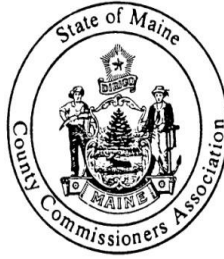


M.C.C.A.

Steven Joy, President
Hancock County

Gary McGrane, Vice President
Franklin County

Roger Moody, Secretary-Treasurer
Knox County



Rosemary Kulow
Executive Director

Alice Schlosser
Administrative Assistant

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Board of Directors Meeting Minutes 10:00 a.m., August 14, 2013

I. Call to Order, Introductions and Attendance

President Steve Joy called the meeting to order at 10:00 a.m.

DIRECTORS: Norman Fournier of Aroostook; Tom Coward of Cumberland; Gary McGrane of Franklin; Steven Joy of Hancock; [Proxy] Bob Devlin of Kennebec; Roger Moody of Knox; William Blodgett of Lincoln; [Proxy] Scott Cole of Oxford; Peter Baldacci of Penobscot; Linda Quinn of Somerset; Sallie Chandler of York; Pam Lovley of Maine Registry of Deeds Association; John O'Connell of Maine Association of County Clerks, Administrators & Managers; Kathleen Ayers of Maine Association of Registers of Probate; David Parkman of Maine Treasurers Association; [Proxy] Jim Ryan of Maine Emergency County Communications Association; and Mark Westrum of Maine Correctional Administrators Association

COUNTY MANAGERS/ADMINISTRATORS: Bill Collins of Penobscot; Dawn DiBlasi of Somerset

OTHER: Bill Whitten, Lobbyist of Cumberland County; Mary Frank, Treasurer of Franklin County

STAFF: Rosemary Kulow, Executive Director; Alice Schlosser, Administrative Assistant; and Malcolm Ulmer, Risk Pool Claims Manager

II. Pledge of Allegiance

President Steve Joy led the Pledge of Allegiance.

III. Approval of the Agenda/Additions

MOTION: (O'Connell/Chandler) to adopt the August 14 Agenda. **VOTE:** Unanimously in favor.

IV. Approval of July 10, 2013 Meeting Minutes

The following amendment was made to the July 10 Meeting Minutes:

1. On page 2 under Old Business, section A in the fifth paragraph, delete the words, "to include nine Commissioners and four Associate members for a majority vote."

MOTION: (McGrane/Chandler) to adopt the amendment to the July 10 meeting minutes.
VOTE: Unanimously in favor.

V. Old Business

A. Review Proposed Revisions to Bylaws

Commissioner Fournier gave an overview of the following By-Law changes:

1. On page four, Section 2, the Association tax status was removed from the proposed Bylaws for the reasons stated by Macpage that MCCA's registering as a 501 C (6) non-profit trade association will not benefit the MCCA.

2. Commissioner Baldacci suggested adding new language on page six under Board of Directors that includes when electing a new president to add language that "an immediate past President assist the President-Elect with the role of the President, and to become familiar with the programs of the Association." Commissioner Baldacci said that NACo's bylaws include the immediate past president on the Executive Committee, and he would like to see that arrangement for MCCA.

3. Commissioner Fournier suggested that new language under Directors Meetings be added to read, "A majority of the Board of Directors shall constitute a quorum for the discharge of business and shall consist of at least nine Commissioners." Commissioner Fournier said the old language deleted reads, "at least four other Directors."

4. There was discussion about whether Associations could vote at Director's meetings. Commissioner Fournier said the Associations could vote.

5. There was discussion about Proxy Votes and whether the "designated in writing" language should remain or be deleted. The board voted without a motion.

VOTE: 8 votes in favor that the language remains
8 votes opposed to retaining the language

The board did not override the decision; therefore, the language, "designated in writing," remains in the Bylaws.

6. On page eight, under **Minutes** added new language reads, "by e-mail." There was discussion about the pros and cons of sending out minutes by email. The Board decided to include both mail and email.

