

# COMMISSIONERS MEETING

March 20, 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 20, 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 Manager Linda Corliss were present at the meeting.

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

03-20-2024

### ITEM

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

Susan Wiswell spoke in regards to the agenda item dealing with the revised Proclamation Policy and stated that although the revised document is an improvement it does not go far enough.

Janet Drew commented via Zoom that she supports the idea that the Commissioners do have a voice and not all political positions are equal.

#### 2 TO APPROVE THE MINUTES OF THE FOLLOWING MEETINGS:

- a. Commissioners' meeting of March 6, 2024  
Commissioner Clark motioned to approve the minutes with corrections.  
Commissioner Andrews seconded the motion. Vote 5-0.

#### 3 TO APPROVE TREASURER'S WARRANTS

- a. Warrants to be approved on March 6, 2024, 2024 in the amount of \$1,091,199.09  
Commissioner Clark motioned to approve the warrant of March 6, 2024 in the amount of \$1,091,199.09. Commissioner Andrews seconded the motion. Vote 5-0.
- b. Warrants to be approved on March 13, 2024 in the amount of \$605,200.56

Commissioner Clark motioned to approve the warrants of March 13, 2024 in the amount of \$605,200.56. Vote 5-0.

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

Commissioner Chenette informed all that he recently attended the Saco Bay Coastal Erosion seminar as well as the Saco City Workshop on coastal erosion. He relayed to all present that the local officials voiced to him their dire need of the dredge and that they appreciated the Commissioners' assistance with this.

#### **5 NEW BUSINESS**

a. Archivist Paige Lilly to give update on completion of Phase 3 (via Zoom)  
Archivist Paige Lilly gave an in-depth update on the completion of Phase 3 of her project. Register of Deeds Nancy Hammond circulated several documents recently uncovered. She explained that these records are important as many surveyors utilize them for work being done presently.

b. To review proposal and seek approval for Phase 4 Archives Project  
Paige Lilly informed all that she and Deputy Manager Linda Corliss and County Manager Greg Zinser recently met with Maine State Archivist Kate McBrien recently. Paige Lilly reviewed the Proposal given to the Commissioners prior to the meeting (attached a record of the minutes). Ms. Lilly added that there has been discussion of perhaps hiring a staff person to do some of the added work and that she would assist with the training. Archivist Lilly informed all that the total cost of Phase 4 is \$12,084.  
DISCUSSION: Commissioner Chenette asked how many other counties are doing something similar to what York County is doing?  
Ms. Lilly responded that it doesn't appear that there are counties doing this with the exception of Cumberland.  
Register of Deeds Nancy Hammond commented that it is interesting and that these historical records are relevant on a daily basis for us with developers and surveyors. She added that there was just a case last week where these old records were needed by someone.  
Commissioner Clark motioned to approve phase 4 in the amount of \$12,084. Commissioner Andrews seconded the motion. Vote 5-0.

c. Introduce Deputy Manager/H.R. Director Corliss to seek approval for the hiring/transfer of the following individuals:  
i. Alyxus Friesen in the temporary position of law student intern with a date of hire of June 1, 2024 ending on August 21, 2024  
Commissioner Clark motioned to approve the hiring of Alyxus Friesen in the temporary position of law student intern in the D.A.'s office with a start date of June 1, 2024 and an end date of August 21, 2024. Commissioner Andrews seconded the motion.  
DISCUSSION: Commissioner Ring asked Deputy Manager/H.R. Director was it correct that the hourly rate is \$18 and no benefits? Deputy Manager/H.R. Director Corliss replied, yes.  
Vote 5-0.

- ii. Joseph Wilber in the reserve position of Public Safety Instructor II in the Emergency Management Agency with a date of hire of March 25, 2024

Commissioner Clark motioned to approve the hiring of Joseph Wilber in the reserve position of Public Safety Instructor II in EMA with a hire date of March 25, 2024. Commissioner Andrews seconded the motion.

DISCUSSION: Commissioner Ring asked if since this is a reserve position there are no benefits?

