

COMMISSIONERS REGULAR MEETING

March 20, 2013

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 the Commissioners' Community Room in Alfred, within and for the County of York, being held on Wednesday, March 20, 2013 A. D. at 4:30 P. M.

COMMISSIONERS PRESENT:

Sallie Chandler
Daniel C. Cabral
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.

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

2 TO REVIEW AND APPROVE THE MINUTES OF THE COUNTY COMMISSIONERS' REGULAR MEETING OF MARCH 6, 2013.

Commissioner Cabral motioned to accept the minutes of the Commissioners' meeting of February 20, 2013. Commissioner Sinden seconded the motion. Vote 4-0 (Commissioner Dutremble abstained).

3 COMMISSIONERS TO ISSUE DECISION ON PERSONNEL GRIEVANCE

Commissioner Sinden stated that while he is aware that we are updating our policies and procedures, he felt our current administration of polices and procedures to be inconsistent. The Commissioner went on to say that they had given the Manager an impossible task in directing him to settle this issue as best as he could within policy.

Commissioner Cote spoke that he felt the IRS ruling on employees clearly states that elected officials are employees. He asked County Attorney Gene Libby if he concurred. Attorney Libby agreed. Therefore, Commissioner Cote stated that he

felt the manual was clear in the manual that part-time employees are not eligible for benefits and this must be followed.

Commissioner Sinden responded that while he agreed, he felt the non-union personnel manual does not clearly define where an elected official fits in. He went on to state that historically elected officials have been granted benefits following the model of state legislators.

4 TO CONDUCT AN EXECUTIVE SESSION TO CONSULT WITH LEGAL COUNSEL PURSUANT TO 1 M.R.S.A. § 405 (6) (E)

Commissioner Chair Sallie Chandler requested a motion to enter into executive session pursuant to 1 M.R.S.A. § 405 (6) (E) consult with legal counsel.

Commissioner Cabral motioned to enter into executive session. Commissioner Dutremble seconded the motion. Vote 5-0.

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

5 COMMISSIONERS TO ISSUE DECISION ON PERSONNEL GRIEVANCE

Commissioner Cote motioned to deny the grievance. The motion received no second. Motion failed.

Commissioner Sinden motioned to uphold the grievance. Commissioner Cabral seconded the motion. Vote 3-2 (Commissioners Chandler and Cote opposed) Motion passes.

Commissioner Sinden commented that it needs to be understood that this action applies to this case only and is not setting policy. He added that this does not apply to other positions. Commissioner Sinden also stated that the Commissioners will be setting new policy soon.

6 TO CONDUCT AN EXECUTIVE SESSION ON PERSONNEL ISSUES PURSUANT TO 1 M.R.S.A. § 405 (6) (A)

Commissioner Cabral motioned to enter into executive session. Commissioner Dutremble seconded the motion. Vote 5-0.

Commissioner Cabral motioned to come out of executive session. Commissioner Dutremble motioned to come out of executive session. Vote 5-0.

7 COMMISSIONERS TO ACT ON APPOINTMENT OF YORK COUNTY DIRECTOR

County Manager Zinser introduced Leo Rogers as his recommendation for the position of York County EMA Director. Leo is currently employed as Assistant Jail Superintendant at the York County Jail. Mr. Zinser informed the Commissioners that Leo has over thirty years of experience in the emergency management field having worked as Assistant General Manager of General Operations and Municipal Coordinator with the Massachusetts Bay Transportation Authority. In this position he worked closely with Massachusetts Emergency Management, Massachusetts State Police, the Port Authority and many other law enforcement and emergency management agencies.

Commissioner Dutremble motioned to accept the County Manager's recommendation to nominate Leo Rogers as York County EMA Director. Commissioner Cabral seconded the motion. Vote 4-1 (Cote opposed). Motion carried.

8 TO HEAR ANY REPORTS OF THE COUNTY COMMISSIONERS

Commissioner Chair Chandler reported that she had attended the Maine County Commissioners Association board meeting. She informed all that a new executive director (Rosemary Kulow) had been hired.

9 TO HEAR ANY REPORTS OF THE COUNTY MANAGER

County Manager Greg Zinser presented the tax commitment as approved by the budget committee in the amounts of \$8,24,784,000.00 for the six month budget and \$16,000,000 for the twelve month (fiscal year 2014) budget.

Commissioner Sinden motioned to move the six month assessment. Commissioner Cabral seconded the motion. Vote 5-0.

Commissioner Sinden motioned to move the twelve month assessment. Commissioner Dutremble seconded the motion. Vote 5-0.

The County Manager distributed the letters to the towns for the Commissioners to sign and explained the letters informing the York County cities and towns will go out via certified mail.

10 TO CONDUCT AN EXECUTIVE SESSION ON LBOR NEGOTIONS PURSUANT TO 1 M.R.S.A. § 405 (6) (D).

**Commissioner Cabral motioned to enter into executive session.
Commissioner Dutremble seconded the motion. Vote 5-0.**

**Commissioner Cabral motioned to come out of executive session.
Commissioner Dutremble seconded the motion. Vote 5-0.**

No action taken.

11 ADJOURN

**Commissioner Sinden motioned to adjourn. Commissioner Cote seconded the
Motion. Vote 5-0.**