

## COMMISSIONERS MEETING

April 13, 2022

*YORK,ss*

At an ARPA workshop of the County Commissioners of the County of York, begun and holden at the York County Government Building in Alfred, within and for the County of York, being held on Wednesday, April 13, 2022 A. D. at 3:00 P. M.

### COMMISSIONERS PRESENT:

Richard R. Dutremble  
Richard Clark  
Robert Andrews  
Allen Sicard  
Donna Ring

County Manager Gregory Zinser was present at the meeting.

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

#### **1. Continue discussion of Save our Shores request for dredge purchase**

Commissioner Sicard gave a brief review of last week's workshop.

Commissioner Clark stated that his concern has been and remains is that he does not see a structure that administers this project. Without that, he continued, he cannot approve \$1.8 million to the City of Saco. He cited the Eastern Trail project that came before the Wells Select board when he served on it in which they asked towns to commit funds. Towns voted to participate and monies were raised and trails were created. A group to run the trail system was also created. He added that he does not see that here.

When the dredge presentation was given to the Wells select board there was some discussion of there being some kind of work in the legislature to create a group. Commissioner Clark continued that he hears, build it and they will come and that he, in good conscience cannot go there. Other groups (asking for ARPA funding) have given us audits and other information so everyone knows they can achieve their goals.

Commissioner Sicard replied that some of those issues were discussed at last week's meeting. There were five to seven letters of support received from communities. There were three contingencies presented for a motion. Those being that an RFP would have to go out to obtain three bids, formation of quasi entity with Saco and the county as the first partners and then the title would come from the county and move to this entity that other towns and cities could join and Saco will vote to keep money in their budget for operations for 2022/2023. Saco's budget meetings begin in May so they need Commissioner approval. They are very confident that in years two and three, there would be jobs (for the dredge) to pay for costs.

Commissioner Clark replied that when this group came before us in June of last year, he spoke with a couple of the folks and said go to the communities and come back with some financial commitments. He added that every city and town in York County got ARPA money and he hasn't seen a dime. Letters are nice, stated Commissioner Clark and it is easy to say one supports this when there is no price tag.

Commissioner Sicard commented that there was an expert from one of the dredge companies at last week's meeting who talked about the success of the town in Cape Cod that now has two dredges. We are not reinventing the wheel, stated Commissioner Sicard.

Commissioner Dutremble said that this is not a county project. If agreed, we can go out for RFPs and then that's it and if it's more than \$1.8 million we have to decide what to do. We need a signed contract from every individual that is going to be under contract. He added that is the only way that he is going to vote to purchase this piece of equipment. You are putting the cart before the horse warned Commissioner Dutremble. The Regional Coastal Water Commission has to be formed before we purchased the dredge. Every city and town has to sign how much they will pay for the 2<sup>nd</sup> and 3<sup>rd</sup> years. There are changes of councilors and selectpersons. If you have a contract, they cannot get out of it.

Commissioner Ring commented that she is still try to understand it all. When we originally started this (process), we were not going to be part of any of these businesses. The county agreed not to get involved in these businesses. I never supported that, she stated and added that she has concerns.

Commissioner Andrews stated that he understands what everyone is talking about and asked how long can we sit on this and put together this regional committee?

Commissioner Dutremble replied they wouldn't start dredging until November and December. Other leaders that he has been talking to said don't rush into this. He added that he is not against it but let's do it the right way.

Commissioner Ring said that they need us to approve it so they can put it before Saco for their budget.

Commissioner Sicard informed all that harbor masters up and down the coast are interested. Commissioner Dutremble said that you can say you support it but if you give no money, who supports it?

Commissioner Sicard replied that Saco would have to support it in year two. He added that when Saco gets the dredge they have to pay.

Commissioner Dutremble reiterated that there must be a commission established.

Commissioner Sicard asked SOS President Kevin Roche to speak.

