

COMMISSIONERS MEETING

March 6, 2024

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 6, 2024, A. D. at 4:30 P. M.

COMMISSIONERS PRESENT:

Richard R. Dutremble
Richard Clark
Robert Andrews
Justin Chenette
Donna Ring

County Manager Greg 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

03-06-2024 ITEM

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

Susan Wiswell of Kittery Maine stated that she has a concern with Item 5i on the agenda dealing with two new policies. She stated that she thought the Commissioners should shy away from all of it as its way out of our wheelhouse.

Janet Drew addressed the Commissioner via ZOOM. She informed all that the Board of Visitors of which she is a member, did submit their report. She added that she hoped the Commissioners have a little conversation about it and that she hopes the Board of Visitors can have more contact time with people in jail.

2 TO APPROVE THE MINUTES OF THE FOLLOWING MEETINGS:

- a. Commissioners' meeting of February 21, 2024
Commissioner Clark motioned to approve the minutes as corrected.
Commissioner Andrews seconded the motion. Vote 5-0.

3 TO APPROVE TREASURER'S WARRANTS

- a. Warrants to be approved on February 21, 2024 in the amount of \$454,891.23
Commissioner Clark motioned to approve the warrants in the amount of \$454,891.23. Commissioner Andrews seconded the motion. Vote 5-0.

- b. Warrants to be approved on February 28, 2024 in the amount of \$510,580.85
Commissioner Clark motioned to approve the warrant in the amount of \$510,580.85.
Commissioner Andrews seconded the motion. Vote 5-0.

4 TO HEAR ANY REPORTS FROM THE COUNTY COMMISSIONERS

Commissioner Dutremble relayed to all that he attended a Hearing at the Statehouse last Thursday regarding rural patrol and jails and that he was amazed at how much money the State gets vs. the Counties. We are scheduled to get zero increases, stated Commissioner Dutremble.

5 NEW BUSINESS

- a. Ratification of Teamster's Contract (executive session may be necessary)
County Manager Zinser explained that the summary of changes to the contract was in the Commissioners' packets.
The County Manager added that the contract has been approved by the Teamsters.
Commissioner Clark motioned to approve and authorize the County Manager to sign the contract. Commissioner Andrews seconded the motion.
Discussion- Commissioner Ring asked if the Captains were salaried or hourly employees. County Manager Zinser replied that they were salaried. Vote 5-0.
- b. Introduce Deputy Manager/H.R. Director Corliss to seek approval for the hiring/transfer of the following individuals:
 - i. Nicholas Hersom in the full-time position of Maintenance Technician I in the Facilities Department with a date of hire of March 11, 2024
Commissioner Clark motioned to approve the hiring of Nicholos Hersom in the full-time position of Maintenance Technician I in the Facilities Department with a date of hire of March 11, 2024. Commissioner Andrews seconded the motion.
DISCUSSION- Commissioner Ring asked if Mr. Hersom was a full-time corrections officer and when did he complete his training? Deputy Manager/H.R. Director Corliss explained that he did not complete the academy and was only employed as a corrections officer for a short time.
Commissioner Ring asked if he was a probationary person. Deputy Manager/H.R. Director Corliss explained that he resigned. They asked him to leave.
Commissioner Ring inquired and we are going to hire him for a different position? Deputy Manager/H.R. Director Corliss replied that it was a minor issue as to why he left. Commissioner Ring replied that she is concerned that we hired him once and he didn't fulfill his probationary position.
Deputy Manager /H.R. Director Corliss explained that this is a completely different position.
Commissioner Ring asked how many applicants did we have? Deputy Manager/H.R. Director Corliss replied four or five, but some did not pass the background check.
Commissioner Clark asked if this potential employee will have a 6 month probationary period? Deputy Manager/H.R. Director Corliss replied, yes.
Vote 4-1 with Commissioner Ring opposed.

