

MINUTES

AROOSTOOK COUNTY COMMISSIONERS' MEETING
TUESDAY, JUNE 18, 2024 – 1:00 PM
ADMINISTRATIVE HEARING ROOM – CARIBOU COURTHOUSE - CARIBOU

Present:

Paul J. Underwood, Chair, County Commissioner
Norman L. Fournier, County Commissioner
William Dobbins, County Commissioner
Ryan D. Pelletier, County Administrator
Tammy Pelletier, Operations Assistant
Dana Gendreau, Finance Director
Derrick Ouellette, Deputy Director EMA
Paul Bernier, Community Services Director
Peter Johnson, Sheriff
Erica Pelletier, Chief Deputy
Bryan Jandreau, IT/Facilities Director
Roger Lichtman, NIC
Karen Albert, NIC
Christopher Bouchard, SJV Times
Residents of Grand Isle – David Arnold, Cynthia Payne
Raylan Lagasse – Selectman, Grand Isle

ART. 1. Commissioner Paul Underwood called the meeting to order at 1:00 pm.

ART. 2. Pledge of Allegiance.

ART. 3. No public comment.

ART. 4. **MOTION:**
Motion by Norman Fournier, seconded by William Dobbins to approve the agenda.

VOTE:
Motion voted on and passed.

ART. 5. Commissioner Underwood entertained a motion for approval of the May 15, 2024 Commissioners' Meeting minutes.

MOTION:
Motion by Norman Fournier, seconded by William Dobbins to approve the meeting minutes of May 15, 2024.

VOTE:
Motion voted on and passed.

ART. 6. The County Commissioners approved and signed the following:

A) Attendance record.

- B) Bills and warrants.
- C) Liquor license renewal – The Homestead Lodge – Oxbow.

MOTION:

Motion by Norman Fournier, seconded by William Dobbins to approve the liquor license renewal for Homestead Lodge – Oxbow.

VOTE:

Motion voted on and passed.

- ART. 7. Mr. Ryan Pelletier introduced NIC representatives Mrs. Karen Albert and Mr. Roger Lichtman to provide an update on their scheduled Jail & Justice System Assessment study. Interviews with stakeholders, touring the jail, and an open Community Forum are planned for the next 3 days. General recommendations will be presented during the Community Forum.

No motion necessary.

- ART. 8. Mr. Ryan Pelletier presented for consideration an update on LUPC guidance for adult use and medical cannabis businesses in the Unorganized Territories of Aroostook County. Application guidelines and process will be developed for further consideration.

No motion necessary.

- ART. 9. Mr. Ryan Pelletier presented for consideration a petition pursuant to MRSA 23 Section 3651 for the Grivois Road in Grand Isle. Petitioners Cynthia Payne and David Arnold expressed their concerns. Selectman Raylan Lagasse provided some history and current maintenance challenges. The Commissioners agreed to hold a Public Hearing in Grand Isle on August 7, 2024 at 4:00 pm.

No motion necessary.

- ART. 10. Mr. Bryan Jandreau presented for consideration the hiring recommendation of James Barton as full-time maintenance worker in Houlton.

MOTION:

Motion by Norman Fournier, seconded by William Dobbins to approve the hiring recommendation of James Barton as full-time maintenance worker in Houlton.

VOTE:

Motion voted on and passed.

- ART. 11. Mr. Bryan Jandreau presented for consideration the bid recommendation from A.M. Construction for the replacement of the asphalt shingle roof at the Houlton Superior Court.

MOTION:

Motion by William Dobbins, seconded by Norman Fournier to approve the bid recommendation from A.M. Construction for the replacement of the asphalt shingle roof at Houlton Superior Court.

VOTE:

Motion voted on and passed.

- ART. 12. Mr. Bryan Jandreau presented for consideration the bid recommendations for snow removal at the Houlton building complex (Nickerson Construction), and the Caribou Courthouse/EMA (Larry's Construction).

MOTION:

Motion by Norman Fournier, seconded by William Dobbins to approve the bid recommendations for snow removal at the Houlton building complex and the Caribou Courthouse/EMA.

