

COMMISSIONERS REGULAR MEETING

June 3, 2020

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, June 3 , 2020 A. D. at 4:30 P. M.

COMMISSIONERS PRESENT:

Richard R. Dutremble
Michael J. Cote
Richard Clark
Robert Andrews
Allen Sicard

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

06-03-20 ITEM

- 1 PUBLIC COMMENT(S) ON ANY ITEM(S)**
Susan Wiswell (via conference call) asked if the \$50,000 as referenced on the agenda will replace or supplement line 50935 in the budget.
The County Manager replied that it will supplement it.
- 2 TO APPROVE THE MINUTES OF THE FOLLOWING MEETINGS:**
 - a. Regular Meeting of May 20, 2020- Commissioner Clark motioned to approve the minutes. Commissioner Sicard seconded the motion. Vote 4-0 (Commissioner Dutremble not yet present)
- 3 TO APPROVE TREASURER'S WARRANTS**
 - a. Approve treasurer's warrant dated May 6, 2020 in the amount of \$370,740.81
Commissioner Clark motioned to approve the warrant. Commissioner Sicard seconded the warrant. Vote 4-0.
 - b. Approve treasurer's warrant dated May 13, 2020 in the amount of \$336,165.91
Commissioner Clark motioned to approve the warrant. Commissioner Sicard seconded the motion. Vote 4-0.
 - c. Approve treasurer's warrant dated May 20, 2020 in the amount of \$543,948.45
Commissioner Clark motioned to approve the warrant. Commissioner Sicard seconded the motion. Vote 4-0.
 - d. Approve treasurer's warrant dated May 27, 2020 in the amount of \$377,827.20
Commissioner Clark motioned to approve the warrant. Commissioner Sicard seconded the motion. Vote 4-0.

4 TO HEAR ANY REPORTS FROM THE COUNTY COMMISSIONERS

None

5 TO HEAR ANY REPORTS FROM THE COUNTY MANAGER

None

6 NEW BUSINESS

a. Introduce H.R. Director, Linda Corliss to request the hiring of Robert Arnold in the position of EMA Hazmat Technician with an effective date of June 4, 2020- H.R. Director Linda Corliss addressed the Board and requested the hiring as stated above.

Commissioner Clark motioned to approve the hiring of Robert Arnold in the position of EMA Hazmat Technician with a start date of June 4, 2020. Commissioner Sicard seconded the motion. Vote 4-0 (Commissioner Dutremble not yet present).

b. Review with possible approval, high density shelving quotes in Deeds- County Manager Zinser explained to the Board that Register of Deeds Nancy Hammond went out to bid (contacted three companies) for high density shelving. Two bidders responded (quotes attached as record). He continued that it is the joint request of the Register of Deeds and himself to award the bid to W.B. Mason even though they are more expensive. They can also get the project installed in 2 to 3 weeks. Dupont Storage (other bidder) cannot undertake the project until the fall. He added that the funds are coming from the deeds preservation account.

Commissioner Clark commented that he supports this higher bid only because it can be done in a timely fashion and will supply a better quality of paint. He motioned to accept the bid. Commissioner Dutremble seconded the motion. Vote 5-0.

c. Establish contingency fund pursuant to 30A Section 922 and transfer \$50,000 from undesignated funds into the contingency fund –

County Manager Greg Zinser informed all that upon further review of the county's budgeting process, he is making the request that the Commissioners approve the transfer of \$50,000 from the undesignated account into this account.

Commissioner Cote asked that just to be clear, this put us on the right track with statutes. County Manager Zinser replied, yes, and that the undesignated, unrestricted account has \$2.6 million in it.

Commissioner Clark motioned to approve the transfer of \$50,000 into a contingency account with the result of this motion being the creation a fund with a \$100,000 balance. Commissioner Dutremble seconded the motion. Vote 5-0.

d. Review of Update on Probate Court functions- County Manager Zinser informed the Board that after conversations with Probate Court Judge Houde and Probate Register Lovejoy there appears to be some of the silver linings (due to changes made during COVID-19) we spoke of in the manner of new ways of operating. Judge Houde addressed the Commissioners (letter referenced and included as part of the record of minutes). Judge Houde thanked the Commissioners for all they've done through COVID-19. We have learned the importance of adapting.

