

**COMMISSIONERS REGULAR MEETING**

**July 17, 2019**

*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, July 17, 2019 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 was present at the meeting.

*All present were invited to rise and salute the flag of the United States.*

**07-17-19      ITEM**

- 1      PUBLIC COMMENT(S) ON ANY ITEM(S)**  
Rachel Sherman addressed the Board and stated that she hopes they will consider not making a decision until the unions have time to review the hiring policy that appears on the agenda and weigh in.
  
- 2      TO APPROVE THE MINUTES OF JUNE 28, 2019 MEETING**  
Commissioner Clark moved to approve the minutes with his stated corrections.  
Commissioner Cote seconded the motion. Vote 5-0.
  
- 3      TO APPROVE TREASURER’S WARRANTS**
  - a. Approve treasurer’s warrant dated June 27, 2019 in the amount of \$268,996.91  
Commissioner Clark motioned to approve the warrant. Commissioner Cote seconded the motion. Vote 5-0.
  - b. Approve treasurer’s warrant dated July 3, 2019 in the amount of \$216,499.54  
Commissioner Clark motioned to approve the warrant. Commissioner Sicard seconded the motion. Vote 5-0.
  - c. Approve treasurer’s warrant dated July 10, 2019 in the amount of \$532,974.36  
Commissioner Clark motioned to approve the warrant. Commissioner Sicard seconded the motion. Vote 5-0.
  
- 4      TO HEAR ANY REPORTS FROM THE COUNTY COMMISSIONERS**

Commissioner Cote informed all that he attended the MCCA meeting last Wednesday and did send out some budget information to the Commissioners. If anyone has other questions, He stated to let him know but that the Commissioners will formally talk about it at the August 7th meeting. Commissioner Clark commented that he appreciates Commissioner Cote's efforts in bringing the information to the Board and that he thinks it's important to keep MCCA alive especially for the Risk Pool.

**5 TO HEAR ANY REPORTS FROM THE COUNTY MANAGER**

County Manager Zinser stated that he had no formal reports.

**6 NEW BUSINESS**

a. EMA garage pre-bid review-The County Manager reminded all that this subject has been talked about for several years. He continued that about \$300,000 has been saved towards it at this point in time. Our policy requires us to prepare specifications for any amount over \$25,000. The garage we are looking at does not need to be anything special and we have talked about an alternative approach. The garage could be a steel building. Also, we have developed a specifications list ourselves (in Commissioners' packets) and it is subject to change. We want to have contractors in to bid on it at a pre-bid mandatory meeting at which we agree on minimum specifications. We will then have them get us a price and bring this item back to you for approval.

This process as described requires a waiver from the Commissioners. The County Manager introduced Facilities Manager, Rick deRochemont up to answer any questions the Commissioners may have. Rick deRochemont stated that most of the specifications were taken from other bids from past years in an effort to avoid additional costs from architects. Commissioner Dutremble asked if there would be electrical outlets for EMA in this garage? The Facilities Manager replied, yes and that the building will have heat. Commissioner Clark asked if this garage would be strictly for storage? Rick replied, yes. Commissioner Cote clarified that what is really being done is that rather than going out to an architect, we are just designing it ourselves to avoid costs. He asked if the project would go out to bid at a certain point? County Manager Zinser replied, no, that he is seeking authorization to get three or more contractors to provide competitive bids. Commissioner Dutremble asked if the County Manager and Facilities Manager would visit other communities that have steel buildings? The County Manager commented that the Sheriff's Office garage is a steel pre-fab and they like it. Rick will go and look at buildings. Commissioner Sicard asked will this garage be full day one or built with wiggle room for additional vehicles? Rick deRochemont replied that it will have 4 bays with one being a facilities bay. Commissioner Cote- asked if all EMA's equipment will be inside including the generators? County Manager Zinser responded that he is not sure about generators but maybe we should get bids with one more bay so we can get everything inside.

Commissioner Clark motioned to authorize the County Manager to go forward with the described bid process. Commissioner Cote seconded the motion. Vote 5-0.

b. AAA quote to replace two water heaters at the jail – County Manager Zinser reminded the Commissioners that sometime ago they had a conversation about the jail water and that they approved the first phase of the project due to the issue with the Cemline tanks. The Jail did end the year with sufficient funds and some money is in reserves and an additional \$160,000 for fy'20 will be coming from the State. We would like to move forward to phase 2. County Manager Zinser stated that there was an issue over the weekend. One of the hot water tanks gave way but, thankfully, there was an extra one on hand to get us through.

