



NEWSLETTER

Municipal Review Committee | 20 Godfrey Dr., Ste 213 | Orono, ME 04473 | www.MRCMaine.org

ISSUE 23.1 | October 2021

Next Steps: Purchase of Facility Ongoing

With fall here and winter setting in, and the reopening being pushed even further for the Hampden facility, DTE was notified that due to its failure to meet several extended deadlines, produce proof of financing and commitments agreed upon in the MOU, it no longer has exclusivity for the Hampden site purchase.

With the exclusivity dissolved, bondholders and the MRC received proposals from three entities to the Hampden facility. As notified to members earlier this month, two bidders submitted complete proposals and the third notified bondholders that they would consider a partnership with another entity and would prefer not to be considered a frontrunner.

The MRC has met with the two bidders to review their proposals and gain a better understanding of what they submitted. Currently, the two bidders are scheduling meetings with the bondholders trustee's counsel despite their initial reaction that the bids were unattractive. The third interested party has not reached this phase. While DTE is still working toward a closing they recognize that they have competition now if the sale continues to drag along.

DTE has provided MRC and Bondholders with a lender's term sheet. The term sheet discloses a dollar amount they are willing to lend, which is an adequate amount to purchase, make improvements, and cash flow the facility. The term sheet does have a few hurdles for DTE to overcome though. Bondholders have told DTE while they review and vetting the other proposals. DTE can continue to participate and finalize its financing if a nonrefundable of a significant dollar amount deposit is provided.

The MRC is its members. Every action is taken with the financial and environmental welfare of our member communities. The last few months have been difficult balancing act, but we have always considered our members' interests first. We want to underscore that we remain stronger as an organization than as individuals. While we continue to work with the bondholder trustee, counsel, and consultants, our primary focus remains in the best interest of our members and the reopening of the Hampden facility. MRC will continue to keep members updated through email notices and town hall meetings of further developments.

UPCOMING MEETINGS

October 27

Finance Committee: 9 AM

Board Meeting: 10 AM

Zoom (preferred) and 20 Godfrey Dr., Ste 213, Orono

December TBA

Annual Meeting

The Board of Directors will resume meeting in-person for regular quarterly meetings. Members can attend in-person or virtually. Given the current COVID transmission rates in Penobscot County, MRC requires face coverings to be worn in the meeting and encourages public participation in the meeting through Zoom or Facebook. Virtual attendees will still be able to participate in the meeting. The link to watch is available on the MRC's website and Board agenda. The meetings will be broadcast through Facebook Live.



Nominations of Board Members



MRC mailed nomination forms to members last month for the election of three individuals to serve on the Board of Directors for three year terms. The terms run from January 1, 2022 through December 21, 2024. To be eligible, an individual must be an elected or appointed official, an employee, or a legal resident of a member community, and the slate is limited to the first nine nominations received. Nominees are placed on a slate for election by a vote of the MRC membership, and the results are announced at the MRC Annual Meeting to be held in December. An annual election ballot with the final slate of candidates will be prepared and mailed to all MRC Members after the MRC Board of Directors meeting on October 27, 2021.

Preserving the facility for reopening

Last month we mailed notices to members of a Notice of Fundamental Matter. During the September 21, 2021 Special Board Meeting, the MRC Board unanimously adopted a resolution authorizing the MRC to terminate the Site Lease with Coastal Resources of Maine if and only when necessary to facilitate an alternative sale of the Hampden facility or to implement contingency plans to responsibly manage MRC members' solid waste.

Given the importance of this matter, MRC members had the right to request within 30 days a special meeting. MRC Executive Director Michael Carroll has talked extensively with members to provide more information about this matter. As of writing and mailing on October 19, 2021, no such requests were received.

Having this option available allows the MRC to be nimble and responsive to facilitate a possible alternative sale to the DTE transaction or to implement contingency plans for responsible and cost-effective management and disposal of Member solid waste. This may involve termination of the Site Lease with Coastal, the current tenant who remains in default. Because authorization of a Fundamental Matter or Change involves a 30-45 day time period to complete, MRC has decided it is best to initiate this process now rather than later as the winter season approaches.

The Board has committed to holding an additional meeting to provide an update prior to a vote to terminate the Site Lease with Coastal. Should the need arise, we will notify members through an email blast.

ABOUT THE MRC

The Municipal Review Committee (MRC) is a non-profit association of Maine communities led by an elected, volunteer board of directors. 115 members have joined together to ensure the affordable, environmentally sound disposal of MSW in the long-term and send their MSW to the facility in Hampden for processing.

Visit www.mrcmaine.org or contact Mike Carroll at 207-664-1700 or execdirector@mrcmaine.org to learn more about the Municipal Review Committee and to add your name to our email contact list.

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