

COMMISSIONERS REGULAR MEETING

December 7, 2016

YORK,ss

At a regular meeting of the County Commissioners of the County of York, begun and holden at the York County Government Building in Alfred, within and for the County of York, being held on Wednesday, December 7, 2016 A. D. at 4:30 P. M.

COMMISSIONERS PRESENT:

Sallie Chandler
Marston D. Lovell
Richard R. Dutremble
Michael J. Cote
Gary Sinden

County Manager Gregory Zinser was present at the meeting.

All present were invited to rise and salute the flag of the United States.

Call Meeting to Order

YOU ARE INVITED TO RISE AND SALUTE THE FLAG OF THE UNITED STATES

The annual Years of Service Recognition Awards ceremony was held beginning at 4:00 p.m.

12-7-16

ITEM

1 PUBLIC COMMENT(S) ON ANY ITEM(S)

2 TO REVIEW AND APPROVE THE MINUTES OF THE COUNTY
COMMISSIONERS MEETING OF NOVEMBER 16, 2016

Commissioner Cote motioned to accept the minutes. Commissioner Dutremble seconded the motion. Vote 5-0.

3 HEAR ANY REPORTS OF THE COMMISSIONERS

Commissioner Cote reported that he had attended the Shapleigh Selectmen's meeting recently and that the selectmen support the Commissioners' effort to overturn the decision of having the new courthouse in Biddeford. He added that he

attended the Sanford City Council meeting last night and they also have a concern and don't believe supporting Biddeford as the site for the future courthouse is in their best interest.

4 HEAR M.S.E.A. GRIEVANCE

Rachel Sherman, local MSEA President, requested the Hearing be in open session. She explained that the grievance is centered around part-time M.S.E. A. employees' accrual of pro rated benefits. Ms. Sherman added that this is a class action grievance on behalf of part time employees who have not been afforded sick leave. She presented past instances when part time employees had received pro-rated sick leave. Rachel stated that the part-time medical clerk still receives benefits. County Manager Zinser clarified that this came about as part of an agreement with the MSEA Union. Commissioner Lovell asked County Manager Zinser if this was a policy change. The County Manager responded this is how one interprets the policy manual and contract. He requested the Commissioners go into executive session. Commissioner Lovell motioned that the Commissioners enter into executive session pursuant to 1 M.R.S.A. §405 (6) (A). Commissioner Dutremble seconded the motion. Commissioners came out of executive session per consensus. Commissioner Lovell motioned to table the matter until the next Commissioners' meeting on December 14th to allow the Commissioners to discuss this matter with counsel. Commissioner Cote seconded the motion. Vote 5-0.

5 TO CONDUCT AN EXECUTIVE SESSION ON PERSONNEL ISSUES PURSUANT TO 1 M.R.S.A. §405 (6) (A), ACQUISITION OF REAL PROPERTY OR ECONOMIC DEVELOPMENT PURSUANT TO 1 M.R.S.A. § 405 (6) (C), LABOR NEGOTIATIONS PURSUANT TO 1 M.R.S.A. § 405 (6) (D) AND CONSULTATION WITH LEGAL COUNSEL PURSUANT TO 1 M.R.S.A. § 405 (6) (E).

6 TO HEAR ANY REPORTS FOR THE COUNTY MANAGER

No formal reports

7 OLD BUSINESS

- a. **Jail budget update-** The County Manager reported that things are moving along. He continued that at the second meeting in January there will be a budget workshop for fy '18 budget. At that time the discussion can include where we are with the jail and general fund budgets and where we are going.
- b. **Discussion of courthouse location-** County Manager Zinser informed all that he had a recent discussion with the State Court Administrator regarding County costs if the new courthouse is built in Biddeford. He asked to discuss our costs. The County Manager stated that he will have a cost analysis spreadsheet soon to circulate itemizing these costs. He added that he is pretty confident that our costs are going to increase by \$500,000.00. Mr. Zinser added that Court Administrator Ted Glesner would not tell us that our costs would not increase. County Manager Greg Zinser added that he expects the courthouse location item

will cause lots of conversation at the York County Advocacy meeting next Thursday.

Mr. Zinser told all that he had met with the Sanford Sewer District last week regarding the expansion of their public sewer system to the Alfred property adjacent to the jail and he will also need to talk to the City of Sanford as their comprehensive plan would need to support enlarging the sewer district.

