

M.C.C.A.

Stephen Gorden, President
Cumberland County

Brian Hobart, Vice President
Sagadahoc County

Norm Fournier, Secretary-Treasurer
Aroostook County

Lauren Haven
Administrator



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MAINE COUNTY COMMISSIONERS ASSOCIATION

Annual General Membership Meeting Minutes

January 12th, 2022, 10:00 am via Zoom

1. Call to Order: Roll Call - Phone attendees will be requested to introduce themselves.

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

DIRECTORS PRESENT:

Androscoggin – Comm. Sally Christner, proxy for Comm. Roland Poirier
Aroostook – Comm. Norman Fournier
Cumberland – Comm. Steve Gorden
Hancock – Comm. William Clark
Kennebec – Comm. George Jabar
Knox – Comm. Sharyn Pohlman
Lincoln – Comm. William Blodgett
Penobscot – Comm. Peter Baldacci
Piscataquis – Comm. Wayne Erkinen
Sagadahoc – Comm. Brian Hobart
Somerset – Admin. Dawn DiBlasi proxy for Comm. Newell Graf
Waldo – Comm. Betty Johnson
Washington – Comm. Chris Gardner
York – Comm. Donna Ring, proxy for Comm. Richard Dutremble

DIRECTORS ABSENT:

Androscoggin – Comm. Roland Poirier
Oxford – Comm. Steven Merrill
Somerset – Comm. Newell Graf

OTHERS PRESENT:

Aroostook – Admin. Ryan Pelletier
Hancock – Admin. Scott Adkins
Kennebec – Admin. Scott Ferguson
Knox – Admin. Andrew Hart
Lincoln – Admin. Carrie Kipfer
Piscataquis – Manager Mike Williams
Sagadahoc – Admin. Bill Post
Risk Pool Manager – Malcolm Ulmer
Lobbyists – Jim Cohen and Clara McConnell
MARP – Registrar Kathy Ayers
MCCA – Admin. Lauren Haven
MSA – Sheriff Ken Mason

2. Approval of Membership on the 2022 Board of Directors

President Steve Gorden requested a motion to approve the 2022 slate of directors as nominated by each county:

Androscoggin	Commissioner John Michael; proxy Administrator Larry Post
Aroostook	Commissioner Norman Fournier; proxy Commissioner Paul Underwood
Cumberland	Commissioner Stephen Gorden; proxy Commissioner Thomas Coward
Hancock	Commissioner William Clark; proxy Administrator Scott Adkins
Kennebec	Comm. George Jabar; proxy Admin. Scott Ferguson, Comm. Patsy Crockett, Comm. Nancy Rines
Knox	Commissioner Sharyn Pohlman; proxy Administrator Andrew Hart
Lincoln	Commissioner William Blodgett; proxy Administrator Carrie Kipfer
Oxford	Commissioner Steven Merrill; proxy Administrator Donald Durrah
Penobscot	Commissioner Peter Baldacci; proxy Administrator Erika Honey
Piscataquis	Commissioner Wayne Erkkinen; proxy Manager Michael Williams
Sagadahoc	Commissioner Brian Hobart; proxy Administrator Bill Post
Somerset	Commissioner Newell Graf; proxy Administrator Dawn DiBlasi
Waldo	Commissioner Betty Johnson; proxy Commissioners Amy Fowler or William Shorey
Washington	Commissioner Christopher Gardner; proxy Manager Betsy Fitzgerald
York	Commissioner Richard Dutremble; proxy Commissioner Allen Sicard

*Comm. Hobart **moved** to approve the 2022 nominated Board of Directors **seconded** by Comm. Fournier, and the motion **passed** with no opposition.*

3. Approval of the Agenda

President Steve Gorden asked if there were any requested changes on the agenda. Seeing none, *Comm. Gorden **moved** to approve the agenda as written, **seconded** by Comm. Hobart, and the motion **passed**.*

4. Consent Agenda:

4.1. Approval of the Minutes

4.2. Officer Reports:

4.2.1. Finance

4.2.1.1. Financial Report - Lauren Haven

4.2.1.2. Treasurer - Norm Fournier

President Steve Gorden requested a motion to move the consent agenda as introduced. *Comm. Fournier **moved** to approve the consent agenda which included the agenda, minutes, and financials. The motion was **seconded** by Comm. Erkkinen, and the motion **passed** with no changes.*

5. Administrative Report – Lauren

Admin. Lauren Haven reported she was working on usual beginning of the year activities including the 2022 Directory of Maine Counties which would be published and distributed in February.

