

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

Board of Directors' Meeting Minutes

November 10th, 2021 @ 10:00 am via Zoom

1. Call to Order: Roll Call

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

2. Attendance: Phone attendees introduced themselves.

DIRECTORS PRESENT:

Androscoggin – Comm. Roland Poirier
Aroostook – Comm. Norman Fournier
Cumberland – Comm. Steve Gorden
Hancock – Admin. Scott Adkins Proxy for Comm. William Clark
Kennebec – Comm. Patsy Crockett proxy for 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. Richard Dutremble

OTHERS PRESENT:

Cumberland – Manager Jim Gailey
Lincoln – Admin. Carrie Kipfer
Piscataquis – Mike Williams
Sagadahoc – Admin. Bill Post
Risk Pool Manager – Malcolm Ulmer
Lobbyists – Jim Cohen and Clara McConnell
Maine Registers of Probate Assoc. (MRPA) – Kathleen Ayers

DIRECTORS ABSENT:

Hancock – Comm. William Clark
Kennebec – Comm. George Jabar
Oxford – Comm. Steven Merrill
Somerset – Comm. Newell Graf

STAFF PRESENT:

Administrator – Lauren Haven

3. Approval of the Agenda

President Steve Gorden asked if there were any additions to the agenda. Seeing none, he requested a motion to approve the agenda as written. Comm. Baldacci **moved** to approve the agenda, **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

Comments about the state of MCCA finances

President Steve Gorden requested a motion to move the consent agenda items as previously announced. Comm. Hobart **moved** to approve the consent agenda which includes the agenda, minutes, and financials. The motion was **seconded** by Comm. Fournier, and the motion **passed** with no objections.

5. Officer Reports:

5.1. Budget and Finance Committee – Norm Fournier, Chair

Comm. Fournier reported the Budget and Finance Committee would be meeting on November 19th to review and discuss items in the budget for 2022 as well as the formula for assessing membership dues. The Committee is expected to make their budget recommendations at the December meeting for consideration and approval at the January General Membership Meeting. The group will also work on the changes to the MCCA Purchasing Policy and the Financial Management and Investment Policy and present the drafts to the Board of Directors.

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

President - Announcements: Heads Up: The OSHA's vaccine/testing mandate has been created. Within 30 days from November 4th, organizations that receive federal funds and/or have 100 employees or more must have developed a policy which indicates how they will carry out the vaccine mandate and the weekly covid 19 testing protocols. Those protocols are to be implemented by January 4th; there is a potential \$14,000 fine for each incident violation. State OSHA will run the program.

Comm. Baldacci reported NACo will be a clearing house for information about the OSHA vaccine and testing mandate as well as the ARPA program updates and the latest COVID-19 rules as they develop.

The winter NACo meeting is not typically attended by MCCA representatives, so the next meeting will be in February for the Legislative Conference in Washington D.C.

Comm. Pohlman reported Knox County was in the process of allocating the anticipated ARPA funds. Peter Marchesi is assisting Knox County in the process as there are many factors to be considered, and there has been a great deal of concern and controversy over the use of the ARPA funds among the towns with regard to the budget committee, the interpretation of the county charter, and state statute. Comm. Blodgett remarked the budget committee is only advisory in some cases. Note: ARPA funds should not replace items in the budget. The Knox County Commissioners wrote a letter to the citizens of Knox County. The letter may be helpful to others. She will send the letter to Lauren for distribution.

Comm. Gorden said counties would need to develop policy for vaccine mandate and testing protocols. Noncompliance would incur fines. Admin. Dawn DiBlasi asked if the Risk Pool would create a standard policy for counties to adopt. Comm. Fournier said there will be a webinar in a couple of weeks. The Risk Pool is working with legal counsel.

Comm. Gorden mentioned that MSA might be requesting funding for Jail standards and requirements. He will bring information about it to the Board for consideration at a later date.

The Nominating Committee will be appointed to recommend MCCA officers for 2022 at the general membership meeting in January.

6. Committee Reports

6.1. Standing Committees:

6.1.1. Legislative Policy Committee – Brian Hobart, Chair,

6.1.1.1. Presentation By the Honorable Jarrod Crockett and/or Judge Libby Mitchell regarding the potential transfer of the elected Probate Judge position to the State Judiciary Court system.

