

COMMISSIONERS MEETING

January 6, 2021

YORK,ss

At a regular meeting 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, January 6, 2021 A. D. at 4:30 P. M.

COMMISSIONERS PRESENT:

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

County Manager Gregory Zinser and Deputy County Manager Linda Corliss were present at the meeting.

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

01-06-21 ITEM

- 1 **TO SELECT A COUNTY COMMISSIONER CHAIRPERSON FOR 2021**
Commissioner Sicard nominated Commissioner Dutremble as chairperson for 2021. Commissioner Andrews seconded the motion. Vote 5-0.
- 2 **TO SELECT A COUNTY COMMISSIONER VICE CHAIRPERSON FOR 2021**
Commissioner Dutremble nominated Commissioner Sicard for the vice-chairperson for 2021. Commissioner Ring seconded the motion. Vote 5-0.
- 3 **PUBLIC COMMENT(S) ON ANY ITEM(S)**
(comments made via telephone)
Susan Wiswell asked why choosing a representative to the Maine County Commissioners Association was not on the agenda. Commissioner Dutremble responded this was an oversight. Susan Wiswell then asked has anyone been hired yet as Finance Director to replace Vicki Ridlon? Commissioner Dutremble responded that there will be a brief update tonight.
Janet Drew of York ME informed the Commissioners that she had sent an e-mail to them letting them know about her concerns regarding the jail being overcrowded in these times of pandemic. She asked about a countywide MOU that was signed on to in York and also if there is any report on arrests and the MOUs that have happened.
County Manager Greg Zinser responded that he will discuss these matters in his report.

- 4 TO SELECT A WORKFORCE CENTER DIRECTOR FOR 2021**
Commissioner Clark stated that he will continue but if someone else has an interest, he'd be happy to let them do it.
Commissioner Andrews nominated Commissioner Clark as the Workforce Center representative for York County for 2021. Commissioner Sicard seconded the motion.
Vote 5-0.
- 5 TO SELECT A SOUTHERN MAINE REGIONAL PLANNING COMMISSION REPRESENTATIVE FOR 2021**
Commissioner Clark nominated Commissioner Sicard as the York County Board of Commissioners Representative for Southern Maine Regional Planning Commissioner for 2021. Commissioner Andrews seconded the motion.
Vote 5-0.
- 6 TO REVIEW AND APPROVE THE MINUTES OF THE COUNTY COMMISSIONERS MEETINGS-**
a. December 16, 2020- Commissioner Clark motioned to approve the minutes. Commissioner Sicard seconded the motion. Vote 4 affirmative with Commissioner Ring abstaining.
b. December 21, 2020- Commissioner Clark motioned to approve the minutes. Commissioner Sicard seconded the motion. Vote 4 affirmative with Commissioner Ring abstaining.
- 7 TO ADOPT ROBERT'S RULES OF GOVERNANCE FOR CONDUCTING 2021 COMMISSIONER MEETINGS**
Commissioner Clark moved to adopt Robert's Rules of Governance for conducting 2021 Commissioner meetings. Commissioner Sicard seconded the motion. Vote 5-0.
- 8 TO SELECT A DAY AND TIME FOR CONDUCTING REGULAR COUNTY COMMISSIONER MEETINGS FOR 2021**
Manager recommendations: 1st and 3rd Wednesdays beginning at 4:30 P.M.-following dates: January 6, January 20, February 3, February 17, March 3, March 17, April 7, April 21, May 5, May 19, June 2, (June 16th if needed), July 7, (July 21st if needed), August 4, (August 18th if needed), September 1, September 15, October 6, October 20, November 3, November 17, December 1, December 15.

Commissioner Clark motioned to approve the Commissioners meetings as listed.
Commissioner Sicard seconded the motion. Vote 5-0.
- 9 TO REVIEW AND ADOPT POLICIES FOR 2021 AS FOLLOWS:**
a. **MILEAGE REIMBURSEMENT RATE (manager recommends '21 IRS rate 56 cents)**
Commissioner Clark motioned to approve the mileage reimbursement rate of 56 cents per mile. Commissioner Sicard seconded the motion. Vote 5-0.
b. **MEALS ON COUNTY BUSINESS RATE (manager recommends '20 rates of \$10.00 breakfast, \$15.00 lunch, \$20.00 dinner or \$45.00 per diem)**
**Special note:* When the event you are attending includes any of the meals you are required to take part in the meal. If you are staying at a hotel that provides breakfast, you must utilize the breakfast provided by the hotel. In these instances, the amounts stated above will be deducted from the per diem rate.

Commissioner Clark motioned to approve the meal rates as listed. Commissioner Sicard seconded the motion. Vote 5-0.

