

1 **COMMISSIONERS' MEETING**

2 **November 6, 2024**

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6 YORK,ss

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8 At a regular meeting of the County Commissioners of the County of York, begun and
9 holden at the York County Government Building in Alfred, within and for the County of York,
10 being held on Wednesday, November 16, 2024, A. D. at 4:30 P. M.

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13 **COMMISSIONERS PRESENT:**

- 14 Richard R. Dutremble
- 15 Richard Clark
- 16 Robert Andrews
- 17 Justin Chenette
- 18 Donna Ring

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21 County Manager Greg Zinser was present at the meeting.

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23 **YOU ARE INVITED TO RISE AND SALUTE THE FLAG OF THE UNITED STATES**

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25 **11-06-2024 ITEM**

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27 **1 PUBLIC COMMENT(S) ON ANY ITEM(S)**

28 Sheriff King congratulated all that were re-elected. He announced that Major
29 Mone was elected as Sheriff of Strafford County.

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31 **2 TO APPROVE THE MINUTES OF THE FOLLOWING MEETINGS:**

- 32 a. Commissioners' meeting of October 16, 2024
- 33 Commissioner Clark motioned to approve the minutes. Commissioner Ring
- 34 seconded the motion. Vote 3-1 (Commissioner Ring abstained as she was
- 35 absent). Commissioner Dutremble not present yet.

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37 **3 TO APPROVE TREASURER'S WARRANTS**

- 38 a. Warrants to be approved on October 9, 2024 in the amount of \$640,423.92
- 39 Commissioner Clark motioned to approve the warrants. Commissioner Ring
- 40 seconded the motion. Vote 4-0 (Commissioner Dutremble not yet present)
- 41 b. Warrants to be approved on October 16, 2024 in the amount of \$582,314.79
- 42 Commissioner Clark motioned to approve the warrants. Commissioner Ring
- 43 seconded the motion. Vote 4-0. (Commissioner Dutremble not yet present)
- 44 c. Warrants to be approved on October 23, 2024 in the amount of \$547,648.89
- 45 Commissioner Clark motioned to approve the warrants. Commissioner Ring
- 46 seconded. Vote 4-0. (Commissioner Dutremble not yet present) Vote 4-0.
- 47 d. Warrants to be approved on October 30, 2024 in the amount of \$353,317.78

48 Commissioner Clark motioned to approve the warrant. Commissioner Ring
49 seconded the motion. Vote 4-0. (Commissioner Dutremble not yet present)

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51 **4 TO HEAR ANY REPORTS FROM THE COUNTY**
52 **COMMISSIONERS**

53 None

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55 **5 NEW BUSINESS**

56 a. To hear a tax abatement denial appeal for Keith & Gretchen Benggio of
57 Cornish-****Heard after item 5c****

58 Mrs. Benggio and Appraiser for the Town of Cornish, Bob Konczal were
59 sworn in by County Manager Greg Zinser.

60 Mrs. Benggio approached the Board and explained that she had sent a letter to
61 the town in 2018 requesting an abatement. The town did give her a \$40,000
62 abatement. She continued that in August of this year her property was assessed
63 at \$709,000. Mrs. Benggio requested an abatement, and the town denied her
64 request. She explained that she was told by the town that her comps. were
65 outdated. She stated that she then contacted a local real estate agent and she
66 put together the information submitted.

67 Mrs. Benggio explained that her property is a small bed and breakfast and they
68 only rent out three rooms. She informed all that the Cornish Inn sold for
69 \$415,000 in 2017. It has 18 rooms, a restaurant and bar. It is now appraised at
70 \$768,000.

71 Commissioner Ring asked how many square feet is the property? Mrs.

72 Benggio replied that it is roughly 5500 square feet. She added that there is no
73 heat or air conditioning upstairs.

74 Commissioner Ring replied that it does look like quite a discrepancy. Mrs.
75 Benggio explained that 3800 square feet is used for business.

76 Commissioner Dutremble asked Mrs. Benggio what is she looking for an
77 amount for an abatement? Mrs. Benggio replied that she would be happy with
78 \$584,000.

79 Commissioner Dutremble asked Mrs. Benggio if the assessor for Biddeford
80 gave you an assessment. Mrs. Benggio stated that she didn't recall.

81 Commissioner Clark asked her if she obtained an assessment from a real estate
82 appraisal? Mrs. Benggio responded that she did not.

83 Bob Konczal from Atlantic Valuation Services approached the Board. He and
84 Anna Hutchinson did the work to update valuations. Mr. Konczal stated that
85 Mrs. Benggio commented that her neighbor's valuation went down and that
86 does happen if there has been a mistake made that needed to be corrected.

