

This is a transcription of a portion of the Piscataquis County Commissioners' meeting on March 23, 2021, recorded by Patrick Myers. Emily G. Adams requested a copy of the audio in order to transcribe it on a volunteer basis. The draft contained inaudible portions represented here as such. Because Myers was more familiar with each speaking voice, Myers verified the speakers' identities at the request of Adams. The Transcript begins when the Commissioners come out of an unrelated Executive Session and discuss the Center Theatre for the Performing Arts request for a letter of support which was tabled at the March 9th meeting. The transcript ends after Commissioner Torbett makes his first of two motions after the request for a letter of support was rejected. Attached after the transcript is the Supplemental Information that the Center Theatre provided to the Commissioners which is referenced in the transcript.

0:00 JIM WHITE: [Time out of] executive session.

0:04 MIKE WILLIAMS: Nine fifty.

0:05 JIM WHITE: Nine forty-nine.

[inaudible 0:06 to 0:17]

[silence 0:18 to 0:44]

0:44 UNKNOWN: Excuse me.

[silence 0:45 to 1:08]

1:09 MIKE WILLIAMS: Inaudible

1:11 MIKE WILLIAMS: You have to right-click over him and....invite, and it should say invite, uh, ask to unmute on the very top.

[silence 1:25-1:32]

1:32 PATRICK MYERS: Hello. This is Patrick Myers.

1:36 JIM WHITE: Good morning, Patrick.

1:37 PATRICK MYERS: Hi

1:33 JIM WHITE: Yes. To answer your question, yes we are going back.

1:36 PATRICK MYERS: Thank you.

1:42 JIM WHITE: Okay. So, number nine on the agenda: Piscataquis County Commissioners to review a request for a support letter from Center Theatre's application for assistance during USDA's Rural Development program for the column project tabled.

[silence 2:01 to 2:13]

2:14 JIM WHITE: [inaudible] a motion to consider the letter?

2:16 WAYNE ERKINNEN: Make a motion to consider sending the letter.

2:21 **ANDY TORBETT**: I'll second the motion.

2:22 **JIM WHITE**: Motion made by Wayne Erkinen to consider the letter, seconded by Andy Torbett. Any discussion? Mr. Myers, would you like to make a presentation?

2:35 **PATRICK MYERS**: Ah, You received the information that I emailed last week?

2:40 **UNKNOWN**: Yes.

2:41 **PATRICK MYERS**: Alright. I also made that available on the chat. So everyone on the call can take a look at it, if they're interested. Um, yeah, I can just go over this information again, if you'd like, or do you have any specific questions on it?

2:58 **WAYNE ERKINEN**: I think my concern at the last meeting was whether other business there—businesses--could get a grant on this, too. But you answered that. [Inaudible] when I looked at Bob's across the way it looks like they're on solid land so they're posted up pretty good.

3:16 **PATRICK MYERS**: Yep.

3:19 **WAYNE ERKINEN**: But that was my concern. [inaudible] other businesses [inaudible] this grant money, too. But they wouldn't qualify for it.

3:25 **PATRICK MYERS**: Yeah, that's correct.

3:31 **WAYNE ERKINEN**: That was my main concern last meeting.

3:36 **PATRICK MYERS**: Great. Any other questions?

3:40 **ANDY TORBETT**: My—Last meeting, Mr. Chairman, I raised questions about this letter of endorsement. One of the things that I questioned—several things. I have a question whether a non-profit, which claims to be non-partisan, yet the members of Center Theatre repeatedly engage in partisan and political attacks on their neighbors in Dover-Foxcroft, how you can claim to be non-partisan and non-political. I'm also questioning whether federal grants, which are funded, in part, by the very tax-paying businesses that the Center Theatre has been attacking, whether those grants should be given to an entity which is, certainly has, a political agenda against its neighbors. I mean, I acknowledge that there's a real need to shore up the structure of Center Theatre, but there's also a need for all the buildings which are on both sides of the Piscataquis River. So, that was— I think those questions were why we tabled this letter last meeting. And since that meeting, I have received several questions and accusations about the management of past federal grants that have been received by Center Theatre and Central Hall. And I'm wondering why those have not been investigated and cleared up so that the community which is troubled by that could have some answers to that.