7. On page eight, under **Audit or Review** section 3, added new language reads, "and may be annually reviewed in the opposite years." The word, "reviewed" was deleted under the first sentence.

8. On page eight, under Article VII **Indemnification of Directors and Officers** new language was added from the Pennsylvania Bylaws.

9. On page nine, under Article VIII **Amendments**, Section 1, new language was added about amending the Bylaws.

Commissioner Fournier and Commissioner Moody will reformat the Bylaws changes and send them out before the next Board of Director's meeting.

The board discussed what would be an appropriate timeframe to review and vote on the completed Bylaws. President Joy stated that the consensus is the majority would like to wait for

the membership meeting in January. The President said that review of the proposed Bylaws will not be on the September agenda due to the discussion during the MCCA meeting with Governor Paul LePage at the Convention.

There was further discussion about whether Commissioner Fournier and Commissioner Moody should send a memo that includes only the Bylaws updates, or send the Bylaws document that includes the updates. It was decided by the Board that the committee should send the Bylaws document with the updates.

B. Discussion of MCCA Strategic Planning & Goal-Setting with Executive Director

Ms. Kulow asked the Board if they want to proceed with strategic planning and goal-setting. She recommended to the Board that they discuss the direction and goals for the Association for future development. There was further discussion about the Executive Committee's meeting via conference call to discuss strategic planning and sharing its ideas with the Board.

President Steve Joy stated that a committee was needed to address strategic planning issues, and he appointed the MCCA officers, Steve Joy, Gary McGrane, and Roger Moody; as well as Bill Blodgett, Bill Whitten, and Scott Cole to serve on a Strategic Planning Committee.

C. Consideration of Host County for 2014 Annual Conference

Ms. Kulow reported that MCCA will take on a more active role in convention planning next year. She suggested that Sagadahoc County might be a great place to host the 2014 convention, as it has not hosted in ten years, and it is home to a fine resort that could possibly be used as a facility. Sagadahoc County was not represented at the board meeting, so a final decision could not be made. The matter will be on the next agenda again.

D. Update from Executive Director on MCCA Tax-Exempt Status

Ms. Kulow reported that Macpage concluded that MCCA's becoming certified as a 501 C(6) non-profit trade association would not benefit the MCCA. She said the 501 C (6) statutes would create a filing requirement and an added expense to MCCA. Ms. Kulow contacted the Maine Department of Revenue last week about MCCA's application for a sales tax exemption, but received no response yet. She will follow-up and report back to the Board.

VI. New Business

A. Regional Services Round Table Discussion at Annual Convention w/Governor's Staff

Ms. Kulow reported that she and Bill Whitten met with the Governor's staff, and the Governor will be attending the convention on Friday, September 13 during the Board of Director's meeting. Ms. Kulow is waiting to hear back from the Governor's Office about their preference for a brain-storming session on the regional services round table discussion.

There was further discussion about appointing a committee to work with the Governor on the round table discussion. President Joy asked for volunteers to serve on the committee. The following members volunteered: Tom Coward, Peter Crichton, Bill Whitten, Roger Moody, Jim Ryan, Peter Baldacci, George Jabar, Dawn DiBlasi, John O'Connell, Steve Joy, and Sallie Chandler.

B. Consideration of Letter to Municipalities Regarding County Services

Ms. Kulow asked the Board for a vote today to distribute the letter to all counties. She said the letter is a template for counties to use as a guide, and they may adapt it to suit the individual

counties. Commissioner Baldacci asked counties to provide a copy of the letter they send to municipalities to the MCCA.

Commissioner Fournier said the Association should be careful referencing the blanket statement in the letter about counties doing the services at a cheaper rate.

There was further discussion about two reports that were established, one from the Maine Development Foundation and the other report from the Brookings Institute that was completed five or six years ago by Alan Caron. David Parkman said he has a copy of the Brookings Institute report and Mark Westrum said he had a copy of the Maine Development Foundation report that he could send to MCCA.

