

UNITY ECONOMIC DEVELOPMENT COMMITTEE
JANUARY 3, 2018 * 6:00 PM * COMMUNITY CENTER

AGENDA

- 6:00 Introductions & Agenda Review (Mary Ann)
- 6:05 Review and approve November 6 revised and December 4 meeting minutes (Ellen & Jenny)
- 6:10 Bylaws Revisions (Mary Ann)
- 6:20 Committee Reports (2-3 minutes each)
- RLF Committee (Jim/Mike)
 - Marketing Committee (Jenny)
 - Makers Space Committee (Kari)
 - Lake & Trails Committee (Mary/Ellen/Penny)
- 6:30 Lodging Feasibility Study RFP Review (Mary)
- 6:40 2018 Budget Allocation Recommendations (Mary Ann)

Requests:

- Fire Dept. Parking Lot Surfacing (\$9,000 est. of \$30,000 est. total)
 - Fire Dept. Truck Fund Reserve Account (\$10,000)
 - Revolving Loan Fund (\$15,000)
 - Lodging Feasibility Study (\$15,000)
 - Community Grant Program (\$5,000?)
 - Marketing Grant Program (\$10,000?)
 - Electronic Event Sign (\$12,000)
 - Marketing (\$6,500 web site; more?)
 - Horse Show Ring (\$TBD)
 - Business Directional Sign Cost-Shares (\$TBD)
 - Streetscape/Lighting/Signage Plan - Landscape Architect/Lighting Expert-(\$TBD)
 - KVCOG Dues (\$2,730?)
 - Traffic Calming (\$400?)
 - General Administration (Kari time, EDC web site admin, legal, misc. \$5,000)
- 7:40 Wrap-up & Next Steps (Mary Ann)
- Summarize Budget Status
 - Finalize Recommendations/Confirm Timeline
 - Annual Report
 - Need for extra meeting?
 - February meeting agenda
- 7:55 Other Business/Announcements
- 8:00 Adjourn

Unity Economic Development Committee November 6th, 2017 Minutes (Revised)

Note: Decisions and commitments made in ***bold italic***.

Present: Jon W, Ellen B., Jenny d., Mary L., Lucia P., Najean S., Alicyn S.,
Tony A., Kari H., Mike G., Mary Ann H.
Excused: Larry K., Joe S.
Absent: Emily N., Gail C., Jim B.
Guests: Zoey Bond, Josh Miville, Jason (Jake) Johnson, **Penny S.**

ITEM 1: Review and approve Oct 2nd meeting minutes

Ellen: friendly amendment – remove highlighted section. Jenny d. -motion to accept the minutes, Alicyn S 2nd the motion – all were in favor.

ITEM 2: ATV and Snowmobile Clubs – What Can Be Done?

- Josh Miville from Chase Toys/ Snow Dusters
- Jason Johnson from ATV Club

Want to get updated park n ride at Envirem location.

Initiated by ATV club, historically has been at that location.

Envirem good neighbor, helped reroute trail when they moved

Also parking @ Chase Toys and Clubhouse

Work by Snowdusters @ Chase Toys for another Park n Ride and to connect Thorndike/Unity trails.

They advertise local businesses on their trails

30 miles of maintained snowmobile trails from Dixmont to Albion.

Business provide the sign to be hung on a billboard @ Albion Trailhead and 1 @ Jackson/Dixmont side, information billboard @ Horse Show Ring for examples. Spanky's has been happy with results. Good ROI.

Midcoast riders like Frye Mountain but there is no destination area – Unity has gas and food so there is an opportunity here to attract more riders. EDC could help by providing signs or organizing group purchases – hard plastic can be printed or left blank to write in businesses. 8 ½ x 11 12 x 12. (Mary says – metal trail signs of sim size = 40\$).

Josh shared UMaine economic impact statement of snowmobiling (old data (1997-98), but illuminating). 1995: \$200mill into Maine, 2012: \$540 million (sales, service, travel sundries).

They maintain trails that other groups also use: Horses, carriages, walking, biking with landowner permission.

Need help with increasing membership

Tracking: through Town registration #'s. Snowdusters membership is obviously snow/weather dependent.

Also, they offer business memberships which gets an ad in Maine snowmobile Newsletter as well as trail signs and their business names added to the FB pages
What is the strategy to get businesses or individuals to join? – FB requests.

EDC could include these groups in welcome packet and new business letter

Other areas where town/ EDC could help:

Getting info on landowners to contact them (phone, etc.)

Continue to make membership applications available @ town office and distributed when a snowmobile or ATV is registered.

Help advertise Snowdusters clubhouse for rentals.

