

# COMMISSIONERS' MEETING

November 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, November 16, 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 was present at the meeting.

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

**11-06-2024**

### ITEM

- 1 PUBLIC COMMENT(S) ON ANY ITEM(S)**  
Sheriff King congratulated all that were re-elected. He announced that Major Mone was elected as Sheriff of Strafford County.
- 2 TO APPROVE THE MINUTES OF THE FOLLOWING MEETINGS:**
  - a. Commissioners' meeting of October 16, 2024  
Commissioner Clark motioned to approve the minutes. Commissioner Ring seconded the motion. Vote 3-1 (Commissioner Ring abstained as she was absent). Commissioner Dutremble not present yet.
- 3 TO APPROVE TREASURER'S WARRANTS**
  - a. Warrants to be approved on October 9, 2024 in the amount of \$640,423.92  
Commissioner Clark motioned to approve the warrants. Commissioner Ring seconded the motion. Vote 4-0 (Commissioner Dutremble not yet present)
  - b. Warrants to be approved on October 16, 2024 in the amount of \$582,314.79  
Commissioner Clark motioned to approve the warrants. Commissioner Ring seconded the motion. Vote 4-0. (Commissioner Dutremble not yet present)
  - c. Warrants to be approved on October 23, 2024 in the amount of \$547,648.89  
Commissioner Clark motioned to approve the warrants. Commissioner Ring seconded. Vote 4-0. (Commissioner Dutremble not yet present) Vote 4-0.
  - d. Warrants to be approved on October 30, 2024 in the amount of \$353,317.78

Commissioner Clark motioned to approve the warrant. Commissioner Ring seconded the motion. Vote 4-0. (Commissioner Dutremble not yet present)

**4 TO HEAR ANY REPORTS FROM THE COUNTY COMMISSIONERS**

None

**5 NEW BUSINESS**

- a. To hear a tax abatement denial appeal for Keith & Gretchen Benggio of Cornish-**\*\*Heard after item 5c\*\***

Mrs. Benggio and Appraiser for the Town of Cornish, Bob Konczal were sworn in by County Manager Greg Zinser.

Mrs. Benggio approached the Board and explained that she had sent a letter to the town in 2018 requesting an abatement. The town did give her a \$40,000 abatement. She continued that in August of this year her property was assessed at \$709,000. Mrs. Benggio requested an abatement, and the town denied her request. She explained that she was told by the town that her comps. were outdated. She stated that she then contacted a local real estate agent and she put together the information submitted.

Mrs. Benggio explained that her property is a small bed and breakfast and they only rent out three rooms. She informed all that the Cornish Inn sold for \$415,000 in 2017. It has 18 rooms, a restaurant and bar. It is now appraised at \$768,000.

Commissioner Ring asked how many square feet is the property? Mrs. Benggio replied that it is roughly 5500 square feet. She added that there is no heat or air conditioning upstairs.

Commissioner Ring replied that it does look like quite a discrepancy. Mrs. Benggio explained that 3800 square feet is used for business.

Commissioner Dutremble asked Mrs. Benggio what is she looking for an amount for an abatement? Mrs. Benggio replied that she would be happy with \$584,000.

Commissioner Dutremble asked Mrs. Benggio if the assessor for Biddeford gave you an assessment. Mrs. Benggio stated that she didn't recall.

Commissioner Clark asked her if she obtained an assessment from a real estate appraisal? Mrs. Benggio responded that she did not.

Bob Konczal from Atlantic Valuation Services approached the Board. He and Anna Hutchinson did the work to update valuations. Mr. Konczal stated that Mrs. Benggio commented that her neighbor's valuation went down and that does happen if there has been a mistake made that needed to be corrected. He continued that case law is clear that the burden is on the taxpayer to show that their valuation is wrong. We didn't see enough information when she came before us. She has done a good job with the nine comparables presented this time. He distributed a comp. sheet with all nine properties. (entered as record in minutes).

Commissioner Chenette asked if the business end of this property is factored in? Assessor Bob Konczal replied, no, but we did rate it as business use.

Most likely a buyer would look at it as a business use.

Commissioner Chenette did you assess it heated vs. not? Assessor Konczal replied, no it was assessed as all finished property.

Commissioner Chenette clarified that the square footage of 6,000+square feet was used for your assessment. Bob Konczal replied, yes.

Commissioner Ring asked what the Cornish Inn was assessed at? Bob Konczal replied that it was assessed at \$768,000. It is not as well finished but has a kitchen and a restaurant.

Commissioner Chenette stated that he was struggling with the comparison. Is this current property used for commercial purposes?

Mrs. Benggio responded that friends and family such as her son got married on the property. Commissioner Chenette replied that friends and family don't constitute a business. Mrs. Benggio replied that she is not licensed to do that and does not have an alcohol license. Commissioner Chenette asked Mrs. Benggio if that means that there are no business practices on the property?

Mrs. Benggio responded that there has been a couple but the (Cornish) Inn is more square feet.

Commissioner Chenette asked Mr. Konczal what the process is for evaluating property.

Assessor Bob Konczal explained that they looked at every property in the town.

Commissioner Chenette asked what does an onsite visit look like.

Associate Hannah Hutchinson was sworn in. She explained to the Board that they look at grading condition, quality of construction, double pane windows, roof, condition of property, hardwood floors, is the property well kept, etc.

Commissioner Chenette asked if they went inside? Hannah Hutchinson replied that they looked on public Facebook page.

Commissioner Chenette asked how do they look at the inside of all properties?

Hannah Hutchinson explained that we look at old property listings. We use other options such as you live on the inside as you do on the outside.

Bob Konczal added that the problems that we faced is that post-covid no one wants us in their house.