Commissioner Moody said that contracts with municipalities are already cited under the Maine Statutes under Title 30-A, Section 107.

C. Establishment of MCCA ad hoc Committee to Study Expansion of County Services

President Joy said that an ad hoc Committee has already been established to consider expansion of county services; therefore, no action about this item is warranted.

D. Support of National Forest Counties & Schools Coalition Letter

Ms. Kulow reported that the National Forest Counties & Schools Coalition sent a letter to MCCA referencing improving forest management on federal lands. The letter is included in the agenda packet, as the coalition would like the support of Maine counties.

Commissioner Baldacci said that MCCA would not be the appropriate organization to respond to this letter because it does not have expertise about forest issues. Commissioner Baldacci said NACo has the expertise to respond to the coalition's letter. NACo's name is already listed in the letter as a supporter.

VII. Reports

A. Executive Director's Report (Rosemary Kulow)

Ms. Kulow said she will be involving the officers more frequently about MCCA matters and wants to establish a larger role for the Executive Committee. They will most likely meet via conference call.

Ms. Kulow reported that the National Association of State Executive Directors is meeting in October in Florida. She expressed interest in attending to help her learn more about what other state associations are doing. Commissioner McGrane said he would hold comment for now, as Ms. Kulow will be on a conference call with NACo to discuss the upcoming agenda later today. He could respond to the Board at a future meeting.

Ms. Kulow reported that Alice Schlosser will be leaving MCCA and her last day is August 23. She thanked Alice for all her hard work at MCCA.

B. Legislative Platform Report (Bill Whitten)

Mr. Whitten reported that David Flanagan was asked to serve as Chairman of the Corrections Commission. Mr. Whitten said that one county did not get a representative appointed to the Commission and they were putting pressure on leadership. He explained the nomination and appointment process. Mr. Whitten also reported that the Chairpersons of the State and Local

Government Committee sent a letter to counties encouraging them to adopt charters that includes a people's veto process.

C. Treasurer's Report (Roger Moody)

Commissioner Moody reported that with 58% of the year completed the financials are in good shape.

MOTION: (Chandler/Baldacci) to accept the Treasurer's report. **VOTE:** Unanimously in favor.

D. Association Reports

1. Mark Westrum of the Maine Correctional Administrators Association

Mr. Westrum reported that Jail Administrators did not receive notice that the Sheriffs Association is not meeting at the convention. He said the Sheriffs are planning to hold a meeting in Somerset County sometime after the counties' convention, and the Jail Administrators are upset about not being included in the meeting. They hope to find a resolution soon.

Mr. Westrum is concerned about the appointment of David Flanagan as Chairman of the Corrections Commission because he may not be fully up to speed about jail issues.

Mr. Westrum reported that the Board of Corrections (BOC) has sent out the 1st and 2nd quarter payments for 2014 and only about 25% of the funding allotment remains for the 3rd and 4th quarter payments to counties. The BOC is meeting August 20. Mr. Westrum said BOC has scheduled a half-day workshop to educate Representative Wilson about what the BOC can do for the Somerset County Jail for 2014.

2. Jim Ryan of Maine Emergency County Communications Association

Mr. Ryan reported about the upcoming active shooter training authorized by MCCA Risk Pool that is scheduled in Bangor and Augusta. Mr. Ryan said they maxed out at 50 participants in Bangor and have a total of 67 participants in Augusta. Mr. Ryan said they are getting a good response and there is no cost for the dispatchers thanks to Risk Pool.

3. Pam Lovley of Maine Registry of Deeds Association

Ms. Lovley reported about the work the registries of deeds are doing with vendors to prepare for the implementation of the new law 370 that increases recording fees. The new law provides the first 500 copies from web sites free. Housing sales are on the upswing, as some registries are noticing an increase in revenue recorded.