(presented prior to Nicholas Hersom)

ii. Aidan Steeves in the part-time position of Maintenance Technician II in the Facilities Department with a date of hire of March 13, 2024
Deputy County Manager/H.R. Director Corliss explained that with the resignation of Dick West, this will fill an existing position.
Commissioner Clark motioned to approve the hiring of Aidan Steeves in the part-time position of Maintenance Technician II with a start date of March 13, 2024. Commissioner Andrews seconded the motion.

DISCUSSION:

Commissioner Ring asked what the starting pay is for this position.
Deputy Manager/H.R. Director replied that it is a grade 4 (MSEA Union) at \$18.57 per hour.

Commissioner Ring asked how many hours a week will he work?

Deputy Manager/H.R. Director Corliss replied between 20-25 but he is scheduled for 20 hours a week with 4-hour shifts. Vote 5-0.

Deputy County Manager/H.R. Director Corliss added that she does have two Corrections Officer positions now available but that they were not in time for the agenda. She would like to present them tonight so that they can go to the academy. The Commissioners agreed.

Deputy County Manager/H.R. Director Corliss sought approval for the hiring of Abel Nimi in the position of full-time Corrections Officer in the Sheriff's Office with a date of hire of 3-11-2024.

Commissioner Clark motioned to approve the hiring of Abel Nimi in the position of full-time Corrections Officer in the Sheriff's Office with a date of hire of March 11, 2024. Commissioner Andrews seconded the motion.

DISCUSSION- Commissioner Ring asked how long has he been in the U.S.? Deputy Manager/H.R. Director Corliss replied since April of 2023. Vote 5-0.

Deputy Manager/H.R. Director Corliss sought hiring approval for Mauro Bernando in the position of a full-time corrections officer with a start date of March 11, 2024. She explained that this is his first job in the U.S. and that he has been in the U.S. since the spring of 2023 and has all of his working papers.

Commissioner Ring asked did we reduce it to only 6 months to get working papers?

Deputy Manager/H.R. Director Corliss responded, yes, we require a work card.

Commissioner Clark motioned to approve the hiring of Mauro Bernando. Commissioner Andrews seconded the motion. Vote 5-0.

- c. Discussion of temporary law intern job description-Deputy Manager/H.R. Director Corliss explained that D.A. Slattery has been working with UMaine Law School. Interns do not work for free anymore, she explained. These are temporary positions and have a start and an end date of June through August. Deputy Manager/H.R. Director Corliss continued that these are first year students only. They will work 40 hours at \$18.00 per hour. She continued that second and third year students can work in the courtroom and those will be fall and spring semester. They would work a maximum of twenty hours as they will be taking a full course load. This would also be a

recruiting tool to help fill ADA positions. Administrative supervisors fund will pay for these. D.A. Kathy Slattery is hoping to hire three to four for the summer. She is hoping to have two to three in the fall and two to three in the spring, explained Deputy Manager/H.R. Director Corliss.

- d. Discussion of temporary law intern position(s)-
County Manager Zinser stated that both (positions) fit under the personnel policy describing temporary positions.
Commissioner Clark motioned to approve the job descriptions as submitted.
Commissioner Andrews seconded the motion.
DISCUSSION: Commissioner Ring asked since they are temporary positions do they accrue any benefits? Deputy Manager/H.R. Director Corliss, replied, none.
Commissioner Ring asked if they would be working in the office not satellite? Deputy Manager/H.R. Director Corliss replied that they have to work along side an ADA that is assigned to them.