We can do work remotely that keeps everyone safe. Before the health crisis, we had everyone come in and now they are not, stated Judge Houde. This is due in large part to Carol and Casey learning all the computer applications. There are many people in Maine with pre-existing conditions and we are looking to protect people. Also, there is a financial savings for clients as attorneys don't have to wait. Since this is a policy item, we want to be sure we have the Commissioners' okay. Hearings or trials may not be

done remotely. With our new procedures, we have a lot of safety valves, if needed, stated the Judge. Commissioner Cote asked Judge Houde if the authority that the Probate Office is operating under now- meaning the measures that you are taking, being dictated by the Governor's Orders? How long can you continue to do this after the State of Emergency goes away?

County Manager Zinser replied that it is under very limited circumstances do we operate under the Governor. We are looking to implement some necessary changes. We are looking to do this permanently. There are going to be circumstances when an in- person Hearing is needed.

Commissioner Cote asked Judge Houde are all of the things that he is looking at doing permissible under the law? Register of Probate Carol Lovejoy replied that her department has always done telephonic Hearings by SKYPE.

Commissioner Clark stated that his first concern is similar to Commissioner Cote's. Is there any case law? Commissioner Clark continued that he is pretty old school and believes that people have a right to their day in court. Any Individual who is petitioning the court should have the option and always have the right to appear in court with the other parties there.

The first person that is unhappy with their ZOOM hearing will definitely appeal. I am fine if they agree to an alternate. Register Lovejoy responded that everyone she has asked to use ZOOM has been ok. Today, however, she stated that she had one person that did not feel comfortable so she is coming in.

Commissioner Sicard agreed that all is good as long as the people agree to it and it is not forced upon them. The County Manager replied that he thinks the Probate Court shares their concerns and is aware. We are very confident that we are on sound footing. We understand that you want to be sure people have an option, stated County Manager Zinser.

Judge Houde added that he has reached out to the Bar and they all support ZOOM. He continued that he views trials being in court. For the smaller stuff it makes a lot of sense to do remotely. Register of Probate Carol Lovejoy explained that Judge Houde mandates workout conferences between the parties. We have settled about 90% of our trial cases by utilizing these conferences, stated Ms. Lovejoy.

Commissioner Cote asked if other folks (county Probate Courts) are doing the same thing?

Register of Probate Carol Lovejoy replied that Cumberland County is doing ZOOM hearings through the fall. Kennebec County is doing as much as they can remotely.

Commissioner Cote thanked the Probate folks for running their department.

Judge Houde asked if the Board is okay with what his department is doing. He added that He and Carol can come back with an update.

Commissioner Clark commented that he would like them back in six months to give the Board an update.

- e. Introduce Sheriff King to discuss Executive Order regarding inmates (possible executive session - Title 1, Section 402, Subsection 3, paragraph Q, jail security)

****removed from agenda*****

7 OLD BUSINESS

None

Commissioner Cote brought up that Linda Wadsworth agreed to make 200 masks for County employees. He provided the materials and she did the work. We distributed

them out to the employees. He added that he'd like to send a letter from the Commissioners thanking her for what she did. He asked the Manager to prepare a letter to her signed by all of the Board.

Commissioner Clark suggested she be nominated for a Spirit of America award in the fall.

County Manager Greg Zinser informed the Board that the Budget Committee will be Holding their Public Hearing next Wednesday. He suggested that we plan on having a meeting on June 11th. Traditionally, we only meet once a month in June, July and August. He would be suggesting to eliminate the 2nd meeting in June (6-17). If the Commissioners decide to go down the rejection route, we need to give the Budget Committee time to meet again. That way the process can be done to commit taxes the 1st meeting in July.

Commissioner Clark motioned to schedule a (Special Commissioners') meeting on Thursday, June 11th at 8:00 a.m. and no meeting on the 17th of June. Commissioner Andrews seconded the motion. Vote 5-0.

Commissioner Sicard asked what is the procedure? Does action have to be taken at the Hearing? County Manager Zinser replied that traditionally, the Budget Committee has a Hearing and has voted to adopt a budget. This is a very interesting year. Commissioner Dutremble added that if they don't accept the budget, we would operate on last year's budget. County Manager Zinser stated that would be a long, protracted process when we operate with this year's budget at 80%.

8 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)

a. Executive session with Sheriff King pursuant to 1 M.R.S.A. §405 (6) (A) personnel matters.

Commissioner Cote motioned to enter into executive session. Commissioner Clark 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.

9 PUBLIC COMMENT(S) ON ANY ITEM(S)

****HEARD PRIOR TO EXECUTIVE SESSION****

NONE

10 ADJOURN

Commissioner Clark motioned to adjourn. Commissioner Sicard seconded the motion. Vote 5-0. Meeting adjourned at 5:38.