Mr. Roche stated that the Commissioners' vote asked us to gain support. That was not our presentation. We did not push a county operation. It was just to get the capital equipment out of the way. We are in a crisis in Saco Bay. Citizens from inland towns come to the beach. This falls under infrastructure. Our ask is to purchase this dredge. We have the State ready to come in with money, explained Mr. Roche. He continued to explain that they are a volunteer, advocacy issue group. We are all for the contingencies you put forward. This is for so many more people and entities, continued Mr. Roche. He added that 300,000 cubic yards of sand are needed to save Cape Ellis. He further stated that the Army Corps has only done 10,000 cubic yards and that they have money to fund this. sound like we hog the

Mr. Roche informed all that \$10 to \$12 million will be charged by the Army Corps of Engineers.

Commissioner Sicard asked if it is correct that Saco would get a bill when the dredge was used there to which Mr. Roche agreed.

Commissioner Sicard commented that another customer is Scarborough and asked Mr. Roche if there had been any conversation with them? Kevin Roche replied that they have sent a letter of support.

Commissioner Dutremble stated that in his opinion, step 1 is to create the entity. Where are we going to transfer the piece of equipment if there is no entity? The Government has rules that must be followed, he cautioned.

Commissioner Dutremble continued that we need to know how many communities will use it. The county would look foolish if no one used the dredge.

Commissioner Sicard suggested that SOS and the City of Saco get legal involved and form this entity. Then, they came back to us. We make it contingent on this entity being formed. Also, stated Commissioner Sicard, we would hold our board seat. That would determine what they pay.

Commissioner Dutremble replied that we need a signed contract and need to know how many communities would use the dredge. We would also need to know in the second and third years if there was somebody that is willing to put money into (the project) to cover the costs of operations.

Commissioner Sicard replied that the first job would be with Saco and would cost between \$4 or \$5 million.

Commissioner Clark asked if there were currently any permits to dredge anywhere (in York County)?

Mr. Roche responded that is the communities' responsibility.

Commissioner Clark replied that is a lot of paperwork and a lot of people who weigh in with environmental and technical opinions. To say that the communities need to do this is not acceptable, stated Commissioner Clark.

Kevin Roche explained that the communities have to do it.

Commissioner Clark stated that it might take 5 years to get a permit.

Kevin Roche said to Commissioner Clark, *"You were at the meeting. What was the vote?"*

Commissioner Clark responded that the vote was 5-0 but that there was no commitment of funds and no desire to move forward. They gave you a verbal commitment, stated Commissioner Clark.

Commissioner Sicard asked if it was correct that they are looking into purchasing a barge?

Commissioner Clark responded that the Town of Wells has committed serious money to do this. There is a cost for maintenance, etc. of the asset.

Commissioner Sicard reminded all that part of the discussion, when dredging wasn't being done, there would be training.

Commissioner Dutremble stated that there might not be time this year to do it so why are we rushing? We could go out for bids and see what the cost is and then form the Commission and get communities in writing to support it with funds.

Commissioner Sicard asked Kevin Roche of the Save or Shores organization if his group would help the County Manager with the RFP and formation of this entity and then we can make the decision. The entity can get insurance and take title (of the dredge).

Commissioner Dutremble stated that the entity has to include communities that want to be part of it. The communities should put money into the entity for future costs.

Mr. Roche responded that you are still going back to asking municipalities for money. That is not what we are tasked with or set up to do, he stated.

Mr. Roche recapped the contingencies the Commissioners have put forth with the first being Saco approving their budget to include \$200,000 for the first year. With the permitting process, no jobs will be ready next season. The second one is forming the organization and see who wants to pre-sign up. Third is the bid process (90 days or more).

Mr. Roche commented that the timetable gets concerning. The longer it goes, the more costly the project becomes.

Commissioner Sicard replied that maybe the bid process should be first.

Kevin Roche stated that they are hoping the contingent vote can get out.

Commissioner Sicard suggested perhaps we put that on the table. Get the RFP done and then get the Saco vote and if they are ready, form the entity.

Commissioner Dutremble stated that they won't get the RFP for at least 30 days.

