

COMMISSIONERS MEETING

October 7, 2020

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, October 7 , 2020 A. D. at 4:30 P. M.

COMMISSIONERS PRESENT:

Richard R. Dutremble
Michael J. Cote
Richard Clark
Robert Andrews
Allen Sicard

County Manager Gregory Zinser and Deputy County Manager Linda Corliss were present at the meeting.

YOU ARE INVITED TO RISE AND SALUTE THE FLAG OF THE UNITED STATES

10-07-20 ITEM

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

(both comments from participants via the call in line)

Janet Drew asked for a jail COVID update. County Manager Zinser explained that he and Captain Bean will be giving one later in the meeting.

Cheryl Mills identified herself as a member of the Board of Visitors for York County Jail. She thanked Captain Bean for the update he will be giving shortly. Ms. Mills also thanked Sheriff King for sharing bail information that was requested. She stated that she would like to know if there is an update or any consideration given to releasing inmates who are not a danger to the public and those tried and sentenced and not dangerous who are currently still being sent to Cumberland County. Ms. Mills also asked about the status of the investigation. She further commented that the autopsy report for Jason Daigle is public information and she is requesting this report be made available to the Board of Visitors and that also the Commissioners release this report to the public.

2 TO APPROVE THE MINUTES OF THE FOLLOWING MEETINGS:

a. Regular Meeting of September 16, 2020

Commissioner Clark motioned to approve the minutes with changes as amended.

Commissioner Sicard seconded the motion. Vote 5-0.

3 TO APPROVE TREASURER'S WARRANTS

a. Approve treasurer's warrant dated September 16, 2020 in the amount of \$562,369.09

Commissioner Clark. Commissioner Sicard seconded the motion. Vote 5-0.

b. Approve treasurer's warrant dated September 23, 2020 in the amount of \$534,636.03
Commissioner Clark motioned to approve the warrant. Commissioner Sicard seconded the motion. Vote 5-0.

c. Approve treasurer's warrant dated September 30, 2020 in the amount of \$708,732.77
Commissioner Clark motioned to approve the warrant. Commissioner Sicard seconded the motion. Vote 5-0.

4 TO HEAR ANY REPORTS FROM THE COUNTY COMMISSIONERS

No reports

5 TO HEAR ANY REPORTS FROM THE COUNTY MANAGER

The County Manager gave a brief update regarding the jail. County Manager Greg Zinser thanked the Sheriff, Chief Deputy and Captain Bean for everything they're doing and a big thank you to all of our employees that are pulling a lot of shifts. He added that things are looking good.

Captain Bean informed all that the jail has 73 inmates as of today. He added that current arrests are diverted to Cumberland County through Monday. Sheriff King stated that the release from the outbreak is Sunday, October 11th. He added that he has asked for clarification from the CDC as to whether that is the last day or first day that we can open up.

Captain Bean stated that he has been in contact with the Jail Administrator from Cumberland County to address the transfer of inmates back to York County. Captain Bean continued that he has also reached out to the DOC as we have some State sentenced inmates that we need to get released to State custody. He continued that the Staff is doing a great job adapting to the changes. Our initial PPE struggles were quickly addressed by EMA. He thanked EMA. Captain Bean continued that there are policy and procedure changes for new intakes to the facility. Captain Bean stated that to answer Ms. Drew's question regarding bail inmates and sentenced inmates, it is really a function of the court.

Sheriff King responded to Ms. Mills comments about the releasing of inmates. He stated that there are only two ways an inmate can be released through the Sheriff being a furlough and a community refinement program. None of our inmates are eligible because of COVID status. He added that anything that comes up regarding Mr. Daigle will be released when appropriate. Sheriff King informed all that the State of Emergency ends today at midnight and that he would respectfully ask the Commissioners if he can extend it to the beginning of Monday (October 12th). Sheriff King stated that they do have a solid plan for new intakes vetted by the DOC and CDC.

Commissioner Cote stated that he wanted to make it clear that his understanding is you (Sheriff's Office) are following all DOC and CDC guidelines. Sheriff King replied that is true. Commissioner Andrews asked how many York County inmates are currently housed at Cumberland County? Captain Bean replied that he thought 17. Commissioner Sicard asked how many would be coming back? Captain Bean replied that they will have to look at each and every inmate but that he anticipated the number to be around 12 to 15.

Commissioner Clark motioned to extend the State of Emergency to October 12, 2020.
Commissioner Andrews seconded the motion. Vote 5-0.

Commissioner Cote commended the folks especially Captain Bean.

County Manager Zinser updated all on the status of the investigation and stated that

it was underway and that all of the documents have been compiled. The Investigator is reviewing and forming a synopsis and timeline of events. Mr. Zinser continued that the interview process will get underway next week. He stated that he does not have a timeline as to how soon the inquiry will be done. He said that he has had zero contact with the principle conducting the investigation as questions are going through the County's counsel.

Commissioner Sicard relayed his concern with internal e-mails that have been released to the media and stated that he doesn't want anything to interfere with the investigation. County Manager Zinser informed those present that the Sheriff sent out a memo yesterday to employees that stated he realizes their first amendment freedoms but reminded them to recognize the information before them in large part is confidential.

6 NEW BUSINESS

a. Introduce H.R. Director Linda Corliss to request hiring approval for the following positions:

- i. Alex Belanger as a (Reserve) Hazmat Operator in EMA with a requested start date of October 12, 2020.

Commissioner Clark motioned to approve the hiring of Alex Belanger as a reserve Hazmat Operator with a start date of October 12, 2020. Commissioner Sicard seconded the motion. Vote 5-0.

