

COMMISSIONERS REGULAR MEETING

March 7, 2018

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, March 7, 2018 A. D. at 1:00 P. M.

COMMISSIONERS PRESENT:

Sallie Chandler
Richard R. Dutremble
Michael J. Cote
Richard Clark
Cynthia Chadwick-Granger

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

03-07-18 ITEM

- 1 **PUBLIC COMMENT(S) ON ANY ITEM(S)**
Rachel Sherman addressed the Board and asked if the item on the agenda regarding discussion of abolishing the treasurer's position be tabled due to some not able to attend today's meeting due to the time change. She continued that in 2009 an independent treasurer found financial issues within the county.
Commissioner Dutremble responded to Ms. Sherman's comments. He stated that it was not Treasurer, Nancy Auclair that found the mistake; it was him.
Commissioner Dutremble commented that he found the initial \$200,000.00 mistake and it escalated from there.
Ms. Sherman replied that then there were two elected officials who found the errors so therefore she feels it is important to have independent people who make decisions (in the county).
- 2 **TO APPROVE THE MINUTES OF THE FEBRUARY 21, 2018 MEETING**
Commissioner Cote motioned to approve the minutes of February 21, 2018.
Commissioner Chadwick-Granger seconded the motion. Vote 5-0.

3

TO APPROVE TREASURER’S WARRANTS

a. Warrants dated 02-21-18 in the amount of: \$388,034.99
Commissioner Clark motioned to approve the warrant dated 2-21-18 in the amount of \$388,034.99. Commissioner Cote seconded the motion. Vote 5-0.

b. Warrants dated 02-28-18 in the amount of: \$726,764.94
Commissioner Clark motioned to approve the warrant dated 2-28-18.
Commissioner Cote seconded the motion. Vote 5-0.

4

TO HEAR ANY REPORTS OF THE COUNTY COMMISSIONERS

None

5

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).

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

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

The County Manager stated that Attorney Christopher Lee spoke with the Commissioners about the possibility of entering into litigation regarding opiod use. Attorney Lee addressed those present and explained that his Firm is working with a New York City firm dealing with seeking compensation for damages from opiod manufacturers. They are hoping to provide legal services to York County and obtain compensation to aid York County in dealing with opiod abuse. Other York County cities and towns as well as other counties in Maine have signed on for this litigation. Attorney Lee added that his Firm (and the NY Firm) receives a 25% fee ONLY if York County is awarded damages.

Commissioner Clark motioned for York County to enter into the agreement. He read the attached Resolution as part of his motion. Commissioner Dutremble seconded the motion. Vote 5-0.

6

GRIEVANCE HEARINGS (exec. Session may be necessary)

a. CPA/FOP grievance hearing-County Manager Zinser asked FOP Labor Specialist, Mike Edes if he desired to have the grievance heard in public or executive session. Mr. Edes replied that public session was fine.
Commissioner Chair Chandler invited Mr. Edes to address the Board. He explained that this grievance was based on two details in October during drug take back events. Two overtime positions went to the overtime call list and the Union has no issue with this. Two more overtime slots were scheduled-one in Waterboro and one in Cornish. According to Mr. Edes, the call list was not used for these two openings but were instead assigned to specific deputies. This is what resulted in the grievance.

The County Manager reminded the Commissioners that they have heard a couple of similar grievances prior to this one.

Attorney O'Brien informed the Board that overtime is addressed in article 14 of the Collective Bargaining Agreement.

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

Commissioner Clark motioned to come out of executive session. Commissioner Dutremble seconded the motion. Vote 4-0 (Commissioner Cote had not come back into the meeting room when vote was taken).

Commissioner Clark motioned to deny the grievance. Commissioner Dutremble seconded the motion.

DISCUSSION: Commissioner Clark commented that there have been a number of similar grievances and that he is concerned that this issue is not settled. This matter needs to be discussed between management and the union. If the language is not clear, it should be addressed at bargaining, continued Commissioner Clark.

Vote 5-0.

7

TO HEAR ANY REPORTS FROM THE COUNTY MANAGER

a. Discussion of consolidating two part time positions into one full-time position
County Manager Zinser informed all that in 2017, there was one full time administrative position covering the reception area but when the person in this position wanted vacation time or was out sick, we struggled to keep the area covered and had to pull people out of other departments. The idea was to fund two part time people in the 2018 budget but we are finding that it has been challenging to keep two part time employees. Also, we still are pulling from other departments to cover the reception area. We would like to go back to one full time position. Currently, we have one part time position. The other half has been filled utilizing temporary employees. The County Manager continued that from a budgetary perspective, there would be very little impact.

Commissioner Dutremble asked if the part time person was willing to go to a full time position. H.R. Director, Linda Corliss stated, yes but that the process would include eliminating the two part time positions and then establishing one full time. Commissioner Dutremble asked if the position needed to be advertised to which Ms. Corliss answered yes. She continued that she would have to eliminate the two part time positions and then post the full time position internally, county-wide.

Commissioner Clark asked if there was one part time position currently vacant. H.R. Director, Corliss stated yes.

Ms. Corliss stated to the Commissioners that her request to them would be to do away with the two part time positions and have one full time position in April. She would like to present a name for the full time position at their next meeting (March 21).

Commissioner Clark motioned to eliminate the two part time confidential secretary positions and create one full time position effective April 2, 2018. Commissioner Cote seconded the motion. Vote 5-0.

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NEW BUSINESS

a. Introduce H. R. Director, Linda Corliss to seek Commissioner approval for hiring of three corrections officers.