4. John O'Connell of the Maine Association of County Managers, Administrators and Clerks

Mr. O'Connell said there were nine counties present at the MACCAM meeting. He said they discussed the convention, affordable health care, HRA and HSA. Mr. O'Connell said counties are talking about updating their charters because some are operating from charters established forty years ago. Mr. O'Connell said MCCA should be pro-active, rather than reactive and establish well-planned, proactive solutions for success.

5. David Parkman of the Maine Association of County Treasurers

Mr. Parkman reported that the County Treasurers did not have an Association report for the month of July.

6. Kathleen Ayers of the Maine Association of Registers of Probate

Ms. Ayers reported about electronic filing that eliminates paper documents that is now being tested in twelve counties. She said they have found some glitches and are working them out. Judges will have accessibility to the system, and there may be some significant changes in the probate code. Ms. Ayers said that the Uniform Guardianship Act is in the Supreme Court, and the forms to address guardianships and other protective proceedings to be transferred state to state are not complete.

E. Convention Report

Mary Frank reported that 65 attendees and 22 guests are registered to date. She asked everyone to go to the MCCA website for conference updates and registration forms. Ms. Frank handed out two documents showing revenue and expense status for the conference.

There was discussion about whether the convention received a sponsorship for the Geo Library. Ms. Frank said she had not received anything from the Geo Library. Commissioner McGrane said he spoke to them and they agreed to a sponsorship. Commissioner McGrane will contact them directly.

There was discussion about ordering recognition plaques for the convention. Ms. Schlosser is working with American Awards to order them and asked what size would be appropriate for a recognition plaque. Ms. Ayers said she had a plaque that would be similar in size that Ms. Schlosser could look at. There was further discussion that MCCA will pay for plaques for county commissioners only; but it will order other recognition plaques for counties and bill the counties for non-commissioner plaques.

Mr. Ryan reported that he has completed the convention program and gave a copy to Ms. Kulow. He said it was voted on at the convention planning meeting that August 18 is the deadline to complete the program, and it will go to print August 19. Mr. Ryan asked if the keynote speaker, Attorney General Janet Mills, is confirmed. Ms. Frank said she will be contacting the AG's office later today to confirm this with AG Mills' staff. Mr. Ryan said he has not yet received the President's letter and some ads that need to go into the brochure. Ms. Kulow now has the signed President's letter, and it will be emailed to Mr. Ryan today.

Commissioner McGrane said Mr. Ryan coordinated a lot of the golf sponsorships, and golf is set. Ms. Frank said MCCA will be meeting in the Narrow Gauge Room at Sugarloaf. She said there is a grand prize drawing for an Old Town kayak.

F. NACo Report (Peter Baldacci)

Commissioner Baldacci gave an overview of the annual NACo conference that was held in Fort Worth, Texas. Commissioner Baldacci said over 2400 delegates attended. Commissioner Baldacci said that NACo's bylaws include the immediate past president on the Executive Committee, and he would like to see that arrangement for MCCA. He believes it would enable smoother transitions of officers and offer the opportunity for new presidents to learn from past presidents.

Commissioner Baldacci said he was asked to give a nominating speech for one of the nominees for 2nd Vice President. Commissioner Baldacci said four Commissioners ran for Vice President, and his nominee came in second.

Commissioner Baldacci reported about a workshop session he attended with speaker Judge Brent Carr presenting information about the different programs counties use to help prevent non-violent offenders from being put in jail.

Commissioner Baldacci reported about NACo's Risk Pool management and how it earns significant income from wise investment practices. Because of its investment practices, NACo has not raised dues for nine years. Commissioner Baldacci will leave a copy of the NACo 2012-2013 annual report in the MCCA office.

G. Web Site Committee (Alice Schlosser)

Ms. Schlosser said the new website is up and running and convention updates are posted regularly on the website.

VIII. Other Business

No action taken.

IX. Adjournment

The meeting was adjourned at 12:28 p.m.

Respectfully submitted:

Rosemary Kulow, Executive Director for
Alice Schlosser, Administrative Assistant

Attest as approved:

Roger Moody, Secretary-Treasurer