Getting trails ready (moving brush, fixing bridges) – ***EDC recommends contacting Unity College (Reeta Lagen – Service Learning, Tom Mullin – UC Trail Crew, Pat Clark – UC Woodsmen***

Help in writing grant proposals (ie to state for \$ to fix bridge)

Misc:

Snowdusters gets some state grant \$ (~ 8000\$), but only if they can justify work hours @ 8\$/hr). ATV group applies for grants (based on # of miles of trails), gets volunteers to donate their \$ back into club.

Chase Toys: - selling snowmobiles:

Spend 3000\$/mo. on advertising - Radio (weekly), FB “boost”, website

FB “target Market” income levels, location, demographic – good success reaching out to nearby states (NH/Mass)

ITEM 3: Review Community Grant Application

- Unity Snow Dusters Club (Josh Miville)

Snowdusters is a 5013c and gets a small grant from the state to pay for labor to upkeep trails. They request \$2500 for renovations (job total is estimated \$5000).

Snowduster Clubhouse (Fisher rd.) built in 1973, been improved once since then and is a bit rundown now. They want to renovate to attract more people to use it.

Front has already been re-sided. Further renovations include new roof, kitchen, dry wall, and heating system update.

Is a community asset worth saving- they lend out tables and chairs, donate the space for public benefits and can be rented low cost for weddings, etc.

This application, as written, cannot be supported according to TIF rules – there is currently no indication for a clear benefit to Unity economy.

TIF \$ can be spent on supporting recreational trails (including maintenance or capital equipment, or bridge repair/engineering), printing costs for trail maps, time for someone to update social media and “get pins on maps,” help with advertising like trail signage.

Mary stated that there is no specified allocation for projects in the recreational trails category, so a very compelling project that is over \$2500 could be considered, best proposed at December meeting for consideration via 2018 budget process.

Committee recommends that Snowdusters rewrite application, answering the questions that were skipped. Recommend to focus on projects that TIF can fund according to rules. Josh shared that he would find it challenging to find the time to do this.

Mary Ann H. asked if the EDC had decided if members can assist with Marketing and Community Grant applications. It had been earlier decided that members could not apply for RLF funds as it would be difficult to be objective and have a bad public appearance. Several expressed reservations about members giving substantial assistance but also wanting to be helpful to those who have trouble preparing applications. It was noted that Selectmen, who make the final decision, should refrain

from direct involvement and should recuse themselves from voting on applications that involve close relations. With only 2 members of the Selectboard right now, any recusal would result in the inability to act. **It was agreed that this policy needed to be developed and added to the EDC bylaws at the next meeting.**

Zoey offered to help Josh revise the application. If completed and resubmitted, Committee can review again at December meeting.

Najeen S. will connect Josh and Jason with UBx. UBx follow up with Chase's for X-mas event.

ITEM 4: Administrative updates

- Comprehensive Plan Update (selectman)
 - Still waiting to hear about committee membership
- Welcome to Unity packets (Penny)
 - Working with Town Office to put together a folder with Unity Logo/ portfolio. Currently has post office moving forms and phone books and some business brochures but can add to it as people send it in, like a FAQ for town services.
 - Would like to get something ready in the next 10 days and give some to UC for new staff/faculty as well as having them at the town office
 - **EDC members get the word out- do businesses want to offer coupons, discounts? Continue by talking with UBx, working with Marketing subcommittee**
- Website upgrade (Penny S.)
 - Considering UnityME.org: can this function as both a town and a visitor site? And does our current provider have enough flexibility to do what we need or should we look to upgrade or even look elsewhere?
 - Examples to consider: LakeSiteTN.gov & TownofGranby.com – use same website company - these examples suggest that one website could possibly serve both purposes
 - Pros and cons: With an upgrade of our current provider we could edit content, but not structure, but structure will be more designed. For services, we might expect migration of current content and design (but not content creation). One site for both purposes = not having and maintaining 2 websites. Could even include Unity.org info (UBr owned)
 - **Contact BridgtonMaine.org and others to see what service they use. (Mary) Contact service provider for Orono Maine to learn what services they provide and approximate costs (Ellen)**
 - **Transition website review to marketing**
- Lighted sign (Mary L., Larry K.)
 - Research: 3 x 6 lit top sign = \$17,000, 4 x 6 = \$19,000
 - Consider ordinances for lit signs. – LEDs are exempt (?)
 - **Larry and Mary will bring proposal to Dec. budget meeting**

ITEM 5: Revolving Loan Fund Committee update (Mike G.)

