

COMMISSIONERS REGULAR MEETING

September 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, September 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

09-07-16

ITEM

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

None

2 TO REVIEW AND APPROVE THE MINUTES OF THE COUNTY COMMISSIONERS MEETING OF AUGUST 3, 2016

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

3 HEAR ANY REPORTS OF THE COMMISSIONERS

a. Commissioner Sinden to report on Courthouse Site Committee meetings- Commissioner Sinden reported that the committee met for the second time last Friday and he believed it was a fairly productive session. A sub-committee was formed at the first meeting to go out and find more properties to consider for the future courthouse in York County. The Committee rejected all but seven properties

that are now under consideration. Commissioner Sinden continued that the Committee Chair did not want any discussion at that point about the various properties even though there were a lot of questions about the properties. He added that it was important to a lot of members that it be close to Interstate 95 and he asked why. Senator Valentino answered that a lot of attorneys will be coming from out of county or state and secondly, people who have tickets for example, need the convenience. Commissioner Sinden told the Board and others present at the Commissioners' meeting that he believes having the courthouse in close proximity to the jail is key as if it's near I-95 it's a magnitude of six figures. This argument, stated Commissioner Sinden, to incur that cost on the taxpayers would be a subsidy on these attorneys who need to get to the courthouse quickly. Property tax payers should not have to subsidize that. Senator Valentino made a strong point about a number of cases and where they are from, stating that was primarily Biddeford. Sheriff King refuted that perfectly by clarifying that they have to go to the Sheriff's Office first anyway before they come to court. Commissioner Sinden continued that it does worry him a bit that there are three judges and four attorneys on the site selection committee and that's almost half of the 18 members.

b. Commissioner Dutremble and Commissioner Cote to report on first meeting of Jail Working Group Committee-

Commissioner Dutremble reported that the first meeting of the group was held two weeks ago and lasted about two and one half hours. The discussion centered on the present and future costs of the jail. Revenues were discussed as well as the location of the new courthouse and its impacts. The Committee is looking at drafting a letter to the Site Committee to advise them of the importance of having the new courthouse located at the jail. The County Manager will share the letter with the Board (draft copy). He added that the Jail Working Group Committee does recognize that any matters decided upon must be approved by the Commissioners.

4 CONTINUATION OF COUNTY PATROL ASSOCIATION GRIEVANCE

Chair Commissioner Sallie Chandler motioned to enter into executive session pursuant to 1M.R.S.A. §405 6A (personnel issues) Commissioner Sinden seconded the motion. Vote 5-0. Sheriff King, Major Mitchell, Chief Deputy Baran and Tim O'Brien were also present during the session.

Commissioner Sinden motioned to come out of executive session. Commissioner Cote seconded the motion. Vote 5-0.

Commissioner Cote motioned to uphold the County Manager's decision. Commissioner Sinden seconded the motion. Vote 5-0.

5 TO HEAR M.S.E.A. GRIEVANCE

County Manager Zinser reported that MSEA has requested postponement of their grievance hearing until the next meeting.

6 TO HEAR ANY REPORTS FOR THE COUNTY MANAGER

The County Manager reported that although funding has not yet been secured for the recovery center, he has submitted the permit for a land use change and he will keep the Board apprised of this matter. He suggested that at the next meeting we

should have a conversation about this and whether or not the Board wants to have their own Hearing about the center. Mr. Zinser added that the Town of Alfred is concerned about what a treatment center means. He reminded them that it will not be a methadone center but a detox and/or long term recovery. We are asking for possible occupancy on or about 1-1-17.

7

OLD BUSINESS

a. Limington Contract Deputy Contract-

County Manager Zinser explained that the Town had signed the contract and had switched to another deputy. He is asking for Commissioner approval of the contract.

Commissioner Dutremble motioned to approve the Limington contract as presented. Commissioner Cote seconded the motion. Vote 5-0., Commissioner Sinden asked if the car is separate to which the County Manager replied they own the car already.

b. Continuation of review of jail budget-

The County Manager reminded the Commissioners that at the last meeting they were given a list of the Sheriff's itemized reductions. Some Commissioners had concerns regarding them and asked for some financial data. He circulated the year-to-date MUNIS report as requested to Commissioners. Commissioner Lovell stated that two budget lines appear to be running over: overtime and MPERS. The County Manager explained the overage in the Maine State Retirement is a function of wages in that when there are more wages, our contribution is more. Commissioner Lovell asked the Sheriff if the reason for the overtime that we are below head count. Sheriff King replied, yes.

County Manager Zinser stated to the Commissioners that he is not sure where they want to go with this matter at this time. Commissioner Chair Sallie Chandler stated that her feeling is that we have talked about it over and over but that she thinks we need to bring this to a close.

Commissioner Chandler motioned to have the County Manager bring us a plan to fix the budget. Commissioner Cote seconded the motion.

DISCUSSION: Commissioner Cote and Commissioner Sinden agreed.

Commissioner Sinden added that he would like to see a reliable budget plan to get it (the budget) to a known amount. He continued that he still has concerns that this budget is just a proposal based on things going well. Commissioner Lovell asked when are we are not going to run excessive overtime and get staff.