87 He continued that case law is clear that the burden is on the taxpayer to show
88 that their valuation is wrong. We didn't see enough information when she
89 came before us. She has done a good job with the nine comparables presented
90 this time. He distributed a comp. sheet with all nine properties. (entered as
91 record in minutes).

92 Commissioner Chenette asked if the business end of this property is factored
93 in? Assessor Bob Konczal replied, no, but we did rate it as business use.

94 Most likely a buyer would look at it as a business use.

95 Commissioner Chenette did you assess it heated vs. not? Assessor Konczal
96 replied, no it was assessed as all finished property.

97 Commissioner Chenette clarified that the square footage of 6,000+square feet
98 was used for your assessment. Bob Konczal replied, yes.
99 Commissioner Ring asked what the Cornish Inn was assessed at? Bob Konczal
100 replied that it was assessed at \$768,000. It is not as well finished but has a
101 kitchen and a restaurant.
102 Commissioner Chenette stated that he was struggling with the comparison. Is
103 this current property used for commercial purposes?
104 Mrs. Benggio responded that friends and family such as her son got married on
105 the property. Commissioner Chenette replied that friends and family don't
106 constitute a business. Mrs. Benggio replied that she is not licensed to do that
107 and does not have an alcohol license. Commissioner Chenette asked Mrs.
108 Benggio if that means that there are no business practices on the property?
109 Mrs. Benggio responded that there has been a couple but the (Cornish) Inn is
110 more square feet.
111 Commissioner Chenette asked Mr. Konczal what the process is for evaluating
112 property.
113 Assessor Bob Konczal explained that they looked at every property in the
114 town.
115 Commissioner Chenette asked what does an onsite visit look like.
116 Associate Hannah Hutchinson was sworn in. She explained to the Board that
117 they look at grading condition, quality of construction, double pane windows,
118 roof, condition of property, hardwood floors, is the property well kept, etc.
119 Commissioner Chenette asked if they went inside? Hannah Hutchinson replied
120 that they looked on public Facebook page.
121 Commissioner Chenette asked how do they look at the inside of all properties?
122 Hannah Hutchinson explained that we look at old property listings. We use
123 other options such as you live on the inside as you do on the outside.
124 Bob Konczal added that the problems that we faced is that post-covid no one
125 wants us in their house.
126 Commissioner Chenette stated that if they didn't have a Facebook page how
127 would you have assessed this information? He added that it seems like we are
128 penalizing someone because they have a Facebook page.
129 Bob Konczal responded that we assume that the quality on the outside is the
130 same as the inside. We also make use of code enforcement files.
131 He added that the taxpayer was definitely not penalized.
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133 Commissioner Dutremble asked why the homestead exemption is only
134 \$21,000?
135 Bob Konczal explained that Cornish has an 85% ratio this year.
136 Commissioner Ring stated that she does understand and thinks there is quite a
137 discrepancy. She believes that the Cornish Inn far exceeds the Benggio
138 property.
139 Assessor Bob Konczal stated that his job is to try and look at what the typical
140 buyer would think.
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142 Commissioner Ring stated that she believes the fair adjustment is Mrs.
143 Benggio's request of \$584,000.
144 Commissioner Ring motioned to (direct the town of Cornish) reassess her
145 (Gretchen Benggio) valuation at \$584,000.
146 Commissioner Chenette seconded the motion. Vote 4-1 with Commissioner
147 Dutremble opposed.

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County Manager Zinser explained that the Findings of Fact will be brought forward at the next meeting.

- b. EMA Director Cleaves to give update on damages from coastal storms
Deputy EMA Director Arsenault approached the Board to present the Coastal Resilience Initiative Update Briefing. The PowerPoint is included as record of these minutes.

Commissioner Chenette thanked Megan. He asked if this presentation has been shown to our Senators and Representatives?

County Manager Zinser replied that they have probably seen bits and pieces. The Interlocal Agreement is a work in progress.

It is a formal binding contract that has lawful implications. Our approach has some time limitations. There are nine towns but they have to look at it as does their legal counsel for each town. It is more of an organizing exercise, explained County Manager Zinser. It is still in the works. We are looking to morph it into an MOU as that might be easier. This could give us traction with some funding agencies. When we met with the Managers, no one was opposed with forming a Coastal Coalition.

The County Manager continued that no one is recognizing the damage here (in York County). As the presentation explained, there is \$27 million just for Category B. Who is going to pay for that delta between B and G? That is what we are going after now. EMA is having conversations with various organizations. We may obtain CDS funding once we get the engineering and that is the importance of Interlocal Agreement.