- Committee of Anni R. Jim B, Mike G, Kari H. met to review 1st application
- Came up with a number of questions for follow up, **Jim B. will return to applicant for answers/ follow up.**
- Questions are arising in this first review of an RLF application, like communication channels. Committee is working to identify sticking points and develop better future practices, deciding on what our appetite for risk is, how to deal with conflicts of interest, and generally improving the overall process.
- **EDC recommends applicant contact the RLF committee for any clarification**

needed. It was reminded that these applications are CONFIDENTIAL and only the RLF Committee members should be aware of details.

ITEM 6: Marketing Committee and interview update (Jenny d.)

- Marketing Committee is working on building a welcome package, nailing down the logo and tagline, completing our business marketing survey, and reviewing website options.
- ***Marketing Committee will be taking the following actions: reach out to new businesses, brainstorm ideas on how to bring more events in to Unity and develop requests for budget consideration at Dec. EDC mtg.***

ITEM 7: Lodging Committee update (Mary L.)

- Phase 2 with UF and GrowSmart hasn't gotten going yet, but it seems likely that *in phase two we will engage GrowSmart to deliver some specific items, for example - write the RFP for a lodging study.*
- Mary found two primary consultants that do lodging studies (have done Rumford and Brighton ME). Range of service \$10-17,000. Should we send an RFP to both companies?

ITEM 8: Continuation: what's next for the EDC? (Mary L.)

Budget Development for 2018 expenditures

Have Jason from ATV back.

Next meeting is December 4

8:00 Adjourn

State Law and Ethics

(from *Maine Townsman*, July 1990)

By Geoff Herman, MMA Paralegal

Though the following article may be somewhat dated, it is still believed to include information that may be useful to the reader.

Maine law does not reach deeply into the area of municipal governmental ethics. Appropriately, the setting of ethical standards for municipal officials is left to the municipal legislative body, except for some minimum standards which are found in the statutes or which have been developed over the years by related court decisions.

There are essentially four ethics-related situations that can occur at the level of municipal government which are covered to some degree by various statutes or common law: conflict of interest, incompatibility of office, prohibited appointments or employment, and various provisions regarding bias.

Some of these legal standards, such as the incompatibility of office or quasi-judicial bias provisions, are designed primarily to ensure fairness in government and a healthy system of checks and balances within the governmental machine. The legal provisions governing conflict of interest or prohibited appointments/employment, on the other hand, are designed more deliberately to frustrate a municipal official from furthering his or her own self interest at the expense of the broader municipal interest.

Conflict of Interest

In a sense, all issues regarding governmental ethics boil down to the situation of the municipal official being motivated by conflicting or competing interests. Municipal officials are sworn into public office to serve the interests of the public as a whole, and in the municipal official there is vested a public trust.

A betrayal of that trust occurs when an official is motivated to action as a result of a self interest rather than a common interest. The legal concept of "conflict of interest" as governed by statute, however, is limited to interests of a financial nature only.

30-A MRSA § 2605 is the statute which attempts to define the official who will be presumed by the law to be "self interested" when performing a particular governmental action, such as awarding a contract or voting in an official capacity on any question.

The standard found in § 2605 is essentially a 10% financial interest in the business or economic entity affected by a vote of a municipal board. The statute states that the vote of any municipal board can be vacated or voided by a court (which would occur upon complaint) when any official on that board votes on a question in which that official has a 'direct or indirect pecuniary (financial) interest. A "direct or indirect pecuniary interest" in a vote is deemed to occur when the voting official has at least a 10% interest in the business to which the vote relates as an officer director, partner, associate, employee or stockholder.

It should be noted that it is not merely the "interested" official's vote which is voided or discounted, but the entire vote of the Board. In order to protect the Board's vote, the statute requires the "interested" Board member to (1) make a full disclosure of his or her interest before any action is taken, (2) abstain from voting on the matter, and (3) otherwise refrain from attempting to influence the Board's decision.

The 10% standard is not a terribly strict conflict of interest standard. If the "interested" official has only a 5% interest in the company affected by his or her vote, but that 5% interest represented many thousands of dollars, many people would perceive there to exist a conflict of interest. There are at least two other guidelines in the law concerning conflict of interest which have the effect of more strictly controlling the actions of interested municipal officials.

In 1989 the Legislature added a subsection to § 2605 which reads "every municipal and county official shall *attempt* to avoid the appearance of a conflict of interest by disclosure or by abstention." From this subsection it is reasonable to conclude that even when a municipal official does not meet the 10% interest test, but that official still possesses in the mind of the public a financial self interest in the outcome of a vote sufficient to impinge on his or her duty to serve the public's interest, then that official should either provide full disclosure or abstain, or both.