Sheriff King responded that his department has lost a couple people to police departments and received another resignation today. He added that hiring is difficult because of where we are. (southern Maine)

The Sheriff added that he is very optimistic with the Jail Working Group. He asked the Commissioners to give this group a couple more meetings and maybe we can enterprise a couple more ideas of where we can be more efficient.

Chair Commissioner Sallie Chandler replied that we have been beating this for 7 or 8 months. We have enough information from the Sheriff and Manager. We need a specific plan or plans to make a decision on. This budget cannot keep wheeling out of control.

Commissioner Lovell commented that there are two Commissioners on the Committee but that maybe the County Manager doesn't feel as strong of the effectiveness of the committee.

Commissioner Chandler answered that we need to make a decision about the jail budget. We have avoided it for months and we need it to stop.

Commissioner Dutremble stated that we are going to have three different areas where we get information. He added that a good solution is possible if we get lots of information.

Commissioner Cote asked for clarification on Commissioner Dutremble's comments.

Commissioner Dutremble stated that we go forward now and see what the County Manager comes up with. Then, we can incorporate what others find for information.

Vote 5-0.

8

NEW BUSINESS

a. To hear a poverty abatement (executive session pursuant to 1 M.R.S.A. § 405 (6) (F))- discussion of confidential records

Commissioner Sinden motioned to enter into executive session pursuant to the above statute. Commissioner Dutremble seconded the motion. Vote 5-0.

Commissioner Dutremble motioned to come out of executive session.

Commissioner Cote seconded the motion . Vote 5-0.

Commissioner Sinden motioned to continue this matter until the next meeting.

Commissioner Dutremble seconded the motion. Vote 5-0.

b. Review of Narcan policy (*attached as record*) –

Chief Deputy Baran approached the Board and stating that due to the ongoing opiate epidemic that is getting worse, the Sheriff's Office would like to put into place a policy where a deputy could give Narcan to revive someone and potentially save their lives. This policy has also been sent to our insurance provider to review. York County Deputies have already received training in April. The Chief Deputy ended by stating that the Sheriff's Office is looking for Commissioner approval of this policy.

Commissioner Dutremble motioned to approve the policy. Commissioner Lovell seconded the motion.

Discussion: Commissioner Cote explained that he has concerns that our insurance carrier has not gotten back to the Sheriff's Office with their approval yet. Chief Deputy Baran explained that the policy created mimics others but that he has not received anything in writing from our insurance carrier yet. Commissioner Cote expressed a concern on approval without an okay from our insurance carrier.

The County Manager suggested a conditional approval allowing edits, if necessary per our insurance company's satisfaction. He added that the Commissioners would be notified of the ending result.

Commissioner Dutremble moved to amend his motion to approve the Narcan policy as presented along with any changes deemed necessary by the County's insurance carrier be made by the County Manager who will in turn notify the Commissioners. Commissioner Lovell seconded the motion. Vote 5-0.

c. Review of Deputy Sheriff Commission Agreement (*attached as record*)-

Commissioner Lovell motioned to approve the Agreement as presented.

Commissioner Dutremble seconded the motion. Vote 5-0.

d. Introduce Sheriff King to request continuation of leave of absence for employee- Sheriff King requested that his employee be granted another thirty day leave of absence. He added that he is certain we will know something by then. Commissioner Lovell motioned to approve the thirty day continuation of a leave of absence. Commissioner Sinden seconded the motion. Vote 5-0.

e. Worker's Compensation dividend payment for 2015- County Manager Zinser informed all that York County government had recently received a Worker's Compensation dividend check in the amount of \$14,032.00. The County Manager congratulated H.R. Director, Linda Corliss for her diligence in working to make workplace safety a priority.

f. Introduce H.R. Director, Linda Corliss, to request approval of transfer in D.A.'s office from part time legal secretary position to full time trial manager position- H.R. Director, Linda Corliss explained that the Full time trial manager position was posted internally. One internal candidate, Kelli Bshara applied. Ms. Bshara is currently employed in the part time discovery position in the D.A.'s office. Ms. Corliss requested approval of this transfer with a September 13th effective date. Commissioner Lovell motioned to approve the transfer. Commissioner Cote seconded the motion. Vote 5-0.

g. Schedule poverty abatement (recommended date October 5, 2016)
Commissioners are fine with this date.

h. Forfeiture transfer-
County Manager Zinser explained that the Sheriff had requested this item be brought forth for approval by the Commissioners.
Commissioner Lovell motioned to accept the transfer of the forfeiture as stated in the document as presented. Commissioner Dutremble seconded the motion.
Vote 5-0.

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

None

10 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).

****Item taken out of order*** heard after grievances**

a. Enter into executive session pursuant to personnel issues 1 M.R.S.A. §405 (6) (A)-

Commissioner Dutremble motioned to enter into executive session pursuant to the above-listed statute. Commissioner Cote seconded the motion. Vote 5-0. H.R. Director, Linda Corliss, Sheriff King, Chief Deputy Baran, Major Mitchell and Attorney Tim O'Brien were also present in this session. The Commissioners come out of executive session and take no action.

11

ADJOURN

Commissioner Cote motioned to adjourn. Commissioner Sinden seconded the motion. Vote 5-0. Meeting adjourned at 6:20.