

# M.C.C.A.

Peter Baldacci, President  
Penobscot County

Thomas Coward, Vice President  
Cumberland County

Michael Cote, Secretary-Treasurer  
York County

Rosemary Kulow  
Executive Director

Lauren Haven  
Office Manager



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## MAINE COUNTY COMMISSIONERS ASSOCIATION

### MCCA Board of Directors' Meeting Minutes 10:00 a.m., October 12, 2016

#### I. Call to Order, Introductions, Attendance and Pledge of Allegiance

President Peter Baldacci called the meeting to order at 10:13 a.m. The attendees recited the Pledge of Allegiance and all present introduced themselves.

**DIRECTORS PRESENT:** *Androscoggin* – Comm. Beth Bell; *Aroostook* – Comm. Norman Fournier; *Cumberland* – Comm. Thomas Coward; *Franklin* – Comm. Gary McGrane; *Kennebec* – Admin. Bob Devlin proxy for Comm. George Jabar, II; *Knox* – Comm. Roger Moody; *Lincoln* – Comm. William Blodgett; *Penobscot* – Comm. Peter Baldacci; *Piscataquis* – Comm. Jim Annis; *Somerset* – Comm. Newell Graf; *Waldo* – Comm. Amy Fowler; and *York* – Comm. Michael Cote.

**OTHERS PRESENT:** *Cumberland* – Comm. Steve Gorden and Manager Peter Crichton; *Knox* – Admin. Andrew Hart; *Lincoln* – Admin. Carrie Kipfer; *Somerset* – Admin. Dawn DiBlasi; *EMAD* – Sean Goodwin; *MACCAM* - Bill Collins; and *MACT* – David Parkman.

**DIRECTORS ABSENT:** *Hancock* – Comm. Steven Joy; *Kennebec* – Comm. George Jabar II; *Oxford* – Comm. Steven Merrill; *Sagadahoc* – Comm. Charles Crosby III; and *Washington* – Comm. Chris Gardner.

**STAFF PRESENT:** Executive Director Rosemary Kulow, Risk Pool Manager Malcolm Ulmer, and Office Manager Lauren Haven.

#### II. Approval of/Additions to the Agenda

*Comm. Fournier moved and Comm. Fowler seconded approving the agenda no additional items and the motion was approved unanimously.*

### III. Approval of September 30, 2016 Board of Directors' Meeting Minutes

Comm. McGrane **moved** and Comm. Moody **seconded** approving the minutes from the Board of Directors' meeting on September 30, 2016. The **motion** was **passed** unanimously.

### IV. Old Business

#### A. Consideration of Potential Legislation

Comm. Gorden distributed a handout (attached) and requested the group use it to initiate the conversation. The group explored a few of the topics. Comm. Bell suggested that Comm. Gorden give a brief overview of each item. After that was accomplished President Baldacci asked everyone to take five minutes to review the material and list their top five priorities. The results were as follows:

Number  
of Votes: Legislative Issues:

- 9 ➡ 1. **Equitable Jail Sentencing Reimbursement:** Regulate county jail sentencing that extends beyond 6 months
- 9 ➡ 2. **Phlebotomy Assistance Regulation:** A law to indemnify and require medically certified individuals to perform evidenced-required blood draws (Phlebotomy)
- 8 ➡ 3. **Probation Violation Housing:** An individual that violates probation shall be returned to the jail facility issuing the probation.
- 4 ➡ 4. **Latitude in the issuing of summons:** Greater discretion for Sheriff Departments' to issue summons rather than arrest and temporarily incarcerate.
- 10 ➡ 5. **Elimination of the Jail Tax Cap:** Removal and transition of the Jail Tax Cap limitation to the L D #1 Tax Cap
- 4 ➡ 6. **Update the fees for serving civil papers:** Revise fees and requirements to serve and file civil papers to actual average cost and be accomplished by the Sheriff Departments.
- 3 ➡ 7. **Update the Average Daily Prisoner funding formula:** Revise the Average Daily Prisoners' funding formula from incremental boarding fee to a proportion of the county citizenry charge.
- 8 ➡ 8. **Funding to offset increased Sheriff Department's costs due to recreational marijuana use:** Direct tax funding for the increase county sheriff department's expenses due to recreational marijuana usage.
- 4 ➡ 9. **Update DOC inmate county boarding fees:** DOC inmate daily boarding fees in County Jails shall be equal to the county's inmate boarding charges to its citizenry. Incremental holding is boarding an inmate less than 30 days per year.
- 6 ➡ 10. **Increase 911 fees to support the increase cost to local dispatch centers:** Double the 911 fees with the increase to support the local 911 dispatch operations and functions. With the majority of the State being served by wireless, the answering burden has migrated to these centers.
- 9 ➡ 11. **Video Arraignments:** The availability and use of video arraignments shall be mandatory in all jurisdictions of the State of Maine.
- 12 ➡ 12. **Medicare and Medicaid for County Jail Inmates:** The State of Maine shall allow for the suspension of Medicaid or Medicare eligibility while persons are incarcerated, rather than termination of those benefits. That way, when the person is released from jail, their benefits may resume, thereby eliminating one factor that may lead to higher rates of recidivism.

