

18 Feb 2016 Meeting Between the Baldwin Selectmen  
and F.E. Wood Natural Energy

Participants:

Gary McNeil - Selectman

Olin Thomas - Selectman

Bob Flint - Selectman

David Laurie – Town Attorney

Tony Wood – F.E. Wood Natural Energy

Dean Wood – F.E. Wood Natural Energy

Others – Members of the public

A handout containing the two warrant articles related to the access road was given to all participants. A copy is attached.

Bob Flint started by stating the goals of the meeting is to prepare for the public hearing on 27 Feb 2016. There are three issues that need to be agreed between the Town and F.E. Wood Natural Energy before the meeting so that the public can be given a complete explanation of what is being voted on at the 12 Mac 2016 Town Meeting.

1. The newly requested easement.
2. The “Agreement” that will replace the MOU which was part of the Town’s application for the Cumberland County Development Grant.
3. Management and cost sharing of the road project if the grant is approved by Cumberland County and town voters on 12 Mar 2016.

New Easement: Bob Flint read the article related to the easement as written and included in the town warrant which had been delivered to the printer that day. There was some discussion about the details of the article and how it might relate to F.E. Wood’s ability to obtain financing from other investors. Bob Flint stated that he believed the wording would protect both the Town’s and F.E. Wood’s interest in the proposed road. Someone from the audience asked when the new easement would be effective. Bob Flint stated that the article is not an easement, only an authorization for the Selectmen to grant an easement and it included the wording “the easement shall be on such additional terms as the Selectmen deem advisable.” One such term would be only if construction on the pellet mill has started. Tony Wood stated that he believed the article would be acceptable but he will review it and be ready to discuss it again if necessary at the next meeting. Dean Wood mentioned that F.E. Wood might want to purchase land adjacent to the school in lieu of the easement. Gary McNeil stated that sale of Town land would generally be done in a public auction.

Agreement, Management and Cost Sharing: Bob Flint mentioned that the MOU as submitted to Cumberland County stated or strongly implied an understanding exists between F.E. Wood Natural Energy and the Baldwin Selectmen concerning the level of F.E. Wood Natural Energy financial support for the project and management of the road construction project. Bob Flint stated that no such discussion or agreement had taken

place but it is the Selectmen's goal to get such an agreement in place before the public hearing nine days hence. A discussion ensued concerning the levels of financial and in-kind services proposed by F.E. Wood Natural Energy. F.E. Wood Natural Energy is prepared to fund 40% of the project in combined contributions of cash and services. Tony Wood stated that if the bids for the project exceeded the funding available, F.E. Wood would seek to get additional cash to complete the work as designed or seek to down-scope the project so that it could be completed within the funding available.

Bob Flint stated that he believed the article related to the grant would not pass without F.E. Wood being responsible for repayment if they failed to produce the required jobs. He stated the Selectmen would include it in the "Agreement." With the understanding that the grant, if received would be a "no greater than" amount and the Town wanted to hold F.E. Wood to their stated commitment of a 40% contribution, Bob Flint stated that the Selectmen would draft an "Agreement" and forward it to F.E. Wood Natural Energy via the Town Attorney to be discussed at the next meeting.

The next meeting is to be held at the same time and location on 25 Feb 2016.

David Laurie, Town Attorney stated that the warrant articles need to be reviewed with respect to "to be voted on by secret ballot" and the impact on being able to amend or debate the articles at the Town Meeting. The Selectmen agreed to review the question.

Baldwin Selectmen  
Gary McNeil  
Olin Thomas  
Bob Flint

1. To be voted on by Secret Ballot

To see if the Town will authorize the Selectmen to grant an easement from Route 113 to the property designated as Tax Map 5, Lot 43F. The easement shall be located adjacent to the Baldwin Consolidated School facility as requested by F.E. Wood Natural Energy and as presented at the 27 February 2016 public hearing. The easement shall be appurtenant to the property designated as Tax Map 5, Lot 43F, and shall be held in common with the Town and others authorized to use the road and utility facilities from time to time. The easement shall be on such additional terms as the Selectmen deem advisable. for the purpose of constructing and operating a wood processing facility on Tax Map 5, Lot 43F, and shall require the owner of Tax Map 5, Lot 43F to complete construction of a sufficient road and to install utilities, each to standards approved by the selectmen within a 3-year period. Immediately upon completion, the owner of Tax Map 5, Lot 43F shall convey ownership of the roadway and utility facilities to the Town, but the roadway shall not become a town way. The owner of Tax Map 5, Lot 43F shall remain responsible for all expenses for repair, and maintenance (including winter maintenance) of the roadway. The easement shall replace the easement authorized by Baldwin voters on 20 September 2014. .

2. To be voted on by Secret Ballot

To see if the town will vote to accept a Cumberland County Development Block Grant in an amount up to \$150,000.00 to support construction of a road on the easement granted to F.E. Wood Natural Energy. Town acceptance of the grant, if awarded by Cumberland County, to be contingent on construction of a wood processing facility on Tax Map 5, Lot 43F, sufficient financial and service contributions from F.E. Wood Natural Energy to complete the road to state highway standards, and acceptance by F.E. Wood Natural Energy of the Agreement between the Town and F.E. Wood Natural Energy as presented at the 27 February public hearing. If this article is passed, the town will have obligations to Cumberland County to repay the grant if the pledged jobs are not created by F.E. Wood Natural Energy within 3 years, or otherwise fails to meet its obligations.