From a practical perspective, this subsection of the conflict of interest law, if it stood on its own, is more advisory than it is enforceable, both because the substantiation of an "apparent conflict could be extremely difficult and because any violation of this subsection carries with it no clear judicial remedy.

There exists, however, rather straightforward case law on this issue which further defines activity which may constitute a conflict of interest. That standard is "whether the town official by reason of his interest, is placed in a situation of temptation to serve his own personal pecuniary interest to the prejudice of the interests of those for whom the law authorized and required him to act." Lesieur v. Inhabitants of Rumford, 113 Me. 317 (1915).

When the subsection in § 2605 which requires officials to attempt to avoid the appearance of a conflict is taken together with the conflict of interest standard defined in Lesieur there exists a sufficient body of law to suggest that even if the 10% financial threshold is not reached, the actions of municipal officers which are demonstrably guided by personal self interest could be held by a court to be without force.

Incompatibility of Office

In many cases one person may simultaneously hold more than one position or office in municipal government. Indeed, town and city managers frequently hold a dizzying number of offices in the performance of their duties.

There are certain positions in municipal government, however, which may not be held simultaneously by certain other officials. Although the concept of "incompatible offices" is often described as a 'conflict of interest', there is a significant difference between these two situations, particularly when viewed in the light of governmental ethics. As has been discussed, a statutory conflict of interest concerns a municipal official's divided loyalty between his or her financial self interest and the public interest. The common law doctrine of incompatibility of office is also intended to assure uncompromised loyalty, but this time the tension is found to exist between the legitimate duties of two separate offices which no single individual - no matter how capable, well-intentioned or altruistically motivated could be expected to perform with undivided loyalty.

The common law (court cases) exerts more influence on determinations of incompatibility than do the statutes, which expressly define the following as "incompatible":

- A town manager may not simultaneously serve as either the town moderator, selectman, assessor or school committee member (30-A MRSA § 2632);
- A tax collector or treasurer may not simultaneously serve as either selectman or assessor (30-A MRSA §2526);

- A full-time deputy sheriff may not simultaneously serve as selectman, city councilor or budget committee member (30-A MRSA § 355);
- A county commissioner may not simultaneously serve as either the mayor of a city, selectman of a town, or assessor (30-A MRSA § 52);
- A municipal officer or his or her spouse may not simultaneously serve as a board of appeals member or associate (30-A MRSA § 2691);
- Finally, if the municipal planning board is still constituted under the "old planning board law" found in then-existing 30 MRSA § 4952, a municipal officer may not simultaneously serve as a planning board member. This particular incompatibility does not pertain to planning boards created or recreated after September 23, 1971.

As can be seen, incompatibility can be generally held to exist where two municipal offices, which are separated vertically with regard to authority, may have occasion to perform the same function or authorize its performance. The incompatible offices expressly defined in the statutes serve also to establish some criteria to determine other incompatibilities, which are not expressly defined in the law.

For example, the statutes do not allow a treasurer to simultaneously serve as a selectman because the treasurer prepares the municipal disbursements while the selectmen actually authorize the disbursements to be made.

In order to achieve a similarly healthy system of checks and balances, the offices of selectman and school committee member would be incompatible, even though they are not expressly incompatible by statute. A town manager is not permitted by statute to serve simultaneously as a selectman because, among other reasons, the decisions made by the manager are regularly *reviewed* by the selectmen, who are in many cases empowered to affirm, modify or reverse those decisions. Similarly, even in the absence of a specific incompatibility statute, a person could not simultaneously be the town's Code Enforcement Officer (CEO) and a member of the planning board where the planning board is structurally empowered to review and modify decisions of the CEO. Finally, the selectmen hire/fire and directly *supervise* the manager, and so the statutes define the two offices as incompatible. Similarly, if a town does not operate under a town manager form of government, the selectmen are authorized to directly supervise the road commissioner, and those two positions would therefore be incompatible by the common law doctrine.

It is often impossible to generalize a determination of office incompatibility. The duties and authorities of a particular office, as controlled by local ordinance or charter, frequently differ from one town to the next. Therefore, it is important that before deciding on incompatibility there is a determination of the duties and authorities actually vested in the two separate offices to be filled by one person. If it is found that the duties of one office holder serve the purpose of providing a check with regard to the duties of the other, or that the one office could review, modify or supervise the work of the other, then the two offices should not be simultaneously held by the same person.

Prohibited Appointments/Employment

From the point of view of governmental ethics, the statute governing prohibited appointments or employment represents a return to the restriction on financial self-interest.

