tomorrow.

MBT.....34 Million Tons of MSW Annually - And Growing!



Fiberight

COVANTA

Powering Today. Protecting Tomorrow.