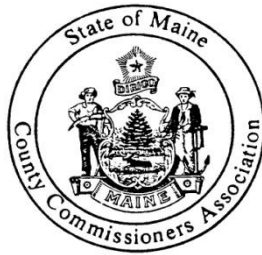


# M.C.C.A.

Steven Joy, President  
Hancock County

Gary McGrane, Vice President  
Franklin County

Roger Moody, Secretary-Treasurer  
Knox County



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*Agenda Item IV*

Rosemary Kulow  
Executive Director

Alice Schlosser  
Administrative Assistant

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## Maine County Commissioners Association Board of Directors Meeting Minutes June 12, 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; James Annis of Piscataquis; [Proxy] Pam Hile of Sagadahoc; Lynda Quinn of Somerset; [Proxy] Betsy Fitzgerald of Washington; Sallie Chandler of York; [Proxy] Beverly Bustin-Hathaway of Maine Registry of Deeds Association; Kathleen Ayers of Maine Association of Registers of Probate; Bill Collins of Maine Association of County Clerks, Administrators & Managers; [Proxy] Sheriff Todd Brackett of Maine Sheriffs Association

**COUNTY MANAGERS/ADMINISTRATORS:** Peter Crichton of Cumberland; Andrew Hart of Knox; John O'Connell of Lincoln, Dawn DiBlais of Somerset

**OTHER:** Bill Whitten, Lobbyist of Cumberland County

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

### **II. Pledge of Allegiance**

Commissioner Steve Joy led the Pledge of Allegiance.

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

**MOTION:** (Coward/Chandler) to move Old Business to the end of the meeting.

**VOTE:** Unanimously in favor.

### **IV. Approval of May 8, 2013 Meeting Minutes**

**MOTION:** (Coward/Chandler) to approve the May 8, 2013 meeting minutes.

**VOTE:** Unanimously in favor.

**V. Old Business**

**A. Executive Director's Presentation of Employee Benefit Program Options**

- See the attached Executive Director's Report on MCCA Employee Health Insurance.

**B. Executive Session per MRS Title 1 §405, Chapter 13, Subchapter 1 (6)(A) to Discuss Employee Compensation via Benefit Program Options**

There was no Executive Session, but President Joy asked the Executive Director and the Administrative Assistant if they would mind leaving the room for the discussion about employee compensation via benefit program options. The Executive Director and Administrative Assistant left the room for the discussion about employee benefits.

**C. Maine Public Employees Retirement System (MainePERS) – ACTION ITEM**

1. *To see if the Maine County Commissioners Association Board of Directors will vote to add the cost of living adjustment (COLA) provision to its MainePERS plans effective July 1, 2013 for future service only.*

Ms. Kulow asked if the Board would like to incorporate the COLA plan for MainePERS, which would increase the employer's share to 6.5% on July 1, 2013. There was discussion about the increase in contribution if MCCA chose to participate in both the MainePERS COLA plan and Social Security. Members also discussed the fact that the employees were offered different retirement contributions at the time of hire. Some board members said they would like to offer the same contribution rates for employees.

**MOTION:** (Blodgett/McGrane) to approve MCCA's participation in the MainePERS COLA plan. **VOTE:** 7 in favor and 7 opposed. The motion failed.

**D. Social Security – ACTION ITEM**

1. *To see if the Maine County Commissioners Association Board of Directors will vote to authorize the Executive Director to submit a request to the State's Social Security Administrator for the adoption of Section 218 Agreement coverage.*

The board discussed previously approving to offer Social Security to employees without having a Section 218 Agreement with the IRS in place.

**MOTION:** (Devlin/McGrane) to authorize the adoption of a Section 218 agreement with the IRS. **VOTE:** Unanimously in favor.

**E. Employee Health Insurance – ACTION ITEMS**

1. *Resolution providing for participation in the Maine Municipal Employees Health Trust (MMEHT) and to authorize the Executive Director to complete and sign the Participation Agreement*

Ms. Kulow reported that she provided the Board a spreadsheet from MMEHT showing the program options offered for health insurance. She recommended that the Board offer a choice of three health insurance program options: POS-C, POS 200, and PPO 500.

**MOTION:** (Coward/Fournier) to approve participation in MMEHT and authorize the Executive Director to complete and sign the Participation Agreement.