Commissioner Chenette commented that this is wonderful and a great opportunity for students. Have we not had interns in awhile, he asked? Deputy Manager/H.R. Director Corliss responded, no, when covid hit it wiped them out and then before we did not offer any form of payment.
Commissioner Chenette asked have we advertised or posted this? Deputy Manager/ H.R. Director Corliss responded that the District Attorney has at the college but she doesn't have any objection to posting it elsewhere. There is also a career center that helps to spread this. I am not sure if this goes to other universities, replied Deputy Manager/H.R. Director Corliss.
Commissioner Chenette asked she wouldn't turn away someone if they were out of state would she?
Deputy Manager/H.R. Director Corliss responded that she doesn't believe that she (D.A. Slattery) would turn anyone away as the positions are not specific to Maine School of Law.
Commissioner Ring commented that they have been informed that the funds (to compensate these positions) are coming from administrative supervisory funds. Where were those funds being used before? Deputy Manager/H.R. Director Corliss responded for Astrid's position as the Restitution Clerk.
Vote 5-0.

- e. Deputy County Manager/H.R. Director Linda Corliss to seek approval for the hiring of:
 - i. Gwendolyn Freeman in the position of temporary Summer Intern in the District Attorney's office with a start date of June 1 to August 31 of 2024.
Commissioner Clark motioned to approve the hiring of Gwendolyn Freeman in the position of part-time, temporary summer intern in the District Attorney's Office with a start date of June 1, 2024. Commissioner Andrews seconded the motion. Vote 5-0.
 - ii. Luke Smith in the position of temporary Summer Intern in the District Attorney's office with a start date of June 1, 2024 to August 31, 2024.
Commissioner Clark motioned to approve the hiring of Luke Smith in the position of temporary summer intern in the District Attorney's Office with a start date of June 1, 2024. Commissioner Andrews seconded the motion. Vote 5-0.

- f. Deputy County Manager/H.R. Director Linda Corliss to seek administrative termination of Jerry Beaulieu from the position of Reserve Fire Instructor effective March 7, 2024- Deputy County Manager/H.R. Director Corliss explained that Mr. Beaulieu had moved out of state and that they have been unable to contact him.
Commissioner Clark motioned to approve the administrative termination of Jerry Beaulieu from the position of Reserve Fire Instructor effective March 7, 2024. Commissioner Andrews seconded the motion. Vote 5-0.
- g. Update on homelessness funding- County Manager Zinser informed the Commissioners that he had a conversation with the Town and City Managers Group. The general consensus was that we should work with the HUB in York County to best use of the funds at this time. If the Board approves, continued County Manager Zinser, I will touch base with the Board Director to understand what the needs are. There are various organizations in York County such as Community Action, York County Shelter, Seeds of Hope, Fair Tide, York Community Service Association as well as various homeless task forces in Sanford. We generally felt we cannot make a big impact with that money (\$125,000). We will get a listing and come back to this Board.

Commissioner Chenette thanked the County Manager for this update and stated that he was pleased to hear that we are engaged with the homeless Hub. He added that he would love for us to think about how we can do this and have a small and meaningful impact in each of our districts. Commissioner Chenette stated that he hoped we try to spread this out.

County Manager Zinser responded that he will bring this up to make sure every district is represented. Emily at Fair Tide had stated in her recent presentation that she could use some assistance with the coordinated entry into the system.

- h. To schedule tax abatement denial appeal hearing (Limington)
Suggested date of May 1, 2024- County Manager Zinser asked the Board if they have any issues with the May date as April meetings are consumed with budgets.
Commissioner Clark motioned to schedule the Hearing at the May 1, 2024 Commissioners' meeting. Commissioner Andrews seconded the motion. Vote 5-0.
- i. To review, discuss and seek approval on two new policies –
County Manager Zinser explained that the Board asked many meetings ago that he come up with a Proclamation policy and he thought the Flag policy is important also.
He explained that the Flag and Banner policy restricts any flags or banners other than USA, County commissioned and State.
 - i. Flag and Banner Display Policy-
Commissioner Chenette asked the County Manager to help him to understand as he read the definition of commemorative flag and he did not get a sense that there could not be a cause. County Manager Zinser replied that is true such as the 250th commemorative flag or our 400th in 2036. If that needs to be clarified, he stated that he can do so.
Commissioner Chenette replied that there needs to be some ability in the

language for a vote to take place if the definition of commemorative or ceremonial would be broader. He added that there is, in his opinion, value of a little bit of flexibility.