County Manager Zinser stated that we could give the money for example to Saco and then they would be responsible for the process. It doesn't have to go through us unless you want the county to do it. We would follow the federal procurement policies.

He continued that if the Commissioners make the contingency to form an inter-local agreement, somewhere along the line there needs to be a conversation of creating something. It can happen concurrent or after, said the County Manager.

The County Manager asked Mr. Roche if when he met with the towns, was there any conversation about them contributing to this operational entity that will be formed. We could e-mail the town managers, stated County Manager Zinser.

Commissioner Sicard responded that a town can contribute two ways; annual memberships for a discounted rate or if you are a customer. This is as good in my mind as someone being a foundation member, stated Commissioner Sicard.

He continued that if we could move the RFP process forward and see in May how the other two things come to fruition, would that be alright and make a determination at that time?

Kevin Roche replied that he thinks we are all on the same page and that he does ask for a vote from the Commissioners in which they vote to authorize an RFP process by SOS Saco Bay to work with the county. Then the entity can be formed with Saco as a forming member. Commissioner Sicard responded that he agreed and that Mr. Roche and his organization have put a lot of work into this. Nobody else on the coast has even dreamed of undertaking it. We cannot vote in a workshop but we can bring it up as part of our regular business, explained Commissioner Sicard.

Commissioner Dutremble asked how do we allocate \$1.8 mil when we don't know the cost of the dredge?

Mr. Roche replied that they provided the quote and accept that it is a bid process. We are an advocacy group. If it's more, we will not ask for more money, stated Mr. Roche.

Commissioner Clark stated that every town he represents has waterfront. Unless there is some structure, he said that he would be less than diligent in his fiduciary duty. He added that he doesn't think there will be a structure in 30 or 60 days.

Commissioner Sicard stated that this is a once in a life time opportunity. If we don't do something for our shoreline, we may not have them soon.

Commissioner Dutremble stated that like Commissioner Clark said earlier in the meeting, let's not rush into it. We are not on a time schedule.

Workshop adjourned at 3:52 p.m.

Back in session at 4:18 p.m.

**04-13-22 ITEM (REGULAR MEETING)**

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

None

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

a. Commissioners meeting of April 6, 2022  
Commissioner Ring motioned to approve the minutes of the April 6, 2022 meeting. Commissioner Dutremble seconded the motion. Vote 4-1 (Commissioner Clark abstained).

**3 TO APPROVE TREASURER'S WARRANTS**

a. Warrants to be approved on April 6, 2022, in the amount of \$579,645.76  
Commissioner Clark motioned to approve the warrant. Commissioner Andrews seconded the motion. Vote 5-0.

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

Commissioner Dutremble reported that the Maine County Commissioners Association conference has been cancelled for this year as the cost doubled. There was a discussion of perhaps holding a one day conference instead.

**5 NEW BUSINESS**

a. Continue review of FY'2023 budget  
i. Layman Way Recovery Center-Megan Gean Gendron, Executive Director of the Layman Way Recovery Center was present.  
County Manager Greg Zinser explained that this budget had not increased from the prior year. He added that they are still waiting to firm up some things from prior years.  
Megan-Gean Gendron addressed the Board and stated that she and Wes (Phinney) are happy to be there. Ms. Gendron informed all that there was a residential outbreak (COVID) at Layman Way in the fall. Thanks to the Sheriff's Office and Y.C. EMA who provided all the resources that Layman Way needed.  
Ms. Gendron went on to explain that due to the retirement of Steve Mazza who ran Layman Way Recovery Center, she went into Layman Way as did their psychiatrist, Dr. Marie Gay, who is now the Director of Layman Way. Other recent changes made, explained Ms. Gendron, include the hiring of a substance abuse counselor. She explained that they also now focus on more of after care. Two women graduated yesterday and went to housing operated by York County Housing Programs. Ms. Gendron continued that they also restructured the program, making it a phased program whereby our residents move through the program and earn additional privileges. This is being reviewed by the D.A.'s office.

