

# M.C.C.A.

Peter Baldacci, President  
Penobscot County

Thomas Coward, Vice President  
Cumberland County

Michael Cote, Secretary-Treasurer  
York County



Maine County Commissioners Association

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Rosemary Kulow  
Executive Director

Lauren Haven  
Office Manager

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## MAINE COUNTY COMMISSIONERS ASSOCIATION

### MCCA Board of Directors' Meeting Minutes 10:00 a.m., September 30, 2016

#### I. Call to Order, Introductions, Attendance and Pledge of Allegiance

President Peter Baldacci called the meeting to order at 10:12 a.m. The attendees recited the Pledge of Allegiance and all present introduced themselves.

**DIRECTORS PRESENT:** *Androscoggin* – Comm. Sally Christner proxy for Comm. Beth Bell; *Aroostook* – Comm. Norman Fournier; *Cumberland* – Comm. Steve Gorden proxy for Comm. Thomas Coward; *Franklin* – Comm. Gary McGrane; *Kennebec* – Comm. Nancy Rines proxy for Comm. George Jabar, II; *Knox* – Comm. Roger Moody; *Lincoln* – Comm. William Blodgett; *Penobscot* – Comm. Peter Baldacci; *Piscataquis* – County Manager Tom Lizotte proxy for Comm. Jim Annis; *Sagadahoc* – Pamela Hile proxy for Comm. Charles Crosby III; *Somerset* – Comm. Newell Graf; *Waldo* – Comm. Amy Fowler; *Washington* – Betsy Fitzgerald proxy for Comm. Chris Gardner; and *York* – Comm. Michael Cote.

**OTHERS PRESENT:** *Androscoggin* – Comm. Alfreda Fournier and Admin. Larry Post; *Aroostook* – Comm. Paul Adams; *Cumberland* – Judge of Probate Joseph Mazziotti, Comm. Susan Witonis, Comm. James Cloutier and Manager Peter Crichton; *Hancock* – Admin. Scott Adkins; *Knox* – Comm. Carol Maines; Administrator Andy Hart; *Lincoln* – Comm. Mary Trescott and Admin. Carrie Kipfer; *Penobscot* – Comm. Laura Sanborn and Admin. Bill Collins; *Somerset* – Comm. Robert Dunphy; *Waldo* – Comm. Betty Johnson; *York* – Comm. Sallie Chandler and Comm. Richard Dutremble; *EMAD* – Sean Goodwin; *MACT* – David Parkman; *MECCA* – Owen Smith; *MRDA* – Susan Bulay; *MSA* - Sheriff Troy Morton; and others.

**DIRECTORS ABSENT:** *Androscoggin* – Comm. Beth Bell *Cumberland* – Comm. Thomas Coward; *Hancock* – Comm. Steven Joy; *Kennebec* – Comm. George Jabar II; *Oxford* – Comm. Steven Merrill; *Piscataquis* – Comm. James Annis; *Sagadahoc* – Comm. Charles Crosby III; and *Washington* – Comm. Chris Gardner.

**STAFF PRESENT:** Executive Director Rosemary Kulow, Risk Pool Manager Malcolm Ulmer, and Office Manager Lauren Haven.

## II. Approval of/Additions to the Agenda

Administrator Bill Collins requested adding Judge of Probate Joe Mazziotti to the agenda to speak about the shift of guardianship cases to district court. Comm. Graf **moved** and Comm. Gorden **seconded** approving the agenda with the additional item as V.A. The **motion** was **approved** unanimously.

## III. Approval of August 10, 2016 Board of Directors' Meeting Minutes

Comm. Cote **moved** and Comm. Dunphy **seconded** approving the minutes from the Board of Directors' meeting on August 10, 2016. The **motion** was **passed** unanimously.

## IV. Old Business

### A. Discussion about Ideas for Potential Legislation

Comm. Mike Cote reported that the Legislation Development Committee met to discuss ideas. Executive Director Rosemary Kulow said there was a handout included in the agenda packet and the ideas could be discussed in item VI. B.

## V. New Business

### A. Judge of Probate, Joe Mazziotti

Under the new law, LD 890, "An Act to Ensure a Continuing Home Court For Cases Involving Children," guardianship cases will be transferred to district court if any element of the case is already being heard in the district court. Judge Mazziotti believes this is a problem due to the high level of immediacy in these cases for families to find a quick resolution. Guardianship is needed to allow children to receive medical care and be placed in school. The district court system is already overtaxed and may not have enough judges to oversee the cases, especially in emergency situations. The governor is expected to appoint one additional District Court judge for the entire state which will not alleviate a long wait time for court case processing.

Another factor is the expense involved in district court cases. Unlike probate court, all parties need to obtain a lawyer in district court. Not only is this expensive, but it compounds the length of time needed to hear court cases.

The bigger picture depicts a slow shift of all cases eventually being reassigned to district court, completely eliminating probate court.

Recently, eleven judges met to collaborate on how to move forward. This is a first and demonstrates the gravity of the situation. Judge Mazziotti urged everyone to raise awareness about this issue with county employees and Maine legislators.

## VI. Reports

### A. Executive Director's & Financial Reports

Executive Director Rosemary Kulow presented her reports and invited questions. Comm. Blodgett moved and Comm. McGrane seconded approving the reports as presented. The motion was unanimously approved.

### B. Legislation Development Committee Report

The ideas for Potential Legislation in 2017 submitted by the Legislation Development Committee (LDC) were reviewed. The group discussed pros and cons of the jail tax cap removal. Legislation to raise the 911 fee is an option. Maine currently has a lower fee than other states.