County Manager Greg Zinser informed the Commissioners that he is looking for a waiver on the bidding process as this contractor has done phase 1 and assisted with Cemline issues. Facilities Manager Rick deRochemont stated that Phase 1 went well and that the Intelihot new units are working fine. He explained that these units only heat what we need instead of needing the boiler to run. Commissioner Cote asked if this will complete the hot water replacement (at the jail)? Rick deRochemont replied, yes, and then we can reduce the size of the boilers as the new units will remove all of the hot water demands from the boilers. Commissioner Cote asked what the cost of Phase 3 will be. Facilities Manager deRochemont replied that they are working on those costs now. Commissioner Clark asked when will they start (on phase 2)? Rick replied that the project should be done in 30-60 days.

Commissioner Clark motioned to approve replacement of water heaters at the jail with AAA at a cost of \$139,104.00. Commissioner Andrews seconded the motion. Vote 5-0.

\* c. Review of NCEU MOA (exec. session pursuant to 1 M.R.S.A. §405 (6) (A) personnel issues)-**moved to executive session per Chairman Dutremble.**

d. Approval of new hiring policy- The County Manager introduced Linda Corliss to discuss the updated hiring policy. H.R. Director Corliss distributed highlighted copies showing the changes to the Commissioners. She explained that the majority of changes are due to the old policy being created prior to the creation of the H.R. Dept. In the updated policy, H.R. has been inputted. H.R. Director, Linda Corliss, points out the changes (updates) (attached as record to the minutes). County Manager Greg Zinser added that the department heads reviewed the draft, updated policy and their input did not result in any substantive change.

Commissioner Clark commented that page numbers would be helpful on this and all documents. He added that the section that states, “ *County internal promotions and transfers may be forwarded*” should be changed to shall . He added would it make any difference if the Union’s request to review the updated policy was granted?

County Manager Zinser replied that the Commissioners can do whatever they choose to do. H.R. Director Corliss added that this doesn’t affect them. The County Manager added that he didn’t think it would result in any changes. Commissioner Clark responded that he disagreed and believes that everyone that has an opinion, should be allowed to do so.

Commissioner Clark motioned to table this item. DISCUSSION: Commissioner Cote commented that while he agrees that everyone should have a chance to look at it, we have been kicking this around a long time. Commissioner Clark agreed and stated that he was disappointed that we are where we are right now . Commissioner Cote agreed and stated that he thought that everyone would’ve had an opportunity to look at it so therefore, he didn’t have a problem waiting until the next meeting. Commissioner Sicard seconded the motion. Vote 5-0.

County Manager Greg Zinser stated it will be brought back to the Commissioners at their August 7<sup>th</sup> meeting.

e. Confirm appointment of deputy manager- County Manager Zinser explained that the position has been in the budget for about a year and a half. The intent has been to give those duties to a department head. He continued that he has had the chance to assess all of the department heads and has brought forth Linda Corliss’s name tonight to obtain the Commissioners’ approval . Commissioner Clark asked if this came with any money to which the County Manager replied, up to \$15,000. Commissioner Cote asked if this was budgeted. The County Manager answered that it was.

Commissioner Cote motioned to approve the nomination of Linda Corliss as deputy manager. Commissioner Clark seconded but commented that he was concerned with the dollar amount.

#### DISCUSSION:

Commissioner Sicard asked the County Manager to enlighten the new members to the need for additional help. He added that the job description sets forth some pretty substantial stuff that he needs explained to him. Instead of bringing a department head to a newly created position, let's build on the need to see if a deputy manager is warranted. He continued that he has never heard from the County Manager that some of these things weren't being addressed. Commissioner Sicard further stated that this didn't go through the H.R. process but is an appointment from you (to the County Manager) and that is a whole other issue.

County Manager Greg Zinser replied that he doesn't think the County needs to create a whole new position and that he thinks it (deputy manager) is a set of duties. Mr. Zinser went on to state that we need someone who is going to be really out there on behalf of the county and go out into the communities and taking part in initiatives in the county. He told all that Linda has been attending Hearings when he hasn't been able to. County Manager Zinser continued, *"She has the necessary higher level to think things through when I am not in the office. It benefits me to have someone of a certain competence to be out there. She is a trusted advisor for all things related to the county. H.R., P.R., branching out and doing more for us. This person is also going to help coordinate the work of the County. I am often out at meetings so I need to know there is someone present to act on the behalf of the county. Those things are not happening now This will be a large benefit to the county. We did have this discussion a couple budget years ago and it was decided to put it in the budget. I believe she has the respect of all of the department heads within the county. We are one of the very few counties that don't have a deputy. Are we headed to another year or two needing a full time deputy? Perhaps and maybe that's what we morph in to. I don't see it at this point in time. I thought this would be the most economical way to move forward."*

Commissioner Clark stated that he is concerned that Linda is already busy and asked who will back her up? County Manager Zinser stated that several months ago he asked Linda if this is something she can take on and she said yes.