Deputy Manager/H.R. Director Corliss replied that there is one state paid leave law that after accumulating a certain number of hours, one can accrue up to 40 hours per year. Most reserves never get to 40 hours of accrual as they do not work that many hours to qualify.

Commissioner Ring asked what the hourly rate of pay is. Deputy Manager/H.R. Director Corliss replied, \$20 per hour.

Vote 5-0.

- iii. Tyler Thorpe in the reserve position of Public Safety Instructor II in the Emergency Management Agency with a date of hire of March 25, 2024

Commissioner Clark motioned to approve the hiring of Tyler Thorpe in the reserve position of Public Safety Instructor II in EMA with a hire date of March 25, 2024. Commissioner Andrews seconded the motion.

Discussion- Commissioner Ring commented that she is noticing the number of these and asked, are we offering these positions all the time? Is this on our website? Deputy Manager/H.R. Director Corliss explained that Chief Fire Administrator Roger Hooper finds them and perhaps one has a specialty. Commissioner Ring asked do they have to be employed by the County or could they be contracted?

Deputy Manager/H.R. Director Corliss explained that they could be, but, that would be more costly.

Vote 5-0.

- iv. Jeffrey Cullen in the reserve position of Public Safety Instructor II in the Emergency Management Agency with a date of hire of March 25, 2024

Commissioner Clark motioned to approve the hiring of Jeffrey Cullen in the reserve position of Public Safety Instructor II with a hire date of March 25, 2024. Commissioner Andrews seconded the motion. Vote 5-0.

- d. To review and seek approval of lease for 200-208 Graham Street in Biddeford for D.A.'s offices  
County Manager Zinser explained that the Commissioners are aware of this contract (Lease) and that he is asking for formal approval. He added that it will be for about \$105,000 a year.  
DISCUSSION: Commissioner Ring asked does part of this rent go towards the purchase? County Manager Zinser replied, yes about \$44,000 a year.  
Commissioner Clark- motion to approve and have the County Manager sign the contract. Commissioner Chenette seconded the motion.  
DISCUSSION- Commissioner Ring asked if this lease is for one year?  
After further discussion and review, it is clarified that the terms of the Lease as presented are one year so the County Manager will make sure

it is for a minimum of 10 years. County Manager Zinser added that the owner does want us to be a long-term tenant.

Commissioner Chenette asked would the terms lock in a 3% increase for the 10 year period?

County Manager Zinser responded, yes and added that we will get that fixed. We will make sure nothing is signed until that is in there.

Commissioner Clark withdrew his motion until the next meeting so that it can be corrected. Commissioner Andrews seconded the motion. Vote 5-0.

- e. To review and seek approval of Sanford Housing Authority Agreement (use of ARPA funds) County Manager Zinser reminded all that he is seeking approval of money that was originally set aside for Sanford Housing Authority. He added that there are a couple of things to work out with dates for ARPA regulations. ARPA Project Manager David Nalchajian is checking to see when the funds need to be expended by. The County Manager explained that this would not change the substance of the contract. He informed all that Sanford Housing Authority has identified a piece of property in Sanford that should work. They are waiting on the final review of the shoreland zone. County Manager Zinser stated that he is looking for the Board's approval to dispense the funds for the purchase of the property when they ask for it.

Commissioner Clark motioned to approve giving the County Manager the authority to disburse the funds when needed by Sanford Housing Authority to purchase the land for housing. Commissioner Andrews seconded the motion.

DISCUSSION- Commissioner Ring stated that when we first started this ARPA funds for housing it was for the homelessness and mental health issue in York County. Is Sanford Housing Authority going to be using this housing for undocumented immigrants?

County Manager Zinser replied that this is publicly funded through Maine State Housing so they have to adhere to the rules and regulations of the Federal Government. Commissioner Ring replied that she would love to see preferences to York County homelessness. She continued that she is concerned that our homeless people and Veterans and those with mental health issues won't be prioritized. Commissioner Chenette verified that they will come before us and keep us updated; correct? The County Manager replied, yes, absolutely.

Commissioner Chenette asked that in terms of who can access this program, can anyone throughout the county be recommended? County Manager Zinser responded, yes.

Vote 5-0.