30-A MRSA § 2606 prohibits a municipal officer (a selectman or councilor) from being appointed to or employed in any "civil office of profit" in the municipal government when that position was either created or its level of compensation was increased during his or her term by action of its board of selectmen or town council. This prohibition extends throughout that officer's full term plus

one calendar year thereafter. There is a similar prohibition for school committee members found in 20-A MRSA § 1002(3).

As is the case with much statutory law, § 2606 is either clumsy or broad enough not to care how the individual selectman might have voted on the salary increase, or whether the councilor is willing to accept the position at the original salary level; if the position was created or the position's salary increased by action of the board of municipal officers, then none of those officers are eligible for that position for their term plus one year. The dynamics of this prohibition are straightforward; the law suggests that people should not be tempted to create for themselves a position of employment by means of their elected office.

Bias

The issue of bias emerges in the area of the municipality's quasi-judicial functions. The issuance of permits or governmental approvals of any kind (such as land use, business, or concealed weapons permits) the awarding of bids or contracts, employment removal proceedings, or the appeal processes for those permitting, award, or removal procedures or other fair hearing processes (such as welfare fair hearings) all would fall under the category of quasi-judicial functions.

It is mandatory that quasi-judicial functions are performed by municipal officials who are capable of being completely objective, or "disinterested," with regard to the outcome of the proceeding. This requirement for disinterestedness flows primarily from the due process clauses of both the Maine and U.S. constitutions inasmuch as the decision making process due to an individual would not in fact be available to them if it were not an inherently fair process.

Obviously, if an official responsible for making a quasi-judicial decision had a financial self-interest in the decision, he or she would have a conflict-of-interest type bias and would therefore be unable to sit as a quasi-judicial officer.

Setting aside the financial type of bias, there are essentially two other types of bias. One of these types might be called *familial* bias, which is covered to some degree in Maine law, where one might expect there to exist a temptation of a family member to find in favor of the related applicant or claimant. The other type of bias might be called *prejudicial* bias, which can only really be recognized by the quasi-judicial officer him or herself, and where more often than not there is a temptation to rule against the applicant or claimant.

1 MRSA § 71(6) is a disqualification statute which reads "When a person is required to be disinterested or indifferent in a matter in which others are interested, a relationship by consanguinity or affinity within the 6th degree according to civil law or within the degree of 2nd cousins inclusive, except by written consent of the parties, will disqualify."

What this means is that when an official is sitting as a quasi-judicial officer to decide on a matter involving a relative by blood (consanguinity) or marriage (affinity) who is a second cousin or more closely related, the related official should either step down as a quasi-judicial officer or seek written permission from all parties to the proceeding to remain.

In many of Maine's smaller communities, particularly, the invocation of this disqualification statute could significantly alter the voting membership of the planning board, for example, for land use proposals submitted by cousins, nephews or aunts or uncles of one or more planning board member.

What has been referred to as prejudicial bias is not subject to quantification on a consanguinity chart, although, like familial bias, it is also a bias of degree. It is entirely human to harbor some degree of positive or negative feelings toward other people, and a mere like or dislike of an applicant or claimant does not necessitate that a municipal official step down as a quasi-judicial officer.

On the other hand, a municipal official must abstain when there is a significant degree of bias for or against the applicant or claimant such that the official cannot make an impartial decision, thereby depriving the applicant of his or her due process right to a fair and objective determination. Because the presence of that degree of prejudicial bias can only truly be known to exist by the quasi-judicial officer, the decision to step down as a quasi-judicial officer for reasons of bias is a uniquely unguided, internal, and ethical decision most illuminative of a municipal official's sense of the public trust.

And from a purely practical perspective, even where extraordinary prejudice does not exist, but prior statements made by the municipal official might suggest the presence of bias, the municipal official might step down to avoid the appearance of making a biased quasi-judicial decision in order to remove one argument that could easily be used to subsequently challenge the municipal decision in a court appeal.

Summary

The municipality is, of course, free to strengthen by local code any of these guidelines found in the statutes and in common law governing conflict of interest, incompatible offices, prohibited appointments/employment, bias, or, for that matter, any other area of ethical concern.

In fact, in 1989 the Legislature added a section to 30-A MRSA § 2605 which authorized the municipal officers to adopt, at their discretion, an ethics policy governing the conduct of both elected and appointed officials. Even before this law was enacted, some towns had by charter already made some provisions relating to ethics. Despite the fact that the need for enabling legislation in this area is doubtful, it is probably more efficient to have either an ethics policy adopted by the municipal officers or a separate ethics ordinance than it is to have the municipal ethics policy entirely embedded in the charter, which requires a fairly major process to amend or revise.