County Manager Zinser replied that the intent of the proposal for the commemorative flag was that the Board could make a motion and authorize a commemorative flag to be flown.

Commissioner Chenette replied that in terms of process, if a Commissioner put forward a commemorative flag to interpret the policy and at that point it is still added to the agenda for a potential flag.

Commissioner Dutremble added that the Chairperson should also review agenda items.

Commissioner Clark motioned to approve the Flag and Banner Display Policy. Commissioner Andrews seconded the motion. Vote 5-0.

ii. Public Requests for Proclamations or Recognitions-

County Manager Zinser stated that nothing prohibits a Board member from bringing forth a Proclamation. This draft policy only prohibits someone from the public bringing one forth without these steps in the Proclamations.

Commissioner Chenette commented that it looks great. He stated that at the Statehouse it still has to go to a legislator. We could have it that a Commissioner has to bring it forward to the Board as this allows us to be more selective.

Commissioner Clark suggests that most citizens that are seeking some form of Proclamation will make their first contact with the County administration, not their Commissioner. I am pleased that the proposed policy makes reference to things specific to this County. Commissioner Clark mentioned that both Portsmouth and Somersworth City Councils spent hours debating having a Proclamation regarding Gaza.

Commissioner Chenette stated that the Commissioners are the conduit for the public. We are their elected officials, he stated. They should be coming to us and then we work with the County Manager and staff members.

County Manager Zinser replied that he thought that he would get the request but you, as a Commissioner, would also get them. He added that he would facilitate if a Commissioner copied him on an e-mail.

Commissioner Ring stated that she was glad that we have a policy and we can always make a change.

Commissioner Dutremble stated that he believes that, “ *we are going to open up a can of worms. I made a mistake in voting for it before. I think we will be saturated by people wanting to make proclamations.* ”

County Manager Zinser informed the Commissioners that these are just thoughts he put down. He can put down something different and come up with different language and tighten up the first paragraph.

Commissioner Chenette commented that he is fine with being the minority voice. He stated that he doesn't think we should limit ourselves and limit our impact and our voice. As an elected official, sometimes you do have to take a stand and stand up for people we represent. Commissioner Chenette added that we have not received a flood of Proclamations. He continued that he would be more inclined as how we are limiting our own ability to put forward a Proclamation. Commissioner Chenette stated that he is hoping the new language the County Manager puts forward is not too limiting.

Commissioner Clark motioned to table this matter until the next meeting.
Commissioner Andrews seconded the motion. Vote 5-0.

6 OLD BUSINESS

a. Dredge discussion

County Manager Zinser informed the Board that they have had some conversations with Wells. They currently have a dredge going on. We may be able to put our dredge in Wells Harbor. We are still in the due diligence phase. We are still reviewing this and what the towns are going to propose.

The dredge can be moved and coordinated with the dredge authority that is leaving Wells around March 25th to move it.

We are working with a dredging company to understand the ins and outs and what the costs are if we were to get a crew. Lifting the dredge up and getting it into Wells Harbor will take 4 to 5 days to assemble the dredge, explained the County Manager. That was not included in the Ellicott Dredge quote. They are responsible for training and commissioning the dredge when it is in the water. We need to hire a crew to get the dredge assembled and into the water. The crane costs \$7,000 a day and \$1500 for riggers. Plus, a crew will need to be hired to put the dredge together. The projection to get it into the water is going to be \$75,000 to \$100,000, said County Manager Zinser. Concurrent to that, we did talk with the Engineer, Walter Dinicola from Anchor QEA. They do dredge programs all over the country. They are also going to be assembling the costs for equipment and other types of surveys needed. Engineering could cost over \$200,000 reported County Manager Zinser. He added that we have multiple towns that are interested in working with us. We will reach out and have conversations with each town administrator.

