

COMMISSIONERS REGULAR MEETING

April 5, 2017

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, April 5, 2017 A. D. at 4:30 P. M.

COMMISSIONERS PRESENT:

- Sallie Chandler
- Marston D. Lovell
- Richard R. Dutremble
- Michael J. Cote
- Richard Clark

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

04-05-17

ITEM

1

PUBLIC COMMENT(S) ON ANY ITEM(S)

None

2

TO APPROVE THE MINUTES OF THE MARCH 15, 2017 MEETING

Commissioner Dutremble motioned to approve the minutes. Commissioner Cote seconded the minutes. Commissioner Clark made two corrections to the minutes. Commissioner Cote motioned to approve the minutes as amended. Commissioner Dutremble seconded the motion. Vote 5-0.

3

TO APPROVE TREASURER’S WARRANTS

- a. Warrants dated 3-15-17 in the amount of: (\$75,831.10)
Commissioner Clark motioned to approve the warrant. Commissioner Cote seconded the motion. Vote 5-0.
- b. Warrants dated 3-22-17 in the amount of: (\$465,872.98)

Commissioner Clark motioned to approve the warrant. Commissioner Dutremble seconded the motion. Vote 5-0.

c. Warrants dated 3-29-17 in the amount of: (\$467,638.39)

Commissioner Clark motioned to approve the warrant. Commissioner Cote seconded the motion. Vote 5-0.

4 TO HEAR ANY REPORTS OF THE COUNTY COMMISSIONERS

Commissioner Cote informed all that he attended County Day in Augusta. There were not a lot of legislative people there so they may look at changing the date for the event next year. He also attended the job fair today.

5 NEW BUSINESS

a. Introduce Linda Corliss to request transfer of Christine Bean from legal secretary to Victim Witness Advocate position in District Attorney's office- H.R. Director, Linda Corliss formally requested the Commissioners approve the hiring of Christine Bean, an internal candidate in the position of Victim Witness Advocate effective May 1, 2017.

Commissioner Lovell motioned to approve the request. Commissioner Clark seconded the motion. Vote 5-0.

b. Town of York request for waiver of interest charge- The County Manager informed all that a year or two ago the Commissioners were presented a similar request and the Commissioners did approve the waiver.

Commissioner Clark motioned to approve York's request. Commissioner Lovell seconded the motion. Vote 5-0.

c. Request Commissioners' approval on the establishment of an employee training and development fund using the proceeds of our worker's compensation fund- County Manager Zinser explained that the County recently received unanticipated revenue from our Worker's Compensation fund in the form of a refund and is seeking Commissioner approval to use this refund for the establishment of an employee training and development fund. Commissioner Clark asked the County Manager what does he foresee this doing? County Manager Zinser responded that often employees have requested to go to training- for example, a national conference and that he'd like to give some department heads opportunity to go on these trips. He gave a recent example in which the IT Director has requested to go to Utah with the D.A.'s office in order to learn about a complete change in the court software system. Other counties, along with their IT Directors will also be present. The cost of this trip is around \$2,000.00. This would fund a trip such as this. A full accounting will be given to the Commissioners. He added that we do have a line in the budget for some funds now but it's not a lot of money. Commissioner Clark responded that he is not opposed to employee training and development but if there is already a line for it, then we receive a credit/check from Worker's Compensation and put it to a line that is already at X amount of dollars. What happens next year as you may not receive a check for that. The question is whether or not that is a sustainable choice. My concern is that this is a one time gain, stated Commissioner Clark. The County Manager agreed that it is a one time funding source. He continued that he looks at this as an opportunity since he has been asked in the past by department leaders and he has had to deny training requests. Commissioner Lovell commented that right now our training and development funds are disbursed by each department. Would they now be consolidated at the Manager's office level? The County Manager replied, yes, he would create a new account that would be

housed at the Commissioners'/Manager's office. Commissioner Lovell responded that this sounds like a good idea although funding it with found money is probably not very wise. He recommended that maybe funding it at this level might be a good idea in this budget as using a disbursement of these funds bothers him. He feels "found" money should be booked into the general fund. He commented that training and development makes for better employees. Commissioner Dutremble asked if this would be a new fund. The County Manager replied that it would be. Commissioner Dutremble replied that funds could be taken at the end of the year to replenish it (the training and development line).