Megan Gean-Gendron explained that during covid, there was a significant drop in the census at Layman Way so they reached out to other community providers. We started accepting folks that were at high risk of offending. We have continued with that outreach, explained Ms. Gendron but are now seeing more intake with the District Attorney's Office. Our census is hovering around twenty and right now we have a greater need for male beds. Ms. Gean-Gendron stated that last year has been very trying but that she is very proud of how everyone handled it. She asked if there were any questions.

County Manager Zinser clarified that the Center is staying within the 24-bed limitation that we have from the town.

Commissioner Sicard asked since the fall lock down period has been the average bed count? Megan Gean-Gendron replied 20- single rooms as opposed to bunk rooms. We will be utilizing the other wing so we can have single rooms and be at that 24 bed capacity.

Commissioner Sicard responded that in building out that campus, part of our discussion is that we want to know that you will be able to meet that challenge. Megan Gean-Gendron replied that she has more confidence that the staff can handle the 24 beds.

Commissioner Clark congratulated Ms. Gean-Gendron on getting through the outbreak.

Commissioner Ring asked how many people have you graduated in the last year? Ms. Gendron replied that she didn't grab that census report but will follow up.

ii. Deputy EMA Director Megan Arseneault to present EMA budget- County Manager Zinser introduced Deputy EMA Director Megan Arseneault who informed the Commissioners that EMA has been handling an active disaster (COVID) since March of 2020. She stated that over 75000 vaccines have been given with up to 900 patients a day at the vaccine center. 13,000 COVID 19 tests, summary reports, 194 county wide meetings, and pieces of personal protection equipment were distributed to York County as they also continue to expand their programs.

Deputy Director Arseneault stated that the operational budget (for EMA) has remained flat to 2017. An additional position was added last year. She continued that they have increased their volunteers to several hundred. Ms. Arseneault explained that there has been \$3 million in FEMA reimbursement funding. She continued that the budget numbers are largely unchanged except for an increase in wages that they believe is a modest increase. Also there is an increase in software as prices have increased. Deputy Arseneault informed all that they received \$137,000 in homeland security grant programs. She asked if anyone had questions.

Commissioner Sicard asked if FEMA will start turning off that "spigot" of \$3 million reimbursement for COVID related items.

Deputy Arseneault replied that they don't know the answer to that question but they will pass on updates and it is in their awareness to be careful.

Commissioner Dutremble remarked that they are doing a great job. Commissioner Ring commended EMA personnel on the job done with the Vaccine Center.

She asked beyond the vaccine center, how many disasters or emergency situations have we handled this year above and beyond Covid? Deputy Director Arseneault responded, two large disasters.

County Manager Zinser added there have been drone team advancements.

EMA Deputy Director Arsenault agreed and added that this team is growing. She stated that they advanced the fleet and members in place. There were thirty two responses and the UAS team was involved in 75% of those. We've used it for search and rescue and persons of interests, hotspots in fires, law enforcement hostage situations as well as in tactical needs. It is possible to have a live stream to responders, explained Deputy Director Arsenault.

iii. Chief Fire and EMS Administrator Roger Hooper to present Juvenile Fire Prevention budget- Chief Hooper gave a short overview of two other programs that he oversees.

The Hazmat Team, reported Chief Hooper, was able to upgrade some of their pipe patching kits. There is now a full team of 22 personnel trained at technician level and medically cleared to do the job. A lot of young folks have come on to the team.

Fire Instructor Program- Chief Hooper reminded the Commissioners that two years ago funding was added to the budget for this program but the implementation was delayed due to COVID. We now have seventeen instructors on board who are all firefighters throughout the county. Chief Hooper stated that plans are underway to begin some detailed training. The partnership with YCCC has been great. Two basic EMT classes are paid for through workforce development. EMT class soon will also be paid through workforce development, stated Chief Hooper. We have created a 3-year master schedule that will be a cycle and that we can plug into the new training center when that is up and running.