Commissioner Chenette stated that we have mentioned before the need to engage our legislative partners. The Bill deadline is in December. We should have an early December legislative meeting with those who represent the nine coastal communities. Perhaps they would file a Bill. Our Legislative colleagues should hear how EMA works and the challenges they are facing. Commissioner Chenette added that he would think that Representatives and Senators would really like to be involved in this. He stated that it is in our best interests to have these sorts of conversations.

County Manager Zinser asked for clarification. Scheduling something with the full delegation tends to be difficult. This was a conversation surrounding jail funding. Now, we are talking about a meeting with coastal senators and legislators. Maybe we would have greater success in getting that meeting scheduled, commented the County Manager.

Commissioner Chenette explained that the caucus does not meet outside of the Statehouse. However, they have a membership list that cares about coastal issues. The Chairs of the Coastal Caucus could send out an invitation. We could have a link to the PowerPoint presentation. County Manager Zinser said that he is suggesting we just invite our coastal Senators and Representatives and our folks.

Commissioner Chenette agreed. We can invite Senators and Representatives via zoom. They will then have that information and then take it to the Coastal Caucus.

County Manager Zinser stated that he and EMA Director Cleaves will have a conversation tomorrow to get this scheduled.

*****HEARD FIRST BEFORE ITEMS a and b*****

- 199 c. County Manager Greg Zinser to request approval for the following new
200 hire(s)/transfer(s)
201 i. To approve the transfer of Cynthia Spencer from Deeds Clerk to Assistant
202 Register of Deeds in the Deeds Office effective October 21, 2024
203 Commissioner Ring motioned to approve the transfer of Cynthia Spencer
204 from Deeds Clerk to Assistant Register of Deeds with an effective date of
205 October 21, 2024. Commissioner Chenette seconded. Vote 4-0.
206 (Commissioner Dutremble not yet present).
207 ii. To approve the transfer of Lt. Lori Marks to Jail Administrator in the
208 Sheriff's Office with an effective date of November 11, 2024
209 Commissioner Chenette motioned to approve the transfer of Lori Marks
210 from Corrections Officer to Jail Administrator. Commissioner Andrews
211 seconded the motion.
212 DISCUSSION: Commissioner Ring asked how many applications were
213 received? Sheriff King replied that there were about a dozen. He added that
214 there was a national search done and that four applicants were interviewed.
215 Commissioner Ring stated that she was surprised when she reviewed the Jail
216 Administrator's job description and saw that there was no supervisory
217 experience needed. She said that she has a problem with that.
218 County Manager Zinser replied that without looking at it he cannot speak about
219 that.
220 Vote 4-1 with Commissioner Ring opposed.
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223 **6 OLD BUSINESS**

224 County Manager Zinser stated that we have discussed in the past having a
225 legislative meeting regarding jail funding, also. Commissioner Chenette responded
226 that he thinks we would have a little more time.
227 Commissioner Dutremble informed all that a new committee has been (Maine
228 County Commissioners Association) formed and they will look at legislative bills
229 and try to lobby more.
230 County Manager Zinser asked if the consensus is to hold off and let this committee
231 get together? Commissioner Dutremble replied, yes.
232 Commissioner Chenette asked that the County Manager keep us in the loop so we
233 can participate. County Manager Zinser replied, yes, certainly.
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235 **7 TO CONDUCT AN EXECUTIVE SESSION ON PERSONNEL**
236 **ISSUES PURSUANT TO 1 M.R.S.A. § 405 (6) (A), ACQUISITION OF**
237 **REAL PROPERTY OR ECONOMIC DEVELOPMENT PURSUANT**
238 **TO 1 M.R.S.A. § 405 (6) (C), LABOR NEGOTIATIONS PURSUANT**
239 **TO 1 M.R.S.A. § 405 (6) (D) AND CONSULTATION WITH LEGAL**
240 **COUNSEL PURSUANT TO 1 M.R.S.A. § 405 (6) (E), REVIEW OF**
241 **CONFIDENTIAL RECORDS PURSUANT TO 1 M.R.S.A. § 405 (6) (F)**
242 None
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244 **8 PUBLIC COMMENT(S) ON ANY ITEM(S)**

245 Kittery resident Susan Wiswell asked Deputy EMA Director Megan Arsenault if
246 the level G in the amount of \$25 million is for all nine towns together.
247 Deputy EMA Director Arsenault replied, yes."
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Stacy Kilroy commented via Zoom and introduced herself as County Treasurer. She stated that she has been a FEMA consultant and stated that this is a good use of Cat B. She stated “Well done.”

9 ADJOURN

Commissioner Clark motioned to adjourn. Commissioner Andrews seconded the motion. Meeting adjourned.

DRAFT