Advocacy Meeting Discussion- The County Manager stated that sentencing longer than 6 or 9 months at the county jails should be a topic of discussion. Also, he feels the County needs to find a sponsor to put in a placeholder bill to include adding additional language to prevent keeping people in our jail longer than the statute permits as well as the expanded use of video conferencing for motion hearings. Mr. Zinser added that we also need to be prepared for MMA to advance their own initiatives such as turning the jails over to the State and/or the elimination of the tax caps.

Commissioner Cote stated that we (Commissioners) need to agree on the tax cap issue. He stated that he feels we leave it as it is and get sentencing back to six months in a County jail as opposed to 9 months. County Manager Zinser added that we would need to prove that we would need the necessary funding to keep inmates at a nine month sentence. We are not supposed to, by statute, have anyone (inmate) more than nine months per the statutes. Commissioner Dutremble commented that the State should have to pay us back the value of our bonds if they take over the jails. The County Manager commented that stating our position is important so legislators can get back to us. He reminded all that the Advocacy group can only take on items of mutual agreement (between county and cities and towns). Commissioner Lovell stated that he disagrees with seeking continuation of the tax cap. He added that it is not a responsible approach for any sort of municipal management. Commissioner Dutremble replied that he disagrees even though he does realize the State was supposed to fund the difference of the CAP and they have not done what they were supposed to.

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NEW BUSINESS

a. **Introduce H.R. Director, Linda Corliss, to request hiring of full time legal secretary in District Attorney's office, part time legal secretary in the District Attorney's office.** H.R. Director Corliss requested hiring approval of Christine Bean in the position of full-time legal secretary. She added that the position is currently funded and was vacated by a resignation. The estimated hiring date, upon Commissioner approval, will be January 2, 2017.

Commissioner Dutremble motioned to approve the hiring of Christine Bean in the position of full time legal secretary in the District Attorney's office.

Commissioner Lovell seconded the motion. Vote 5-0.

H.R. Director, Linda Corliss, requested Commissioner approval for Tracy Thill in the position of part time legal secretary. This vacancy occurred due to an employee transfer. January 2, 2017 is the estimated hire date requested, upon Commissioner approval. Commissioner Cote motioned to approve the hiring. Commissioner Dutremble seconded the motion. Vote 5-0.

b. **Introduce Sheriff King to request hiring approval of civil process employees-** Linda Corliss approached the Board and requested hiring approval due to reorganization of the civil process division with a January 3rd effective

hiring date. The requested new hiring requests are: Michael Grovo- full time civil process supervisor, Arthur Titcomb-full time civil deputy, John Dickens-part time civil deputy, John Willey-part-time civil deputy, James Frechette-part-time civil deputy, and Cathy Farber-part-time civil deputy.

Commissioner Dutremble motioned to approve the hirings. Commissioner Cote seconded the motion. Vote 5-0.

c. **Discussion of Recovery Center**-The County Manager stated that he is seeking guidance from the Commissioners on how to move forward with this project that is now a shovel ready project. The State will vacate the building at the end of February. We have contacted some members of the delegation about this project. The County is committing \$200,000 to the project out of our special project fund budget line. Mr. Zinser continued that it is important that the Commissioners have a conversation about how they'd like to fund the Recovery Center. We are hopeful that we can get sponsors and we have many people currently behind us. This will be another topic at next week's Advocacy meeting. He also encouraged Commissioners to perhaps put some general fund money into the project and added that he would look for money from the taxation process. County Manager Zinser explained that any funds received from DHHS would have strict guidelines on what we would be able to do.

Commissioner Cote replied that while he does believe the Recovery Center is a good idea, there are two things he wants to do before he fully endorses it. First, he would like the Commissioners to hold a Public Hearing and second, he would like to go to the towns in his district and ask what their thoughts are. The County Manager asked Commissioner Cote if he would be willing to schedule a Public Hearing for the last meeting in January or the first meeting in February and in the meantime Commissioner Cote could talk to his towns while he still pursued the funding aspect if that's okay. Commissioner Cote replied that was okay as long as he wasn't locked into something until he found out whether or not towns in his district would support this project. Commissioner Lovell questioned the amount needed for the Recovery Center as he thought figures were stated at \$1.6 million to \$1.7 million but now he is hearing the cost is down to \$1.4 million. County Manager Zinser clarified that the decreased figure is due to putting some County money into the project. He added that there should be some taxation dollars. Commissioner Lovell replied that he was thinking \$200,000.00 would be seed money with matching money from grants. The County Manager responded that there are no grants out there and that \$200,000.00 is the County's contribution to get the project going.