- ii. Mathew Cleary as a (Reserve) Hazmat Technician in EMA with a requested start date of October 12, 2020.

Commissioner Clark motioned to approve the hiring of Mathew Cleary as a reserve Hazmat Technician with a start date of October 12, 2020. Commissioner Sicard seconded the motion. Vote 5-0.

b. Termination cost of jail renovation- County Manager Zinser reminded the Commissioners that due to the COVID outbreak, it was decided not to move forward with this project. After hearing this at a recent meeting, the Board authorized the termination and the cost to terminate. The cost to terminate the project is \$38,077.56. Commissioner Clark commented that one of the things that had been discussed was the possibility at another point in time we might take this project forward again. The County Manager agreed and added that we have the plans and any material that we've paid for will be delivered to us.

Captain Bean added that other contractors had come in to dismantle items so they may have to come in and do some work to get those housing units back to being able to house inmates. For example, the door vendors, electrician and fire alarm company, he explained. County Manager agreed that there will be other ancillary costs and that he will keep the Commissioners abreast of what they are.

Commissioner Dutremble asked if we have enough personnel for 90 inmates? Sheriff King replied, yes. He added that when the State of Emergency is done, the State inmates will be shipped out.

c. Seek Commissioner approval of Agreement with Maine Pre-trial-

Sheriff King approached the Board and stated that he wants to continue the contract as it defers people and gets them out of jail. 249 inmates were not in the jail because of this program and in calendar year 2019, 307. Sheriff King added that most importantly, there is an 85.67% success rate making this a very successful program. Commissioner Cote asked Sheriff King if he could let those present know what types of things they do when monitoring. Sheriff King replied that they have the person call in. Also, they are assigned a monitor and that person watches them and talks with them. He added that they

are basically on an unofficial probation. Captain Bean added that they are released on a bail bond with a Maine Pre-Trial Contract and they may have to attend counseling, drug screenings and things like that. Commissioner Cote asked what other options are there? Is there another company? Captain Bean responded that they have looked at electronic monitoring but that it wasn't worth the investment and the infrastructure might not be there to support it. County Manager Zinser added that this program provides workers that go out to monitor these individuals. We increased the contract a couple of years ago to get more people and 51,000 bed days have been avoided, explained the County Manager. Commissioner Clark questioned where this program shows up in the budget. County Manager Zinser stated that the contract is in the jail budget. Commissioner Clark referenced the first page, item #5 that states reports will be provided to the Commissioners. Commissioner Clark commented that he has never seen them and that he would like to see the annual reports. The County Manager will make sure this happens.

Commissioner Clark asked if the County's legal people have reviewed these three items? County Manager Zinser replied, no that this one is a typical contract that we've been signing with them for many years. He added that they are still working on the other two (NAMI and Caring Unlimited). Mr. Zinser continued that grants have been awarded but the agreements will be reviewed by our legal counsel.

Commissioner Clark motioned to approve the agreement with Maine Pre-trial. Commissioner Dutremble seconded the motion. Vote 5-0.

d. Caring Unlimited/York County Sheriff's Office Partnership- Sheriff King explained that years ago we did have a grant-funded position for a detective to work on domestic violence. The Sheriff added that it is sorely needed in York County. The grant covers all the benefits and salary, stated the Sheriff. This is a "contract deputy" approach and the Domestic Violence Officer will be used county-wide.

Commissioner Cote asked if this has been worked out with the Union. County Manager Zinser replied that he doesn't see this being an issue. The Sheriff has the right to task assign as stated in their contract. Sheriff King commented that he views this as similar to the honor guard.

The County Manager stated that they will discuss this program with the Union to make sure there are no issues.

*****HEARD PRIOR TO ITEM d*****

e. NAMI/York County Sheriff's Office Partnership-Sheriff King explained that this is a Federal COPS grant with York County being the point of contact. It is a peer support program with one or two of our deputies being trained to be peer support persons. We will be the host agency.

Commissioner Dutremble asked if this grant was considered in our budget. The County Manager explained that it was not and will be a separate fund set up for NAMI. It is not a full-time assignment. Commissioner Sicard asked the amount of the grants. Sheriff King replied that it is \$111,603.00 for NAMI and Caring Unlimited is \$301,157.00.

Commissioner Sicard stated that he agreed with Commissioner Clark that our attorney should review these contracts. The County Manager agreed.

County Manager Zinser informed the Board that when the agreements are entered into, they will be brought back to the Board. This was simply a "heads up" letting the Commissioners know that York County had received the grants.

7 OLD BUSINESS

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), REVIEW OF CONFIDENTIAL RECORDS PURSUANT TO 1 M.R.S.A. § 405 (6) (F)

None

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

Janet Drew from York stated that she was associated with Impact, a Maine Prisoner Advocacy Program. She asked if Captain Bean could tell her what the process is for deciding a disposition after someone has an interaction with police? Where does it get decided if someone qualifies for Maine Pre-Trial? Do they have to make bail? Captain Bean replied that the arresting agency decides on the arrest. Then, a Bail Commissioner, who is an agent of the court sets bail. The person is held if they cannot post bail, explained Captain Bean. The Judge will review all options and Maine Pre-Trial will vet those people.

Cheryl Mills commented and thanked the Sheriff for providing the clarifying conditions for one's release.

Commissioner Clark clarified that the bail discussions and alternatives are controlled by State law, not by County government. He added that we (County) do not get to make choices of when and how they go to trial. The District Attorney and the court system does that. The County's job is to keep them safe and the public safe until they go to trial. Commissioner Cote suggested they speak also to their State Representatives.

10 ADJOURN

Commissioner Clark motioned to adjourn. Commissioner Sicard seconded the motion. Vote 5-0.