Commissioner Cote motioned to approve the creation of a new budget line using the Worker's Compensation refund check. Commissioner Dutremble seconded the motion. DISCUSSION:

Commissioner Clark stated, *"If you are going to set up an account for training, you should decide what it should be. It needs a little more thought and it's wrong and it's not wise. You should plan what your training needs are. It's not found money, it's taxpayers' money."*

Commissioner Dutremble replied that we can set the fund and then decide what we are going to put it in the future. Commissioner Cote added that we can evaluate it for the next budget but that he doesn't see any harm in doing this. It starts a fund for training. Commissioner Clark replied that we already have one.

Commissioner Lovell motioned to table this agenda item until the Manager can come forward with training and development plan to see what he feels is needed.

Commissioner Clark seconded the motion. Vote 2(Coms. Lovell and Clark)-3 opposed (Coms. Chandler, Dutremble and Cote).

Commissioner Chair Chandler asked for a vote on the first motion made by Commissioner Cote to establish a fund. Vote 3-2 (Coms. Clark and Lovell opposed.)

6

TO HEAR ANY REPORTS OF THE COUNTY MANAGER

a. Report on meeting with Speaker Gideon's office regarding Recovery Center- The County Manager reported the meeting went very well. The concept that we are advancing has the full support of the Speaker and they are working internally now to see whether or not they will be able to assist with the funding, reported County Manager Zinser. He added that they liked that the program was supported by the County and that we had a concrete plan-not just a concept. He added that this could lead to additional funding for the County that wouldn't be tax dollars.

b. Present 2017-2018 draft budget- County Manager Zinser reviewed the budget and stated that the budget overall shows a 1.09% increase in expenditures resulting in a 2.78% increase in municipal assessment. He continued that there are additional personnel requested. Mr. Zinser pointed out budgetary highlights included in the budget summary portion of the budget. He informed all that the big item that resulted in significant savings in health insurance premiums is that the County now has BC/BS for the NCEU and MMA (HRA) for all other county employees.

i. Probate Judge Chabot and Register Lovejoy to give update on their department and present their budget. County Manger Zinser explained to the Board that the Probate budget contains a \$2,000.00 increase. Register Carol Lovejoy gave an update on the Probate department and stated that scheduling of cases was at 60 to 90 days last year and is now at 45 days. She added that trials are

not backed up. Ms. Lovejoy reported that Judge Chabot is accommodating to the Probate office and will switch days if he is needed to in court. She added that the running of the Probate court has improved dramatically and that there are now eight (8) scheduled days of court which she believes has made a big difference.

Probate Register Lovejoy addressed the increase in the professional services line requested in her 2017/18 budget and stated that the difference is in salaries. The funds would be used if extra court dates (17 floating days) are needed. These days were figured at Judge Chabot's daily salaried amount. The \$2,000.00 increase in her other equipment line would be used for updating hard drives and furniture as the chairs and work stations are old so they'd like funds if one of those items break. Commissioner Lovell commented that it sounds nice to have things running smoothly again in the Probate department.

- ii. EMA Director Art Cleaves to present budget.- Director Cleaves addressed the Board and reported that his budget request includes a 14% increase (\$55,406.00) and that he is proposing to move a grant position into the general fund. By doing that, Director Cleaves informed all there is also a 50% increase in EMPG funding as well. The three increases asked for include professional services such as the RAVE program and a couple of others, copier line increase, and a contingency line for emergencies. Commissioner Lovell asked if there are revenues that can't be recognized at this time but are likely to be brought in. EMA Director Cleaves replied that yes, \$120,000.00 is likely to come in.
- iii. D.A. Slattery and Office Manager Jen Kern to present budget – District Attorney Kathy Slattery informed all that she is requesting an increase of \$10,935.00 in this budget. The D.A. stated that it is year two of the Unified Court Docket that has brought inefficiencies to us. The travel increase request in the budget is a result. The District Attorney continued that her Office Manager, Jen Kern, keeps the office running and that it is essential to our operations to have a position to assist Jen. *“There will be a new courthouse and if we are not in the courthouse the level of inefficiencies will be epic. All documents are filed in the courthouse. I am legally obligated to be present at all legal trials”*, stated D.A. Kathy Slattery. County Manager Zinser asked D.A. Slattery if they were to use the Biddeford courthouse (current one) once the new courthouse is built in Biddeford, would that help? Kathy Slattery replied that it would not be anymore helpful than being in Alfred. She continued that they would still have to travel through 5 points and that she has never worked 15 miles from the

