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Chronology of Gravel Agreements between Doug Gott & Sons, Inc. and Town of Lamoine

The Town of Lamoine and Doug Gott & Sons entered a series of contracts beginning in 1996 for Gott to remove gravel from town land in return for payment and land restoration. The focus of this report is an agreement reached in January 2001. There are several sources of official information in regard to this agreement – the minutes of the Board of Selectmen, the contracts themselves, the Planning Board minutes, and the gravel extraction application files. Because of the volume of material, and for the ease of the reader, it's my intention to summarize each action in chronological order. The reader can draw their own conclusions.

October 19, 2000 (Selectmen Minutes) – I reported to the Selectmen at the time (Crawford, Alley & Cooper) that Gott was interested in another purchase. Members of the audience questioned the impact on the aquifer.

November 2, 2000 (Selectmen Minutes) – The Selectmen received a proposal from Gott to purchase more gravel from the lot next to the Alexander lot. Selectmen indicated they would like to meet with Gott. There was some discussion about selling the land instead of the gravel.

November 30, 2000 (Selectmen Minutes) - Selectmen met with Steve Salsbury & Tim Gott. They reported they purchased the Alexander lot and wished to extract that and slope to their existing pit. The estimate was that another 30,000 yards could come from the strip previously mined by Gott. There was also discussion about truck routes, and expanding the extraction area. Salsbury said they would come back with a proposal in another month.

December 14, 2000 (Selectmen Minutes) – Selectmen signed a letter urging state approval for wetland filling for Gott to continue to use the entrance on Route 184.

December 28, 2000 (Selectmen Minutes) - Gott submitted a plan. Selectmen said they wanted to set a date to talk price. There was concern from the audience about the effect on the aquifer.

January 11, 2001 (Selectmen Minutes) – A petition was presented to the Board asking that no further gravel sales be approved until town meeting. Gott said the proposal is to purchase \$150,000 to \$160,000 worth of material. Salsbury said

the proposal was to purchase 30,000 yards by the transfer station and 130,000 in the rear of the Smith Pit area. Selectmen agreed to \$1.25/yard. Selectmen voted unanimously to sell 160,000 yards at \$1.25/yard and instructed me to draw up a contract with no special conditions because the previous contract had worked just fine.

January 25, 2001 (Selectmen Minutes, Contract) – Selectmen voted unanimously to sign the contract with Mr. Gott.

January 26, 2001 (Letter) – Contract as revised was sent to Gott for signature.

February 27, 2001 (Gravel Pit Application) – Application submitted on behalf of Gott & town to Planning Board.

March 9, 2001 (Selectmen Minutes) – I reported the initial review of the Planning Board permit would be on March 13, 2001.

March 13, 2001 (Planning Board Minutes) – Planning Board looked at initial application from Gott, found incomplete, set site visit for April 7, 2001

March 22, 2001 (Selectmen Minutes) – I reported Planning Board found application incomplete. Jo reported a conversation with Bob Alvarez about his concern that the town doesn't have authorization to enter a multi-year agreement.

April 7, 2001 (Notes from Site Visit) – A large number of people visited the Gott pit, Steve Salsbury led the tour which lasted about an hour. Apparently during this visit it was discovered that mining on the town land had begun.

April 10, 2001 (Planning Board Minutes) – Planning Board found application complete. There was discussion about some sort of fine for Gott, as apparently Gott had started excavation of the area without the permits required, and Gott had admitted to that.

April 19, 2001 (Selectmen Minutes) – A very large discussion took place in regard to the start of excavation of town land without a permit. A motion to require Gott to pay for the gravel removed prematurely, a surveyor and a fine passed, with payment of the fine would be put toward hiring a hydrologist. The amount of the fine was tabled until an attorney could be consulted.

May 3, 2001 (Selectmen Minutes) – Selectmen tabled the fine imposition pending further resolution.

May 9, 2001 (Planning Board Minutes) – Planning Board voted against issuing a permit and recessed the proceedings until a site visit.

May 12, 2001 (Planning Board Minutes) – A site visit was held at the Gott pit. The board set several conditions under which they would entertain the permit application, including imposition of a fine by the Selectmen.

May 31, 2001 (Selectmen Minutes) – Selectmen and Gott agreed to a consent decree for digging without a permit on the town land. Settlement was for gravel taken plus \$75/day for 30-days (\$2,250).

June 5, 2001 (Planning Board Minutes) – The planning board approved a permit subject to several conditions set at the site visit meeting. . At this point it appears the Planning Board removed the “high bluff” area to the southwest of the landfill from the application.

July 12, 2001 (Selectmen Minutes) – reported DEP had cited Gott for pit expansion without state permit.

October 9, 2001 (Planning Board Minutes) – Gott applied for site plan review on Neleski Lot

December 4, 2001 (Planning Board Minutes) – Planning Board found gravel extraction permit for Map 1 Lot 70 complete with conditions, a public hearing was set for January 8, 2002.

December 18, 2001 – Letter faxed by Steve Salsbury indicates Planning Board did not approve of removal of gravel between landfill cap and transfer station, and asks that the payment schedule be revised and the contract reduced to 94,000 cubic yards.

December 20, 2001 (Selectmen Minutes, Contract) – Selectmen sign adjustment to contract due to Planning Board restrictions.

January 8, 2002 (Planning Board Minutes) – Planning Board denied site plan review approval for Neleski Lot.

May 2002 (Planning Board Minutes) – Planning Board informed that Appeals Board did not uphold denial of site plan review for Neleski Lot.

June 18, 2002 (Planning Board Minutes) – Planning Board issues site plan permit for Neleski Lot

July 2, 2002 (Planning Board Minutes) – Gravel extraction application found complete for Neleski Lot.

August 6, 2002 (Planning Board Minutes) – Planning Board issues gravel extraction permit on Neleski Lot.

October 8, 2002 (Planning Board Minutes) – Planning Board has batched town lot (Map 1 Lot 58) in with Neleski, Gott & Alexander and Smith lots as one big permit to have similar expiration dates.

January 22, 2004 (Letter from Steve Salsbury) – Gott requests time extension, right-of-way. Enclosed map shows area to east of landfill being excavated, with restoration planned.

February 5, 2004 (Selectmen Minutes) – Selectmen (Crawford, Cooper, Spruce) vote to extend the Gott contract for a completion date of 6/30/05 after Steve Salsbury requests because about 50,000 yards had yet to be extracted.

February 10, 2004 (Letter) – I sent Gott/Salsbury a letter confirming the action at the 2/5/04 Selectmen's meeting.

November 15, 2005 (Application Map) – Town owned area southwest of capped landfill shown as area to be restored.

December 6, 2005 (Planning Board Minutes) – Planning Board found application complete, pending receipt of several items. Site visit was scheduled for December 17, 2006

April 7, 2006 (Letter) – Request made to Gott, Salsbury for final accounting of operation.

April 25, 2006 (Letter) –Reminder sent to Gott, Salsbury that final accounting is due June 30th.

January 3, 2006 (Planning Board Minutes) – Planning Board approved the permits for several Gott pits, including town lot.

August 23, 2006 (Letter, Check) – Report from Steve Salsbury shows 387,301 yards taken with his analysis of the various contracts since 1996. Check for his computed overage for \$58,351.25 enclosed.

Respectfully submitted,

Stu Marckoon, Adm. Asst.