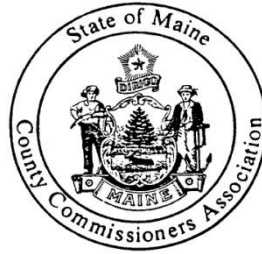


# M.C.C.A.

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 October 9, 2013

### I. Call to Order, Introductions and Attendance

President Steve Joy called the meeting to order at 10:35 a.m., and everyone introduced themselves.

DIRECTORS PRESENT: Androscoggin – Commissioner *Beth Bell*, proxy for Commissioner Randall Greenwood; Aroostook – Commissioner *Norman Fournier*; Cumberland – Manager *Peter Crichton*, proxy for Commissioner Thomas Coward; Franklin – Commissioner *Gary McGrane*; Hancock – Commissioner *Steven Joy*; Kennebec – Commissioner *Nancy Rines*, proxy for Commissioner George Jabar II; Knox – Commissioner *Roger Moody*; Lincoln – Commissioner *William Blodgett*; Oxford – Administrator *Scott Cole*, proxy for Commissioner Steve Merrill; Penobscot – Commissioner *Peter Baldacci*; Piscataquis – Commissioner *James Annis*; Sagadahoc – Administrator *Pamela Hile*, proxy for Commissioner Charles Crosby; Somerset – Commissioner *Lynda Quinn*; Waldo – Commissioner *Amy Fowler*; Washington – Manager *Betsy Fitzgerald*, proxy for Commissioner Chris Gardner; York – Manager *Greg Zinser*, proxy for Commissioner Sallie Chandler; MACCAM – Administrator *Bill Collins*; MRDA – *Pamela Lovley*; MARP - *Kathleen Ayers*; MSA – Sheriff *Todd Brackett*; MCAA – *Mark Westrum*; MACT – *David Parkman*; MECCA – *Owen Smith*; and EMADA – *Richard Beausoleil*

OTHER COUNTY MANAGERS/ADMINISTRATORS PRESENT: Administrator Andrew Hart, Knox; Administrator John O'Connell, Lincoln; and Assistant Manager Bill Whitten, Cumberland.

STAFF PRESENT: Malcolm Ulmer, Risk Pool Manager and Rosemary Kulow, Executive Director

### II. Pledge of Allegiance

The group said the Pledge of Allegiance to the Flag.

### III. Approval of the Agenda/Additions

The agenda was approved as presented.

### IV. Approval of Amended August 14, 2013 & September 13, 2013 Meeting Minutes

*Comm. Moody moved* and *Comm. Fournier seconded approval of the August 14 and September 13, 2013 minutes. The motion was approved unanimously.*

V. **Old Business**

A. **Review Proposed Revisions to Bylaws**

Comm. Fournier presented the summary of changes to the Board. He suggested that the final draft be circulated to all members, with approval considered by the Board of Directors at the November or December meeting. *Comm. Baldacci made a **motion**, which Mgr. Fitzgerald seconded, to proceed as outlined by Comm. Fournier. Approval of the motion was unanimous.*

B. **Establish Host County for 2014 Annual Convention**

Mgr. Zinser reported that York County will host the 2014 convention at the Cliff House in Ogunquit October 10, 11, & 12. *Comm. McGrane **moved** to accept the generous offer of York County, and Comm. Fournier seconded the motion, which was approved with Comm. Bell voting in opposition.*

C. **Define Purpose & Mission of Strategic Planning Committee**

Executive Director, Rosemary Kulow, asked for clarification of the mission of the Strategic Planning Committee. Through discussion, it was explained that the committee will review material generated from past strategic planning processes, noting accomplishments and goals not yet attained, then determine how to proceed. Comm. Fournier said we need to know where we're going as an organization and identify MCCA's strengths, weaknesses, and opportunities. He further stated that it is crucial to have a plan for the organization in place to know how best to proceed and serve our members.

The committee will consider whether a facilitator will be needed for further strategic planning and bring a recommendation back to the full Board. Ms. Kulow will schedule the first meeting of the committee.