Youth Fire Safety Program- Chief Hooper informed all that in 2021, 25 clients were seen. This is double from a typical year. This year, continued Chief Hooper, five clients have been seen. The program is run 10 hours a week staffed with two part time employees, stated Chief Hooper. He added that succession planning is a concern and something we need to consider and be prepared for. This program is one of a kind and the only one in the State of Maine. We are constantly providing guidance to the State and other counties. Molly Cunningham and Matt Leach, who run the Fire Safety Program just finished a manual on how to start your own program. Chief Hooper stated that this program is one of the best bargains in the county budget. This budget reflects a \$6,000 increase. Half of that is salaries and wages and incidentals, explained Chief Hooper. There is a \$1,000 line for professional services. We are not a counseling service but an intervention and education service. Sometime that line is crossed so this will allow for professional people they can consult with. We have a partnership with Maine Behavioral Health.

Commissioner Dutremble asked if \$1,000.00 was enough. Chief Hooper replied, yes and that it is pre-arranged with Maine Behavioral Health.

iv. District Attorney Kathryn Slattery to present budget- D.A. Slattery stated to the Board that 7045 cases were referred by York County Police Departments. She added that domestic violence cases increased in York County to the highest numbers in the State.

In 2020, continued D.A Slattery, we received 284 referrals for juvenile cases. We are well ahead of that number already this year. We have had 5,451 criminal filings in 2021. The York County District Attorney's office also extradited 76 people back to Maine as well as collected \$116,000 in restitution. D.A. Slattery informed all that there is a huge backlog in the courts along with lots of diversion

discussion. We have referred 278 persons to Layman Way and continue to do so. There have been eleven graduates over the last 12 months and recently five more. Only 14 have been engaged in criminal behavior. We also have a restorative justice program that as of December 2021 has had 124 people in it with 66 people having completed it. The feedback is favorable, stated D.A. Slattery.

As far as our budget requests, continued D.A. Slattery, our technology needs are that we are looking for a different Microsoft so we are all on the same platform, licenses for ADOBE redacting to courts. We are requesting that a ½ time position be increased to full time. We currently have one and a half legal secretary opening as well as a restitution clerk. The staff is running under a great deal of stress as we are ramping up in – person proceedings.

District Attorney Kathy Slattery informed all that the courthouse is supposed to open in a year. Commissioner Sicard asked the District Attorney is she knows how many square feet her department will have? The District Attorney replied that they won't tell her but she has been told her department will have two separate spaces on the first and second floors.

b. Seek approval of FY'23 budget to submit to budget committee- Commissioner Sicard reminded the Board that they have not voted (on the budget). Since we have had all of the presentations, stated Chairperson Sicard, we should go back to the summary and ask for discussions.

Commissioner Ring commented that she thinks as far as the department heads, their budgets are in line as far as their requests but that her major concern is the salaries. Pay increases range from 5% to some as high as 12 and 15%, continued Commissioner Ring. She added that she doesn't know where this came from. Commissioner Ring continued that she knows that the contracts control most of the employees but questioned this being the case for salaried employees? A lot (of the requested increases) are well over COLA, commented Commissioner Ring. She continued that in regards to the requests for new management positions that she doesn't think we should be adding anything right now at that level. A lot of extra work was required of management during COVID, continued Commissioner Ring but she thinks we can get back to normal and handle everything. She stated that she doesn't agree with the actual salary increases for salaried employees and that there is not a pay scale so she cannot compare.

Commissioner Dutremble stated that the only budget he won't vote for is the Commissioners' budget as he doesn't feel they should raise their salaries.

There is an 8.5% inflation rate in the last 12 months so Commissioner Dutremble stated that he feels the increase in wages is justifiable.

Commissioner Dutremble added that in the past, we would bring up any problems when we went through the department's budget we would bring the issue up.

Commissioner Ring asked if they had determined that there was a flat COLA for salaried employees?

Commissioner Clark stated that county government delivers services to the people of the County. There is an 8% inflation rate over the past year and everyone is hiring. If we want to use the people that we have to continue to do what they are doing, we have to pay them. Otherwise, we are looking to hiring people and having to train them. I don't have a problem with the budget.