5:25 **PATRICK MYERS**: Well, I think it's pretty obvious that the Theatre as an organization has never been antagonistic to area businesses, has supported area businesses at every step of the way since we got started oh, what, fifteen, twenty years ago, now, between the business we bring into downtown, the entertainment dollars we bring into the community, the Whoopie Pie Festival. We're doing everything we can to support local businesses. So, you know, the idea that the Center Theatre is antagonistic towards local businesses is, oh, "wrong" is probably the easiest word to use. We have never been accused in any substantial way of misusing any grant money at any point in our existence. We're in good standing with every funder who has ever given us money. And, you know, obviously there are people

who have concerns that we've addressed in the public sphere before. And I'd say, just to kind of sum up this, that this doesn't have any bearing on the letter of support that we're asking for. The USDA is looking for the Piscataquis County Commissioners to commit to the idea that the Center Theatre is an asset to the community that we serve--Piscataquis County--and I think that's fairly obvious. I know I've received a lot of letters from people in the community supporting the Theatre in the past two weeks. I assume the County has received a lot of that information as well, which makes it, I think, pretty clear that the Theatre is an asset to Piscataquis County, which is what this letter needs to say so we can move on with this grant application. Any issue--

7:50 **ANDY TORBETT**: Well, it may come as a surprise to you, Patrick, but I've had many people who've contacted me who are not on your email list to send you messages that have spoken to me throughout the community who do not view Center Theatre as an asset to the community but rather view you in a negative light and very suspicious of the activity--and suspicious is putting it mildly--the activity that goes on there. You've had members on your board who are also members of the town council that are going around and attacking tax-paying businesses here in our town, threatening them with closure, threatening to report them to the Governor if they don't behave in a certain way and don't kowtow to the Governor and I just don't see-- That's wrong, Patrick. We should not be treating one another in this town that way. We have other businesses in this town that are very upset. We have people that are coming to us literally in tears from the attacks that are coming from your area, the people on your board, and they shouldn't be doing that. And I'm very upset about it. This is my district and this-- I just-- Mr. Chairman, I don't think that I can vote to approve this letter. I realize that the Vice Chair and the Chairman can overrule me, but I have two motions of concern, that can address these concerns. We don't really have some issues with the buildings along the river, but I'm not comfortable with the-- And there's more than several people--more than one person, more than just a few--that are concerned with what's going on with the federal grants that have been in the past brought through the Center Theatre and Central Hall and those need to be addressed before I'm comfortable, before the people of Dover-Foxcroft and the greater area are comfortable with monies coming through the Center Theatre. Again, federal monies. And I just, for the sake of those main concerns that have been brought forward to me, I can't approve this.

10:05 **JIM WHITE**: So, in light of the second concern, Patrick, do you have an auditing process in place at Center Theatre. Do you have an outside, a third-party, audit? (inaudible)

10:21 **PATRICK MYERS**: Well, we do an annual [Form] 990 for the state--federal--taxes and we have an accountant that works with us on that 990. But as far as a full audit, no.

10:37 **JIM WHITE**: So, is that person affiliated with the Theatre or is it a third party?

10:42 **PATRICK MYERS**: No. It's a third party. It's Brantner Thibodeau out of Bangor.

10:51 **JIM WHITE**: None of those audits [inaudible] have there been any concerns in the last couple of years?

10:56 **PATRICK MYERS**: No. They've never raised any concerns about our accounting. And like I said, A, none of our funders have ever had any issues with how we've handled the money they've given to us. B, any malicious accusations that are out in the public sphere I would be happy to address. And, C, none of these concerns have anything to do with this letter of request. If you can tell me how I can control the

actions of my Board of Directors on their personal time doing what their conscience deems necessary, I would love to hear it. When the personal actions of the Board of Directors can stop federal money from supporting our community, I think that's not the hill you want to stand on.

11:53 **ANDY TORBETT**: I don't have any problem with federal money helping the community. In fact, one of my motions is for the County to get involved with this and pursue federal grants to do the very thing that you're talking about for Center Theatre but for all the businesses that are in this area. You know, I think that it's not just Center Theatre that should be addressed, but we should address both banks of the river and the businesses that are supported off that bank and what do we do [inaudible] for a proper superstructure underneath those. But I have-- I do not— I cannot set aside my concerns and whether or not you have control over these individuals, they do sit on the board of Center Theatre, they do sit on the town council and they are going after our local businesses and it's not proper and it's not right.

12:51 **PATRICK MYERS**: And it has no bearing on this letter of support.

12:56 **ANDY TORBETT**: You want federal grants. You want federal grant money.