VI. **New Business**

A. **Approval of MCCA's Paying \$633.53 for Lynne Schlosser's September Health Insurance Premium**

***Motion** to approve paying for Lynne Schlosser's September health insurance premium was made by Comm. Fowler, seconded by Mgr. Crichton, and approved unanimously.*

B. **Authorize Agreement of Participation Between the Maine County Commissioners Association and the Maine Municipal Association Unemployment Compensation Group Fund**

***Motion** to approve authorizing the Agreement of Participation was made by Mgr. Fitzgerald, seconded by Comm. Moody, and approved unanimously.*

C. **Authorize Executive Director to Submit Application to Join Group Account to Maine Department of Labor, Bureau of Unemployment Compensation Tax Division**

***Motion** to approve articles C. and D. was made by Comm. Fournier, seconded by Mgr. Fitzgerald, and approved unanimously.*

D. **Authorize Executive Director to Sign and Submit Application for Tax Registration to the Maine Revenue Services and Department of Labor**

*Motion to approve articles C. and D. was made by Comm. Fournier, seconded by Mgr. Fitzgerald, and approved unanimously.*

**E. Action on Executive Board's Recommendation in Regard to Rosemary Kulow's Employment as Executive Director Based on Six-Month Performance Review**

Prior to action on this item, *Comm. Fournier made a motion to go to executive session at 10:55 a.m. per M.R.S. Title 1, Chapter 13, Subchapter 1, §405, 6. A. Comm. Baldacci seconded the motion, which was approved unanimously.* President Joy asked the Executive Director to leave the room while the board went into executive session, which she did.

The Board returned to open session at 11:30 a.m. *Comm. McGrane moved to accept the performance evaluation and place it on file; Comm. Rines seconded the motion, which was approved.*

**F. Action to Change Rosemary Kulow's Employment Agreement from Increasing Annual Salary to \$72,000 after Satisfactory Completion of a 6 Month Probation Period, to Increasing Employer's Contribution toward Health Insurance by \$2,000 Annually**

*Comm. Fournier made a motion to amend Section 2. COMPENSATION of the employment agreement with Rosemary Kulow to eliminate the salary increase after six months and replace it with an additional \$2,000 paid toward the employee's health insurance after 90% of the single coverage premium is paid. The salary increase after one year's employment is changed from \$74,000 to \$72,000 per year. The motion was seconded by Comm. McGrane and approved by the Board, with two directors abstaining.*

**G. Consideration of MCCA's Role in NACo's Discount Health & Dental Discount Card Programs**

After discussion about the role MCCA should play in this and other NACo-sponsored health programs, those present said that MCCA should help get out the word via marketing efforts, recalling that MCCA receives a percentage of program enrollment fees. E.D. Kulow will work with MACCAM to ascertain participating counties and how to market their programs.

**H. Consideration of Authorizing the Executive Committee (MCCA Officers) to Approve Non-Budgeted Expenditures up to a Specified Limit**

After discussion, *Adm. Cole made a motion that was seconded by Comm. Fowler to not grant approval authority for non-budgeted expenditures to Executive Committee members (MCCA officers). With two voting in opposition, the motion passed.*

**I. Consider Whether MCCA Will Pay for Corrections Commission's Lunches with Funds from Lobbying Account Line #6030-00**

Bill Whitten explained that four counties have committed to pay for lunches for Corrections Commission meetings and suggested that MCCA show its support of the commission's mission by paying for the remaining two lunches. *Comm. Fournier made a motion to authorize an expenditure of up to \$500 for MCCA to pay for two (2) lunches for the Commission to Study the Board of Corrections, and that Lobbying account #6030-00 is the funding source. Comm. Rines seconded the motion; and with three voting in opposition, the motion passed.*

**J. Authorize the Over-expenditure of Meetings Account #6170-00 up to a Total of \$4,200**

*Comm. Moody **moved** approval of exceeding the \$3,000 budget for Monthly Meetings account #6170-00 in an amount not to exceed \$4,200, with Lobbying Expense account #6030-00 used as the source of additional funding. Adm. Collins seconded the motion, which was approved unanimously.*

**K. Authorize the Over-expenditure of Supplies Account #6235-00 up to a Total of \$4,000**

*Comm. Fournier **moved** approval of exceeding the \$2,000 budget for Supplies Account #6235-00 in an amount not to exceed \$4,000, with Lobbying Expense account #6030-00 used as the source of additional funding. Comm. Annis seconded the motion, which was approved unanimously.*

**L. Consideration of MCCA's Paying Membership Dues (\$200) to the International City & County Managers Association (ICMA) for the Executive Director**

*After Ms. Kulow briefly listed benefits received from ICMA membership, Owen Smith made a **motion**, which Pamela Hile seconded, to approve paying \$200 for ICMA membership dues for the Executive Director from Dues Expense Account #6145-00. The motion was approved unanimously.*

**VII. Reports**

**A. Executive Director's Report**

See the attached report.

**B. Legislative Platform Report**

Bill Whitten clarified that titles of currently proposed LRs are just that – titles acting as placeholders, as the Legislative Counsel determines whether the proposed legislation is of the necessary “emergency” nature to be considered this session. He also mentioned that there are a few jails-related bills on the list, but he hopes the Corrections Commission is allowed to complete its work before any new laws are considered and/or adopted.