**VOTE:** Unanimously in favor.

2. *To see if the Board of Directors will approve and authorize the Executive Director to sign the MMEHT Amended and Restated Declaration of Trust.*

**MOTION:** (Baldacci/Blodgett) to authorize the Executive Director to sign the

MMEHT Amended and Restated Declaration of Trust. **VOTE:** Unanimously in favor.

3. *Selection of Health Insurance Plan(s) for MCCA Employees through the Maine Municipal Employees Health Trust*

The Board discussed health insurance single subscription options.

**MOTION:** (Fournier/Fowler) to approve a 90% employer/10% employee cost apportionment of one of the following plans: POS-C, POS 200, or PPO 500; MCCA to pay no more than 90% of a single subscription to POS-C.

**VOTE:** Approved

4. *Determination of Employee Health Insurance Provisions:*
  - a. *Determine whether MCCA will offer and/or pay for any portion of health insurance for employees' domestic partners.*

Ms. Kulow reported that a formality is required to offer domestic partner health insurance. Ms. Kulow asked the Board if they would consider paying for any portion of domestic partner insurance.

**MOTION:** (Devlin/Coward) to offer employees' domestic partner health insurance to the policies at employees' expense. **VOTE:** Unanimously in favor.

Ms. Kulow recommended the supplemental insurance for dental, vision, income protection and supplemental life be paid by the employee.

- b. *Establish the employer/employee shares of employee health insurance premiums.*
- c. *Determine whether MCCA will pay any portion of dental insurance for employees.*
- d. *Determine whether MCCA will pay any portion of vision insurance for employees.*
- e. *Determine whether MCCA will pay any portion of income protection insurance for employees.*
- f. *Determine whether MCCA will pay any portion of supplemental life insurance for employees.*

The Board decided that Dental, Vision, and Income Protection insurance will be offered, but paid completely by employees. Supplemental life insurance at 1X annual salary only will be offered to employees.

**MOTION:** (Baldacci/Fournier) to add to Alice's benefits. **VOTE:** Unanimously in favor.

**MOTION:** (Baldacci/Fournier) to offer a deferred compensation plan at the employees' expense – Section 125.

#### **F. Review Proposed Revisions to Bylaws**

No action taken.

#### **G. Review Regional Services Survey Results**

No action taken.

### **VI. New Business**

#### **A. Consideration of Stipend for Lobbyist**

President Joy commended Bill Whitten for his availability and accessibility day or night to discuss legislative issues. Mr. Joy said Bill has built strong relationships with legislators, is knowledgeable about the legislative process, and knows who the decision makers are.

President Joy said he met with the Executive Committee and Director to discuss a stipend for lobbying. The committee's recommendation was to offer \$3,000- \$5,000, with one opposed to the stipend.

The Board discussed the pros and cons for paying a stipend for Bill's lobbying work. It was discussed that Ms. Kulow will continue to work with Bill to get up to speed with lobbying and the legislative process and make the transition next year.

**MOTION:** (Fournier/Fitzgerald) to approve a \$4,000 stipend for lobbying to Bill Whitten. **VOTE:** 3 opposed. The motion passed.

#### **B. MCCA Strategic Planning**

Ms. Kulow reported that Commissioner Joy received a letter from Valerie Landry of Landry & Associates for services to facilitate a daylong session to identify MCCA's priorities and strategies for the upcoming year. The cost for her service is \$2,000. Commissioner Joy suggested that MCCA should determine the overall direction and goals of the organization and how to proceed for the future, now that we are a new organization.

Bob Devlin said MCCA achieved some goals at a prior strategic planning meeting. They expanded the Board to be more inclusive. Board members suggested that the prior strategic planning meeting notes be reviewed at a future meeting.

### **C. Auditor's Management Letter**

Roger reported there were no surprises or issues of concern indicated in the Management Letter. Roger said we have a process under review to discuss the Bylaws and governing policies for the Board. Roger stated that MCCA's option for tax exempt status as a 501C 4, 5, or 6 has not been determined. There was discussion about the Board's getting a legal opinion to determine the appropriate tax status for MCCA and whether a cap should be imposed on the legal fee.

**MOTION:** (Blodgett/Coward) to obtain a legal opinion without a cap and come back to the Board with recommendations. **VOTE:** 1 opposed. The motion passed.

### **D. President's Appointments to ad hoc Web Site Committee**

Ms. Kulow said that Betsy Fitzgerald offered to work with MCCA staff on an ad hoc Web Site Committee after the last Board of Directors' meeting. Ms. Kulow asked if other Board members would like to volunteer to serve on the committee and make recommendations to the Board. Bill Whitten offered to serve on the committee. President Joy appointed Betsy Fitzgerald and Bill Whitten to the ad hoc Web Site Committee.