13:00 **PATRICK MYERS**: Yes.

13:02 **ANDY TORBETT**: Tax-funded dollars, Patrick.

13:03 **PATRICK MYERS**: Uh-huh.

13:04 **ANDY TORBETT**: There are businesses that are being attacked by the individuals on your board—

13:10 **PATRICK MYERS**: Not by the Center Theatre as an organization.

13:13 **ANDY TORBETT**: They are taxpayers, in part. Let me finish. They are taxpayers who, in part, fund these grants that you're seeking money for. Your business, your entity, did not pay taxes. So you are dependent upon the taxpayers that you're attacking. Not you, perhaps, Patrick, but the people who sit on the board of Center Theatre.

13:31 **PATRICK MYERS**: Not I. Not the Center Theatre. And not in any way that the Center Theatre operations attack the local business community. The Center Theatre supports the community every day and if the Commissioners can't see clear to support—

13:47 **ANDY TORBETT**: By threatening to shut down their businesses. By threatening to report them to the Governor. That's supporting the businesses?

13:54 **PATRICK MYERS**: The Center Theatre never made any such threats.

14:01 **JIM WHITE**: Well, okay. What was the name of your accountant again?

14:07 **PATRICK MYERS**: Brantner Thibodeau in Bangor.

[inaudible]

14:12 **PATRICK MYERS**: I'll email Mike the contact information.

14:14 **JIM WHITE**: Okay

14:22 **JIM WHITE**: Anything else you want to add, Patrick?

14:24 **PATRICK MYERS**: I'd like you guys to vote on the letter of support yes or no to find out if you're gonna let politics dictate support coming into the County or not.

14:39 **JIM WHITE**: So, one question. If you were to do a news interview in the foyer of the Center Theatre that was denouncing the Commissioners, that would not be a political gesture?

14:52 **PATRICK MYERS**: I'm not getting paid to do it by the Theatre, no.

15:00 **JIM WHITE**: Nope, but you would be standing there in front of the Theatre. I mean, addressing it as you being the director of the Theatre?

15:02 **PATRICK MYERS**: No. As a person that— Any of those statements I made were as an individual not associated with the Theatre. As a private citizen expressing my free speech rights which I know the three of you support completely.

15:18 **JIM WHITE**: Well, however, you did describe yourself as, I mean, director of the Theatre while standing in the foyer doing a news interview, correct?

15:30 **PATRICK MYERS**: Yeah. Well, that is my job.

15:32 **JIM WHITE**: Okay. However, that has no bearing on the Theatre or your position. Okay. We'll take an up or down vote. All in favor

15:43 **WAYNE ERKINNEN**: [inaudible] foundations and the footings, just ask that they refrain from future attacks [inaudible] just the attacks stopped.

16:00 **JIM WHITE**: [inaudible] All opposed?

16:05 **UNKNOWN**: Aye

16:05 **UNKNOWN**: Aye

16:06 **UNKNOWN**: You voted for, correct?

16:08 **WAYNE ERKINNEN**: I voted for.

16:10 **JIM WHITE**: Okay. So we had one for and two opposed. One for was Wayne Erikkenin. Two opposed was James White and Andy Torbett.

16:20 **ANDY TORBETT**: Mr. Chairman, I do have two motions that I wish to put forward. To address these concerns.

16:26 **James White** Okay, we'll take them one at a time here. Okay, first motion.

16:36 **ANDY TORBETT**: First, I make a motion that we send a letter to the proper entity, whether it's the District Attorney or the Attorney General, to audit the finances of Center Theatre and Central Hall, specifically their handling federal grants issued to the institutions. That is my motion.

16:57 **JIM WHITE**: I'll second that.

17:03 **JIM WHITE:** [inaudible] You and I have both been presented with concerns from the general public about the grant money. That's why I seconded it. Any more discussion?

17:20 **ANDY TORBETT:** I have no discussion other than that.

17:21 **WAYNE ERKINNEN:** Is that grant writing to do with Central Hall too, refurbishing that?

17:23 **ANDY TORBETT:** Yes. This is, these are past federal grants. This is the discussion, the concerns. And, actually, there's two sides to getting this audit. Either we— If there's something there, we find it. If there's nothing there, we clear everything up. And the angst that's within this community, I don't think anybody can deny that. It swirls around this whole community, the greater Piscataquis community, concerning those two non-profits. We can clear this all up with an audit.