VOTE:

Motion voted on and passed.

- ART. 13. Mr. Derrick Ouellette, on behalf of Mr. Darren Woods, presented for consideration the hiring recommendation of Garth Johnson as North Lakes Firefighter.

MOTION:

Motion by William Dobbins, and seconded by Norman Fournier to approve the hiring recommendation of Garth Johnson as North Lakes Firefighter.

VOTE:

Motion voted on and passed.

- ART. 14. Sheriff Peter Johnson presented for consideration the hiring recommendations for the following corrections officers:

A) Daniel Bowman – full-time

MOTION:

Motion by Norman Fournier, seconded by William Dobbins to approve the hiring recommendation of Daniel Bowman as full-time corrections officer.

VOTE:

Motion voted on and passed.

B) Mayse-Meysah Dahlk – full-time

MOTION:

Motion by Norman Fournier, seconded by William Dobbins to approve the hiring recommendation of Mayse-Meysah Dahlk as full-time corrections officer.

VOTE:

Motion voted on and passed.

C) Lindsay Anderson – full-time

MOTION:

Motion by Norman Fournier, seconded by William Dobbins to approve the hiring recommendation of Lindsay Anderson as full-time corrections officer.

VOTE:

Motion voted on and passed.

D) Kamden Westerdahl – part-time

MOTION:

Motion by Norman Fournier, seconded by William Dobbins to approve the hiring recommendation of Kamden Westerdahl as part-time corrections officer.

VOTE:

Motion voted on and passed.

E) Sarah Sirois – part-time

MOTION:

Motion by Norman Fournier, seconded by William Dobbins to approve the hiring recommendation of Sarah Sirois as part-time corrections officer.

VOTE:

Motion voted on and passed.

ART. 15. Sheriff Peter Johnson presented for consideration the commission of Chief Joey Seeley as Aroostook County Deputy.

MOTION:

Motion by Norman Fournier, seconded by William Dobbins to approve the commission of Chief Joey Seeley.

VOTE:

Motion voted on and passed.

ART. 16. Mr. Paul Bernier presented for consideration the three (3) year contract for snow removal in Connor with the City of Caribou.

MOTION:

Motion by Norman Fournier, seconded by William Dobbins to approve the three (3) year contract for snow removal in Connor with the City of Caribou.

VOTE

Motion voted on and passed.

ART. 17. Mr. Paul Bernier presented for consideration the three (3) year contract for snow removal in Cross Lake with the Town of St. Agatha.

MOTION:

Motion by William Dobbins, seconded by Norman Fournier to approve the three (3) year contract for snow removal in Cross Lake with the town of St. Agatha.

VOTE:

Motion voted on and passed.

- ART. 18. Mr. Paul Bernier presented for consideration the road paving projects for Wilcox and Oliver roads in Cary Plantation.

MOTION:

Motion by Norman Fournier, seconded by William Dobbins to approve the road paving projects for Wilcox and Oliver roads in Cary Plantation.

VOTE:

Motion voted on and passed.

- ART. 19. Mr. Paul Bernier presented for consideration the three (3) year contract for snow removal in TDR2 with the town of Bridgewater.

MOTION:

Motion by William Dobbins, seconded by Norman Fournier to approve the three (3) year contract for snow removal in TDR2 with the town of Bridgewater.

VOTE:

Motion voted on and passed.

- ART. 20. Mr. Paul Bernier presented for consideration the three (3) year fire protection agreement in TCR2 with the town of Monticello.

MOTION:

Motion by William Dobbins, seconded by Norman Fournier to approve the three (3) year fire protection agreement in TCR2 with the town of Monticello.

VOTE:

Motion voted on and passed.

- ART. 21. County Commissioner's Report

Commissioner Fournier advised that there were some major claims from last month with \$254,000 put in reserves. Liability premiums could increase 10-20% next year. FOAA requests are taking a lot of effort to provide 5 years of settlement agreement information. One county has more than 30 requests.

The Jail Professional Council recommended that Jail MAT funding of \$4 million be allocated based on the applications submitted by the counties. \$100,000 will be left open for counties who did not submit their initial applications for funding.

