

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, November 13th, 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:

Aroostook – Comm. Norman Fournier
Cumberland – Comm. Steve Gorden
Kennebec – Admin. Bob Devlin proxy for Comm. George Jabar
Knox – Comm. Sharyn Pohlman
Lincoln – Comm. William Blodgett
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:

Hancock – Admin. Scott Adkins
Knox – Admin. Andy Hart
Lincoln – Admin. Carrie Kipfer
Penobscot – Admin. Bill Collins
Sagadahoc – Admin. Pam Hile
MSA – Sheriff Troy Morton

DIRECTORS ABSENT:

Androscoggin – Comm. Noel Madore
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

President Steve Gorden asked if there any additions to the written agenda. As there were none, he declared the agenda accepted.

IV. Approval of the Minutes

Comm. Blodgett moved to approve the minutes from the Board of Directors' meeting on October 14th. 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 October Financial Reports. Lauren mentioned she was working with the Budget and Finance Committee on the numbers for the 2021 budget. Also, an RFP had been sent out for bids on two biennial audits, 2018/2019 and 2020/2021. Proposals were due in by November 25th. 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 had nothing further to add.

- b. NACo: National Legislation, Peter Baldacci - Comm. Baldacci said due to recent elections, everyone was waiting for new leadership to be put in place. The winter conference as well as the 2021 legislative conference were up in the air contingent upon COVID gathering restrictions. Comm. Fournier asked about the inmate Medicare issue. Apparently even Mitchell McConnell was interested in a bipartisan solution. They hope to see an agreement in the lame duck session. Comm. Pohlman said she attended a 30-minute informational session about NACo. She mentioned the leadership program. Comm. Baldacci explained NACo gave scholarships for one representative per county to attend the leadership program. There were also discounts for additional participants. Every county should take advantage of the program. Comm. Gorden said Comm. Cote recently completed the program and there was a lot of work involved, but worth it. Counties need to apply before the end of the year for the scholarship.

- c. President: Comm. Steve Gorden stated there was not much to report in the way of updates. He has been working with our new lobbyist Jim Cohen. Everyone needs to consider participating in upcoming public hearings. Norm asked if Admin. Carrie Kipfer could update us on the 1.7 million. Ms. Kipfer said she just received the last response yesterday from counties and expects to work on it this afternoon. She will let us know about the results as soon as possible.

VI. Committee Reports

a. Standing Committees

- i. Budget and Finance Committee – Norm Fournier, Chair
Comm. Fournier explained we've asked for two groups of years for the audit RFP. The RFP was sent to Ron Beaulieu and RHR Smith among other firms which had been suggested. As the responses were due by November 25th, the committee would review the submitted documents and come up with a recommendation for the Board. The first draft of the 2021 Budget was being submitted to the committee members that afternoon for their review in preparation for a budget meeting scheduled for the next week on November 19th.
- ii. Legislative Policy Committee - Amy Fowler, Chair

1. Legislative Activity

Comm. Gorden asked lobbyist Jim Cohen to give the group a summary of what's happened and the plan going forward.

Mr. Cohen gave attendees a synopsis of the election results. He said rules needed to be set which would indicate how everything would work in the next legislative session such as how bills would be referred and how committees would be appointed. It was unclear how committee meetings will be conducted. MCCA should be proactive in arranging and participating in Meet & Greets to educate legislators on county issues. Comm. Gorden asked if there were committees in addition to CJPS and Taxation we should be closely following. Mr. Cohen suggested Appropriations, SLG, and Judiciary.

Comm. Fournier asked if the budget shortfall was a realistic number. Jim said COVID will affect the economy. The upcoming 12 months certainly, and budgets ending in July will have shortfalls. County relief may be coming, but it would be a tough year budget wise.

- a. New Jail Standards
 - i. Hearing Scheduled
 - 1. Monday, November 23, 2020 at 1:00 p.m. Zoom Hearing TBA
 - 2. Need to have a representative from each county attend the hearing
- b. James Cohen, Verrill Dana

Jim Cohen had been working with Comm. Gorden regarding comments sent to the DOC. Women's health, dissertation, health services, comments gathered were crafted into a document, legitimacy of the standards, unfunded mandate. The group discussed if the DOC was able to set standards that raise local costs, and if they had the authority to do so. From a policy perspective questions were raised about the issue. The letter from MCCA was sent out last week to the DOC with copies to MSA and MMA requested a public hearing. A hearing had been scheduled for November and then rescheduled for December 7th. MSA also sent their comments. MMA put out a memo saying there was no potential impact on the tax rate. The memo is posted and online. Several individual counties had also responded.

Jim recommended we reach out and express the importance of county representatives and MCCA to be included in correspondence. Comm. Blodgett stated the lack of communication was unacceptable and asked Jim to please drive this point home. Comm. Fowler said commissioners should speak to their Sheriffs and Jail Administrators who know the numbers. They are not all aware of the standards being considered. Comm. Gorden there is some dissention about how much MSA wants commissioners or MCCA to participate. He has spoken to Sheriff Morton and that is his understanding. He is willing to work with us.

2. New Legislation: President Steve Gorden explained the Executive Committee needed to have authority from the Board of Directors to move and speak on behalf of the association on legislation that could not wait for the next monthly meeting. As requested, Comm. Bill Blodgett made a motion to authorize the Executive Committee to submit Legislation to the Legislature and adjust language as appropriate to the solve the developing issues. Comm. Pohlman seconded the motion and Lauren took a role call vote. The motion passed unanimously.