Both judges were unavailable to attend this meeting. Probate Registrar Kathy Ayers said a bill like this one is introduced every couple of years. This bill would leave registers in place and the bulk of the fees would stay in the county. Comm. Baldacci said this would make the probate judges state judges, so the state would pay their salaries and benefits. Scott Adkins said this would be similar to what's happening with DA's office. It's likely Governor Mills will veto the bill if it costs too much. Barbara Cardone of Penobscot County sponsored this bill, but it's unclear how many people are on board with it. Generally, most counties have a good relationship with their probate judge. If there are issues with one county, this is not a good way to fix the problem. Comm. Baldacci said longstanding Penobscot Probate Judge, Allan Woodcock, was replaced by Amy Faircloth who is very involved and doing a great job. Furthermore, it's not just about the money, people would lose the right to elect. Officials in appointed positions can have issues as well. Ms. Ayers stated there's a lapse between filing and getting answers. Having judges work part time is not enough to meet the demand of the workload.

6.1.1.2. James Cohen, Verrill Dana

6.1.1.2.1. Legislative Update

6.1.1.2.2. Presentation on the creation of a Public Power Utility

James Cohen presented, "*Government-Controlled Power Promises vs. Realities*" in which he named several key issues raised by government-controlled power: rates, service quality, costs of government takeover, local tax impacts, and climate change to name a few. An important take-away from the presentation is that other places attempting a similar takeover have not been successful. One of many problems is that government-controlled and cooperative utilities do not have shareholders leaving ratepayers of such utilities solely responsible for any "imprudent" or "extraordinary" costs. Jim will send the presentation slides to Lauren for distribution. Comm. Hobart thanked Jim for the wonderful presentation. Note: Maine Municipal Association was initially opposed to the take-over, but now is neither for nor against. Comm. Gardner said the presentation was tremendously eye opening. It works in theory, but theory rarely works in practice. We need to speak collectively. Not doing so would be a disservice to the people and could be disastrous. Comm. Gorden stated there are communities dependent on property tax income. This would greatly harm those individual municipalities. The Portland Press Herald reported a likely double digit energy rate increase; they were talking 60% to 80% possible. Scott Adkins said there was conversation on the radio indicating that it might be a bit high for the first run, predicting 30% to 50%, but more is coming.

Jim Cohen said Probate Judge Jarrod Crockett had been supportive of the change to appointed judges. The concern was State appointed probate Judges would then have authority over elected registrars, so he is no longer supportive of the change.

Regarding jail funding and the distribution of funds, ideally the Governor needs to fix this problem.

Comm. Gorden asked Clara about the status of the bill which were carried over. These may be with a policy committee, but if they need to be funded by state, the bills go to the Appropriations Committee. Many of these bills don't have funding yet. Comm. Gardner said Judiciary would have to reassess the bill, LD 272 "*An Act To Establish Separate Prosecutorial Districts in Downeast Maine*" Sponsored by Representative William Tuell. Clara said the bill is still alive.

6.1.2. Affiliate Organization Committee Reports - recognize those in attendance or submitted information

MRPA - Kathy Ayers: The association is working on several challenges including the previously discussed topic of the state appointed probate judges. Comm. Fournier said it is important to restate we are in opposition of any state

takeovers. It's the tip of the iceberg. Comm. Gorden said we should resurrect any testimony or letter we submitted and do it again. Comm. Gardner said he couldn't agree more; we need to be united and fight it tooth and nail.

MSA – Admin. Dawn DiBlasi reported the Somerset Sheriff Dale Lancaster was documenting the significant cost associated overreach. Comm. Pohlman said the more we work together the more we can accomplish.

6.2. MCCA Staff Reporting – Admin. Lauren Haven

7. New Business: Don Durrah / Presentation on using ARPR funding for radio communication center improvements

County Admin. Donald Durrah walked the group through his, "*Presentation to MCCA: ARPA Funds for Radio System*" explaining how Oxford County was able to use their ARPA Funding for their Communications Center. He stated the system was strained before the pandemic. The radio system needed to be replaced and they believed it was the perfect use for the ARPA funding. It was crucial to be able to handle heightened call volume and to increase the efficiency of the entire system.

Everyone thanked Don for putting the presentation together. It was very helpful for other counties to see the steps taken. This is the way to do it. Admin Scott Adkins said specifically "spatial needs" allow expansions to qualify for the use of the funding. Admin. Carrie Kipfer said Lincoln County was putting in new dispatch consoles as an upgrade to the environment. All agreed we should continue to share information about projects.

8. Adjournment

*MCCA President Steve Gorden invited a **motion** to adjourn at approximately 11:40 p.m. Comm. Fournier made the **motion** seconded by Comm. Hobart, and the **motion** to adjourn was **approved**.*

Respectfully submitted,



MCCA Administrator, Lauren Haven

Attested:

MCCA Secretary-Treasurer, Comm. Norman Fournier