ART. 22. Other Business

No other business.

ART. 23. At 2:16pm, the following motion was made by William Dobbins, and seconded by Norman Fournier:

“I move that we enter Executive Session pursuant to MRSA 405(6)(a) discussion of the county administrator’s goal review and Evaluation for 2023; and to discuss employee retirement and position considerations.”

Upon return from Executive Session at 2:53pm, William Dobbins moved to approve the creation of a part-time IT Director position and to authorize the County Administrator to negotiate employment terms.

VOTE:

Motion voted on and passed.

ART. 24. Adjournment.

MOTION:

A motion was made by Norman Fournier, seconded by William Dobbins to adjourn the meeting at 2:55 pm.

VOTE:

Motion voted on and passed.

ATTEST: A True Copy
of Commissioners’ Meeting

Ryan D. Pelletier
County Administrator

AROOSTOOK COUNTY COMMISSIONERS
DATE: July 17, 2024

Tax Abatement Hearing Notes

7/8/2024 9am Caribou Administrative Hearing Room – Cassidy Holdings, LLC vs. City of Caribou

Present:

Paul Underwood, Chair, County Commissioner

Norman Fournier, County Commissioner

William Dobbins, County Commissioner

Ryan Pelletier, County Administrator

Tammy Pelletier, Operations Assistant

Dana Cassidy, Appellant

Penny Thompson, City Manager, City of Caribou

Melissa Lizotte, Bangor Daily News

Commissioner Paul Underwood called the meeting to order at 9:02am.

Ryan Pelletier administered the Oath of Witness for Mr. Dana Cassidy and Mrs. Penny Thompson. Oaths were signed and submitted to the record.

Commissioner William Dobbins motioned to approve the agenda and Commissioner Norman Fournier seconded, and the motion was voted and passed.

Commissioner Underwood described the process of the hearing, beginning with introductions, then Mr. Cassidy will present his case followed by questions from the Commissioners and Mrs. Thompson, followed by Mrs. Thompson presenting the City's case and questions from the Commissioners and Mr. Cassidy. Commissioner Underwood also iterated that this was not a court of law and confirmed that both parties waived a recorder. Mr. Cassidy and Mrs. Thompson confirmed.

Commissioner Underwood invited Mr. Cassidy to present his case for tax abatement for the property located at 63 Sweden St, Caribou, ME.

Mr. Cassidy began by explaining that while having the opening ceremony for another business he owns in Caribou, he was approached by the previous City Manager about the Sitel building located at 63 Sweden St. He was told it would be a good investment to buy at \$50,000. He thought it could be senior housing or remain a call center. Prior tenant SaviLinx moved across the street to a city owned building causing Mr. Cassidy to lose business. He believes this shows the city is working against the people who are paying taxes. He paid \$12,000 in marketing to try and get a new telemarketing business in place. When the tax bill came, he was expecting about \$1200 based on \$50,000 sale price and was shocked to see \$32,000 tax bill with his property valued at \$1,385,000. He appealed to the city asking that the market value be assessed at \$210,000 per his Broker Opinion as submitted. Mr. Cassidy, referring to the Broker Opinion of Value from RE/MAX, presented several comparable properties for consideration of an incorrect assessment. 1) 60 Access Hwy, Caribou – higher square footage, sale price \$130,000, tax amount not listed; 2) 52 Sweden St, Caribou -lower square footage, sale price \$55,000, tax amount \$4,802; 3) 1101 Presque