- f. MEDATS-discussion of D.A. information systems office  
County Manager Zinser explained that we pay into the operational costs of this program every year. He continued to explain that the costs are divided out by prosecutorial districts. The program is something that has evolved. It is currently housed in Aroostook County and all organizations would like someone else to do this. It does not

cost us anything other than our current contribution. They would be county employees and we would set up a special revenue fund and bill the Maine D.A. Technical Center for those employees. I want to make sure the Board is okay in doing this. Also, we receive a discount for an administrative fee for doing this.

DISCUSSION-Commissioner Clark asked where the department is located where? County Manager Zinser replied that it is located in Augusta.

Commissioner Clark asked for clarification as to what does it mean other counties housed it? County Manager Zinser explained that MEDATS is an organization managed by various counties over the years.

District Attorney Kathy Slattery explained the program further via Zoom and said that there is the financial benefit of reduction in fees. She added that this program is very important and we benefit that all the counties banded together to create a software system and we are able to share the cost across the State.

Commissioner Chenette commented that he is curious as to why a county would give it up if there are so many positive benefits.

County Manager Zinser explained that no one has really wanted to take it on. One of the concerns is Worker's Compensation and if they are County of York employees they will fall under our plan. We would recoup that cost in terms of the contract from MEDATS.

D.A. Slattery added that MEDATS employees currently have offices on Water Street in Augusta. They travel as needed, she added.

Commissioner Clark asked if we take this on is it projected for a period of time or for good?

County Manager Zinser replied for as long as we want to and we would get the financial benefit.

Commissioner Ring stated that her concern is the benefits of York County are wonderful and she has always been concerned around the PTO policy.

County Manager Zinser confirmed that they would be receiving the same benefits.

Commissioner Ring stated that she is not interested in bringing on anymore full-time employees with the 41 PTO policy. They get two months off right up front, stated Commissioner Ring. She suggested grandfathering what we have and create a policy with an accrual basis. Commissioner Chenette stated that he appreciated the County Manager bringing this forward, but he would want to see some details in front of the Commissioners. He further explained something more structured especially when we are adding employees like perhaps some sort of MOU.

County Manager Zinser replied that they do have a budget and he can have it put in the standard County format for the staff as well as get an MOU before the Commissioners.

County Manager Zinser asked the Commissioners if there is anything else that the Commissioners want to see.

County Manager Zinser will bring the requested documents to the Commissioners at the next meeting.

- g. To discuss and seek approval of proposed job description for full-time Human Resources Clerk
- County Manager Zinser explained that the existing position was filled in the past and that the prior person in the position was working around thirty hours per week. We are asking for the position to go from part-time to full-time. Our concern (in keeping it part-time) is that we won't be attracting a person with a true HR background.
- Deputy Manager/H.R. Manager Corliss addressed the Board and stated that there is increased pressure on recruiting and therefore, we need to put someone on to assist. She added that compliance needs are coming.
- County Manager Zinser explained that along with the funding for the part-time position, there is also existing funding at the jail that we can utilize to balance out turning this into a full-time position.
- Commissioner Ring replied that again, she has no interest in making a full-time position until we discuss PTO. There is no money for new positions and the budget is going to be tight this year, continued Commissioner Ring. She added that she has not seen a lot of overtime paid out in H.R. to justify the need.
- Commissioner Ring continued that there was a position previously charged to the jail (budget) after the Board of Corrections came in. No other department gets charged for services so Commissioner Ring stated that she doesn't agree with charging the jail. We are raising a little revenue out of the jail's revenue, continued Commissioner Ring. H.R. is there for all departments, he stated.
- Commissioner Chenette questioned why is there so much money in jail funding?
- County Manager Zinser replied that it will only cost about \$13,000 to move it to a full-time position. Moving forward, explained County Manager Zinser, he will have an increase in the jail budget but it won't show up as a new request there.
- County Manager Zinser stated that the jail does also fund part of facilities. The amount of work we do for the jail including the hiring process warrants a position, stated the County Manager.
- County Manager Zinser explained that the budget is going up quite a bit with a 9% taxation increase and something we have never had in this county. All new requests for any other positions or salary increase requests have not been entertained, he stated.
- Deputy Manager/H.R. Director Corliss added that we would also like to do some additional training at the jail.
- Commissioner Clark commented that he will support this as he finds it is easier to hire a person for a full-time job and you want a person of quality. Part-time limits your pool of applicants, Commissioner Clark stated.
- Commissioner Ring stated that she is not going to support it because we are giving them two more months off right away.
- County Manager Zinser agreed that they (non-union) do accrue up to forty-one (41) days a year. He added that this is a huge recruitment tool.
- Commissioner Ring commented that this policy was created to try to reduce that liability but now they can buy back 10 days and bank 25 days. She added that she thinks the policy needs to be looked at.

