

M.C.C.A.

Stephen Gorden, President
Cumberland County

Michael Cote, Vice President
York County

William Blodgett, Secretary-Treasurer
Lincoln County

Lauren Haven
Administrator



4 Gabriel Drive, Suite 2
Augusta, ME 04330
207-623-4697
www.mainecounties.org

MAINE COUNTY COMMISSIONERS ASSOCIATION

Board of Directors' Meeting Minutes

MCCA Zoom Conference, October 14th, 2020

I., II. Call to Order and Roll Call Attendance

MCCA President Steve Gorden called the meeting to order at approximately 10:00 am. Attendees announced themselves.

DIRECTORS PRESENT:

Androscoggin – Comm. Noel Madore
Aroostook – Comm. Norman Fournier
Cumberland – Comm. Steve Gorden
Knox – Comm. Sharyn Pohlman
Lincoln – Comm. William Blodgett
Oxford – Admin. Tom Winsor proxy for Comm. Steven Merrill
Penobscot – Comm. Peter Baldacci
Piscataquis – Comm. Wayne Erkkinen
Sagadahoc – Comm. Brian Hobart
Somerset – Admin. Dawn DiBlasi proxy for Comm. Newell Graf
Waldo – Comm. Amy Fowler
York – Comm. Richard Dutremble proxy for Comm. Michael Cote

OTHERS PRESENT:

Androscoggin – Comm. Mark Roy
Hancock – Comm. Antonio Blasi
Lincoln – Admin. Carrie Kipfer
Penobscot – Admin. Bill Collins and Sheriff Troy Morton
Piscataquis – Admin. Mike Williams
MECCA – Comm. Dir. Owen Smith
MSA – Mary-Anne LaMarre

DIRECTORS ABSENT:

Hancock – Comm. William Clark
Kennebec – Comm. George Jabar
Oxford – Comm. Steven Merrill
Somerset – Comm. Newell Graf
Washington – Comm. Chris Gardner
York – Comm. Michael Cote

STAFF PRESENT:

Risk Pool Manager – Malcolm Ulmer
Administrator – Lauren Haven
Lobbyist – James Cohen, Verrill Dana

III. Approval of the Agenda

Comm. Fowler **moved** to approve the meeting agenda **seconded** by Comm. Blodgett and the motion **passed**.

IV. Approval of the Minutes

Comm. Baldacci **moved** to approve the minutes from the Board of Directors' meeting on September 9th. The motion was **seconded** by Comm. Erkinen and the motion **passed** with no opposition.

V. Officer Reports

a. Treasurer/Financial Report

- i. Lauren Haven presented the August Financial Reports. There were no surprises in the financial reports. Lauren mentioned work had begun on the budget for 2021 and an RFP was being prepared for a financial audit. She added she was waiting for further directions from Camden National Bank about the PPP loan forgiveness process. Comm. Blodgett **moved** to approve the financial reports **seconded** by Comm. Baldacci and the motion **passed** with no opposition.
- ii. Treasurer: Bill Blodgett: Comm. Blodgett stated the 2020 finances for the organization were in good shape.

b. NACo: National Legislation, Peter Baldacci - Comm. Baldacci said he did not expect to see much activity until after the election.

c. President:

- i. The MCCA is developing an ambitious legislative program. It will require each Board member to drive the political efforts within their county as the introduced bills come forth, may I receive a vote of support for this legislative effort?
President Gordon said MCCA needs folks to step up if they want the organization to move forward.
- ii. Need board members to work on developing the legislative language, may I have your agreement that you will assist?

The group discussed their willingness to be active with the Legislative Policy Committee, to review new and existing legislation, and participate in upcoming hearings involving bills which would impact counties.

