

# M.C.C.A.

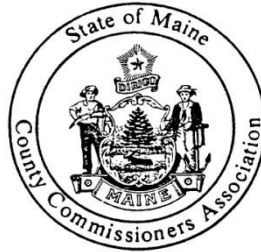
Steven Joy, President  
Hancock County

Gary McGrane, Vice President  
Franklin County

Roger Moody, Secretary-Treasurer  
Knox County

Rosemary Kulow  
Executive Director

Alice Schlosser  
Administrative Assistant



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## MAINE COUNTY COMMISSIONERS ASSOCIATION

MCCA Membership Meeting Minutes  
April 10, 2013  
Elks Club, Augusta, Maine

### **ATTENDEES:**

**DIRECTORS:** [Proxy] Beth Bell of Androscoggin; Norman Fournier of Aroostook; Tom Coward of Cumberland; Gary McGrane of Franklin; Steven Joy of Hancock; George Jabar II, of Kennebec; Roger Moody of Knox; William Blodgett of Lincoln; [Proxy] Caldwell Jackson of Oxford; Peter Baldacci of Penobscot; James Annis of Piscataquis; Charles Crosby of Sagadahoc; [Proxy] Phillip Roy of Somerset; Christopher Gardner of Washington; Sallie Chandler of York; Kathleen Ayers, Maine Association of Registers of Probate; Beverly Bustin-Hathaway of Maine Registry of Deeds Association; Bill Collins, Maine Association of County Managers, Administrators and Clerks; Sheriff Randy Liberty, Maine Sheriffs Association; David Parkman, Maine Association of Treasurers

**COUNTY MANAGERS/ADMINISTRATORS:** Bill Whitten of Cumberland; Bob Devlin of Kennebec; Andrew Hart of Knox; Scott Cole of Oxford

**OTHER PARTICIPANTS:** Commissioner Paul Adams of Aroostook; Commissioner Paul Underwood of Aroostook; Commissioner Clyde Barker of Franklin; Commissioner Percy Brown of Hancock; Commissioner Beverly Daggett of Kennebec; Commissioner Nancy Rines of Kennebec; Commissioner Mary Trescot of Lincoln; Hamilton Meserve of Lincoln; Commissioner Robert Dunphy of Somerset; Commissioner Lloyd Trafton of Somerset; Sheriff Todd Brackett of Lincoln

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

### **I. Introductions of Board Members and Others in Attendance**

Commissioner Steve Joy called the meeting to order at 10:10AM.

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

Commissioner Charles Crosby of Sagadahoc asked to be added to the agenda to speak about the WIA (Workforce Investment Act).

**MOTION:** ( Chandler/Baldacci) to approve the April Agenda as amended, Vote: unanimous.

### III. Approval to the Amendment to the February 13, 2013 Meeting Minutes

Mary Frank, Convention Planning Committee member, asked that the minutes on page 6 under bullet 8 of the Update to the 2013 Annual Convention, be amended to read as follows: "We have a potential backer to pay for half of the \$2,000 fee for the comedian Juston McKinney."

### IV. Approval of the March 13, 2013 BOD Meeting Minutes

- County Administrator Doug Beaulieu of Aroostook asked that the minutes on page 2 under Legislative Update be amended to read as follows: "Doug spoke in opposition to the amendment to LD 559."
- Commissioner Norman Fournier of Aroostook asked that the minutes on page 2 under By-Laws Update Committee Report be amended to read as follows: "All By-Law Changes Require a 20 day notice."

**MOTION:** (Chandler/Blodgett) to approve the February and March Minutes as amended.

**VOTE:** unanimous.

### V. New/Old Business

#### A. **By-Laws Amendment of Discussion and Vote (Norm Fournier and Roger Moody)**

Steve Joy reported he emailed the By-Laws interpretation out ahead of time to all MCCA members to offer clarification for questions that might be discussed at the membership meeting.