Commissioner Clark-motioned to approve the job description for a full time H.R. Clerk. Commissioner Andrews seconded the motion. Vote 4-1 with Commissioner Ring opposed.

## 6 OLD BUSINESS

### a. Dredge discussion-

County Manager Zinser distributed a draft MOA with the cities and towns. He explained that the York County town and city managers had a meeting last week. On April 8<sup>th</sup>, the dredge will go to Portland to be assembled. Michael's Dredge is towing the dredge up to Portland and will assemble ours and put it in Wells Harbor where it will be moored.

The County Manager mentioned that he has also arranged for the boat to be professionally painted before it is put in the water. He added that it should be put in the water by the end of that week or the following week.

County Manager Zinser explained that he is meeting with the Managers again as we want something in writing from them since we are putting up the funds. We are hoping we will have a quick turnaround with their Boards. There is a single set of engineers for all towns, explained County Manager Zinser. He added that we will recoup as we move through the process. Our engineer, Walter is having a phone call with UNE to ascertain what their capabilities are for marine mapping.

County Manager Zinser gave kudos to York County EMA Director Art Cleaves who is helping to arrange all this and talking to all on the ground. He added that he is hopeful that this MOU will be approved without any substantive changes and also hoping each town will commit an employee (Harbor Master if they have one) to training. Wells Harbor Master will play a role, added County Manger Zinser.

EMA Director Art Cleaves addressed the Board and stated that this has been a tremendous amount of work and that all of the towns are on board. He added that there is a lot of work to be done. Towns should be able to get FEMA reimbursement.

Commission Chair Dutremble asked if there is a schedule for maintenance and a line for depreciation?

County Manager Zinser replied that will be included.

DISCUSSION- Commissioner Ring thanked the County Manager and EMA Director for all the work you have been doing.

Commissioner Chenette thanked the County Manager and EMA Director. He asked which seven towns are interested in the Dredge program. County Manager Zinser listed the cities and towns as: OOB, Ogunquit, Saco, Wells, Biddeford, Kennebunkport and Kennebunk. He explained that four were represented at the meeting and that there will be another meeting on Monday at which we expect representatives for each of those towns.

Commissioner Chenette asked what is the number that we have to hit for MOU's for something to happen.

County Manager Zinser replied that every town will have to have an MOU so that the County is protected. I don't know what the magic number is or if there is even a magic number, replied the County Manager. There is a significant investment for equipment, stated County Manager Zinser. The County Manager explained that they are working on the cost per hour and cost per week with Michael's dredging.

Commissioner Clark asked are York, Kittery and Eliot not interested? EMA Director Cleaves responded that they currently have no sand to be moved.

Commissioner Dutremble asked if we had a company for tugboats? County Manager Zinser replied that Michaels has that equipment.

Commissioner Chenette informed all that at the Saco City workshop he recently attended, it was mentioned to him that the City of Saco did set aside funds to assist (with the dredge). He continued that City Administration estimated that \$159,000 had been set aside and there was a lot of interest in utilizing some of that money to get the dredge into the water. Saco wants to be on a priority list for usage. The expectation, explained Commissioner Chenette, is if they use this money, they would hope they would be helped sooner than later. Commissioner Chenette suggested that maybe some of the other towns have funding. Are we looking for community support, he asked? County Manager Zinser replied that his preference would be to keep it fair and equitable and let the priorities establish themselves. He added that other towns have active permits. Commissioner Chenette asked which communities have permits. County Manager Zinser replied, Wells and Ogunquit. Commissioner Chenette asked if all towns know that they have to acquire active permits? County Manager Zinser responded, yes, they do. EMA Director Cleaves told all that while the Army Corps does other dredging, it will be more economical/cost effective for towns to use this dredge.

b. To review and seek approval of revised Proclamation Policy

Commissioner Chenette asked in regards to the super majority referred to on the draft policy, what other votes do we take that require this? County Manager Zinser replied, none.