VI. Committee Reports

a. Ad Hoc Committees - none at this time

b. MCCA Staff Reporting – Lauren Haven – Admin. Lauren Haven briefly reported on projects beyond the usual office activities such as the printing and distribution of the Resource Guides from the acquired RALI grant, line item cost research for the 2021 budget, and preparation for the audit RFP.

c. Standing Committees:

- i. Professional Committee - Mike Cote – No report was given.
- ii. Risk Pool Agency - Norm Fournier and Malcolm Ulmer
There was nothing to bring before the MCCA Board at that time.
- iii. Affiliate Organization Committee: Affiliated Associations Reports:

- MSA – Executive Director Mary-Anne LaMarre stated work had shifted dramatically. The MDOC created a 3rd package of personal protective equipment. Inmates at Department of Corrections facilities across the state are manufacturing masks, shields and gowns for state agencies and non-profits. In a recent MSA meeting the legislative agenda weighted survey identified priorities. At the top was the jail funding mechanism. She thanked MCCA for working to facilitate the distribution of the supplemental funds. She said it was critical to know what's going on around the state. When Governor Mills prohibited the transfer of inmates to state facilities a number of issues were created and even as things are shifted back to normal, overcrowding is a big issue. She asked the group to keep up good communications and let other counties know if their jail has room.

- MACCAM – Admin. Carrie Kipfer reported the association had a meeting on October 13th. She said there was a consensus to meet directly on different issues effecting jail funding. She mentioned binding arbitration and labor unions wanting to have a voice. The Standards Advisory Board was discussing reproductive health and sexual education. A white paper was being developed addressing concerns. Comm. Gorden said MACCAM should be working with Jim Cohen and the LPC. Admin. Dawn DiBlasi said the MACCAM letter could go to MCCA for approval once they organize their thoughts. Admin. Bill Collins said Sheriff Morton may join the meeting to talk about severe jail overcrowding and burdens to the system.
- MECCA – Communications Dir. Owen Smith reported on dispatch/911 and how COVID shutdown impacted communication centers. He believed they made it through the worst of it. Education classes would pick up again next year. There was an ongoing challenge to employ staff. Mr. Smith thought Aroostook Sheriff might have expressed an interest in a piece app to Waldo County’s Sheriff Trafton. Comm. Norm Fournier said no, they were not interested in a piece app and were very satisfied with the present agreement Aroostook has right now. Any rumor about that, had not come from the Commissioners.

Comm. Fowler asked if Mr. Smith expected legislation to be successful legislation in increasing the 911 surcharge. Owen said it would be a tough uphill battle. All believed the surcharge needed to be increased. Upgrades were in progress right now. Comm. Gorden asked if they had thought about broadening the coverage being provided to assist fire and police departments. Comm. Fowler was the Chair of the Council and said we would have to fight for it and members of NINA would have to support it as well.

iv. Other?

v. Legislative Policy Committee - Amy Fowler, Chr

- Legislative Activity – Lobbyist Jim Cohen was introduced by President Gorden. Jim said it will be a pleasure to work with county representatives. He had past experience and understanding of counties, and appreciated the challenges. He said this conversation illustrated some of the issues and he was in learning mode. He thanked the group for giving him more insight. As the Legislature was not in session and there was no chance of it going back into session, carry-over bills would die. Elections would soon be held, likely resulting in a Democratic House and Senate in Maine, but anything was possible. The leadership would be the same, however, there would be quite a bit of turnover, so education would be important about jails and other county issues. County representatives should help educate legislators, establish or re-establish relationships with all players effecting the legislative process. This will help us going forward.
- Developing 2021 - 2022 Legislation: The Strawman Discussion for 2021 - 2022
Legislation: Flexibility in legislation: Because we are individual counties with differing needs, should we try to build into legislation a flexibility whereby a county may adopt a process or procedure by vote of their Commission (i.e. item 2?)

1. **Fee adjustments:** Why are these important? Any additional funding Counties may acquire through fees reduces the pressure on property taxes. One of our future goals might be developing another funding source versus property taxes for Counties.
 - 1.1. Serving Civil Papers
 - 1.2. Performing State functions
 - 1.3. Probate Forms
 - 1.4. 911 Call and Dispatch centers. Cell phone calls have grown exponentially without any assistance from user on a per phone basis; Property Tax is subsidizing the operation.