County Manager Zinser also told all that he had a great conversation with UNE and there is some potential to work with us with some mapping. The County would cover the cost of interns over the summer.

County Manager Zinser summarized that in the short term, in order to maximize the economies of scale, the dredge company in Wells pull out on the 25th of March. We are working with them as we would need their crew to put our dredge together. They are assembling the costs. We will have to pull some of this stuff together pretty quickly, explained the County Manager. He stated that he doesn't have a problem fronting some of the money as long as we have a handshake with some of the Towns. We would need relative assurance from the towns.

The County Manager explained that for initial funding, we have earned income from FEMA from money we got from Covid reimbursement. Those have totaled around \$130,000 and those are sitting in one of our reimbursable accounts.

Several years ago we received around \$27,000 in a class action lawsuit with Monsanto regarding some water quality issues so we could tap into some of those funds.

County Manager Zinser asked the Commissioners if he should keep going or stop.

Commissioner Dutremble asked if Saco will let us use the money they had set aside for the dredge.

County Manager Zinser replied that is a question for City Administration.

Barnstable's program is nine people, reported the County Manager. Commissioner Chenette stated that from the 30,000 foot view, it sounds like we have made the decision to point to county operations.

County Manager Zinser explained that the dredging window is November to March. That will afford us opportunities to train and get the thing built.

County Manager Zinser added that we are not contemplating hiring individuals to run this. We would not have that capability. We would sub out a crew.

Commissioner Chenette asked if the intent on what was voted vs. now where we are at the decision point from this Board.

County Manager Zinser replied that we submitted information (to the government) and we are waiting. I think we are still in the scope of the Board's direction. There was a conversation of whether or not that Authority is capable of taking the dredge and getting it into the water, stated the County Manager. We are doing due diligence.

Commissioner Chenette stated that it sounds like we are taking steps to run the operation.

County Manager Zinser replied, yes and if the County is fronting money, we should be in charge. That will be a Board decision.

Commissioner Andrews mentioned that we could look at some sort of apprenticeship program with graduates of LWRC to get them into the workforce.

County Manager Zinser replied, absolutely. We could get a crew on the boat and once we get it working, we could get our own people on board to apprentice. There needs to be a diesel mechanic for example.

County Manager Zinser stated that he had a couple of other items to discuss with the Commissioners. One being that we really need a conversation about the part-time position in H.R. and we need it moved to a full time position. He explained that we can take money from the jail budget and our budget and we really need to create a 40 hour position and we will be happy to discuss this and duties at another meeting. We can do it without any budgetary impact, stated County Manager Zinser. This position does a tremendous amount of work at the jail such as hiring process, onboarding process, training process, job fairs.

We learned today that our Federal Environmental Assessment is finalized and going out with final public comment. We have to notify via certified mail all of the abutters. There were findings of no significant impact. The DEP permit is being finalized.

County Manager Zinser informed the Commissioners that we may have to modify our air license due to our generators. This won't hold up the permit, though.

In the 3rd party review from the Town, after speaking with our engineer we are good. There are no other red flags that he sees.

7 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

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

Susan Wiswell wanted to make sure that all of the Commissioners received the Board of Visitors annual report that she e-mailed to them. She also wanted to know if anyone had any questions. We can put it on a future agenda the County Manager stated.

Janet Drew commented via ZOOM that she agreed with Commissioner Chenette that every voice matters. If you get inundated with Proclamations, they should have an end date and it matters coming from you as our Representatives.

As far as the hiring, Ms. Drew commented that the Jail is a small community. Is there going to be a situation that will put them in close contact with individuals that they should not be with? She stated that's a concern.

Janet Drew commented on the conversation regarding the (county) budget and how more positions are needed. She suggested that alternatively perhaps ARPA money should go to crisis housing and mental health. Ms. Drew stated that a lot is in the report we wrote.

9 ADJOURN

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

Meeting adjourned at 5:58.