**MOTION:** (Gardner/Dunphy) moved to adopt the By-Laws as amended. President Joy opened the amended By-Laws up for discussion.

There was discussion about the differences between the 2009 By-Laws and the 2010 By-Laws and what version the By-Laws interpretation referred to. Steve explained the By-Laws interpretation referred to the version we voted on dated February 10, 2010 and mailed to all Commissioners with a notice. There was a question about why the amended By-Laws were only sent to the Commissioners. It was explained the By-Laws were sent by mail with a 20 day notice to the Board of Directors, all Commissioners and all Association Directors as stated in the By-Laws.

Peter B. asked that the By-Laws Committee to report on their process. Norman reported that the Committee members were, Roger Moody, Nancy Rines and himself. Norman reported that a copy of the draft By-Laws was mailed with a memo on February 20, 2013 to all Commissioners, the Board of Directors and the Association Presidents. Norman received 4 responses and incorporated those responses in the By-Laws. Norman gave an overview of the By-Law changes and said the committee researched By-Laws in other states and incorporated some of the language into the MCCA By-Laws. There was discussion and views from both sides. The main points of discussion were the rationale behind taking away Associate Member votes and the value in keeping a more unified MCCA.

**VOTE:** 11 in favor and 14 opposed.

At the end of the meeting Norman suggested a membership meeting in September during the 2013 Counties Convention to reconsider updated By-Laws.

## B. Executive Director's Report

(Rosemary Kulow)

1. Rosemary presented her report and identified her preliminary **goals, objectives and strategies**. One of her first goals is to find good **health insurance** and a **retirement plan** for employees. She discussed her plans to formally apply through MMA Health Trust. Rosemary asked for approval to apply to **MMA for an Associate Membership** and the expenditures of funds to submit the application. There was discussion about the relationship MCCA has with MMA. Starting a dialogue with them to find areas of common ground was also discussed. Bill Whitten said he has been working collaboratively with MMA on legislation.

**MOTION:** (Fournier/McGrane) to approve the application to MMA for Associate Membership and expenditure of funds. **VOTE:** 14 in favor and 5 opposed.

2. Rosemary is checking to procure **bonding** of MCCA employees for protection against financial liability, as well as officers' and directors' **liability insurance**. The group discussed why MCCA cannot get bonding through the Risk Pool, and Malcolm Ulmer replied that MCCA is not a named member of Risk Pool. Rosemary said she spoke to the same local company Tim Leet approached for a proposal, and they will submit a proposal.
3. Rosemary met with **auditor, Ron Smith**, to discuss **financial policies and procedures** for the Association. Rosemary reported that Ron recommended that bookkeeping should be done in-house. Ron said he will prepare a Management Letter now that he has met with the Executive Director to discuss his findings and recommendations and will set up a meeting with Bob Howe to get background information about the Association.
4. Rosemary asked for board approval to designate Roger Moody and her as **signatories** for banking and financial transactions.

**MOTION:** (Blodgett/Roy) to approve the designation of Roger Moody and Rosemary Kulow as signatories for financial transactions. There was discussion prior to the vote on requiring a check limit for signature. It was decided that expenses less than \$5,000 may be approved by the Executive Director and will not need Board approval. Expenditures of more than \$5,000.00 require Board approval and two signatures – the Executive Director's and the Treasurer's. **VOTE:** unanimously in favor.

5. Rosemary asked whether the Board wants her to register as a **lobbyist** for the remainder of this year or wait until next year. There was discussion about the number of lobbying hours one may work without paying a fee, and Bill Whitten said the limit is 8 hours per month.

**MOTION:** (Blodgett/Coward) that Rosemary should register as a lobbyist for the remainder of the year, if necessary. **VOTE:** None opposed, 1 abstained.

6. Rosemary asked for approval to **upgrade the photocopier** with software to manipulate PDF files and add a stapler/finisher. The additional cost is \$47.00 per month on the lease.