UNITY ECONOMIC DEVELOPMENT COMMITTEE BYLAWS
(Approved 2/6/17; amended 5/1/17, 6/5/17; 12/4/17 pending)
Proposed for Amendment 1-3-18

These bylaws are adopted to establish rules of procedure beyond what is outlined in the Economic Development Committee (EDC) Ordinance. All members shall be provided with a copy and they shall be posted on the Town web site.

Meetings: Regular meetings will be held on the 1st Monday of the month from 6:00---8:00 PM at the Town Office or otherwise as determined and posted. Special meetings may be called as needed by the chair or by a majority of Committee members.

Notice of Meetings: Members will be notified of meetings via the EDC Email List Serve. An agenda, minutes of the preceding meeting and additional meeting materials will be emailed ahead of time whenever possible. The town clerk will provide public notice by posting of meetings in the town office, on the web site and via the “This Week in Unity Maine” list serve.

Attendance: All members are expected to be present at all full Committee meetings. At any time in which a member finds s/he is unable to attend, s/he will notify the chair and share the reason for the conflict. As per Ordinance requirements, members are expected to attend $\frac{3}{4}$ of the meetings with no more than 4 “unexcused” absences.

Remote Attendance Provisions: The expectation is that members physically attend meetings and that decisions are made in this manner. If a member is unable to physically attend a meeting but can participate by telephone or Internet, an accommodation may be made at the discretion of the chair. Any such request shall be made to the chair in advance of the meeting. Such attendance will count toward quorum requirements.

Decision-Making Between Meetings: In the event a decision is needed between meetings, the chair may email the question with a deadline for reply. If a quorum responds by the deadline, the majority vote shall determine the outcome. Lacking a quorum voting, the vote will fail. Such votes shall be described in the minutes of the next regular Committee meeting.

Meeting Conduct: Members will be fully present during meetings and refrain from distracting side conversations. Members are encouraged to express their honest opinions in a civil and respectful manner.

Meeting Agenda Items: Any Committee member or member of the public may request that an item be placed on an upcoming meeting agenda. Such requests shall be made to the chair or town clerk by noon on the last Friday of the month. The chair will contact the person to gain an understanding of the request and determine whether and how the item of business shall be addressed. The chair will report incidents of any requests denied at the beginning of any meeting. The Committee may vote to override the chair’s determination if so warranted and agree upon a time for the business to be scheduled. ____

Meeting Records: The Secretary shall record the essence of discussion and decisions made at each meeting and present meeting minutes for approval at the following meeting. Once approved, minutes will be posted on the Town web site.

Public Representation: EDC members are encouraged to engage with the public to promote economic development in a positive and creative manner and identify themselves as EDC members. However, members must take caution not to speak on behalf of the EDC unless a formal position has been taken or give the impression that a personal opinion or idea for action is an official EDC position. If sharing one's own opinion outside of a meeting on a topic related to economic development, the member should make it clear that it is her/his own opinion.

Program Access : The Committee shall broadly publicize all opportunities to apply for available financial assistance or otherwise participate in programs under its jurisdiction. Procedures shall be clearly outlined and user friendly. Members may assist applicants in accessing EDC programs, including the preparation of grant and loan applications, provided no conflict of interest exists (as defined below).

Conflict of Interest: Prior to voting on a pertinent matter, members shall disclose any direct or indirect pecuniary (10% or more interest in business affected as an officer director, partner, associate, employee or stockholder), familial or other prejudicial conflict of interest that may influence their opinion. To protect the integrity of the process, members shall recuse themselves from voting on matters in which they have a pecuniary interest or other clear bias preventing objective judgement. Should there be a difference of opinion about whether a member must recuse him/herself, the question shall be resolved by majority vote of the other members present and voting.

Annual Budget: The December meeting shall be devoted to considering a broad range of possible funding priorities for the coming fiscal year and beyond, with an eye toward the end of TIF District authorization. The Committee shall endeavor to compare, prioritize and ultimately recommend the most promising investments to the Board of Selectmen and Budget Committee prior to decision at Town Meeting. This work will be completed by early January; the rationale for the recommendations shall be made in the Annual Town Report.

Annual Report: The Committee shall summarize its work of the prior year and plans for the upcoming year in the Annual Town Report.

Bylaw Revisions: These bylaws will be reviewed no less than annually at the organizational meeting and may be revised at any meeting as adjustments are deemed advisable.

Lodging Market Study

Request for Proposal

Introduction

The Lodging Committee of the Unity Economic Development Committee seeks a qualified consultant to conduct a lodging market study for the Town of Unity. The deadline for submissions is noon on February 6, 2018. The maximum amount budgeted for this analysis is \$15,000.