17:56 **JIM WHITE:** We're hoping that everything is on the up and up [inaudible]

18:00 **MIKE WILLIAMS:** May I ask a question?

18:01 **JIM WHITE:** Sure.

18:02 **MIKE WILLIAMS:** Where— Do you have a dollar limit amount you want put towards this audit? Because if we're requesting it, we're gonna have to pay for it and it wasn't put in the budget. So I just need to know how far you want me to go because I have no idea how deep an audit will go.

18:22 **JIM WHITE:** We're gonna have to see what the Attorney General says about that [inaudible] set an upper limit [inaudible].

18:27 **UNKNOWN:** We can make a preliminary inquiry

18:30 **MIKE WILLIAMS:** I'll have [inaudible] just do some research to see just roughly what [inaudible]

18:35 **JIM WHITE:** The motion wasn't to [inaudible]. Anyway, all in favor?

18:47 **SEVERAL VOICES:** Aye



Piscataquis County Commissioners Letter of Support Supplemental Information Request

OVERVIEW

On March 1st the Center Theatre emailed Mike Williams a request for a letter of support (email attached). Per USDA Rural Development, the letter of support from the County is a requirement of a Community Facilities Grant application. It is usually a pro-forma request, but based on the questions raised during the County Commissioners meeting on March 9th it was clear that there was confusion about the Commissioners role in the process.

The letter of support is meant to confirm that the Center Theatre provides services that benefit the community. It is not the Commissioners responsibility to approve the grant request or to judge the grant application. That determination is made by the USDA once the grant application is complete. The USDA is simply looking for the governing body of the area to confirm that the Center Theatre serves their community.

However, we are happy to present a more detailed review of the Community Facilities Grant and our project in particular.

COMMUNITY FACILITIES GRANT REVIEW

Among other information, we will answer the questions given to us from the Commissioners via Mike Williams:

- I would like to know any information that he has about the grant, deadline for getting it in, who is eligible, how much \$ are we looking at?
- What about the other businesses?

Attached is a 2-page description of the Community Facilities Grant Program from USDA Rural Development which has the basic information on the grant. Specifically, related to the questions above, it states that eligible applicants include public bodies, community-based non-profit corporations, and federally recognized tribes. Unfortunately, private businesses such as the Theatre's neighbors on the river, cannot take advantage of the program.

As stated at the Commissioners meeting on the 9th, we do not know the total amount of the project or the grant amount at this point. We are currently working with James Sewall in Old Town to develop the engineering specifications and bid packet. Once that bid packet is finalized and we receive bids from contractors, we will know the total amount of the project. Our best guess is that the total project will be over \$50,000. We anticipate that the USDA will be able to fund up to 55% of the total project cost and that the Theatre will need to raise the other 45% from other sources. The USDA will work with us throughout the process to refine the application as we determine the final funding amount.

However, it is important that we complete the application process with the USDA so that they can be involved in the development of the bid packet. The USDA has very strict guidelines on how funded projects are put out to bid, so making sure that they are involved *before* the bidding begins is key.



COMMUNITY FACILITIES GRANT REVIEW (continued)

Regarding the grant timeline: As stated at the Commissioners meeting on the 9th, there is no firm deadline for the Community Facilities Grant application. When asked for clarification, Mike Rollins with USDA Rural Development replied in an email dated March 17th:

Regarding the question on timeline, we will make an eligibility determination within 45 days of a complete application. The timeline for approving the funding varies depending on how much funding we have, how many eligible applicants we have and their priority score. If we don't have funding for an application we will try to obtain additional funding from the National Office. The request for additional funding is typically made in August. If we can not obtaining the additional funding from the National Office we will keep the application active and try to fund it in the following fiscal year which begins October 1 but rarely are the appropriation bills passed in DC in October. It varies each year but typically funding becomes available between December and February. I know this is not a clear answer but that is just how it works.

The sooner we can complete the application, the sooner the USDA can make their eligibility determination and then, hopefully, there will be funding available for the project.

CENTER THEATRE COLUMN PROJECT REVIEW

The Center Theatre is seeking assistance for the rehabilitation of the columns and footings that support the Center Theatre building over the banks of the Piscataquis River. Work was done to the columns approximately 20 years ago, but in that time there has been damage caused by regular flooding and erosion. Additionally, one column has been damaged due to improper roof drainage. The project will rehabilitate the columns and footings where needed, correct the roof drainage, and repair the structural and cosmetic damage it has caused to the exterior of the building that faces the river.