Commissioner Clark moved to approve the FY'23 budget in the amount of \$22,200482.00 Commissioner Andrews seconded the motion. Vote 4-1 with Commissioner Ring opposed.

Commissioner Clark asked the County Manager what the next steps are. County Manager Zinser explained that the budget as approved by the Commissioners will be distributed to the Budget Committee and that the 1<sup>st</sup> Wednesday in May will most likely be their first meeting.

**\*\*\*HEARD PRIOR TO BUDGET PRESENTATIONS\*\*\***

c. Act on ARPA items if applicable-

Commissioner Dutremble motioned to have the County Manager come up with an RFP for the dredge. Commissioner Andrews seconded the motion.

DISCUSSION: Commissioner Dutremble stated that this is a first step.

Commissioner Clark stated that he is not opposed to the project but there is still no entity to take responsibility for it.

County Manager Zinser informed the Board that it will be the first or second week of May as he is on vacation next week. He added that it will be 45 days probably.

County Manager Zinser asked, contained in the RFP, what if anything do you want about the creation of this legal entity? Commissioner Dutremble responded that he does not want the County Manager involved in it. Commissioner Sicard added that anything legal from Saco comes back to us and we can look at it.

Vote 4-1 with Commissioner Clark opposed.

Commissioner Sicard asked about the RFQ (ARPA) for the architectural services. County Manager Zinser replied that is the RFQ for the training center and the substance abuse center. He explained that responses are due by 5-2 and they will be brought to the Board at their May 4<sup>th</sup> meeting.

Commissioner Sicard explained that this process is mandated by Federal requirements.

County Manager Zinser informed the Board that the Biddeford/Saco/OOB Transit will not be submitting a request. There is still the additional request from York County Community Action who put in the original proposal who have asked to have a conversation with me regarding their next steps so I would anticipate that (request) coming back to the Board at one of the May meetings, stated the County Manager.

**\*\*\*HEARD AT THE BEGINNING OF NEW BUSINESS\*\*\***

d. H.R. Director Linda Corliss to seek hiring approval for Faith Blanchette as a Reserve Corrections Officer in the Sheriff's Office with a start date of May 4, 2022- H.R. Director Linda Corliss presented the new hire request and informed the Commissioners that Faith Blanchette, if approved by them for hire, will attend the Corrections Academy beginning on May 9<sup>th</sup>.

1. Commissioner Clark motioned to approve the hiring of Faith Blanchette at the Sheriff's Office in the position of reserve Corrections Officer with a start date of May 4, 2022. Commissioner Dutremble seconded the motion. Vote 5-0.

**(not on agenda)** Forfeiture notice request from the Sheriff's Office-Commissioner Sicard read the Notice requesting \$740 be transferred into the Sheriff's Office forfeiture account.

Commissioner Dutremble seconded the motion. Vote 5-0.

**6 OLD BUSINESS**

Commissioner Dutremble asked about copies of the audit. The County Manager said there were copies and it will be brought before the Board at one of the May meetings.

**7 TO CONDUCT AN EXECUTIVE SESSION ON PERSONNEL ISSUES PURSUANT TO 1 M.R.S.A. §405 (6) (A), ACQUISITION OF REAL PROPERTY OR ECONOMIC DEVELOPMENT PURSUANT TO 1 M.R.S.A. § 405 (6) (C), LABOR NEGOTIATIONS PURSUANT TO 1 M.R.S.A. § 405 (6) (D) AND CONSULTATION WITH LEGAL COUNSEL PURSUANT TO 1 M.R.S.A. § 405 (6) (E), REVIEW OF CONFIDENTIAL RECORDS PURSUANT TO 1 M.R.S.A. § 405 (6) (F)**

None

**8 PUBLIC COMMENT(S) ON ANY ITEM(S)**

None

**9 ADJOURN**

Commissioner Clark moved to adjourn. Commissioner Dutremble seconded the motion. Meeting adjourned at 5:21 p.m.