Isle Rd, Caribou-lower square footage, sale price \$350,000, tax amount \$4,029. *NOTE: additional properties were included for comps, but were from locations other than Caribou and could not be considered at this hearing. Mr. Cassidy indicated that his reasoning for \$210,000 valuation is based on the fact that the building is and has been vacant, there was a sprinkler system issue that caused flooding and mold in the building. He said the building has been condemned. The value of \$1.385 million was the value with 350 employees and it was a mini city, but it is empty and generates no income. Mr. Cassidy believes the valuation must account for that. The building is not an asset to him, but a liability. Now that the building has been dormant and dead, he thinks that the value should be even less at \$150,000 but agreed to the RE/MAX assessed value of \$210,000. Mr. Cassidy said that was his case and it was proven by showing the sold properties and by the fact that the property at 63 Sweden St is empty and the value has decreased. He continued questioning why the city turned down purchasing the building for \$50,000 and then assessed it at \$1.385 million? He indicated that the City Manager oversaw the Board of Assessors tax abatement hearing. He doesn't understand how the same person who set the value was overseeing the meeting. When he first got the bill, he thought it was an error and didn't understand because it was dormant and no parking lot. He owns many buildings with million-dollar values, he couldn't understand this valuation. The city denied his request for Tax Abatement and he filed with Maine Superior Court because who pays \$32,000 in taxes for a building that they paid \$50,000 for. He described the hearing with the Board of Assessors as including conversations behind closed doors before and after the hearing with Mrs. Thompson included. He believes this shows collusion within the city which is why he paid the taxes in order to take it to Superior Court. His attorney is on hold as it would have cost over \$10,000 to have him be present today. Mr. Cassidy said the city can't keep doing this as there is no logic to their valuation. The building has been fully shut down, sprinkler system burst, 4 inches of water running out the door, condemned for 2 years, still getting tax bill and has never seen an assessor or being asked. Mr. Cassidy discussed potential offers and loss of offers.

Commissioner Underwood redirected Mr. Cassidy to talk about the issue in front of us, which was specifically the 2021 tax abatement request. Mr. Cassidy indicated that the \$1 million valuation was ridiculous for \$150,000 tear down building and that the Assesor being the City Manager was colluding.

Commissioner Norman Fournier asked Mr. Cassidy to review page 12 of the City's response which included the list of 3 items that can be considered for tax abatement; 1) Valuation was wrong; 2) Methodology; 3) illegal action. Mr. Cassidy believed he had presented his case for the Valuation being incorrect, that there was no methodology used considering that it sold for \$50,000 and fair market value was not considered. As for illegal action, Mr. Cassidy indicated the city engaged in collusion with back room meetings and it was a violation of ethics to have the city manager included when they were the assessor at the time.

City Manager, Mrs. Penny Thompson, asked Mr. Cassidy if he was aware of the policy that if a property has been owned for 14 months and has been marketed, that the assessment would include a factor for functional obsolescence and did the City make deductions using this policy to other tax bills for properties he owns in Caribou? Mr. Cassidy responded in the affirmative, that he had received deductions on other business, however it was the first he was hearing of the 14-month

policy. Mrs. Thompson remarked that the policy was still used to his advantage. Mrs. Thompson indicated that at the time of the tax bill, April 1, 2021 that Sitel, the prior owner, did not prorate the taxes during the sale of the building. She pointed out that the Commissioners meet and both Mr. Cassidy and herself are included, but they also have discussions outside of the meeting. Mr. Cassidy responded that decisions should not be rendered in back rooms with the assessor as that is ethically unsound. Mrs. Thompson summarized the RE/MAX Broker Opinion which as not being completed by a licensed appraiser, that the purpose of the document does not indicate it was prepared for tax abatement, and the method is not explained. All of which are requirements in the City's process to determine if abatement is to be granted.

Commissioner Underwood asked Mr. Cassidy to provide his definition of appraisal. Mr. Cassidy responded that it was a certified individual at different levels that takes 3 properties closest to the subject property, not always in the same town because if there are no comps, you go outside the area. Using the comparable sales and proximity then you add and subtract to the subject property. Commissioner Underwood asked Mr. Cassidy to provide his definition of an assessment. Mr. Cassidy responded that it was the money that the city needed to run. Commissioner Underwood asked Mr. Cassidy where the number from the assessment comes from. In response, Mr. Cassidy referred him to the city saying he works with fair market value and logic.

At 10:00 am Commissioner Underwood adjourned the meeting for a 5-minute break period.

At 10:06 am Commissioner Underwood called the meeting back to order and invited Caribou City Manager, Penny Thompson to present her case.