- c. **POLICE/ACCIDENT/INCIDENT REPORTS** (manager recommends '20 rate of \$15.00)

Commissioner Clark motioned to approve the rate of \$15.00. Commissioner Sicard seconded the motion.

DISCUSSION:

Commissioner Ring informed the Board that accident reports are \$20 online and asked if the recommended rate should be increased. Sheriff King asked Sheriff's Office employee, Stacy Thistlewood, who was in the audience if \$20 is an appropriate charge? Stacy replied that would be easier to do the \$20 across the board since it's \$20 online. Sheriff King then stated that he felt it should be modified to \$20.00.

Vote: 1 (Commissioner Clark voted affirmatively) -4 Motion failed.

Commissioner Sicard moved to approve a fee of \$20 for 2021 police/accident/incident reports to be in line with the online fee. Commissioner Andrews seconded the motion.

Vote 4-1 (Commissioner Clark) opposed.

- d. **NOTARIZATION/ATTESTATION FEES** (manager recommends '20 rate of \$5.00/\$10.00)

Commissioner Clark motioned to approve the fees as listed above. Commissioner Sicard seconded the motion. Vote 5-0.

10 TO APPROVE TREASURERS' WARRANT(S)

a. Approve treasurer's warrant dated December 23, 2020 in the amount of \$493,822.06
Commissioner Clark motioned to approve the warrant. Commissioner Sicard seconded the motion. Vote- 4 affirmative with Commissioner Ring abstaining.

b. Approve treasurer's warrant dated December 30, 2020 in the amount of \$145,099.02
Commissioner Clark approved the warrant. Commissioner Sicard seconded the motion. Vote- 4 affirmative with Commissioner Ring abstaining.

11 HEAR ANY REPORTS OF THE COMMISSIONERS

None

12 HEAR ANY REPORTS OF THE COUNTY MANAGER

County Manager Zinser informed all that the Finance Director search has been reopened. The second round (of obtaining resumes and applications) has closed. The County Manager continued that Commissioner Dutremble has requested to be on the interview and hiring committee. He added that there are approximately 18 applicants

Commissioner Sicard asked if they(applicants) were any better than first round? County Manager Greg Zinser replied, that, overall, yes. He thinks there is a reasonable pool.

The County Manager informed Janet Drew that her letter e-mailed for the Commissioners was received and will be made part of tonight's meeting minutes.

Mutual Aid Agreement-County Manager Zinser reminded all that this was brought forward and re-approved (minor language changes) at our last meeting. The Board authorized Former Commissioner Cote to sign the document. The Police Chief's Association would like to have a single signed page. If it's appropriate, stated the County Manager, I ask that the Board consider and have Chairperson Dutremble sign.

Commissioner Clark motioned for the third time to authorize the Chair to sign. Commissioner Sicard seconded the motion. Vote 5-0.

(A Wells Police Officer is present at the meeting with the document and it is signed by Chair

Dutremble and Sheriff King.)

County Manager Zinser informed all that the new video system is being testing tonight. He added that we will review and within a week or two, will engage in a mock ZOOM meeting and report back to the Board or advertise a ZOOM meeting for our next meeting.

County Manager asked Ms. Drew for clarification regarding her request for a report on the MOU regarding arrests. Janet Drew replied that she had been told that York's police department is working with the county. The County Manager responded that this hasn't been activated yet and is a mutual aid agreement between all of the (York County) towns. Sheriff King added that the York County Sheriff's Office would always respond to any municipality that requested it so this MOU doesn't really impact us but we readily signed it. The Commissioners and Manager support it. Sheriff King addressed the jail crowding concerns Ms. Drew mentioned she had. He clarified that the York County Jail has a low population. Police Departments in York County have been very judicious in not arresting when they could just issue a summons. We all hope it continues, stated Sheriff King.

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NEW BUSINESS

Commissioner Clark motioned to appoint Commissioner Dutremble as representative to the MCCA Board and MCCA Risk Pool. Commissioner Sicard seconded the motion. Vote 5-0.

Commissioner Dutremble motioned to appoint Commissioner Sicard as his proxy for MCCA. Commissioner Clark seconded the motion. Vote 5-0.

a. Deputy Manager/H.R. Director Linda Corliss to present an Earned Paid Leave Policy to the Board for review and potential approval.

H.R. Director Corliss explained that there is a new Maine Paid Leave Law that went into effect on January 1, 2021 in which one hour of paid leave is required to be given for every 40 hours an employee has worked. This will mainly affect our reserves and part time (EMA) employees. Any new employee has a 6- month probation per York County policy. But, the new law says they have access to this leave time at 4 months. Elected officials and temporary employees do not fall into this new law. Employees who separate from employment cannot cash out their accumulated hours. It is not sick leave, it is paid leave. An employer may ask up to a 4- week notice if an employee wishes to use the leave and the employee can use it immediately if it's for an emergency or sickness. (Policy enclosed as record of minutes).