- a. **Fee Adjustments:** Any additional funding Counties may acquire through fees reduces the pressure on property taxes
 - i. Serving Civil Papers
 - ii. Performing State Functions – The group discussed limits on certain charges.
 - iii. Probate – Carry over bill – where does the new leadership stand? Doctrinaire? Jim Cohen will check with the Governor's office.
 - iv. 911 Call Centers and Emergency Communication –
Comm. Baldacci said a raise in the fee should definitely be considered. All agree it is ridiculously. Comm. Fowler thinks Maine's rate is the lowest in the country. Comm. Gorden suggested it would be important to track and consider what the monies are used to fund. Admin. Bill Collins said the change of mobile to 911 centers caused a significant increase in the volume of calls. Staffing needed to be increased appropriately. This could demonstrate the impact and prove the necessity to raise the rate on the fee.
 - v. Others?
- b. Create **Options** to hold Virtual Public Meetings
Due to COVID-19 Commissioners and other public officials need to make remote meeting voting legal. Comm. Fournier said MMA is putting forth a bill with Aroostook representatives cosponsoring it. Jim said other organizations are interested as well, the water and sewer districts have expressed an interest. Admin Collins mentioned in Penobscot remote meetings were providing a greater opportunity for the public to participate.
- c. **Capital Maintenance Bonding** - Allow minor annual maintenance bonding wo/ citizen vote

Comm. Baldacci explained counties must currently go through the referendum process. This varies by county. Comm. Gorden said perhaps certain projects should be bonded as the cost to go to referendum far usually outweighs its usefulness. The \$10,000 seemed very outdated. Admin. Bob Devlin said in Kennebec County any cost over \$10,000 has to go out to bid, so when a heater went out the estimate was \$14,000. He would like to see the amount raised to \$20,000 as a more appropriate limit. Bill said the concern is that counties will go out and borrow great sums of money. Comm. Dutremble said the limit in York County is \$25,000. Admin Pam Hile said the language should allow counties to set their own bid procedures not to exceed x amount and give counties flexibility to decide.

d. **County Jails:**

- vi. **Adjust and define the Tax Cap Funding Amount**
The group discussed the topic with differing opinions.
- vii. **Determine and Fix-in-Statue Annual Allotment**
Admin. Bob Devlin commented this number cannot be accurate. Admin. Bill Collins said based on populations and definitions of what the state has to pay, there is a large shortfall looming for the current year. All agreed LD 973 needed to be resurrected to implement a jail funding mechanism. Comm. Sanborn knows Michelle Dunphy who might have a sympathetic ear.
- viii. **Define County Jails**
After some discussion it was decided a definition would not make a difference. We need to constantly continue to point out the financial burden of additional requirements being imposed and develop definitive estimates if possible. This is what committee members will understand.

e. **Reinstate Employee Files Confidentiality**

Comm. Gorden asked Admin. Dawn DiBlasi to elaborate on the subject. Ms. DiBlasi explained there was a human price paid by personal info being available. The employees are not being protected. Admin. Devlin said finalized discipline is public information for a reason. Some organizations have hidden the information, such as police misconduct, etc. so it's going to be tough to change the rule. Comm. Dutremble said there is a case in York county right now which seems unfair. The public information could affect future employment for this person.

Comm. Sharon Pohlman mentioned Lauren had sent out an article about backlog of cases in county courts. Comm. Baldacci said even very minor cases are moving slowly creating widespread problems. Hopefully, change is happening. Some other comments included: the state is not doing a good job of taking their sentenced inmates. The courts are struggling in part because they can't hold a jury trial. Two Bridges is understaffed as are other jails which leads to larger issues. Overcrowding is imploding due to lack of funding. Even if pods are available, they can't be used if they don't have the staff to support it. Many are awaiting trial, some over 300 days, contributing to jails exceeding capacity. How do we ensure people can get a speedy trial? Commissioners need to meet with their DA's etc. to express this concern. It's not a new issue even without a pandemic.

- ii. **Professional Committee - Mike Cote – Comm. Cote was absent from this meeting.**
 - iii. **Risk Pool Agency - Norm Fournier and Malcolm Ulmer– Comm. Fournier said there was nothing to report.**
 - iv. **Affiliate Organization Committee Reports?**
MACCAM – Admin. Bill Collins thanked Admin. Carrie Kipfer for her help in gathering information. He said the managers were in touch daily working well together helping each other. Ms. Kipfer would be sending the document to MCCA for review before going to Scott Ferguson.
 - v. **Other?**
- d. **Ad Hoc Committees - none at this time**

- e. MCCA Staff Reporting – Admin. Lauren Haven said there was nothing significant to report beyond normal operations. A newly elected official training was being considered. She was working on projects such as the 2021 budget, the upcoming audit, and looking into digitizing old files.
- ii. New Business - No new business was brought before the Board.
- iii. Adjournment

MCCA President Steve Gorden invited a **motion** to adjourn at approximately 12:03 p.m. Comm. Baldacci made the **motion** seconded by Comm. Fournier, and the **motion** was **approved**.

Respectfully submitted,



MCCA Administrator, Lauren Haven

Attested:

MCCA Secretary-Treasurer, Comm. William Blodgett

DRAFT