1.4.1.Fees and usage requirements - subsidize some operational costs

1.4.2.Ref: 129th - LD 674 & LD 1479

During the discussion it was said the cost should be shifted to users. Comm. Bill Blodgett stated the money should go directly to the call centers. Comm. Baldacci said the money goes through the PUC and will continue to be the collector. Comm. Fowler said some county was charging exorbitant rates for serving civil papers. Comm. Baldacci said the statutory fees could be raised. The Sheriff's Offices were not charging the same rates. Comm. Dir. Owen Smith said the Registry of Deeds sends bulk of the money to the state, and that is what needs to be changed.

2. **Virtual Meeting Options:** Develop an authorized procedure whereby County Commissions might meet publicly utilizing electronics (i.e. Zoom)

Meeting participants talked about whether it was a good idea to develop legislation to make it more acceptable to conduct official business remotely. This needed to be addressed to provide more permanent options as there was no way to predict the future of in-person meetings. Certainly, the video judicial process cuts down on transportation costs. Comm. Fowler interjected that judges want to see people in person. Comm. Gorden responded, they may need to become more flexible and adopt practices better suited for current times. Jim Cohen said it was partly legislation but also the opinion of the judicial system that needed to be changed. It was a good conversation to have.

3. **Capital Maintenance Bonding:** Develop language and a formula whereby County Commissions could bond capital maintenance projects yearly without requiring voter approval; it would be yearly, highly limited, cumulative and based upon some percentage of the total property value of the County (i.e. 1/10th of 1 %). Presently, it costs more to obtain voter permission than the projects are worth; yet they are time dependent, must be done and should be capitalized (i.e. roof replacements, rewiring buildings, upgrading jail electronics, etc.) rather than an operational budget item; it would smooth out tax rates for the citizenry. I suspect there's a surfeit of maintenance issue in this category for many counties, especially with jails.

During the discussion Comm. Gorden mentioned the Cumberland County charter. Should maintenance be capitalized? Comm. Fournier said projects exceeding \$10,000 had to go out to referendum. Comm. Fowler said counties can go to the bond bank.

4. **County Jails:**

4.1. Funding:

4.1.1.County Property Tax Relief, an annual allotment

4.1.2.Request legislation to create a process whereby Counties would transfer and accumulate all jail expenses under the aegis of their jail funding account (i.e. All capital and operational items), adjust each County's Jail total funding requirement (true up) and re-establish the 4% cap based upon the true up - Taxation Committee?

- 4.2. Develop a definition of a County Jail: Presently, County Jails are becoming the State's "public service of last resort." Currently, the definition is being created incrementally by each of the laws that places requirements on County Jail functions. This is a way of placing JAILS on the table for full exposure and development so that our property taxpayers may understand what the State requirements are costing them.

Comm. Fowler said the DOC had established the definition of a county jail on page eight of the standards. Comm. Baldacci said we need to push back on what is being pushed on us. Sheriff Troy Moton said he would agree. There is no way county jails can provide programming for inmates pertaining to housing, medical health, and mental health. It's as if being a jail is a side note instead of the main function and purpose for existing.

Comm. Gorden talked about the Human Resources confidentiality issue. Jim Cohen asked if mandate requirements for municipal effected the legislature’s ability to pass legislation regarding counties. Comm. Gorden said municipalities have more latitude. They call it, “home rule”. Mr. Cohen said property tax is the source of 80% of the revenue. Comm. Fournier said we need to rely on MACCAM members who are the eyes and ears on the ground, and crucial to the operations of every county. We need to prioritize in collaboration with MSA and MACCAM.

Comm. Fournier announced the next Risk Management Pool and MCCA Board of Directors’ meeting would occur on Friday, November 13th due to the Veteran’s Day holiday on Wednesday November 11th.

Admin. Pam Hile offered a clarification on the white paper from MACCAM. It was only being developed to present to MCCA and no action would be taken separately. Everyone thanked MACCAM members for working on this project.

5. **Other Legislation:** Does anyone have new legislation to propose, or ideas for new bills we should develop?

VII. New Business

VIII. Adjournment

MCCA President Steve Gorden invited a **motion** to adjourn at approximately 12:10 a.m. Comm. Fowler made the **motion** seconded by Comm. Blodgett, and the **motion** was **approved**.

Respectfully submitted,



MCCA Administrator, Lauren Haven

Attested:

MCCA Secretary-Treasurer, Comm. William Blodgett