courthouse. It works better to work inside the courthouse. Commissioner Lovell stated that is it true that the efficiency of the UCD is nothing we are going to see for two years. Then, any efficiency will be due to you being able to be within the courthouse. D.A. Kathy Slattery replied that currently there is 500 square feet dedicated to the D.A.'s office in the new courthouse and that is not enough room. If our entire office is located in the court, we will see efficiencies (20,000 square feet is in the bill submitted). Commissioner Clark asked if other counties had the District Attorney's office and court system in same building. D.A. Slattery replied that in Penobscot County they are not in the same building but are less than one mile away and it just doesn't work for them. People get hurt carrying boxes and they have to hang around the courthouse. D.A. Slattery continued that in Kennebec County, the D.A.'s office is adjacent to the courthouse with a walkway. No one else (other counties) is a great distance. Another factor, commented D.A. Slattery, is how busy the court system is in each County. York County will have court five (5) days a week. Commissioner Lovell asked Kathy Slattery if York County's courts are still as active as Cumberland County. Kathy Slattery responded that they were. Commissioner Lovell asked D.A. Slattery if she was pleased with the budget she presented and does it meet her needs. D.A. Slattery replied that it did.

iv. Sheriff King to present budget. –County Manager Greg Zinser stated that the Sheriff's Office requested budget has a 3.11% increase and is requesting an additional full time executive assistant employee and an increase requested for funding of vehicles. Sheriff King addressed the Board and stated that one of the differences between his and the manager's proposal is they do have a detective's position as a new position budgeted at \$100,000.00. He reported that Corey Sweat transferred to a detective position. Sheriff King added that with the Child Advocacy Center being located at the courthouse, the workload will increase. He informed all that his department dealt with 55 DHHS referrals last year. The Sheriff informed the Board that his budget reflects the defunding of a part time clerk. In his budget, he stated, they'd like to retain \$16,000.00 to put forth in the overtime budget when deputies go to court. Sheriff King stated that another change is a requested increase of \$3,142.00 in his salary. The last difference is in the vehicle line as they are funding the purchase of 6 vehicles. The Sheriff circulated a sheet that contained information about vehicles needed. Commissioner Lovell asked if the Sheriff (after transfer of Deputy Sweat to the detective position due to one detective leaving the S.O.) was looking to maintain the same level of patrol deputies. Sheriff King replied that was correct. Commissioner Lovell asked the Sheriff for information on his request for a Confidential Assistant. Sheriff King replied that position would handle lots of correspondence for him and for example prepare grievance paperwork for me. Commissioner Dutremble

asked who, if anyone, is doing this work currently. Sheriff King responded that it is work that he currently does.

Jail Budget- County Manager Zinser explained the differences in this budget. The County Manager explained that the jail is chronically understaffed and therefore the overtime wages show an increase. This budget staffs 76. Sheriff King spoke about the differences in his health insurance line and that of the Manager's line. County Manager Zinser explained that the HRA funding liability of the jail employees' has been put into the County insurance fund. Rather than a \$200,000.00 tax cap increase, we are funding this from the general fund. Commissioner Dutremble commented that there has been a cap increase two (2) years in a row. Commissioner Lovell questioned whether the jail working group has ever taken a look at bringing staffing up to 90/ 95% because that would help with the \$1 million + in overtime. He added that some communities in the area are offering hiring bonuses for experienced personnel. Commissioner Lovell added that overtime represents overtime rate pay (1 ½). Commissioner Lovell added that part of the turnover rate (12%) is because people get tired. This is a task for Jail Working Group to examine. Commissioner Dutremble clarified that the committee was not established to do this. It was established to dissect the jail budget to see what savings could be sought. We have five (5) Bills before the legislature now that, if they pass, will cut costs. Commissioner Lovell disagreed and stated that he feels the Jail Working Group is the appropriate party. He continued that he believes it is a very thoughtful and effective group and certainly this should be a topic to be studied. Commissioner Dutremble replied that talking about wages when Union is involved, could present problems if the Union is not there. Sheriff King replied that while he understands what Commissioner Lovell is saying, they are not able to fill these positions and are down 11 positions, currently. Everyone statewide is having a difficult time filling positions. Commissioner Cote asked the Sheriff if training was being completed on site. Sheriff King replied yes. Commissioner Lovell commented that the Sheriff has to assign his own officers to give the training so that results in overtime. County Manager Zinser added that even the budgeted vacancies {for Corrections Officers} cannot be filled and that we are all concerned with this. He suggested that maybe we look at information given at exit interviews and maybe there are other changes that need to be made to aid in better retention. Sheriff King commented that he had also contacted American Psychological Association to meet with Corrections Officers and give feedback to him.