Linda Corliss replied that in the last couple of years, she has made sure that both her full and part time person have received training. She stated that she feels pretty competent that she and her employees can balance.

Commissioner Sicard commented that he can understand that there's a need and that the County is growing but that he is an advocate of doing more research and then maybe in a year or two go through the H.R. process to open the position up to all kinds of candidates- internal and external. In the business world, continued Commissioner Sicard, you should be training your successor. That may or may not be the case piece meal with a small stipend. He added that he would rather do it that way and do it right and spend the time necessary and go through the process.

County Manager Greg Zinser replied that he doesn't necessarily disagree but that the alternative point of view is that the need is there and maybe this a time to test this. He feels at this point in time a full-time position is not needed.

Commissioner Dutremble commented that he has seen in his years of employment, these types of appointed positions and he knows it can work. He agrees this is needed at this time.

Commissioner Cote stated that there is definitely a gap there and that he believes it makes sense to him to have a second person there. He added that Linda has been here and shown good judgement. This is a cost-effective way to do it.

Vote 3-2 opposed (Commissioner Sicard and Commissioner Andrews voted no).

Commissioner Clark stated that he will not vote in favor of full-time deputy manager. Commissioner Dutremble and Commissioner Cote agreed.

- f. Seek approval for the hiring of Stephanie Gallina in the position of full-time office manager in the District Attorney's office with a date of hire of August 5, 2019. Commissioner Clark motioned to approve the hiring of Stephanie Gallina as listed above. Commissioner Cote seconded the motion. Vote 5-0.
- g. Seek approval for the hiring of Brenda Corbett in the position of part-time legal secretary in the D.A.'s office with a start date of August 5, 2019. Commissioner Clark motioned to approve the hiring of Brenda Corbett as noted above. Commissioner Cote seconded the motion. Vote 5-0.
- h. Seek approval for the hiring of Melina Huot in the position of full-time legal secretary in the D.A.'s office with a start date of August 5, 2019. H.R. Director, Linda Corliss pointed out to the Commissioners that this applicant is the daughter of a current employee working in D.A. but that they won't be working in the same location. She informed all that the personnel policy discourages hiring of family members but does not forbid it. Commissioner Clark motioned to approve the hiring of Melina Huot in the position as noted above. Commissioner Cote seconded the motion. Vote 5-0.

County Manager Greg Zinser informed the Commissioners that they just received the approved Arundel contract deputy agreement and asked if the Commissioners would agree to approve it at this meeting or did they prefer to wait until the August meeting. He added that there were no changes to the contract. Commissioner Sicard- motioned to approve the Arundel Contract Deputy Agreement. Commissioner Andrews seconded the motion. Vote 5-0.

**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)**

- a. Executive session pursuant to 1 M.R.S.A. §405 (6) (A) personnel issues and 1 M.R.S.A. §405 (6) (D) consultation with legal counsel.

County Manager Greg Zinser explained that there are two executive sessions- Item 6 from New Business might result in Board action.

Commissioner Clark motioned to enter into executive session pursuant to 1 M.R.S.A. 405 (6) (E), consultation with legal counsel. Commissioner Cote seconded the motion. Vote 5-0.

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

Commissioner Clark motioned to promote Brock Frederick to the position of Sergeant effective July 18, 2019. Commissioner Cote seconded the motion. Vote 5-0.

Commissioner Clark motioned to enter into executive session pursuant to 1 M.R.S.A. §405 (6) (E) consultation with legal counsel. Commissioner Cote seconded the motion. Vote 5-0.

Commissioner Clark motioned to come out of executive session. Commissioner Cote seconded the vote. Vote 5-0.

No action taken.

**9 PUBLIC COMMENT(S) ON ANY ITEM(S) \*heard prior to exec. session\***

Rachel Sherman addressed the Board and stated that she has no issue with the EMA garage she knows it's been needed for years. She added that she doesn't recall any mention of this to the budget committee that we would be building it this year. Where is the money coming from? Commissioner Dutremble replied that it is already in reserves. Rachel continued that the budget committee was adamant in the past that they be involved in the past.

Rachel Sherman then stated as a Union president, her first concern with the deputy manager position even though Linda is a fabulous candidate, is she also serves as H.R. and she is concerned about how that will be kept separate. The level of confidentiality is a concern to her. Lastly, she thanked the Commissioners for advancing the draft hiring process policy to the Unions.

Donna Ring spoke regarding the hiring of a relative in the same department. She stated that this has been a problem in the past and that the Commissioners are violating their own policy. She said that she is also concerned with the hiring of deputy manager and again that the Commissioners are violating their own policies.

**10 ADJOURN**

Commissioner Clark motioned to adjourn. Commissioner Cote seconded the motion. Vote 5-0. Meeting ended at 5:55 p.m.