The group discussed taking the word, “reimbursement” out of number 1. *Equitable Jail Sentencing* and combining that idea with number 9. *Update DOC Inmate County Boarding Fees*. Administrator Bill Collins suggested each county determine what the current state funding pays for in order to prove the need for additional funding.

Comm. Fournier said, “thank you” for the MMA Legislative Priorities. The group agreed that it would be very helpful for county officials to attend MMA LPC meetings if permitted. Ms. Kulow will continue to keep the group up to date on MMA LPC members and future meeting dates.

**B. Consideration of Office Manager’s Annual Salary**

Executive Director Rosemary Kulow recommended raising the office manager’s salary to meet the exempt salary requirement as defined in the Department of Labor’s overtime final rule effective December 1st. The group reviewed the time tracking sheet included in the agenda packet showing the office manager’s hours worked over a span of 17 weeks. Board members debated the need for the position to exceed forty hours per week. The job tasks could be limited to what could be performed in forty hours, some tasks could be outsourced or a stipend could be paid for major projects like the convention. Comm. Coward said he would be in favor of keeping the position exempt as it had been intended. He said that struggling with time tracking and micromanaging tasks would damage the organization in the long run. He said the two people on staff are the organization’s point of attack and should be appropriately resourced. Administrator Scott Cole **moved** and Administrator Bob Devlin **seconded** raising the Office Manager’s annual salary to the exempt standard salary level of \$47,476. The **motion** passed with a vote of nine in favor and three opposed.

**V. New Business**

**A. Discussion of RFP for Legal Services**

Executive Director Rosemary Kulow suggested enlisting the services of a lawyer to help draft legislation, provide legal advice on other matters, and provide a legal review of legislation MCCA plans to propose. The group discussed whether or not it is necessary to have a lawyer on retainer. Administrator Scott Cole made a **motion** to table this agenda item until a later date giving members time to study the RFP. The **motion** was seconded by Comm. Cote and the **motion** was approved.

**B. LPC Conference Call with Colorado & Washington State Association Executive Directors about Their States’ Experiences with Legalization of Marijuana.**

Ms. Kulow announced the conference call was scheduled for Thursday, October 13 at 11:00 am using the usual MCCA call in number and pin. An email with the details had been sent to LPC member with an invitation to the meeting.

**VI. Reports**

**A. Executive Director’s & Financial Reports**

Executive Director Rosemary Kulow presented her reports and invited questions. Comm. McGrane **moved** and Comm. Fournier **seconded** approving the reports as presented. The **motion** was unanimously **approved**.

## **B. Legislation Development Committee Report**

This agenda item was discussed in IV. A.

## **C. Professionalism in Management Committee (PMC) Report**

Comm. Cote reported the committee is continuing to work on a one-day training course and a handbook for newly elected officials. The committee is scheduled to meet after the MCCA Board of Directors' meeting to plan the details of a training in December.

## **D. Association Reports**

*EMAD:* The association is working on the Homeland Security grant process. DHS/FEMA awards Homeland Security Grant Funds annually to the States. Maine allocates grant dollars to the sixteen Counties. The County EMA offices then convene a process with their towns to determine the funding priorities for the year.

No report was given for the following associations:

- *MACCAM*
- *MACT*
- *MARP*
- *MECCA*
- *MRDA*
- *MSA*

## **E. Corrections Report**

No report was given

## **F. Annual Convention Report**

Office Manager Lauren Haven summarized the convention update included in the agenda packet. The committee plans to meet in the next few weeks to begin working on the 2017 convention scheduled for October 13, 14, and 15 at Point Lookout in Waldo County.

## **G. NACo Report**

President Baldacci reported that Sallie Clark, NACo's immediate past president and Commissioner of El Paso County Colorado spoke at the convention. Sallie and her husband attended many of the educational sessions and commented on the substantive content of the trainings. Executive Director Matt Chase attended many of the convention activities as well.

## **VII. Other Business**

No other business was brought before the Board of Directors.

**VIII. Executive Session per M.R.S. Title 1 Ch. 13 Subchapter 1 §405.6.**

Comm. Cote **moved** and Comm. Fournier **seconded** going into an executive session to discuss the performance evaluation of the Executive Director. The motion was unanimously **approved** and non-board members left the room.

**IX. Return to Open Session for Any Action on Executive Session Issue(s)**

The group reconvened at approximately 1:00 pm, at which point Comm. Baldacci was directed to provide feedback to the Executive Director.

**X. Adjournment**

President Baldacci adjourned the meeting at approximately 1:05 p.m.

Respectfully submitted,

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MCCA Office Manager, Lauren Haven

Attested:

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MCCA Secretary-Treasurer, Michael Cote