### **E. Choose Host County for 2014 Annual Conference**

President Joy reported that Hancock County was originally planning to host the 2014 convention, but is now unable to commit to hosting in 2014. He asked to put Hancock County on record as agreeing to host the conference in 2015. The Board asked the staff to provide the list of counties that hosted the conference the last ten years to discuss at the next meeting.

**MOTION:** (McGrane/Fitzgerald) to accept Hancock County's offer to host the 2015 convention. **VOTE:** Unanimously in favor.

## **VII. Reports**

### **A. Executive Director's Report (Rosemary Kulow)**

Ms. Kulow reported that she is working on a number of draft polices for MCCA and looking into MCCA's tax exempt status. She reported that bookkeeping duties will soon be done in-house by employees. Alice will be trained in the use of QuickBooks software and work with the current bookkeeper to learn the system. President Joy said he initiated the change which will save MCCA \$3,500.

### **B. Legislative Platform Report (Bill Whitten)**

Bill reported that LD 559, "An Act to Change Document Filing Fees for County Registries of Deeds," will be in the Senate later today. He asked Board members to talk to their Senators to ask them to support the bill. Bill said he will send out the talking points later today.

Bill also reported that the Jail Task Force Joint Order is moving forward but there are changes every day. He said we need to work together so the jails are not returned to county control because this will go back to the taxpayers. Bill said the Jail Task Force

group may include county commissioners, jail administrators, county managers, and a retired judge. The group will be charged with making recommendations to restructure the system and report back to the Legislature in December with recommendations. Bill said the Appropriations Committee intends to write a letter to the Jail Task Force to urge that something needs to be done. Todd Brackett from the Maine Sheriff's Association (MSA) reported that MSA and County Commissioners should work together on the financial issues of the jails to find a solution.

### **C. Treasurer's Report (Roger Moody)**

Commissioner Moody thanked Ms. Kulow for summarizing the financial report. He said the report showed that 40% of the year has elapsed with only 22.1 % of the budget expended. The revenues are in good order, although MCCA is still in the process of transitioning from Howe and Cahill to an organization with employees.

### **D. Association Reports**

#### **1. Bill Collins of the Maine Association of County Manager, Administrators and Clerks**

Mr. Collins reported that their Association had a conference call with Rod Miller from the Maine Board of Corrections about jail funding. Rod reported that the jails are on the cliff for operational capacity. Rod said Penobscot County Jail is understaffed, and Bill said there is a \$400,000 shortfall for jail operations. Bill said many counties anticipate cutting staff.

#### **2. Beverly Bustin-Hathaway of the Maine Register of Deeds Association**

Ms. Bustin reported that the Deeds Association is working closely with Bill Whitten on the amendment for LD 559 to support its passage.

### **E. Convention Report**

Commissioner McGrane reported that so far only eight vendors have committed for the event, but they are working to get additional vendors. Golf is covered, and the conference will have tee times set up. Six are reserved now.

Bill Collins reported that he received the following convention updates from Mary Frank:

- There is almost \$5,500 on hand from sponsors, with at least almost \$2,500 more promised.
- Juston McKinney's performance and room expenses are covered, as well as karaoke, half of one dinner's wine, and one reception.
- There are a few unspecified sponsorships, and we have asked some entities for specific coverage (Bangor Savings for the morning receptions, for instance).
- The next Convention Planning Committee meeting is scheduled for June 19 at 9:30 a.m. at the Maine Farm Bureau board room.

**F. NACo Report (Peter Baldacci)**

Commissioner Baldacci said he will be attending the NACo Convention July 19-22 in Fort Worth, Texas. He has been appointed to serve on the Justice and Public Safety Steering Committee for one year. The steering committee considers matters pertaining to law enforcement, the court systems, jails and homeland security. Com. Baldacci asked President Joy to sign a document approving his appointment to the NACo Steering Committee.

**VIII. Other Business**

No action taken.

**IX. Adjournment**

The meeting was adjourned at 12:35 p.m.

Respectfully submitted:  
*Alice Schlosser*  
Alice Schlosser, Administrative Assistant

Attest as approved:  
*Roger Moody*  
Roger Moody, Secretary-Treasurer

Date: 7.12.13