Mrs. Thompson began by indicated that she had prepared a 109 page response to the abatement request, that the valuation clearly articulates methodology, and Mr. Cassidy has had every opportunity to present evidence to the contrary, but has failed to do so. She indicated that the city's attorney could not work on this case due to a conflict of interest that often happens in small towns. A new attorney was cost prohibitive to the city so all preparation has been done by Mrs. Thompson. Mrs. Thompson indicated that Mr. Cassidy has provided no evidence that methodology was wrong, MLS sheets are not sufficient proof of incorrect methodology. In addition, in the new material provided by Mr. Cassidy there were many properties that were located in towns well outside of Caribou and Aroostook County. These comps are not evidence that the assessment was wrong. It must be proven that there has been a disproportionate share of the taxes assessed to show discrimination and MLS does not prove that. Mrs. Thompson pointed out that Mr. Cassidy is the 3rd owner since the valuation of \$1.385 million on the building and the prior owners did not dispute their tax bills. Mrs. Thompson referenced page 3 & 4 of her submitted response which included the methodology used and that this formula was applied to all Caribou properties. She indicated that an appraisal and an assessment can be different. Caribou uses the Cost Approach when determining value. Mrs. Thompson indicated that even though policy requires taxes to be paid prior to any Board of Assessors hearing regarding abatement, Mr. Cassidy had not paid his taxes and they still held a hearing. Mrs. Thompson said that the city tries to be reasonable and accommodating with property owners because that is in the city's best interest. With regard to the RE/MAX Broker Opinion, several locations are owned by Exempt/Non-Profit entities which are usually not included

in comps. Mrs. Thompson indicated that usually only 'arm's length transactions' are included in comps and not sales or transfers between relatives which can affect the fair market value. Mrs. Thompson stated that the Broker Price Opinion was not an appraisal, that the purpose was not stated as being for tax abatement and that it was prepared by an unlicensed appraiser. With regard to parking, the agreement with Sitel required that they have 100 parking spaces within the city. Those spaces are designated on Herschel St. and Hatch Dr. Mrs. Thompson pointed out that the assessment of \$1.385 million has been in place since 2012 and it did not change when it was purchased by Mr. Cassidy in 2021. She commended Mr. Cassidy for his contributions to Caribou but that was not what was being discussed today. The space at 63 Sweden is an office, not warehouse and should not be compared to buildings that are warehouse space. Properties are assessed for functional obsolescence but the building must have the same owner for 14 months and it must be vacant and marketed. At the time of the tax bill in April 2021, Mr. Cassidy had not owned the building for the required length of time and was not eligible for any deduction due to condition or occupancy. A new assessment has been made in subsequent years where the valuation is now at \$604,200 for the current year. This was based on what the new assessor, John Sally, has been told about the condition of the building. He has been denied access by Mr. Cassidy.

Commissioner Underwood asked Mrs. Thompson if a bighted property next door would have an effect. She responded that this would be considered economical obsolescence which is built into the city's tax map. He also questioned the name of the report in the city's response paperwork, "Valuation Report". Mrs. Thompson indicated this was simply the name of the report from the TRIO appraisal system used by the city. She believed this report contained the relevant information needed. Commissioner Underwood questioned whether the property was considered distressed, to which Mrs. Thompson indicated that the property was not distressed at the time of the tax bill.

Commissioner Underwood asked if Mr. Cassidy had any questions for Mrs. Thompson. He declined.

Commissioner Fournier asked Mr. Cassidy to refer to the city's response pages 104-109, containing the comps provided by the city, and to explain what the difference was between those assessments and the one done for his property at 63 Sweden St. Mr. Cassidy indicated he hadn't looked closely enough at what the city provided. He doesn't look at factors, just facts which are how much is sold for, is it occupiable, how is the roof, furnace. His building is full of mold and they need hazmat gear to enter. Commissioner Fournier asked if the comps provided by the city contained the same factors as used on his assessment. Mr. Cassidy responded 'yes'.

Mrs. Thompson said that there is some responsibility on the owner of the building to advise the city assessor when there are substantive changes to a building/business. The city had no indication of the condition of the building and was denied access. Mr. Cassidy said that he can't have anyone in the building due to mold, that hazmat suits are required and that the assessor can contact his attorney, Mr. Roger Huber, to gain access to the building. It is too much of a liability to let anyone in.