Commissioner Lovell moved to hold a Public Hearing at the second meeting in January on the Layman Way Recovery Center project. Commissioner Dutremble seconded the motion. Vote 5-0.

c. **Ortho imagery (aerial photos)**- County Manager Zinser explained that four years ago the County entered into a contract with Ortho Imagery that is now up for renewal. The County would be funding 1/3 (\$25,000.00 which is the same contribution given four years ago) of the total cost of the program. Our contribution would provide 18" base maps. Commissioner Lovell asked if there is a budget line for this item. County Manager Zinser replied that the contingency account could be used because of the nature of how this is falling in the budget year and the Commissioners could raise the money in next years' budget to "pay yourselves back". Commissioner Lovell asked if we had been spending out of the

contingency fund. The County Manager replied that had not been happening is it takes a full vote of the Commissioners to do so. Commissioner Cote asked if our communities have been using this. Mr. Zinser replied yes and added that larger towns probably use it more than smaller towns.

Commissioner Cote moved to fund \$24,768.00 for the Ortho Imagery program from the contingency fund. Commissioner Lovell seconded the motion. Vote 5-0.

d. Discussion of Emergency Alert System (Code Red vs. RAVE)-* Item heard after item b-** County Manager Zinser explained that the RAVE system can be deployed to each of the Towns while we are the centralized administrator. The concurrence of the Commissioners is needed to enter into a four year agreement. EMA Director, Art Cleaves negotiated four years for the price of three which drops the price to about \$21,000.00 a year. Mr. Zinser stated that Homeland Security funding would be used to reimburse the County and that we would form accounts for fy 17, 18, 19 as intergovernmental receivables. This item would not hit the general fund. Director Art Cleaves addressed the Board and stated that RAVE will do all the things Code Red has been doing but better. He further explained that if a person signs up for the program, it will send the alert to their cell phone or any phone. This program also allows for unlimited users unlike CODE RED. Commissioner Cote stated that he recalls that when Code Red began here, the result was phone calls were made and they created lots of havoc. He questioned how would we deliver this system differently than the other system. EMA Director Cleaves replied that it is user friendly. Assistant Deputy Director Blain Cote replied that CODE RED was located in Florida but RAVE will show up as a York County number. Also, he stated that CODE RED put a limitation on the length of the message and RAVE does not. EMA Director Art Cleaves commented that this is something the County can give to the communities at a cost of \$81,000 for a four year deal. Commissioner Cote asked if this was covered by a grant. Art Cleaves replied that it was.

Commissioner Lovell motioned to approve the EMA recommendation to transfer operations to RAVE. Commissioner Cote seconded the motion. Vote 5-0.

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PUBLIC COMMENT(S) ON ANY ITEM(S)

Susan Wiswell asked if there was any chance that the jail tax cap can be adjusted. County Manager Zinser replied that there can be no adjustment to the tax cap. The law only allows an increase to the assessment by 3 percent or LD 1 , whichever is less. *“Does that automatically increase the tax cap? That will be the question”*, commented Mr. Zinser. He continued that this is an issue the Commissioners do have to think about. Identifying and quantifying what that gap is will be the issue. Ms. Wiswell also asked if the Recovery Center would be in patient or out outpatient. The County Manager replied that there will be 12 detox beds, 12 male beds and 12 female beds. Therefore, the facility will be a thirty six person in-patient facility.

William Doyle, Business Agent for the National Corrections Employee Union addressed the Commissioners regarding the location of the future courthouse. He stated that the NCEU is adverse at moving the courthouse to Biddeford for a multitude of reasons. Biddeford is not centrally located in York County and Biddeford is 13 miles one way, thus potentially causing a dangerous situation for Corrections Officers. He commented if the courthouse was built in Alfred, the inmates would not need to be transported in a vehicle. He continued that there is a

different class of criminals being dealt with these days. He circulated three cases where Corrections Officers were harmed by inmates. He thanked all for hiring more corrections officers but stated if they are going to move forward to moving the courthouse to Biddeford, there would need to be an increase in the jail budget, as more Corrections Officers as well as more training would be needed so they can all carry firearms. He also asked the Commissioners to increase the salaries of Corrections Officers. Commissioner Sinden replied that the Commissioners have long since taken that position (courthouse should be in Alfred) and it might be helpful if the Union were to send a letter to Justice Saufley and the Governor outlining their position. Commissioner Sinden also stated that our legislative advocacy group has already started that process.

9

ADJOURN

Commissioner Cote motioned to adjourn. Commissioner Dutremble seconded the motion. Vote 5-0. Meeting adjourned at 6:17.