H.R. Director, Linda Corliss requested the hiring of the following in order of seniority: Mathew Fitzgerald with a hire date of 3-19-2018, George Lyons with a hire date of 3-19-2018 and Mathew Morries with a hire date of 3-19-2018. Commissioner Clark motioned to approve the hiring of Mathew Fitzgerald with a hire date of 3-19-18. Commissioner Dutremble seconded the motion. Vote 5-0. Commissioner Chadwick-Granger motioned to approve the hiring of George Lyons with a hire date of 3-19-2018. Commissioner Cote seconded the motion. Vote 5-0. Commissioner Clark motioned to approve the hiring of Mathew Morries with a hire date of 3-19-2018. Commissioner Cote seconded the motion. Vote 5-0.

b. Introduce H.R. Director, Linda Corliss to seek Commissioner approval for hiring of part time jail receptionist- Ms. Corliss requested approval for the hiring of Deidra Doyon in the part time jail receptionist position with a start date of 3-26-18. Commissioner Clark motioned to approve the hiring. Commissioner Dutremble seconded the motion. Vote 5-0.

c. Introduce H.R. Director, Linda Corliss to seek Commissioner approval for hiring of part time civil process deputy.
H.R. Director Corliss requested approval to hire Bradley Paul in the position of part time civil process deputy with a hire date of 3-8-18. Commissioner Dutremble motioned to approve the hire. Commissioner Chadwick-Granger seconded the motion. Vote 5-0.

d. Jail inspection by Commissioners as per statute-
The County Manager informed the Commissioners that per statute as distributed by Commissioner Cote, the Commissioners are to inspect the jail facility on a yearly basis. Commissioner Cote asked that the County Manager set up a time with the Sheriff, preferably prior to the March 21st meeting (3:00 p.m.) to inspect the jail.

e. Seek Commissioner approval of Swett's Bridge Road lease-
County Manager Zinser explained that York County Shelter Programs, Inc., is operating a food pantry in the former EMA building. He requested that the Commissioners formally approve the attached lease. Commissioner Dutremble noted an incorrect date in Article 7 f the contract that will be changed to reflect the correct term. Commissioner Clark motioned to approve the lease (with YCSPI) through 2019. Commissioner Dutremble seconded the motion. Vote 5-0. County Manager Zinser informed all that this is the largest food pantry in the county with 4,000 square feet. He added that at some point there should be a ribbon cutting.

f. Seek Commissioner approval of Recovery Center contract
The County Manager gave an update on the Recovery Center and stated that Shelter personnel are in the hiring process of personnel for the center. Mr. Zinser explained that the contract given to the Commissioners for their approval is a "contract for services" that is medical based so we do have to sign a business associate agreement due to HIPPA. The contract is structured like a grant and keeps administration in control of the Center. The Commissioners are the governing body of this county and will have the final right to stop and/or question this contract. It has an out clause if funding falls through. He added that we have moved out of creating a detox portion as the costs are unattainable. One of the items we are

looking at is what to now do with the other half of the building. We are going to examine the possibility of offering private pay recovery to bring substantial funds to subsidize the Center.

Commissioner Clark asked if approved, when the Recovery Center would start servicing clients. The County Manager replied that we are hoping the date to be April 2, 2018. He added that we are working on the building and he invited the Commissioners to visit the building or that all could do so prior to the next meeting. Commissioner Clark asked when payments to YCSPI need to begin.

County Manager Zinser responded that we will pay one month in advance so they can bring people in and start to train them.

Commissioner Clark asked if the contract had been reviewed by our attorneys. The County Manager stated that it had.

Commissioner Cote motioned to approve the contract and allow the County Manager to sign it. Commissioner Dutremble seconded the motion.

DISCUSSION: Commissioner Chadwick-Granger requested an explanation on how this affects taxes.

County Manager Zinser explained that the Commissioners appropriated \$250,000.00 in the budget and that we will ask for the same in this year's budget. He added that monies were also appropriated through year end funds in the amount of \$200,000.00.

Commissioner Dutremble recalled the amount being higher so County Manager Zinser will check on that amount. The County Manager continued that in year three, we hope to have \$800,000.00. The goal is to not exceed \$250,000.00 coming from the budget each year. Also, the Commissioners have given the directive that it is blended into the budget. He will provide Commissioner Chadwick-Granger with a document created last year that will show the costs for each town (a tax impact sheet).

Commissioner Cote questioned the insurance coverage section of the contract as to what is covered.

County Manager Zinser stated that he can check back with our Attorney to get a better understanding of the insurance coverage as stated in the contract. He asked if the Commissioners would consider provisional approval and that he will get clarification and the information back to them at the next meeting so people can get hired and trained.

Commissioner Chadwick-Granger asked what rights the Commissioners have if the program is not run properly. The County Manager replied that they have the right to terminate the contract.

Commissioner Cote amended the motion to approve the contract contingent on the satisfaction of insurance coverage to this Board. Commissioner Dutremble seconded the amended motion. Vote 5-0.

9

OLD BUSINESS

a. Update on process to abolish elected Treasurer position-

County Manager Zinser provided the Commissioners with a memo from our Attorney that includes the statute outlining the process to abolish the position. He informed all that Kathy had spoken with the Secretary of State's office and it does appear we can include the question on the November ballot. Also, Attorney Libby will speak to the Assistant Attorney General's office regarding this issue in regards to what happens if someone is already on the ballot running for office.

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

Tammy Wells asked the cost for putting the question to voters if it cannot be put on the ballot. The County Manager replied that we did not ask that question but realize there would be a cost.

11 ADJOURN

Commissioner Clark motioned to adjourn. Commissioner Dutremble seconded the motion. Meeting adjourned at 3:10 p.m.