Request

The Lodging Committee is seeking proposals for a lodging market study for the Town of Unity. The purpose of the project is to determine the feasibility of lodging development in Unity, and to identify tangible shortcomings of the Town and community that directly contribute to the potential success with recommendations for bolstering lodging development opportunities. The study should address the current and projected market demand analysis for the number, type and duration of lodging stays in the Town; a competitiveness analysis on what one or more new lodging facilities must do to provide a unique alternative to the current hotel stock and be successful. The consultant will further provide an economic feasibility analysis of a potential lodging facilities meeting this criteria (e.g. a campground and an inn).

The successful bidder will conduct a study to recommend a lodging facility and determine the overall market feasibility of the recommended facility. The resulting analysis will be provided to potential hotel developers and management companies who may be interested in participating in a lodging project.

Background

Unity, an agrarian small college town with a population of slightly over 2000, has recently embarked on a purposeful effort to stimulate economic development befitting its small town character. Significant features supplementing Unity's agricultural heritage include Unity College (with a Performing Arts Center and the Field of Dreams, a lakeside public recreation facility), the Maine Organic Farmers and Gardener's Association (with its high-traffic annual Common Ground Fair), Unity Raceway, a bustling recently-settled Amish community, and Lake Winnecook (aka Unity Pond). Downtown Unity is also the inland terminus of the new Hills to Sea Trail.

Town government is lean, run by a Selectboard and a part-time all-in-one clerk/tax collector/registrar/treasurer and supplemented by energized volunteer community groups. Within the past three years an extension to the Tax Increment Financing (TIF) Policy has been adopted, an official Economic Development Committee (EDC) has been created, and a business association (Unity Business Exchange, or UBx) has been formed to explore and support economic opportunities for the Town of Unity.

Considerations and Attributes for Unity

- The business community, Unity College, and numerous recent community conversations have identified the need for short term housing. Town government has voted to approve spending for a feasibility study.
- There are lost opportunities for short term housing during MOFGA's Common Ground Fair and Unity College sends hundreds of overnight visitors out of town for lodging (prospective students/faculty, families visiting, and guests for the college's academic, social, and athletic events.) Northern Solstice Alpaca farm also reports lost opportunities of housing overnight guests from their activities at the farm.
- Unity is located 25 minutes from a bustling Maine coast in the summer months.
- The Unity community is looking to attract lodging developers that contribute to its vibrant small town Maine feel (not a chain hotel).
- Unity College, MOFGA and Maine Farmland Trust have contributed to an ecological and local food brand for the town, while Unity Raceway appeals to motorsports enthusiasts; both market segments are felt to have visitation potential
- Lodging should be viewed in broad terms with varying levels of amenities. For example - hotels, inns, Air B&B's, campgrounds, cabin resorts, etc.

Market Demand Analysis

- Determine current and potential future lodging and hospitality demand in the market area
- Review competitive facilities in both the immediate area (Town) and vicinity (region, including Belfast and Waterville).
- Conduct accommodation inventory and meeting space analysis.
- Analyze present marketing position strategies and provide recommendations for underserved markets and/or opportunities that can be targeted with a new hospitality product.
- Make recommendations for targeted developments or amenity improvements that Unity should take on to become a more competitive and attractive market for lodging development.
- Identify and determine current community needs and possible quality of life opportunities that would benefit from additional hotel space, and evaluate the economic opportunity for the Town.
- Conduct demand analysis
 1. Primary & secondary market research
 2. Identify demand generators or potential users of a facility, including interviews with potential users including meeting planners, event promoters and/or other customers.

Project Feasibility Study

1. Determine the viability of a hospitality product in Unity based on the potential demand and market penetration of customers.

2. Identify financing constraints in the current market
3. Estimate capital investment required and the expected revenues returns needed to attract able investors.
4. Project economic impacts
 - a. Project impact on hotel room nights
 - b. Project property tax revenue increase to the Town
 - c. Project impact on Town restaurants and retailers
 - d. Project impact on new jobs and investor return on investment
5. Explore adjunct business plan options (e.g. conference facility rental, sports equipment rental, Guide services, etc.)
6. Address potential public incentives that could improve the viability and/or investment attraction for the project.

Facility Recommendation

As part of the analysis, and based on the nature and kind of requirements associated with the identified potential users of the facility and available sites, make recommendations for:

- Number and mix of facility types and guest rooms/sites
- Room configuration
- Food and beverage concept
- Banquet and meeting space requirements
- Other facilities and amenities and brand affiliation, if any

Financial Projections

- Provide financial projection for development and operations that can be used by the Town if a request for proposal is sought for a hotel project.