Looking from the NE corner of the building

The column on the NW corner bears the brunt of the floods and ice buildup from the roof.





Patrick Myers <pmyers@centertheatre.org>

Center Theatre Support Letter

1 message

Patrick Myers <pmyers@centertheatre.org>

Mon, Mar 1, 2021 at 11:10 AM

To: County Manager Piscataquis County <countymanager@piscataquis.us>

Hi Mike,

I can't remember if I've asked you for one of these before, but I don't think so. The Theatre often works with USDA Rural Development to fund larger projects. We're going to be working to rehab the columns under the Theatre this summer or next and we're hoping the USDA will support the project. One of the things they need is a letter of support from the County Commissioners. I've attached a fairly basic letter that you could certainly change as you see fit. The letter could either be signed by you or Jim, whichever you think is better/easier for you. Let me know if you have any questions about it, and thanks!

-Patrick

Patrick Myers
Executive Director
Center Theatre for the Performing Arts
w) (207)564-8943
m) (207)564-8377



USDA Piscataquis County Support Letter.docx

12K

USDA Rural Development

Attn: Mike Rollins

1423 Broadway, Suite 3

Bangor, Maine 04401

Dear Mr. Rollins,

On behalf of the Piscataquis County Commissioners I would like to express support for the Center Theatre's application for assistance through the USDA's Rural Development program. While the Theatre is based in Dover-Foxcroft it serves the entire Piscataquis County community and is an asset both culturally and economically. The work the Theatre is undertaking to ensure the long-term sustainability of their facility is also important so that we can maintain a building of historic significance to the region.

Best regards,

Community Facilities Grant

What does this program do?

This program provides affordable funding to develop essential community facilities in rural areas. An essential community facility is defined as a facility that provides an essential service to the local community for the orderly development of the community in a primarily rural area, and does not include private, commercial, or business undertakings. Funds can be used to purchase, construct, and/or improve essential community facilities, purchase equipment, and pay related project expenses.

Eligible Applicants

- **Public bodies**
- **Community-based nonprofit corporations**
- **Federally recognized Tribes**

AREAS SERVED

Rural areas with no more than 20,000 residents according to the latest [U.S. Census Data](#) are eligible for this program.

Ineligible areas in Maine are: Auburn, Bangor, Biddeford, Brunswick, Lewiston, Portland, Sanford, & South Portland.

Project must be located in a community with a median household income which is less than ninety percent of the nonmetropolitan median household income for the State of Maine based on the 2010 Census data (< \$44,779).

Facilities must serve the rural area where they are/will be located.

Project must demonstrate substantial community support.

GRANT PURPOSES Architectural/Engineering Fees; Initial O&M expense(new start-up); Refinance (if minor part of the overall loan purpose); Legal/Administrative Fees; Interest/Interim Financing; Purchase/Expansion of existing facility.

EXAMPLES OF TYPES OF PROJECTS

Hospitals, Health Centers, and Clinics; Nursing Homes; Group & Waiver Homes/ Assisted Living Facilities; Child Care Facilities; Private, Non-Profit, & Charter Schools; Municipal Buildings; Cultural/Social centers and related facilities; Local Food systems/Community Gardens; Fire, Rescue, and Public Safety

OTHER

Pay for the cost of developing specific essential Community Facilities in rural areas. Funding for the balance of the project shall consist of other Community Facilities financial assistance, applicant contributions, or loans and grants from other sources.

CREDIT ELSEWHERE:

The applicant must be unable to finance the proposed project from their own resources, through commercial credit at reasonable rates and terms, or other funding sources without grant assistance under this program. The applicant must certify to such status in writing.

LEGAL AUTHORITY

Each applicant must have or obtain the legal authority necessary for the construction, operation, and maintenance of the facility. The applicant must be responsible for operating, maintaining, and managing the facility and provide for its continued availability and use at reasonable rates and terms.

GRANT FUNDS MAY NOT BE USED TO:

Pay annual recurring costs, including purchases or rentals that are generally considered to be operating and maintenance expenses.

Construct or repair electrical generating plants, electronic transmission lines, or gas distribution lines to provide services for commercial sale.

Pay interest or refinance existing debt.

For more information regarding Rural Development Direct Community Programs, please contact the Rural Development State Office or the Area Office serving your County:

STATE OFFICE

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