6. Officer Reports:

6.1. Budget and Finance Committee – Norm Fournier, Chair

6.1.1. Approval of the 2022 Budget Presented at the December Meeting

Comm. Fournier reviewed the highlights of the 2022 budget draft and membership dues formula which had been presented at the December meeting and recommended for adoption by the Board of Directors in that meeting. After a few brief explanations, Comm. Fournier invited questions. The group thanked the Budget and Finance Committee members for their work on the project. *Comm. Fournier moved to approve the 2022 budget and dues assessment, seconded by Comm. Hobart and the motion passed with no opposition.*

6.2. NACo: Peter Baldacci & Sharyn Pohlman – Updates on Federal legislation, national programs, and resources

Comm. Baldacci reported the 2022 NACo Legislative Conference had been changed to offer virtual attendance due to COVID compliance issues with vaccination cards. NACo was waiving any usual fees for registration cancellations and would provide refunds.

Admin. Lauren Haven mentioned NACo dues were being invoiced with MCCA membership dues as had been previously approved by the Board of Directors. Comm. Gardner asked if this change was an effort to make it a requirement to belong to NACo. Comm. Baldacci said, no. Although MCCA certainly encourages all counties to be a member of NACo, this was suggested by NACo for the sake of convenience. They will receive one check for all of Maine.

6.3. President Report

6.3.1. 2021 Review

Annual update: This is my perspective on our ever-improving organization. The Maine County Commissioners Association is gaining in stature, not only in the eyes of its membership but also in the eyes of those that deal with any of the Counties' functionalities and personnel. Our citizens are taking advantage of the services we provide, the protections we offer and the assistance we render when they interact with affiliated functions of other governments. Our County Governments are the next step in the consolidation of citizen level services, we must get ourselves educated and prepared to take those steps as they become available.

To Date, thanks to our Administrator, Lauren Haven, the executive board, Peter Baldacci, Brian Hobart, Norm Fournier, and William Blodgett, and especially the board members that have voluntarily picked up additional MCCA assignments, your organization has gained the external respect of others. Thanks to you, the overall board, and your direct support, we've been able to establish and improve functions previously not considered; it's my humble opinion and hope, it's just the beginning... but it means all of us must pull together when the Board majority requires and votes a

specific direction. Yes, there will be differences of desires; yes, there will be strong opinions of which issues should have priority; but... but together we shall move the MCCA forward accomplishing all our goals by all rowing in the same direction. And... and - this is in your face - we must create the genesis of eliminating “smokestack” County government both externally, when we express Counties’ positions and needs, and internally, when our functional areas are serving the public.

Here's what I have observed and what you have accomplished this year by your support:

1. The MCCA hired a lobbyist, James Cohen, and have begun to establish more visibility with the Maine Legislature and the State’s Administration; we are being better heard.
2. We have begun to develop a better organizational relationship with other organizations whose functions are controlled by the Legislature and its Departments: the Maine Sheriff’s Association and Maine Municipal Association. Frankly, when common legislation is the issue, I believe, these can be nurtured commonly within these groups, and together it will be a force the Legislature will find hard to oppose.
3. Organizationally, the MCCA, I believe, has many objectives we must pursue before we reach our potential:
 - a. Internally we have four distinct interests’ groups that must become synchronized; the complication is that all three have a possessive power base, each of which conflicts with one another, and each have issues penetrating the others:
 - i. County Commissions
 - ii. MACCAM
 - iii. Sheriff’s Department
 - iv. Judicial Court System
 - b. Externally, as a generalization, we have four Legislative Committees:
 - i. Criminal Justice
 - ii. Judiciary
 - iii. DHHS
 - iv. City/County
 - c. Organizational “Equals,” Municipalities and Special Districts

And whereas all these above-mentioned structures are separate and distinct, most of them interconnect each with all the others; this creates very confounded and conflated pathways for determining simple solutions for complex issues. For example, the jail funding bill, developed by MSA: it defines prisoner categories that touch all three of the above Legislative Committees mentioned. Yet, in my mind, the Legislature has never determined which committee is responsible for what portion of jail incarceration responsibility; better than that, I’ve never been able to find a Legislative definition of a County Jail.

