

COMMISSIONERS REGULAR MEETING

June 5, 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, June 5, 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.

Call Meeting to Order

06-5-19

ITEM

- 1 **PUBLIC COMMENT(S) ON ANY ITEM(S)**
None
- 2 **TO APPROVE THE MINUTES OF MAY 15, 2019**
Commissioner Cote motioned to approve the minutes. Commissioner Clark seconded the motion with one correction. Vote 5-0.
- 3 **TO APPROVE TREASURER'S WARRANTS**
 - a. Approve treasurer's warrant dated May 15, 2019 in the amount of \$400,094.73
Commissioner Clark motioned to approve the warrant. Commissioner Cote seconded the motion. Vote 5-0.
 - b. Approve treasurer's warrant dated May 22, 2019 in the amount of \$667,762.97
Commissioner Clark motioned to approve the warrant. Commissioner Cote seconded the motion. Vote 5-0.
 - c. Approve treasurer's warrant dated May 29, 2019 in the amount of \$252,062.62
Commissioner Clark motioned to approve the warrant. Commissioner Cote seconded the motion. Vote 5-0.
- 4 **TO HEAR ANY REPORTS FROM THE COUNTY COMMISSIONERS**
None
- 5 **TO HEAR ANY REPORTS FROM THE COUNTY MANAGER**
None

6 TO HEAR UNION GRIEVANCES

a. County Patrol grievance (executive session may be necessary) Jack Parlon represented the Union and stated he was fine with it being held in public. He addressed the Board and stated the grievance is due to the difference in interpretation over the article in the contract dealing with pay scale A and B. The County's position is the wage base increases are only applicable to compound pay scale A and not pay scale B. There are 5 steps in pay scale B. We say compounding is applicable in both.

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

Commissioner Cote motioned to deny grievance 01-19 based on the reasoning of the County Manager. Commissioner Clark seconded the motion. Vote 5-0.

Jack Parlon voiced an objection as to the denial and stated that he would like to see the letter. He asked if that was the sole basis of denial? Commissioner Clark stated no, that the claim is late in time, also. There are rules that govern.

Jack Parlon responded by stating that Commissioner Clark raised an interesting point. He added that he believes that every time they are paid there is a continuing and ongoing contract violation so they can file whenever they want.

b. M.S.E.A. grievance (executive session may be necessary)-M.S.E.A. Donna Ring requested the grievance be heard in executive session.

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

District Attorney Kathy Slattery, Attorney Tim O'Brien, Rachel Sherman, H.R. Director, Linda Corliss and Stacy Thistlewood were also present in the executive session.

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

Commissioner Dutremble motioned to enter into executive session pursuant to 1 M.R.S.A. §405 (6) (A) personnel matters. Donna Ring, Rachel Sherman, Stacey Thistlewood, H.R. Director, Linda Corliss and Attorney Tim O'Brien present in session. Commissioner Clark seconded the motion. Vote 5-0.

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

Commissioner Clark motioned to uphold the denial of the grievance. Commissioner Cote seconded the motion.

DISCUSSION: Commissioner Clark stated that he found this to be difficult and disturbing. I believe that the department head has to be able to interview and determine qualifications and suitability of employees. He added that he is extremely upset that we've established a timeline we cannot meet. If we can't do it in 30 days, we should ask for a waiver. Commissioner Clark continued that the D.A. should be familiar with timelines. This clouds the issue of how hiring should be done. We need to talk about the parameters. Let's adhere to the standard we set. I

wasn't at the interview. Unless there is evidence that there was a clear inappropriate decision made, I won't second guess a department head, stated Commissioner Clark.

Vote 4-1 (Commissioner Cote opposed). Grievance denied.

Donna Ring addressed the Board and requested a copy of the motion and the specific reasons for denial. She added that they will be filing for arbitration.

7 NEW BUSINESS

a. Approval of fy'2020 budget as transmitted by budget committee- County Manager Greg Zinser informed all that the budget was approved by the budget committee on May 22nd. Commissioner Clark motioned to approve the fy'20 budget in the amount of \$20,588,800. Commissioner Cote seconded the motion. Vote 5-0.

b. Commissioner approval of tax commitment- Commissioner Clark motioned to approve the tax commitment and add to late payment(s) an interest rate set at 9%. Commissioner Cote seconded the motion. Vote 5-0.

c. Letter of Recognition for long serving Budget Committee Member, David James- County Manager Zinser reminded all that at the last meeting the Commissioners approved the sending of letters to long serving budget committee members who were retiring from the committee. David James informed all that he would not run again at the public hearing.

Commissioner Clark motioned to send Mr. James a thank you letter from the Commissioners for his service on the budget committee. Commissioner Cote seconded the motion. Vote 5-0.

c. Discussion of July meeting date (voted on at 1-3-19 mtg. either 7-3-19 or 7-17-19 if needed)- Commissioner Cote stated that he felt the meeting should be held on July 17^{as} he thought the 3rd might be difficult. Commissioner Sicard agreed that July 17th would work better.

Commissioner Cote motioned to hold the July Commissioners meeting on July 17th. Commissioner Clark seconded the motion. Vote 5-0.

The County Manager stated that it might be necessary to meet earlier to hire some corrections officers so that they may attend the July academy.

d. Discussion of fy '19 audit bid process- County Manager Greg Zinser informed the Commissioners that the bid opening for the audit is Friday (June 7th). He inquired as to whether one or two members (of the board) might be available to review the bids on Friday and award the bid in order to get the process started. Commissioner Clark replied that he wanted it to come before the Board.

8 OLD BUSINESS

a. Introduce H.R. Director, Linda Corliss, to discuss revised hiring process (originally heard at February 20, 2019 meeting)- Linda Corliss stated that in light of tonight's meeting, she would like to have something run by legal. She added that she had all department leaders review the process and comment if they wished. Commissioner Clark motioned to table a vote on the revised hiring process and requested it be put on the July 17th meeting agenda. Commissioner Cote seconded the motion. Vote 5-0.

b. Discussion of Findings of Facts for Goodness tax abatement denial appeal- Commissioner Clark stated that he agreed with Attorney Libby's e-mail that states the amount granted should be \$124.74.

Commissioner Clark motioned that the Findings of Fact should be based on Attorney Libby's letter and authorized the Chairman to sign (the letter) after modified. Commissioner Cote seconded the motion. Vote 5-0.

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. § 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. Enter into executive session pursuant to 1M.R.S.A. § 405 (6) (F) review of attorney communication/confidential records.

Commissioner Clark motioned to enter into executive session. Commissioner Cote seconded the motion. Vote 5-0.

Commissioner Clark motioned to come out of executive session. Commissioner Cote seconded the motion.

No action taken.

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

Rachel Sherman said that she was recently in the State of Maine MSEA president's office with others discussing the inability to hire people. She replied to them that York County is having the same problem to which they replied, that's because they're Union busting and not treating their employees well. Rachel commented that she found this troubling and is no reflection on Linda but that it rather (in her opinion) has to do with how management is treating the employees. She added that they(MSEA Local Board) appreciated the Board asking for their input (gave the example of FMLA when the Commissioners insisted they be asked). She referred to the Dacri report in which Ms. Sherman stated it was mentioned that it was important to start building bridges with employees.

11 ADJOURN

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