Mark Westrum said that one of the proposed bills would turn Two Bridges Correctional Facility into a forensic mental health facility and stressed that counties should fight this bill. He also said the state Dept. of Corrections is pushing hard to take over the county jails.

Comm. Baldacci said the BOC and jails are in a fiscal crisis which makes it impossible for the BOC to meet its goals. He said the counties must unite with other county jails to fight to keep the jails. After comments regarding who should manage the jails were made, Sheriff Brackett warned that there is already a wedge between the MSA and MCCA that will grow and prevent a united position if these types of issues are not resolved.

**C. Treasurer's Report & Warrant Approval**

Comm. Moody summarized the financial report and suggested that the wording, “warrant approval,” be removed from consideration, since all the paid bills are listed on the report. E.D. Kulow explained that the auditor had suggested that warrant approval be on the Directors’ agenda to provide a step of checks and balances. Comm. Baldacci said that level of detail is not needed at the Board level because the Executive Committee and Executive Director provide the required oversight. Comm. McGrane explained that he makes his motions as, “approve to place on file,” because he is not able to approve bills unless he carefully reviews them.

*Motion to place the report on file was made by Comm. McGrane, seconded by Comm. Baldacci, and approved unanimously.*

#### **D. Corrections Commission Report**

Corrections Commission Chief of Staff, Bill Whitten, said the commission has met twice and he summarized the commission's activities and process. Comm. Baldacci said there are five subcommittees that will study and tackle various issues where significant change is needed. The subcommittees will report back to the commission October 25<sup>th</sup> instead of October 18<sup>th</sup>. The following meetings are scheduled for November 1, 15, and 22, with the final report due December 4<sup>th</sup>.

#### **E. Board of Corrections Report**

Mark Westrum said the training provided by the Risk Pool was awesome, but poorly attended. He said Prison Rate Elimination Act policies need to be in place. He was surprised with the Governor's candor in stating that his support of county jails is not one of his priorities, so Mr. Westrum met with members of the Governor's staff to ascertain the Governor's full meaning. Mr. Westrum thinks counties have lost the jails already because the DOC is not being helpful at attempting to find a solution to the current dilemma. He believes the BOC should prepare for the worst case scenario at its October meeting, as there are not sufficient funds to pay for jail costs the second half of the fiscal year.

#### **F. Association Reports**

1. Pam Lovley, Maine Registers of Deeds Association – Ms. Lovley reported that the new fees for recording documents go into effect today, and the additional revenue from users that will help reduce the overall tax burden is welcome.
2. Kathleen Ayers, Maine Association of Registers of Probate – Ms. Ayers said the next meeting of the MARP is November 1. The FBI will be visiting probate courts spot-checking criminal records. More training on electronic filing is needed, and more filings are being submitted by "Sovereign Citizens." She reported that a new bill was adopted that prohibits the filing of liens in excess of \$1 million on county officials. Ms. Ayers will circulate information about the new law to all counties. She also stressed that people should make the case for supporting mental hospitals.
3. Sheriff Todd Brackett – Maine Sheriffs Association – Sheriff Brackett said there should be a joint meeting of the sheriffs and MCCA to try to get on the same page in regard to jails. He suggested that the executive boards of both organizations get together first.
4. Bill Collins, Maine Association of County Clerks, Administrators, & Managers – Mr. Collins reported that Betsy Fitzgerald is the new president of the MACCAM and their organization wants to be an asset to MCCA as an extension of county commissioners. He also asked that the word, "Income," be removed from the MCCA financial report where it says, "Net Income Balance." Mr. Collins stressed that more funding should be sought from the Maine Legislature to enable the state to hold up its part of the bargain in the management of county jails.

#### **G. Convention Report**

No report about the convention was provided at this meeting, as the wrap-up meeting of the Planning Committee is October 16<sup>th</sup>.

**H. NACo Report**

Comm. Baldacci said MCCA should help market the discount medical programs, especially since a portion of the fees are dedicated to state organizations for such efforts. He also reported that NACo's next conference is the Legislative conference in Iowa. He said NACo's new Executive Director, Matt Chase, enjoyed the Maine convention and that Mr. Chase will be a good resource for us.

**VIII. Other Business**

No other business was brought before the board.

**IX. Adjournment**

*Motion for adjournment was made by Comm. Joy, seconded by Ms. Ayers, and approved unanimously at 12:55 p.m. The group adjourned to lunch.*

Respectfully submitted,

\_\_\_\_\_  
Rosemary E. Kulow, Executive Director

Date: \_\_\_\_\_

Attested:

\_\_\_\_\_  
Roger Moody, Secretary

Date: \_\_\_\_\_