Commissioner Chenette asked why would we make this exception? County Manager Zinser responded that he thought that was what the Board wanted. Commissioner Chenette stated that to clarify, he would not support super majority. Should we look at how we, as individual Commissioners bring forth a Proclamation? Is there a limitation that we are setting for ourselves or do we just want to limit public limitation, he asked. The way this is articulated we are limiting the Public's submission of an agenda item (Proclamation), stated Commissioner Chenette.

Commissioner Chenette continued that on Item #3- where, "*uncertainty in making a dermination....*" Does this mean we would talk about it at a Public Meeting, put it on the agenda, but not have a discussion or vote?

County Manager Zinser replied that we would phrase that correctly. It would say to discuss a citizen request.

County Manager Zinser asked if the Commissioners would like to see a Policy that applies both to the Commissioners and the Public? He added that any



Commissioner can bring in a Proclamation and ask for it to be brought forward at any time.

He continued that he is trying to balance the Board's desires and be neutral.

Commissioner Chenette asked how many Proclamations did we issue last year?

The County Manager responded two or three.

Commissioner Chenette replied that of them he doesn't remember us having a political debate. We did one for Pride Month, dogs and first responders. We haven't received any requests since, stated Commissioner Chenette.

He continued that he wants us to be mindful that we are trying to address a problem that doesn't exist yet. Maybe we need to take a step back. For us to try to put limitations on public input, we could have an equal issue with individuals with Commissioners. He stated that he doesn't recommend that but what is the message we are sending to our constituents when we limit the public but not Commissioners.

Commissioner Chenette added that he is hesitant to move in the direction with strict limitations without seeing a tangible issue before us.

Commissioner Clark commented that he get e-mails every week on supporting Israel and a couple of other issues. He added that he doesn't think York County should have a foreign policy. We are a county government and this is not the place to take those stands. He doesn't want to turn this into a debating society that we have no control over.

Commissioner Dutremble stated that he believes we are opening up a can of worms and he made a mistake (in the past) of voting for it (proclamation).

Commissioner Ring stated that she agrees with Commissioner Clark.

Commissioner Clark moved to table this item. Commissioner Andrews seconded the motion. Vote 5-0.

**\*\*\*HEARD AFTER ITEM 8\*\*\***

**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)**

Commissioner Clark motioned to go into executive session pursuant to 405 6(D).

Commissioner Andrews seconded the motion. Vote 5-0.

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

No action taken.

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

Janet Drew spoke via Zoom and stated listening to your dredge story on using ARPA funds it seems like it was easier to buy a structure. Other than FairTide, the Whole ARPA budget, only helps a small percentage of people that are struggling This time you talked about MEDATS and now they will be on the County budget and you say you will get reimbursed but what about if they get laid off. We have no support for indigent people. She continued that she wonders why we are not supporting the indigent in the court system. Ms. Drew stated that there is not enough focus on the needs of community.

Commissioner Clark responded to Ms. Drew's comments and stated that using \$30 million to build a Treatment Center is three quarters of what we received in ARPA money. The Commissioners have also supported things for teenagers at risk and Fairtide (affordable housing). Commissioner Clark stated that he thinks it is incorrect to say we spent our ARPA money on jail and courts.

Commissioner Ring asked if the Commissioners can receive the financial reports on a monthly basis prior to the second meeting of each month. County Manager Zinser replied that we can do that.

**9 ADJOURN**

Commissioner Clark motioned to adjourn. Commissioner Andrews seconded the motion. Vote 5-0. Meeting ended at 7:14 p.m.