Commissioner Clark commented that his observation of the budget presented is that he is having some difficulties with it. He continued that this budget includes \$250,000.00 towards a treatment center and then we are saving money in other places. But, we aren't saving, we are spending it on something else, he stated. Commissioner Clark gave the example of savings in Probate and that the Register of Probate recommended we give it to the Judge. Commissioner Clark stated that the Recovery Center is a major investment in a new program that will cost \$1.5 million to run. *"Therefore, we shouldn't be spending every dime on something else. I'm not saying these things aren't useful, but*

the gross budget number is significant and I am having trouble with it. If we want this major expansion we should be looking for every dime we can find. I am not speaking against the treatment center but a different approach. This budget shows a 3% increase to the taxpayer and I am not happy with it”, stated Commissioner Clark.

Sheriff King informed the Board that in Senator Justin Chenette’s Bill (reference substance abuse treatment), the State would come up with money at a 60/40 split. The Sheriff continued that Justin Chenette has our proposal and he wants it attached or somehow connected with the jail. Sheriff King stated, *“Obviously, I would agree with this. If we get behind LD 477 and it has some kind of connection with the Sheriff’s Office, it would be the most fiscally sound idea.* Commissioner Clark replied that 40% of \$1.5 million is still a lot of money.

County Manager Zinser asked the Board if they wished to review more budgets. It was agreed to move on with review of the Drug Recovery Center budget. Commissioner Lovell commented that the Saco City Administrator has already added \$10,000.00 to his budget to reflect the facility. Commissioner Dutremble questioned where the funds coming from \$250,000.00 expenses and another \$200,000.00 from reserves? The County Manager stated yes, there would be \$450,000.00 for the center if passed. Commissioner Chair Chandler asked the Board if they want to leave it in the budget. Commissioner Dutremble responded that he supports this 100% as it is needed. Commissioner Cote stated that he has requests out from different individuals and we will be speaking with a doctor in the next couple of days to get his input. He continued that he wants to make sure this is the direction we should be going in and that he hasn’t completely made up his mind. He stated that he agrees with Commissioner Clark in regards to increases and has concerns with them. Commissioner Cote spoke reference the Bill in the legislature regarding the State helping the counties out as far as drug rehabilitation. He stated that he believes it is a lot less expensive to treat folks in a center rather than a jail. It is more costly in a jail, stated Commissioner Cote. He added that we are talking to (Senator) Justin Chenette and that we would like to see this funding available to the Counties. Each county should be able to make their own decision as to where they have their center. He stated that he is not quite ready to make a commitment to it (Drug Recovery Center). Commissioner Clark stated that his concern remains that we are proposing to take \$200,000.00 out of surplus that is not going to be there next year and then we are going to need \$450,000.00 or more next year. He continued that the costs are significant and borne by the taxpayers. Commissioner Clark went on to say that we need to tighten our belts somewhere else if we are going to go this route.

Commissioner Cote commented he thinks this is a great idea but his concern is what we put first. Maybe we need to look at these budgets a little more and see if we can save more. He stated that it is a responsibility we have to the people. Commissioner Chair Sallie Chandler reminded all that the conversation of a Drug Recovery Center got started to help cut the jail population and working with the D.A. and Judges to also assist in the caseload backup they experience. County

Manager Zinser stated that he feels as a government we are in a position to do something about it (the drug problem). Commissioner Dutremble reminded all that no votes were taken tonight and that this was simply presented to us for discussion. He added that in five years, there is a major expenditure that will be off the books.

7 OLD BUSINESS

- a. Commissioners to approve Findings of Fact for Bottaro property tax denial appeal hearing.

Commissioner Clark motioned to approve the Findings of Fact for the Bottaro Hearing and have Chair Chandler sign them. Commissioner Cote seconded the motion. Vote 4-0-1 (Commissioner Lovell abstained as he was not present at the meeting at which the Hearing was held.)

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

None

9 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. (D) AND CONSULTATION WITH LEGAL COUNSEL PURSUANT TO 1 M.R.S.A. § 405 (6) (E).

10 ADJOURN

Commissioner Clark motioned to adjourn. Commissioner Cote seconded the motion. Vote- 5-0. Meeting adjourned at 6:25 p.m.