**MOTION:** (Fournier/Gardner) to upgrade the photocopier as explained. **VOTE:** unanimously in favor.

7. Rosemary asked for approval to discontinue the existing **cell phone** contract and reimburse her for \$75.00 per month to use her personal cell phone for work purposes.

**MOTION:** (Roy/Baldacci) to approve the request to discontinue the existing cell phone contract and reimburse the Executive Director \$75 per month for using her cell phone for work purposes. **VOTE:** unanimously in favor.

8. Rosemary presented Peter Crichton's **Survey of Regional Services** and asked for approval to send it out to Maine Counties. MCCA staff will compile and report the responses.

**MOTION:** ( /Rines) to approve sending out the Survey of Regional Services. **VOTE:** unanimously in favor.

9. Rosemary asked for approval to enter into a **service contract** with **Capitol Computers** with a range of 31-60 hours of service per year at an hourly rate of \$90 per hour. There was discussion about the cost and how and who would contract the services. Phil Roy suggested that Somerset County's IT department could offer the service to MCCA for \$50 per hour, plus mileage.

**MOTION:** (Blodgett/Rines) to table the service contract for IT services until the next meeting. It was suggested that an RFP should be developed for the scope of work. **VOTE:** unanimously in favor.

**C. Additional Services to Be Provided by County Government/Goal Setting for the Future (Steve Joy)**

**D. Update of MCCA Legislative Platform**

**(Bill Whitten)**

Bill reported that not everyone may be receiving the legislative updates. He suggested that if someone does not receive bill updates, they should contact him because the bill updates are sent out each week by Alice Schlosser. Bill reported that LD 1138 – An Act Related to Appeals of Disciplinary Proceedings Affecting County Employees is dead. He also reported that LD 559, the Deeds bill, will most likely be vetoed by the Governor and suggested that members talk to their legislators about supporting the bill.

**E. LUPC Update**

**(Norm Fournier)**

Norman reported that the Legislature rejected two nominees and approved one from Aroostook County.

**F. Treasurer's Report – RHR Smith's Audit Report**

**(Roger Moody)**

- Roger reported that MCCA received the 6 month audit report from Ron Smith which provides information about the transition from Howe & Cahill.
- Roger recapped that Ron Smith should submit his Management letter.
- Roger explained that the bookkeeper printed an incorrect report for the P&L, which will be corrected for the next meeting.

**MOTION:** (Roy/McGrane) to approve the Treasurer's report. **VOTE:** unanimously in favor.

## G. Association Reports

- **David Parkman of the Maine Association of County Treasurers**

David reported the next Association Meeting is scheduled for April 11 in Penobscot County. The Association invited Paul Sighinolfi, Executive Director of the Maine Workers Compensation Board to discuss updates about workers comp and Liz Wyman, Assistant Attorney General of the Bureau of Labor Standards, Maine Department of Labor, to discuss updates about labor issues.

- **Kathleen Ayers of the Maine Association of Registers of Probate**

Kathleen reported that Probate will have a new electronic filing system for bills starting May 1. Kathleen said she has been working with Bill Whitten on legislation and thanks him for his support of Probate bills. Kathleen reported that the testimony from Geoff Herman of MMA on LD 550 – An Act to Require Probate Judges, Registry of Probate and Registry of Deeds to be Appointed, was disconcerting and insulting and suggested that Commissioners read it.

- **Beverly Bustin-Hathaway [Proxy] for Susan Black of the Maine Registry of Deeds Association**

Beverly reported she is glad to be on board as part of MCCA and will continue to work with MCCA about legislation.

## H. NACO Report

(Peter Baldacci)

No new report.

## I. Right to Know Advisory Report

(Joe Brown)

No new report.

## J. Workforce Investment Act

(Charles Crosby)

Charles wanted to follow-up from last month's meeting about the Workforce Investment Act and distributed a handout that explains the WIA mission.

## VI. Adjournment

**MOTION:** (Roy/Gardner) to adjourn at 12:25 PM. **VOTE:** unanimously in favor.