In summary, I like to thank you as participants in this MCCA organization whether you’re a commissioner member or an ancillary organizational participant and remind you to recognize we’re all trying to serve the citizenry electorate to the best of our ability while being human...which sometimes appears like we’re line dancing or at other times, a roadside sobriety test... sadly, some of our citizens thinks it’s the same thing.

Thank you for letting me serve as your President.

6.3.2. MACCAM proposed process to obtain State Supplemental Jail Funding

Admin. Carrie Kipfer reported MACCAM members met on January fifth. They discussed 1.7 million of supplemental funding. MCCA had requested the group decide how the funds should be distributed as the group represented all counties. January 21st is the request deadline for loss from last year or unanticipated expenses. Hopefully, a report will be ready for the February Board of Directors meeting and then the funds can be distributed in April. Comm. Gorden asked what would happen if there were not enough funds to cover all of the requests. Ms. Kipfer responded MACCAM will make recommendations if that is the case. Sheriff Ken Mason said these should be exceptional needs only, and not distributed by formula. Needs are expected to exceed the available funds. Comm. Gorden asked where Sheriff Mason would want the funds to be allocated. He said one example of an emergency project involved the plumbing system in which the water was rotting the pipes from the inside out. They had an immediate need for a purification system and received money for that project. He said he would let other Sheriff's know and they can get in touch. Information would be sent to Jim Gailey who is collecting the information. Comm. Fournier made a **motion** to authorize MACCAM to make their recommendation to distribute the 1.7 million dollars using the information supplied to Jim Gailey as soon as possible so MCCA can forward it to the DOC Commissioner. The motion was **seconded** by Comm. Baldacci and it **passed** with no opposition.

6.4. APRA Funding Final Regs: The White House has presented a summary - Suggest all review the document and determine how it affects their projects and awards.

The group discussed the newly released overview of the Final Rule which provides a summary of major provisions of the final rule for informational purposes and is intended as a brief, simplified user guide to the final rule provisions. Lauren distributed the link to the summary. The document clarified some of the uses for the funds and stated the final rule offered a standard allowance for revenue loss of up to \$10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation. Recipients that select the standard allowance may use that amount – in many cases their full award – for government services, with streamlined reporting requirements. Capital expenditures can be used detailed in the analysis, water sewer broadband, lead removal, etc. It was mentioned the Treasury would not pre-approve projects.

Greg Payne, Senior Advisor for Housing Policy inside the Governor's Office of Policy Innovation and the Future, has offered to partner with counties on certain projects to maximize dollars. The nature of these projects would be things like workforce housing and affordable housing units. A webinar was scheduled for January 19th on housing opportunities for ARPA funds.

7. Committee Reports:

7.1. Standing Committees:

7.1.1. Nominating Committee – Norm Fournier, Chair Recommendation and Election of 2022 Officers

Comm. Norm Fournier reported that members of the Nominating Committee met on January 6th and unanimously voted to recommend the same slate of officers as 2021: President Steve Gorden, Vice President Brian Hobart and Secretary/Treasurer Norm Fournier. All three officers were eligible to continue in their role for another year per the MCCA bylaws. Comm. Erkkinen

moved to approve the slate of officers as recommended by the Nominating Committee, seconded by Comm. Baldacci, and the motion passed.

7.1.2. Legislative Policy Committee – Brian Hobart, Chair

Comm. Hobart said regular LPC meetings were resuming this month probably through April. The meeting frequency would be determined by need, Monday at 9:00 am seems to work unless it's a holiday. The group planned to meet again on Tuesday, January 18th at 9:00 am via Zoom.

