

M.C.C.A.

Stephen Gorden, President
Cumberland County

Michael Cote, Vice President
York County

William Blodgett, Secretary-Treasurer
Lincoln County

Lauren Haven
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MAINE COUNTY COMMISSIONERS ASSOCIATION

Board of Directors' Meeting Minutes

MCCA Zoom Conference, December 9th, 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. Michael Cote

OTHERS PRESENT:

Knox – Admin. Andy Hart
Lincoln – Admin. Carrie Kipfer
Penobscot – Admin. Bill Collins
Sagadahoc – Admin. Pam Hile
MARP – Kathy Ayers
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

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. Comm. Fournier **moved** to accept the agenda as written **seconded** by Comm. Hobart and the motion **passed** with no opposition.

IV. Approval of the Minutes

Comm. Baldacci **moved** to approve the minutes from the Board of Directors' meeting on November 13th. The motion was **seconded** by Comm. Cote and the motion **passed** with no revisions.

V. Officer Reports

a. Treasurer/Financial Report

- i. Lauren Haven presented the November Financial Reports. The draft of the 2021 budget had been completed. The responses to the RFP for bids on two biennial audits, 2018/2019 and 2020/2021 were received. The adjusted Risk Pool assessment payment had been deposited. She was still waiting for approval to submit the forgiveness application for the PPP loan. Comm. Hobart **moved** to approve the financial reports **seconded** by Comm. Fournier and the motion **passed** with no opposition.
- ii. Treasurer: Bill Blodgett: Comm. Blodgett had nothing further to add except the finances for the Association were in good shape.

NACo: National Legislation, Peter Baldacci - Comm. Baldacci talked to the group about our new Vice President and President elect Kamala and Biden. Joe Biden had experience as a county councilor and Kamila Harris had been a district attorney. The two are supportive of county interests and want to work together for the COVID plan rollout. The NACo spring conference will be remote. One goal is for counties to receive funding directly rather than from the state. A bill passed the House to increase the amount of FEMA funding for COVID-19 and 2020 disasters which would raise the reimbursement level to 90% leaving only 10% to be covered by EMA.

- b. President: Comm. Steve Gorden stated there was not much to report in the way of updates at this point in the meeting and suggested moving on to committee reports.

VI. Committee Reports

a. Standing Committees

- i. Budget and Finance Committee – Norm Fournier, Chair
Comm. Fournier announced MCCA received five responses and three written bids for the two-year biennial audits. The Budget and Finance committee met to review the submissions.

RHR Smith & Company

2018-2019 \$5,000

2020-2021 \$5,000

Ron Beaulieu & Company

2018-2019 \$7,000

2020-2021 \$7,000

HMV, LLC

2018-2019 \$12,000

2020-2021 \$12,500

The Budget and Finance Committee recommended accepting the bid from RHR Smith as they have an abundance of county experience currently serving eight counties. They also submitted the lowest bid. The committee further recommended transferring \$2,500 into a reserve account in order to use the funds from the 2020 budget which were already set aside for this purpose.

Comm. Baldacci **moved** to accept the recommendations of the Budget and Finance Committee and award RHR Smith the contract for both biennial audits. The motion was **seconded** by Comm. Fowler and the motion **passed** with unanimously.

Committee Chair Norm Fournier presented the draft of the 2021 budget. The committee had met by Zoom on November 19th. Comm. Fournier explained the basis for the estimate in each line in the budget.

The group looked at the MCCA dues formula reflecting a decrease of 11% which would still leave a reserve of \$80,000. Additionally, the Committee expected to be forgiven for the loan amount of \$26,972 applied for through the Paycheck Protection Program.

The attendees discussed the convention speaker line item. *Comm. Baldacci **moved** to revert the amount allotted in the convention speaker line to \$2,500 **seconded** by Comm. Erkinen. A roll call vote was taken and the motion **failed** with a vote of seven to four.*

*Comm. Blodgett **moved** to approve the 2021 budget draft recommended by the Budget and Finance Committee as presented. The motion was **seconded** by Comm. Fowler and the motion **passed** with unanimously.*

ii. Nominating Committee – Norm Fournier

President Steve Gorden requested as Chair of the Nominating Committee, Comm. Fournier select the members for the committee. Comm. Fournier accepted.

iii. Legislative Policy Committee - Amy Fowler, Chair

1. Legislative Activity – James Cohen, Verrill Dana

Mr. Cohen updated attendees on events and changes as the Legislature came back into session. Constitutional officers were elected. Shenna Bellows was elected Secretary of State.

Rep Ryan Fecteau will fill Sara Gideon's role as Maine Speaker of the House with Troy Jackson as Senate President.

The group talked about changes due to COVID-19 in the procedure for referencing bills. There was likely to be fewer meetings. Committees were expected to meet virtually/remotely certainly with audio, possibly with video access as well.

