

COMMISSIONERS REGULAR MEETING

May 20, 2015

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, May 21, 2015A. D. at 4:30 P. M.

COMMISSIONERS PRESENT:

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

County Manager Gregory Zinser and Human Resource Director Linda Corliss were 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

05-20-15 ITEM

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

2 TO REVIEW AND APPROVE THE MINUTES OF THE COUNTY COMMISSIONERS MEETING OF MAY 6, 2015

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

3 HEAR ANY REPORTS OF THE COMMISSIONERS

Commissioner Cote mentioned that he had attended the MCCA meeting last week.

4

HEAR A REPORT FROM THE COUNTY MANAGER

1. **Update on Budget Committee process-** County Manager Zinser informed all that he had met for the first time with them last week and the process went well. He added that he would be attending the meeting tonight at 6:30 at which they'll review the Sheriff's budget presentation as well as EMA's budget.

2. Introduce Human Resource Director, Linda Corliss, for presentations

Linda presented a letter to April Powell for her work in organizing the recent Wellness Fair for the County.

H.R. Director, Linda Corliss continued by presenting an outline to the Commissioners about an "Employee Years of Service Program". She explained that she would like to move forward with the program that she had discussed previously with the Commissioners. Linda stressed that the first night will be a lot of people. Commissioner Lovell suggested that perhaps the employees recognized be divided over a couple of nights in an effort to keep the meeting time not too long. H.R. Director Corliss agreed and stated that she would like to have a tentative date to start the program. She added that she had spoken to many of the Department Heads and they are supportive of this. The County Manager suggested maybe August and October.

5

NEW BUSINESS

1. Hear tax abatement hearing – Mr. and Mrs. Burrige of Limerick, ME

The Burriges are sworn in by County Manager Greg Zinser. No representative from the Town of Limerick was present but they did submit a letter. County Attorney, Gene Libby, was also present. Mrs. Frances Burrige addressed the Board and explained that in 1986 they purchased the land and in subsequent years, built on it. She questioned the town of Limerick as to why her 2014 taxes rose over \$1,000.00. She was told because the mill rate went up. Mrs. Burrige continued that she looked at the property taxes other farms in Limerick were paying and noticed they were paying less than she was. Her husband was given an abatement form and the Property Tax Bulletin 20 (farmland). She stated to the Commissioners that she did not know this (lower tax rate for farmland) was available. Mrs. Burrige added that her land is insured as a farm and that she and Mr. Burrige had no reason to believe their land wasn't being assessed as farmland. She stated that if they had known about the tax break for farmland, she would've filled out the paperwork. Fourteen acres of their property houses buildings and they are asking for an abatement only on the pasture and crop land (open land) for 2014. Commissioner Lovell clarified that the Burriges operated as a farm for many years and only realized now about the property tax reduction for farm land and therefore are asking only for a refund in 2014. His understanding is that 2014 is in our (Commissioners) purview. Attorney Gene Libby clarified that this is not the case in the context of this appeal. He continued that the Statute states that owners must sign a schedule on or before April 1st of the tax year in which they are requesting the tax reduction. They must fill out the application to get land taxed as farmland. Therefore, since no application was filed in 2014, the Town of Limerick correctly

assessed the land as it was not classified as farmland at this time. Commissioner Lovell asked if that's the reason the Limerick Board did not correct the assessment. Attorney Libby replied that was correct. The Burridges are looking for an exception, stated Attorney Libby. Commissioner Dutremble stated that the Commissioners cannot break the law. Mrs. Burridge asked for clarification on what the abatement process does. County Manager Greg Zinser explained that statutes exist (various requirements) as they pertain to what the Commissioners can and cannot rule on. They have to apply the law to this particular circumstance. Residents coming before the Board for a tax abatement denial appeal are required to prove that the Assessor's value of their land is manifestly wrong. The fact that you simply didn't fill out the application does not justify that you were assessed improperly.

Commissioner Lovell motioned that the Commissioners rule according to Title 36 Section 1101 and deny the Burridges tax abatement denial appeal on those grounds. Commissioner Cote seconded the motion. Vote 5-0.

2. Sheriff King to discuss salary request

There was discussion as to whether or not the Sheriff's request could be heard in executive session. The County Manager clarified that the Sheriff's performance with the Commissioners can be heard in executive session but that any items due to salary have to be in public session. Sheriff King stated that he did not know he had to do this (come before the Commissioners). He said that he has been working at his Chief Deputy salary since his appointment as Sheriff January 1st of this year. He continued that \$93,357.00 is the budgeted amount for the Sheriff. He said that his current salary is \$78,700.00 and he would like for the budgeted amount to be instituted immediately as he is entitled to that amount and he would like the monies retroactively to January 1st of 2015.

Commissioner Lovell moved that the Commissioners should do so immediately. He added that he is aware that other smaller departments (Chiefs) get paid more. Commissioner Sinden responded that Commissioner Lovell was working off data that no other Commissioner has been able to see. He stated that he'd like to hear the case and he'd like to have some time to consider what's being presented before we (Commissioners) move to a motion in the first sentence. We need to consider it in a reasonable manner, Sinden said.

County Manager Zinser explained that in 2013, prior to the elections, the Commissioners established a pay range for all elected officials. The pay range for the Sheriff was established between \$60,000.00 to \$80,000.00. Commissioner Cote reminded Sheriff King that he knew when he was running for the office of York County Sheriff what the salary was and it is the law. Sheriff King responded that the budgeted amount is \$93,357.00. Commissioner Dutremble reminded all that we (Commissioners) voted that we can override these ranges. Sheriff King again stated that he believes he is entitled to the \$93,357.00 per the law. Commissioner Sinden advised that we shouldn't get into entitlements right now. He added that he needs to look at the data in the Sheriff's presentation in hard copy along with the laws the Sheriff is referring to.

Commissioner Sinden motioned to table the subject of Sheriff King's raise request until the next meeting so that the Commissioners can review the matter and documentation and discuss in a calmer manner. Commissioner Lovell seconded the motion . Vote 5-0.

Sheriff King informed the Commissioner that he is going to attend the budget committee meeting tonight to discuss with them the items that were taken out of his budget which he feels will hamper his operation. Sheriff King commented that he has a paltry force on the road. Commissioner Sinden commented that there are currently five open positions and asked when they will be filled. The Sheriff clarified that he has three open positions. Commissioner Sinden asked the Sheriff if there was any hope for them being filled? Sheriff King replied yes. Commissioner Sinden informed the Sheriff that the Budget Committee cannot hire anyone and that "this is the place where all hiring takes place." Sheriff King responded that while he was aware of this, he wanted to put it on the record that his department needs more people as it's his job to ensure public safety.

6 OLD BUSINESS

None

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

None

8 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).

Commissioner Cote motioned to enter into executive session for personnel issues pursuant to 1 M.R.S.A. §405 (6) (A). Commissioner Dutremble seconded the motion. Vote 5-0.

Human Resource Director, Linda Corliss, was also present in the executive session.

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

No action taken

9 ADJOURN

Commissioner Cote motioned to adjourn. Commissioner Lovell seconded the motion. Vote 5-0.