Commissioner Ring clarified that this policy (State of Maine) does not replace the county's current policy; correct? H.R. Director, Linda Corliss replied, the County has no policy for paid earned time. Commissioner Ring asked if there is a new entry for MUNIS and confirmed that this would not affect current employees. H.R. Director Corliss replied that she was correct in that it only applies to reserves.

County Manager Greg Zinser clarified that this (new law) doesn't change anything we are doing now for any full- time employee. It loosens some of our current restrictions; for example, the probationary employee.

H.R. Director Linda Corliss informed all that she did have this reviewed by our legal counsel. Commissioner Donna Ring asked if this was on an accrual basis and does the employee receive the time every week whether they work or not? Linda Corliss replied that it is based on every 40 hours they work. They receive one hour for every 40 worked. It can carry over from year to year but it can never exceed 40 hours.

Commissioner Sicard motioned to approve the new H.R. policy to coincide with the Maine paid leave law. Commissioner Ring seconded the motion. Vote 5-0.

b. Deputy Manager/H.R. Director Linda Corliss to seek direction from Commissioners

regarding the expiration of the Families First Coronavirus Response Act. H.R. Director Corliss explained to the Board that this Act deals with the CARES Act and is an extension of FMLA. It went into effect in March 2020 and expired on 12-31-2020. She explained that it is paid leave to quarantine or to assist a family member with quarantining. She went on to state that three employees have used it for child-care, 15 employees utilized it for themselves and some were due to work related exposure and some were non-related. Ms. Corliss continued that she has been finding mixed responses on how other companies are choosing to handle this matter. Some employers are continuing it and some are not requiring employees to use their own time. But, those that are requiring use of one's own time are allowing them to choose, sick or vacation and they might approve leave without pay without discipline. This Act does not apply to corrections officers or law enforcement. H.R. Director Corliss is asking what the Board would like to do.

Commissioner Clark motioned that the Commissioners should carry this policy (CARES Act) forward for the next 90 days. Commissioner Sicard seconded the motion.

DISCUSSION:

Commissioner Clark stated that if we do not provide paid time off, it could encourage people to come into work and could endanger others. He added that he would like a monthly report of utilization from H.R.

Commissioner Sicard asked H.R. Director Corliss what the CDC says (about the length of quarantining). She responded that there are lots of scenarios that depend on the circumstances. But, between 10 and 14 days is the length of a required quarantine. Commissioner Sicard asked if there should there be a maximum amount of days in the motion?

County Manager Greg Zinser commented that there were a lot of employees that take trips. Individuals chose to go places. If you go out of state, you have to quarantine. He added that one has to wait 3 days upon their return to be tested and then wait for the test to come back.

Commissioner Clark stated that he is not interested in changing his motion. The difference to me is the County is going to pick up the cost now. The County Manager suggested consideration being if an employee voluntarily goes somewhere, those five days are on them.

Commissioner Ring asked if the policy affects salaried people different than hourly? H.R. Director Corliss replied, no. Commissioner Ring asked if it is correct that people that work from home don't have to use their time when they quarantine. H.R. Director Linda Corliss replied, that's right. Commissioner Ring stated that she has seen this happen and she does have some concerns. There are individuals that can go away and not have to use their own time. There is no criteria. H.R. Director Corliss stated that there is for MSEA. We have a signed agreement with them. Commissioner Ring asked if it (working from home) is specific by department heads? H.R. Director Corliss responded, yes. She added that the goal is to mitigate the footprint in our buildings as much as possible. This is temporary. The policy will not be in effect after the pandemic is over. If someone wants an employee to work from home, they'll have to come back before the Board to seek approval. Vote 5-0.

14 **OLD BUSINESS**
None

15 **PUBLIC COMMENT(S) ON ANY ITEM(S)**
None

16 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).

- a. To conduct an executive session pursuant to 1 M.R. S.A. §405 (6) (A) personnel matter.

Commissioner Clark motioned to go into executive session. Commissioner Sicard seconded the motion. Vote 5-0.

Commissioner Clark motioned to come out of executive session. Commissioner Sicard seconded the motion. Vote 5-0.

No action taken.

H.R. Director Linda Corliss asked the Board for clarification on the start date of Item 13b. Commissioners unanimously confirm it is 1-1-21.

17 ADJOURN

Commissioner Clark motioned to adjourn. Commissioner Sicard seconded the motion.

Vote 5-0. Meeting adjourned at 5:27 p.m.