

COMMISSIONERS REGULAR MEETING

August 5, 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, August 5, 2015 A. D. at 4:30 P. M.

COMMISSIONERS PRESENT:

Sallie Chandler-excused
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

08-05-15

ITEM

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

Sheriff King distributed information regarding the Sheriff's Office (attached as record to the minutes).

2 TO REVIEW AND APPROVE THE MINUTES OF THE COUNTY COMMISSIONERS MEETING OF JULY 1, 2015

Commissioner Sinden motioned to accept the minutes of July 1, 2015. Commissioner Cote seconded the motion. Vote 4-0.

3. HEAR ANY REPORTS OF THE COMMISSIONERS

Commissioner Cote informed all that he attended the first meeting of the Jail Standards Board earlier today. He added that it was mainly an informational meeting.

Commissioner Sinden explained that he was bound by the Freedom of Information Act to share an e-mail he received after the last meeting from Sheriff King offering to meet with him to speak further about the corrections officers who have been out on leave for over a year with pay. Commissioner Sinden read the e-mail and requested it be on record as part of the minutes.

Sheriff King asked to be recognized to respond and was denied by Commissioner Dutremble, who conducted the meeting as the Vice Chair, in Commissioner Chair Chandler's absence.

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HEAR A REPORT FROM THE COUNTY MANAGER

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OLD BUSINESS

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NEW BUSINESS

County Manager Zinser introduced Sheriff King to request the hiring of Levi Johnson to a deputy position. Prior to his request, Sheriff King requested Commissioner Sinden read his (King's) e-mail and Commissioner Sinden does so (also added as record of the minutes). Sheriff King stated that he was asking for guidance and that he felt Commissioner Sinden's e-mail was a bit harsh. Commissioner Lovell requests point of order and to return to the agenda.

- a. Sheriff King to request hiring of Levi Johnson to a deputy position
Commissioner Cote asked the Sheriff if Mr. Johnson will go to the academy and if that's his start date? Sheriff King responded yes.

Commissioner Lovell motioned to approve the hiring of Levi Johnson to deputy as requested by Sheriff King. Commissioner Sinden seconded the motion. Vote 4-0. Levi Johnson's hire date is August 10, 2015.

- b. Sheriff King to request hiring of Warren Day for Corrections Officer position

Sheriff King informed the Board that Warren Day formerly held a corrections officer position with York County so therefore, he is fully trained. Commissioner Dutremble asked why he left his position. Sheriff King explained that he took a law enforcement position.

Commissioner Lovell motioned to approve the hiring of Warren Day in the position of corrections officer with a start date of August 10, 2015. Commissioner Sinden seconded the motion. Vote 3-1 (Commissioner Cote opposed)

- c. Sheriff King to request promotion of Corrections Officer Michael Raleigh to Corporal

Sheriff King explained to the Board that Michael Raleigh is a 12 year veteran of the York County jail staff and has been in OIC as well as supervised the Community Works program.

Commissioner Lovell motioned to approve the promotion of Michael Raleigh to Corporal. Commissioner Cote seconded the motion and asked if this promotion was as of August 10th, also. Sheriff King responded yes. Vote 4-0.

- d. Sheriff King to request hiring of Eugene Gaudette as reserve deputy

Sheriff King requested this item be removed at this time.

- e. Sheriff King to discuss polygraph training

Sheriff King explained to the Board that Northeast Training located in Philadelphia offers polygraph training at no cost. He continued that this is a twelve week program. The Sheriff stated that his vision is that we may be able to offer the services of this individual, once trained and certified, out to other police departments at a cost. Commissioner Sinden asked about the equipment cost. Sheriff King responded that the polygraph instrument costs around \$6,000.00 and about \$4,000 for polygraph suite (chair and office). Commissioner Cote asked how often they need to be recertified. Sheriff King replied that he doesn't think there is any recertification but a certain amount of professional development to stay current.

- f. Act on Court-appointed /Guardian ad litem compensation increase request

Commissioner Lovell motioned to accept Register Lovejoy's request to increase the compensation from \$50.00 per hour to \$60.00 per hour for Court-appointed Attorney and Guardian ad Litems. Commissioner Sinden seconded the motion. Discussion- Commissioner Lovell asked if the bill passed into law impacts us. Register of Probate, Carol Lovejoy, replied that it does not. Commissioner Cote asked if this increase would be covered in the budget. Register Lovejoy responded that there was a bit of a surplus in that line item last year.

Vote 4-0.

- g. Act on contract deputy/town agreements

- a. Limington
- b. Arundel

Commissioner Sinden motioned to approve the Limington contract deputy contract. Commissioner Cote seconded the motion.

Discussion: Commissioner Sinden asked what the current deputy rates are. County Manager Greg Zinser replied that they are anywhere from \$89,000.00 to \$104,000 depending on seniority and the cost of benefits . Commissioner Sinden asked if this cost included a vehicle. The County Manager replied that the vehicle is negotiated separately.

Sheriff King asked to be heard. He stated that he received an e-mail and telephone call from the Limington selectmen. The Sheriff continued that they asked him to pass along their concern with the increased cost. The warrant article showed a cost of \$83,000.00 for the contract deputy and now it has increased by \$7,000.00. The Voters approved \$83,000.00 on the warrant as well as a one year contract. In order to approve this contract, according to the Sheriff,

the Selectmen will need another town meeting and they don't feel that's feasible. Sheriff King commented that he is concerned about the increase and asked that the Commissioners accept the \$83,000.00 initial cost. Sheriff King stated that he felt it was important to have a workshop or executive session to discuss these contracts.