Commissioner Chenette stated that if they didn't have a Facebook page how would you have assessed this information? He added that it seems like we are penalizing someone because they have a Facebook page.

Bob Konczal responded that we assume that the quality on the outside is the same as the inside. We also make use of code enforcement files.

He added that the taxpayer was definitely not penalized.

Commissioner Dutremble asked why the homestead exemption is only \$21,000?

Bob Konczal explained that Cornish has an 85% ratio this year.

Commissioner Ring stated that she does understand and thinks there is quite a discrepancy. She believes that the Cornish Inn far exceeds the Benggio property.

Assessor Bob Konczal stated that his job is to try and look at what the typical buyer would think.

Commissioner Ring stated that she believes the fair adjustment is Mrs. Benggio's request of \$584,000.

Commissioner Ring motioned to (direct the town of Cornish) reassess her (Gretchen Benggio) valuation at \$584,000.

Commissioner Chenette seconded the motion. Vote 4-1 with Commissioner Dutremble opposed.

County Manager Zinser explained that the Findings of Fact will be brought forward at the next meeting.

- b. EMA Director Cleaves to give update on damages from coastal storms  
Deputy EMA Director Arsenault approached the Board to present the Coastal Resilience Initiative Update Briefing. The PowerPoint is included as record of these minutes.

Commissioner Chenette thanked Megan. He asked if this presentation has been shown to our Senators and Representatives?

County Manager Zinser replied that they have probably seen bits and pieces. The Interlocal Agreement is a work in progress.

It is a formal binding contract that has lawful implications. Our approach has some time limitations. There are nine towns but they have to look at it as does their legal counsel for each town. It is more of an organizing exercise, explained County Manager Zinser. It is still in the works. We are looking to morph it into an MOU as that might be easier. This could give us traction with some funding agencies. When we met with the Managers, no one was opposed with forming a Coastal Coalition.

The County Manager continued that no one is recognizing the damage here (in York County). As the presentation explained, there is \$27 million just for Category B. Who is going to pay for that delta between B and G? That is what we are going after now. EMA is having conversations with various organizations. We may obtain CDS funding once we get the engineering and that is the importance of Interlocal Agreement.

Commissioner Chenette stated that we have mentioned before the need to engage our legislative partners. The Bill deadline is in December. We should have an early December legislative meeting with those who represent the nine coastal communities. Perhaps they would file a Bill. Our Legislative colleagues should hear how EMA works and the challenges they are facing. Commissioner Chenette added that he would think that Representatives and Senators would really like to be involved in this. He stated that it is in our best interests to have these sorts of conversations.

County Manager Zinser asked for clarification. Scheduling something with the full delegation tends to be difficult. This was a conversation surrounding jail funding. Now, we are talking about a meeting with coastal senators and legislators. Maybe we would have greater success in getting that meeting scheduled, commented the County Manager.

Commissioner Chenette explained that the caucus does not meet outside of the Statehouse. However, they have a membership list that cares about coastal issues. The Chairs of the Coastal Caucus could send out an invitation. We could have a link to the PowerPoint presentation. County Manager Zinser said that he is suggesting we just invite our coastal Senators and Representatives and our folks.

Commissioner Chenette agreed. We can invite Senators and Representatives via zoom. They will then have that information and then take it to the Coastal Caucus.

County Manager Zinser stated that he and EMA Director Cleaves will have a conversation tomorrow to get this scheduled.

**\*\*\*HEARD FIRST BEFORE ITEMS a and b\*\*\***

- c. County Manager Greg Zinser to request approval for the following new hire(s)/transfer(s)
  - i. To approve the transfer of Cynthia Spencer from Deeds Clerk to Assistant Register of Deeds in the Deeds Office effective October 21, 2024  
Commissioner Ring motioned to approve the transfer of Cynthia Spencer from Deeds Clerk to Assistant Register of Deeds with an effective date of October 21, 2024. Commissioner Chenette seconded. Vote 4-0.  
(Commissioner Dutremble not yet present).
  - ii. To approve the transfer of Lt. Lori Marks to Jail Administrator in the Sheriff's Office with an effective date of November 11, 2024  
Commissioner Chenette motioned to approve the transfer of Lori Marks from Corrections Officer to Jail Administrator. Commissioner Andrews seconded the motion.

DISCUSSION: Commissioner Ring asked how many applications were received? Sheriff King replied that there were about a dozen. He added that there was a national search done and that four applicants were interviewed. Commissioner Ring stated that she was surprised when she reviewed the Jail Administrator's job description and saw that there was no supervisory experience needed. She said that she has a problem with that. County Manager Zinser replied that without looking at it he cannot speak about that.

Vote 4-1 with Commissioner Ring opposed.

**6 OLD BUSINESS**

County Manager Zinser stated that we have discussed in the past having a legislative meeting regarding jail funding, also. Commissioner Chenette responded that he thinks we would have a little more time.

Commissioner Dutremble informed all that a new committee has been (Maine County Commissioners Association) formed and they will look at legislative bills and try to lobby more.

County Manager Zinser asked if the consensus is to hold off and let this committee get together? Commissioner Dutremble replied, yes.

Commissioner Chenette asked that the County Manager keep us in the loop so we can participate. County Manager Zinser replied, yes, certainly.

**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)**

Kittery resident Susan Wiswell asked Deputy EMA Director Megan Arsenault if the level G in the amount of \$25 million is for all nine towns together. Deputy EMA Director Arsenault replied, yes."

Stacy Kilroy commented via Zoom and introduced herself as County Treasurer. She stated that she has been a FEMA consultant and stated that this is a good use of Cat B. She stated "Well done."

**9 ADJOURN**

Commissioner Clark motioned to adjourn. Commissioner Andrews seconded the motion. Meeting adjourned.