7.1.2.1. James Cohen, Verrill Dana

7.1.2.1.1. Legislative Update

Lobbyist Jim Cohen reported the Legislative session had begun. Committees were meeting virtually in January and likely into mid-February. He hoped the in-person meetings would resume soon because it seems to be better for good policy making. He and Clara McConnell were closely watching the development of the Probate commission report, expecting more legislation would be coming forth. Adjournment would be likely to occur in the latter part of April as there would be a lot of pressure to wrap up especially by those who had re-election campaigns to run.

7.1.2.1.2. Jail Funding Legislation

The group discussed LD 1654, "An Act To Stabilize State Funding for County Corrections" sponsored by Charlotte Warren which was moving forward. Efforts had been ramped up to come to an agreement on the language and meet with the Commissioner. Sheriffs, County Managers, Commissioners, and MMA were all on the same page, albeit a fragile alliance. We would need to keep the language as is. Commissioner Liberty, Chairs and members of the Criminal Justice and Public Safety Committee met this morning (January 12th). Jim is cautiously optimistic. Comm. Gorden asked if the lobbyist team with the LPC would work on developing legislation for the next session. They would need to work to put it together by this fall to be ready to introduce it in the next session. Jim said by late spring we should have our ideas and be able to bring it back to the larger group.

7.1.2.1.3. Judicial Probate Report - incorporating the Probate Court into Judicial System

The Probate Commission met and had been charged to come up with a plan to move forward. It was no longer a debate about whether or not the state would take over, it was now a matter of how it would happen. The idea was to establish a separate system for court judges. Judge Crockett was the only one who did not vote in favor of the plan. Probate Registrar Kathy Ayers said they have tried to implement a plan like this every two years since 1967 and it still hasn't happened. On January 6th, the Committee gave their report. It would be like the district attorney model with staggard judges and a chief judge. There are objections already. There's a group that does not want part time Judges practicing law at the same time they are serving as a probate judge. Ms. Ayers stated they really need to do it or make a decision to leave it

alone because it continually takes much of her time. Comm. Baldacci said if legislation was passed many years ago, we should look into getting the legislation reversed. Jim said he'd put it on the list.

Comm. Gorden asked if the proposal to move to the court system was successful, would it still make sense to have elected registers. Kathy responded that being an elected official gave them a greater ability to speak to different groups at will. Appointed people can be silenced. Furthermore, appointed people don't necessarily feel they need to be helpful where elected officials do. This change would also take a chunk of the county budget, the judges would have marshals with them. They would need more staff. They don't have the computer systems in place. Now judges do a lot of their own research. And they must be able to do things quickly for kids who are in crisis. Jim said they would continue to track it.

7.1.3. MACCAM - Maine Jail Supplemental Funding Process - \$1.7 M
(Discussed previously during the meeting in item 6.3.2.)

7.1.4. Affiliate Organization Committee Reports - recognize those in attendance or submitted
Information: MSA, Others

MSA - Sheriff Ken Mason reported the association was following many bills including 476, "An Act To Provide Licensed Assisted Living and Nursing Facilities Levels of Care for Incarcerated Persons" which involves DOC procedures. They were also watching LD 1154, "An Act To Improve the Safety of Prisoners and Jail Staff by Limiting Work Hours of Jail Employees" which had been tabled this morning (January 12th). To clarify, in county jails, the staff never denies phone calls, etc. Sheriff Mason said the Omicron variant is a concern, but there have been no outbreaks yet. They will keep fighting the battle and appreciated the support of the commissioners. As always, it would be important for us to stick together.

8. Adjournment

President Gorden asked if there were any other comments to be made for the good of the organization. As there were none, he invited a motion to adjourn. Comm. Hobart moved to adjourn at approximately 11:30 am, seconded by Comm. Erkkinen, and the motion passed.

Respectfully submitted,



MCCA Administrator, Lauren Haven

Attested:

MCCA Secretary-Treasurer, Comm. Norman