Commissioner Lovell motioned to table the Limington contract for further deliberation at the first meeting in September. Commissioner Sinden seconded the motion.

Discussion- Commissioner Cote stated that he agreed we need a discussion about this and that it is a team effort. He added, that in his opinion, the law is looked at backwards in that the Sheriff makes a deal with the Town and then the Commissioners approve it. We have to do this together to figure out how we are going to approach this, stated Commissioner Cote. Vote 4-0.

The County Manager asked for a vote on the Arundel contract as that has been approved by the town for four years.

Commissioner Sinden motioned to approve the four year contract with Arundel. Commissioner Lovell seconded the motion. Vote 4-0.

- h. Authorization to waive bidding procedures for lightening protection at the courthouse

Discussion as to why the request was placed. The County Manager informs all that while the lightening protection is over the bidding policy for acquiring specifications, the piece of equipment that needs to be purchased is quite straightforward and that acquiring drawings and specifications would be money not wisely spent. Three bids will still be sought as per County policy.

Tim Amoroso, Facilities Director, informed all that currently, there is no system in place. Commissioner Lovell asked if the only bypass of policy is getting the specs and that three bids will be sought as per County policy. Tim Amoroso responded that, yes, three bids will be sought. (Memo from Facilities Director attached as record of minutes.)

Commissioner Sinden moved the Commissioners waive the specifications and go out to bid on the lightening protection rod at the courthouse. Commissioner Lovell seconded the motion. Vote 4-0

- i. Introduce EMA Director, Art Cleaves, to give update on EMA activities

Director Cleaves introduced MEMA Director, Bruce Fitzgerald and Chief Doug Bracy, York Police Chief and EMA Director. MEMA Director Bruce Fitzgerald gave a PowerPoint presentation (included as record for these minutes) Commissioner Cote asked Director Bruce Fitzgerald what role he felt EMA will play in cyber security. Mr. Fitzgerald responded that a State Cyber Security plan is being developed. He added that York County should make sure our IT people are aware of threats.

York County EMA Director Cleaves introduced York Chief Bracy who spoke on the importance of the towns and cities in York County working together with York County EMA.

Commissioner Cote relayed that he was impressed with all and this is a great example of how people work together and get things done. He thanked all.

- j. Authorization for new EMA Position funded through grant-

Director Cleaves explained that he would like to add a full time position at no cost to the County as the position would be funded by various Homeland Security Grants. (memo of explanation attached as record of the minutes).

Commissioner Lovell motioned to discuss and adopt the position of planning and training specialist in the York County Emergency Management Agency. Commissioner Sinden seconded the motion.

Discussion- Commissioner Dutremble asked for confirmation that the position will be funded fully by grant? Director Cleaves responded that yes it would and that Homeland Security Grants have, to date, been reliable. County Manager Greg Zinser added that yes, if the funds are not available, the position would be eliminated. He also added that once a candidate had been decided on, permission would be sought to have the Commissioners approve their hiring. Vote 4-0.

- k. Seek authorization for approval of Emergency Management Agency renovations to the Government Building – Phase 3B

County Manager Greg Zinser reminded the Board that two months ago they approved Phase 3A. At that time, we had the architect compile a plan for the remainder of the building. Mr. Zinser continued that after the approval of Phase 3A, EMA Director Cleaves sought out and obtained grant monies for the renovation of the back pod. The project costs for the renovations are \$323,000.00. The State is committed to funding one half.

Commissioner Sinden motioned to approve the renovation of the EMA project. Commissioner Lovell seconded the motion.

Discussion- Commissioner Lovell stated that it seems like a lot of money although he likes the idea of getting it done. It makes the building a more useful structure. He asked the County Manager where the other money is coming from. The County Manager recommended the Commissioners allocate an additional \$200,000.00 from year end surplus to the Government building reserve account. Commissioner Sinden commented that our EMA does need the space to work. Secondly, stated the Commissioner, as we renovate this building, it's a forever asset (usable space). And, we will be receiving \$162,000.00 in free money. Commissioner Dutremble commented that we should only spend \$162,000.00 (one half of the project cost) and advised the motion be to transfer \$162,000.00 to government building reserves. Commissioner Lovell questioned if the abandoned septic systems would be removed during this project. County Manager Zinser replied that his understanding of the project is that it would remove existing plumbing. Commissioner Cote remarked that during a training exercise that he was involved in after he was first elected, the FEMA folks did

comment that we do not have enough room in our Emergency Operations Center. He stated that he agrees this is important that we do this. Vote 4-0 to approve entire project.

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PUBLIC COMMENT(S) ON ANY ITEM(S)

Donna Ring of Sanford, ME addressed the Board and asked if Phase 3B was going out to bid? The County Manager responded yes. She asked was this decided prior to budget process? Mr. Zinser replied that the construction management approach will be utilized. He continued that the Commissioners awarded the bid to Pine Brook Construction under the construction management approach for Phase 3A and Phase 3B will be handled the same. Ms. Ring stated that her objection is not the renovations but that the money being spent should be budgeted so the budget committee and citizens would know what is being done with their money.

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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).

- i. Executive session pursuant to 1 M.R.S.A 405 (6) (e) – consultation with legal counsel

Commissioner Sinden motioned to enter into executive session. Commissioner Lovell seconded the motion. Vote 4-0.

Commissioner Sinden motioned to come out of executive session. Commissioner Lovell seconded the motion. Vote 4-0

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ADJOURN

Commissioner Lovell motioned to adjourn. Commissioner Sinden seconded the motion. Vote 4-0. Meeting adjourned at 6:48.