Committee appointments happen next week with cloture on Friday December 18th.

Probate Association President Kathleen Ayers spoke about introducing a bill to increase certain probate fees. Ms. Ayers had a sponsor that fell through and we would need to find an alternative.

Mr. Cohen stated that groups could now vote remotely, meet virtually, and he was satisfied the bill language includes counties. Therefore this does not need to be on the list of legislation to be introduced.

The development of an official definition for county jails was nixed as the group felt it would not change the expectations when bills were written. It would be more important to assess the fiscal impact of proposed bills and keep the committees educated about the cost of programs and services that might be become mandated.

The group again discussed the idea of employee confidentiality and the harm that can be done when documents in an employee's file are made public. Since this law is not likely to change, county managers and supervisors could instead be careful about the wording in the documents with the understanding that they may become public.

Comm. Baldacci mentioned his brother Joe has been appointed to serve as Senate chair of the Joint Standing Committee on State and Local Government for the 130th Maine Legislature. We might ask him to sponsor one of our bills.

The discussion moved forward talking about resurrecting LD 973 as one of the titles which would need to be entered by the December 18th deadline. Sheriff Morton was confident Charlotte Warren was still on board. The one hang up had been the coordinating council being too much like the BOC. However, the language had been changed and the groups involved were satisfied with the wording. A bill was needed to require academy certifications for corrections, enforcement or both to ensure candidates are qualified. The Sheriff mentioned several other bills being introduced by MSA. He will send a list.

2. Public Hearing on Jail Standards Rule Making - Proposed Rule No. 2020-P204

Troy Morton said Comm. Liberty at the DOC told him he would be pleased with some of his responses to the testimony presented. Comm. Cote thought the process is not fair to the counties. Not everything was even discussed and no one there

spoke in favor of it. It's a lot of power to go unchecked with empty promises never fulfilled. Many points are part of the national standards. Sometimes less definition or detail is better to not cause hardships through interpretation.

3. New Legislation – Fee Adjustments, Voting in Virtual Meetings, Tax Cap, etc.

The following ideas were identified to develop into legislation:

- Criminal Justice Academy
- Probate Fees
- County Bonding Authority
- Jail Standards

4. Implications of Bangor Daily News Article Series on Law Enforcement Accountability

President Gorden expressed he was really bothered that any actions of a sheriff remained the financial responsibility of the county even though commissioners have very little control over the sheriff's office. Sheriff Morton said we're all in this together. We need to establish a review board with teeth. Investigations should be done. It's hard to understand clear violations going unaddressed. We need to come up with a strategy. Sheriffs are also an easy target for the media, although we need to make sure that what happened in Oxford County doesn't happen again. The process of removing a sheriff hadn't been used since 1974 and failed in many parts of the process. Administrator Andy Hart said there are many steps that need to be taken before a situation goes to commissioners for arbitration. It's a long process and the media paints an unfair picture.

iv. Professional Committee - Mike Cote

1. Updating MCCA governing Docs

The Professional Committee had not met regarding the project although Comm. Cote had reviewed the documents and was in favor of making changes in the language of the bylaws. He also noted the board would need to propose a name to replace him on the Advisory Board for the Commission of Corrections as he was leaving the office. Comm. Cote thanked Steve Gorden for being active and pushing the association forward. He hoped board members would continue to take on more responsibility for the direction of the organization and participate in the legislative process. We had come a long way in collaborating with sheriffs and it was important to continue to develop this relationship with MSA.

v. Risk Pool Agency - Norm Fournier and Malcolm Ulmer – Nothing more to note.

vi. Affiliate Organization Committee Reports:

MACCAM – Bob Devlin said MACCAM was working on DOC recommendations.

MACT

MARP – Kathy Ayers said there were many emergency guardianships being processed and COVID-related issues their association was working on.

MECCA

MRDA

MSA – Sheriff Morton had nothing further to note.

vii. Other – Venue for Annual Meeting

President Gorden proposed the group continue with virtual meetings until further notice. The group agreed. Therefore the annual general membership meeting will take place via Zoom.

President Gorden thanked Comm. Mike Cote for his dedication and service to York county and MCCA. We appreciate his hard work and willingness to participate on the Board of Directors, the Executive Committee and various other committees as needed. Everyone wished him well.

b. Ad Hoc Committees - none at this time

c. MCCA Staff Reporting – Admin. Lauren Haven – nothing additional to note.

VII. New Business

President Gorden scheduled an Executive Committee meeting to discuss new legislation for Thursday, December 10th at 9:00 am via Zoom and invited Lobbyist Jim Cohen to join.

VIII. Adjournment

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

Respectfully submitted,



MCCA Administrator, Lauren Haven

Attested:

MCCA Secretary-Treasurer, Comm. William Blodgett

DRAFT