Mr. Cassidy continued to iterate that it was a \$150,000 tear down and the city is still assessing the building at \$604,200.

Commissioner Underwood redirected the discussion to stay on topic of the 2021 taxes and that they could not consider what the taxes are currently.

Mr. Cassidy advised Mrs. Thompson to have the assessor call the attorney for building access. He summarized that he had never heard of this 14-month rule before and he's got the best attorney's and they don't know about it either. With regard to the valuation, he doesn't think cost approach is the right method asking 'How can you relay cost to a building built in 1957 and condemned in 2024?' He believes the cost approach is irrelevant.

Commissioner Underwood said that everyone was assessed the same and it was up to Mr. Cassidy to prove he was not. Mr. Cassidy responded by indicating the old Felch building, 647 Main St has 5 tenants, good location, valued at \$482,000 versus his location at 63 Sweden St being obsolete, dormant and a liability being valued at \$604,200.

Commissioner Underwood indicated that they can only consider material related to the case at hand and current tax valuations are not relevant to the matter of the tax bill as assessed in April 2021.

Commissioner Underwood asked if there were any additional comments or questions. To which there were none. He explained that a decision would be rendered within 30 days and that they would try to get the decision approved at the next Commissioners' meeting on July 17, 2024.

Commissioner Dobbins motioned to adjourn the hearing at 11:23 am and Commissioner Fournier seconded.

Process to govern the application for Adult Use Cannabis Business Licenses in the Unorganized Territories of Aroostook County:

- 1. Petition requesting an Opt-in advisory referendum submitted to County Commissioners. Petition must contain 20% of the registered voters who voted in the most recent gubernatorial election for the township. In no case will the number be less than 5 residents unless a township has fewer than 25 registered voters. In cases where a township has less than 25 registered voters at least 50% of registered voters would be required to petition.**

The petition must name the applicant, type of license(s) requested and address of the proposed business activity. Types of License include: Retail, Cultivation, Manufacturing & Testing.

Example: If Connor Twp had 150 voters cast ballots in 2022, therefore a petition with 30 valid Connor Twp voters needs to be submitted.

- 2. Once verified, a referendum question is placed on the next general or primary election ballot asking the question to the resident voters of the township if they wish to Opt-In for adult use cannabis. Example: "Shall the residents of the Township of XX recommend an Opt-In Vote for Adult Use Cannabis License for XX Business Activity?"**
- 3. If majority of voters in the township approve, the question is placed before the County Commissioners for a formal Opt-In vote. The Commissioners can still vote in favor or oppose.**
- 4. If the majority of Commissioners vote in favor an application license will be issued to the applicant. A license fee of \$500 will be due at the time of issuance. Annual license renewal will be \$100.**
- 5. The applicant will complete an application and submit it to the County Commissioners for formal review and approval. A public hearing will be held in conjunction with the issuance of a new license (similar to how liquor licenses are now handled). Renewal licenses may be subject to a public hearing at the discretion of the County Commissioners.**
- 6. Each type of cannabis business is subject to its own license. License types include: Retail, cultivation, manufacturing and testing.**
- 7. Social Clubs are NOT ALLOWED.**



Aroostook County
Sheriff's Office

Peter A. Johnson, Sheriff
Erica L. Pelletier, Chief Deputy

Patrol

Transportation

Corrections

Civil Process

To: County Commissioners

From: Peter A. Johnson, Sheriff

Reference: Sale of 2008 Chevrolet Impala

The Aroostook County Sheriff's Office recently advertised a 2008 Chevrolet Impala for Bid, owned by the Sheriff's Office. Bidding closed on July 5, 2024, and were opened on 07/09/2024. Two bids were received, and the highest bid was for \$275.00 from Ken Spittle. It is recommended we sell the Impala to Ken Spittle for \$275.00.

FAITHFULLY SERVING OUR NEIGHBORS SINCE 1839

25 School St., Suite 216, Houlton, ME 04730

Tel: 207-532-3471

Fax: 207-532-7319