Comm. McGrane requested consideration of the development of legislation that would allow suspension rather than termination of health benefits during incarceration, or perhaps even the continuation of benefits. Currently, the state of Maine terminates all benefits for incarcerated individuals. The main advantage of suspension would be to alleviate the gap between an inmates release and their access to health care. As soon as the person is released, the benefits could be reactivated instead of forcing the individual to reapply and wait for the completion of the process. This gap in health care benefits can contribute to recidivism due to the lapse in the administration of necessary medications which can result in criminal behavior. Presently, veteran's benefits are also terminated upon incarceration including social security.

More ideas will be discussed at the Board of Directors' meeting on October 12.

### C. Professionalism in Management Committee (PMC) Report

Comm. Cote reported the committee is working on a one day training course to occur before newly elected officials take office. The content will focus on duties and responsibilities including subjects such as the Freedom of Access Act, risk management, property tax abatement, etc. The content is being reviewed by Peter Crichton, Andy Hart, Tom Coward and Dawn DiBlasi and will be approved before training commences.

### D. Association Reports

*EMAD:* No report was given.

*MACCAM:* Administrator Bill Collins reported the group would meet at the convention and would put in place a new slate of officers. Scott Cole was absent due to a work-related issue. MACCAM members are assisting with the development of the MCCA wage survey.

*MACT:* Six of the treasurers met at the convention prior to the Board of Directors' meeting. They discussed ways in which they could speed up the audit process.

*MARP:* No report was given.

*MECCA:* Owen Smith reported a training schedule is now in place for new fire protocols. All must attend the three day regional training. The first round will be in October. There is some concern over the cost of the interface. Administrator Bill Collins asked if there would be a quality assurance component. At this time there are no funds designated for that purpose.

*MRDA*: Administrator Bill Collins presented a report from President Susan Bulay:

“The Registers of Deeds Association is meeting today for the first time since June. It is expected that the meeting will take longer than the time scheduled and that no one will be able to attend the MCCA meeting.

The Registers are still in the process of examining our microfilm in storage at the Maine State Archives and determining the best method of repairing damaged film and procedures going forward to insure it does not happen again. Some counties have pulled their film and are having it repaired and stored elsewhere. No long term plan has been determined for the film left at Maine Archives. We will continue to work on the issue.

Maine Revenue Services has requested a meeting with the Registers of Deeds and have been scheduled to attend our next meeting in October in Augusta. They did not specify which issues they wish to discuss, but we are always happy to meet with them and try to keep good communication open.

If you have any questions on these issues, please let us know. The new president of the Deeds Association will be Register Julie Curtis from Hancock County.”

*MSA* – Administrator Bill Collins reported for Sheriff Troy Morton that 15 sheriffs met at the convention to work on the development of legislation for the coming session.

#### **E. Corrections Report**

Executive Director Rosemary Kulow spoke about CCAP, the Comprehensive Community Action Program which offers a full range of behavioral health counseling services to help individuals and families develop healthy ways of coping with adversity and resolve problems that have created obstacles to leading full lives.

Comm. Baldacci talked about the Stepping Up Program, a national initiative to help advance counties’ efforts to reduce the number of adults with mental and co-occurring substance use disorders in jails. One preventative measure would be to develop a protocol to assess arrested individuals rather than simply placing them in jail. In some cases hospitalization is more appropriate for mentally ill persons.

#### **F. Annual Convention Report**

Office Manager Lauren Haven reported there were 214 participants at the convention including attendees, guests, vendors and speakers. There were six paid advertisements in the convention program and at least ten event sponsors. Local businesses also contributed to the attendee gift bags. Ms. Haven urged participants to complete an evaluation form for continued improvement of future conventions.

#### **G. NACo Report**

President Baldacci invited Sallie Clark, NACo’s immediate past president and Commissioner of El Paso County Colorado to speak to the group.

Comm. Sallie Clark talked about the challenges of dealing with natural disasters such as fires and floods that have occurred in El Paso, and how local government had been instrumental in providing efficient and timely emergency services.

Comm. Gorden asked if there was a broadband issue in Colorado as it applies to emergency services. Ms. Clark responded that many areas were devoid of cell service and would not easily support the new system. However, the FirstNet effort is expected to encourage development of the overall network.

Administrator Bill Collins asked about issues concerning legalized marijuana in Colorado and if counties received funding as a result of sales. Ms. Clark said that medical marijuana had been in place for a number of years before a recreational use law passed. Some issues they have experienced include difficulty in taxing a mainly cash driven business, cannabis club zoning, transportation of marijuana across state lines and cities/towns opting out of marijuana related businesses within their boundaries. Her recommendation was to limit marijuana whenever possible.

Comm. Moody asked if Colorado counties could come to a consensus on issues they face. Ms. Clark responded that often it was possible to reach a consensus unless the issue involved gas or oil. Definitely some counties are more liberal and some are more conservative in their opinions.

Ms. Clark stated that Leon County, Fla. Commissioner Bryan Desloge was elected as NACo's 2016-2017 president at the 2016 Annual Conference in Long Beach, and closed with the thought that counties should, "keep telling the story."

## **VII. Other Business**

No other business was brought before the Board of Directors.

Administrator Bill Collins requested that attendees not signed up for another educational session make an effort to go to the FirstNetME update on Saturday morning at 8:30 am in the Bangor Room.

### **Adjournment**

*Comm. McGrane made a **motion** to adjourn at 11:35 a.m.; Comm. Cote seconded the **motion**, which was unanimously **approved**.* The group adjourned to other convention activities.

Respectfully submitted,

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MCCA Office Manager, Lauren Haven

Attested:

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MCCA Secretary-Treasurer, Michael Cote