Submission Requirement for RFP

- 1.) Name and basic information of the consulting firm submitting the proposal.
- 2.) Names and professional qualifications of the representatives of the firm that will be conducting the study.
- 3.) List of the firms or entities, including the names and contact information, for which the bidder had conducted similar studies. Include a brief summary of the purpose of the study and any measurable results to date.

- 4.) Describe in detail the approach or process that your firm will undertake to gather research, including identifying potential demand generators, conducting personal and/or group interview sessions.
- 5.) Describe the methods for presenting the findings, conclusions, and recommendations that will enable the Town of Unity and potential stakeholders to make informed decisions.
- 6.) Provide a schedule and time frame for completion of the study.

Schedule

Deadline for responses is noon on **February 6, 2018**. Responses will be opened at the Selectmen's meeting at 6:30 PM. Interviews with top candidates will be scheduled for the morning of **February 15, 2018**, with a target award date of **February 20, 2018**. The Town prefers that work begins as soon as possible after that date and be completed no later than **May 1, 2018**.

How to Apply

Prospective consultants are asked to submit:

1. Statement of Interest, Qualifications, Experience, Availability and References (3 minimum)
2. Proposed approach, including means of orientation/interaction with client, workplan, and schedule. Budget-friendly alternatives to some elements of the scope of work may be proposed, with explanations.
3. A portfolio with representative work (links to online materials are acceptable).

Electronic submissions in a single PDF under 15MB in size with "Lodging RFP" in subject line are preferred and must be submitted to unity@unityme.org by noon on **Jan 26, 2018**. Hard copy responses (3 copies, one unbound and suitable for scanning) in an envelope addressed to Lodging RFP, Town of Unity, PO Box 416, Unity ME 04988 must be received in the PO Box by 8 AM or physically delivered to the Town Office at 74 School Street by noon on **Jan 26, 2017**.

Selection Process and Award

Responses will be evaluated based on a combination of: (a) the quality and responsiveness of the proposed work plan to Unity's stated needs, and (b) qualifications including demonstrated experience, quality of portfolio, and references, and (c) proposed price.. Interviews may be conducted in person or via videoconference. The Lodging Committee will make recommendations to the Selectboard, who will make the final decision. The Town reserves the right to reject any and all bids and to negotiate a final contract with the preferred consultant.

Point of Contact

Questions concerning this RFP may be directed to Mary Leaming, Unity's Lodging Committee chairperson via mleaming@une.edu or 249-7820.

TIF Appropriations				2018 TIF Budget Proposal - Working Draft for 1-3-18			
Meeting Date	Total	Remainder	Purpose	Amount	Purpose	Remainder	Town Meeting Vote Needed
March-14	\$22,000	\$0	professional serv., fire truck			\$0	
July-14	\$15,000	\$0	Branding, signage, website, lodging, UBX			\$0	
March-15	\$23,386	\$2,581	professional serv., fire truck	\$2,581	Lodging Feasibility Study	\$0	
January-16	\$55,000	\$55,000	Business retention & growth, esp. RLF, also marketing & alternative energy	\$15,000	RLF	\$4,081	NO
				\$5,000	Business Directional Sign Cost Shares		
				\$10,000	Marketing Grant Program		
				\$6,500	Destination Web Site		
				\$12,419	Lodging Feasibility Study		
				\$12,000	Electronic Event Sign		
March-16	\$35,000	\$20,513	prof, admin, consult, marketing, traffic calming	\$400	Traffic Calming	\$2,613	NO
				\$10,000	Streetscape/Lighting/Signage Plan		
				\$7,500	KVCOG dues, general admin		
September-16	\$50,100	\$20,196	sidewalks, fire apparatus, kanokolus	\$9,000	Propose reallocation to Firehouse Parking Lot Paving	\$0	YES
				\$10,000	Propose reallocation to Fire Truck Reserve Fund		
				\$1,196	Propose reallocation to Horse Show Ring		
March-17	\$17,730	\$5,000	Fire apparatus, KVCOG & Grant	\$5,000	Community Grant Program	\$0	NO
Total	\$218,216	\$103,290					
				\$106,596	TOTAL	\$6,694	APPROPRIATED BUT UNALLOCATED
					ALREADY APPROPRIATED	\$52,651	2017 UNAPPROPRIATED
				\$20,196	REQUIRES REAPPROPRIATION	\$77,000	2018 ANTICIPATED
				\$0	REQUIRES NEW APPROPRIATION		
						\$136,345	AVAILABLE FOR FUTURE