

Penobscot County Commissioners' Meeting Minutes June 4, 2019
9:00 AM Commissioners Peter Baldacci and Laura Sanborn
Commissioner Andre Cushing (Absent)

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UT Update –

- Barbara Veilleux reported they met last night with the Town of Mattawamkeag Selectman to discuss the possibility of a fire contract for Kingman. Barbara feels they were well received. The group invited George and Barbara to sit down with some of their crew members to discuss the different ways our contracts are maintained before they commit to anything. Barb plans on reaching out to Springfield for Prentiss. Mattawamkeag has some interest in the Kingman station but not sure of their trucks yet. This was just an initial meeting. We'll keep working on it and report our progress.
- Peter Pray has been sworn in as a Land Use Planning Commission Board Member. He has forwarded his signed oath to the Secretary of State's Office. This means he will be able to be seated the next meeting, which is scheduled for July 10th.
- Barb just found out that last Friday was Executive Director of LUPC, Nick Livesay's last day with the commission. Barb is uncertain who will replace him.
- Barb presented pictures of a complaint about an illegal junkyard operation in Argyle. The complainant states automobiles are being dismantled on the property and there is a concern about the disposal of the fluids since there is a river behind the property. Barbara found the owner of the property is a Newport resident; so this property may be rented out. Barbara will be sending a letter today with pictures to alert them of the situation and to take action.
- Barbara reported on the broadband expansion meeting with Argyle residents last week was well attended and will be moving forward with the planning grant application. The application process is a point system. There are 25 points if we put in a cash match of \$5K or more. We can use contingency funds from the UT to go toward this.
- LD 854 which would allow use of tax increment financing to include development, expansion or improvement of broadband services has passed the house and is now on the Senate calendar for today. Barbara feels confident it will pass. This will be a help.

Bid opening for the Winter Rock Salt –

- Commissioner Baldacci opened up the winter rock salt bids for the Unorganized Territory request. The following four vendors submitted their bids by the deadline.

Bid opening for the Winter Rock Salt – Continued:

	Southern 5,592 tons	Northern 2,535 tons
Cargill	No Bid	No Bid
Harcros Chemicals, Inc.	\$63.21 / ton	\$75.50 / ton
Morton Salt	\$49.25 /ton	\$58.77 / ton
New England Salt, LLC	\$52.81 / ton	\$61.70 / ton

- Commissioner Sanborn made a motion to accept Barbara's recommendation for the salt bid awards to go to Morton Salt at \$49.25 per ton for the Southern Region and Morton Salt at \$58.77 per ton for the Northern region. Commissioner Baldacci seconded the motion. Motion to approve passed 2-0.

Probate Update –

- Renee Stupak, Register of Probate stated that due to the new Probate code, Judges Bench time may increase roughly 25%, and also legal services with the same percentage increase.
- The effective date for change has moved to September 1, though undisputed changes and new forms, will start July 1, 2019.
- In the future, probate courts may require paralegal experience for staff.

DA Update –

- DA Marianne Lynch followed up with her request to the Commissioners to create a paralegal position in the office.
- This position would be able to assume Office Manager responsibilities' should Kristine be out and provide additional help in the office. The benefit of a paralegal is to do legal research to help handle the case load which the AG's office feels would be valuable.
- Marianne no longer purchases the paper subscription to law books since the information can be found online. Eliminating the paper copies will save staff time to physically change the books, as well as the cost for the monthly updates. We have a paralegal license for the computer generated program called West Law. A paralegal would do research, as well as draft complaints that an attorney does now.
- Marianne stated that big changes are coming to the office with the new CITRIX system. This is going to require Kristine to be out of the office traveling over the next six to eighteen months as it becomes incorporated in our department.

DA Update – Continued:

- Our thought is to take one of the eight current clerical specialist positions, and promote to an administrative assistant with a paralegal background requirement. Commissioner Sanborn made a motion for the DA's office to proceed with advertising the position internally. Commissioner Baldacci seconded the motion. Motion passed 2-0.
- Marianne requested consideration of a pay increase for Office Manager, Kristine Higgins. The office manager position has continued to grow in importance and Kristine has provided support many times after hours. Additionally, Kristine will be putting in longer hours and training employees once the new CITRIX system becomes integrated. Administrator Bill Collins will look into what other office manager's salaries are in other counties.
- Marianne has been approached from staff members to request to carry firearms in the building. The staff members making the request are former law enforcement members and are trained in weapons handling. These members work with victims and sometimes defendants often with non-traditional hours. There was conversation on what process should take place if this is allowed. Bill Collins will look at what procedures other counties have.
 - Erika injected that Department of Homeland Security assessment will be coming at the beginning of July. They will take a look at all the buildings and the vulnerable areas and will provide recommendations to make our campus safer. We might be able to make this space safer.
 - Erika mentioned that the active shooter program is being rescheduled for some time in August and September.
 - Erika stated that perhaps with both of the programs coming to the county, it will bring a stronger sense of security.
- Marianne reported that Northern Light has returned to the community drug task force. Marianne feels that is a positive step in the right direction.
- Commissioner Baldacci asked Marianne what she is seeing in her office that is helping reduce our number of beds used in the jail. Marianne believes that the data sharing list is getting a lot of attention. This list comprises of how long the inmates have been incarcerated, with inmates in for a long period of time getting the most attention. The court is taking someone over 180 days and will get them sent to a judge. There are now judge assignments which has been helpful.
- There are additional trial dates recently added to the month which Marianne is feeling beneficial.
- Marianne has instructed her DA's not to request bail if the cases are not jail worthy. However, the re-offenders have to be jailed, since they are not obeying the law.

DA Update – Continued:

- Maine Pre-trial has been a welcome partner to us with Elizabeth Simoni a tremendous resource. We meet three times a week for info sharing before arraignments so that things will move quickly along. Maine Pre-trial provides resources for the offenders so that they can be better equipped once over the probationary period. If Maine Pre-trial returns a case to us, you know that they've exhausted all resources available.
- BARN (Bangor Area Recovery Network) helps us with the diversion programs. This is all donation and volunteer based, BARN allows us use of their building.
- Commissioner Baldacci informed Marianne that Maine Pre-trial has requested the Sheriff's Office re-take over the 1st and 2nd offender program. He cited that the Sheriff is looking to make this a day program versus a 24 hour program. There was discussion on the cost of attending one of these programs. It is unfortunate that the payment is so steep, because not everyone can afford to pay for one of these programs as a get out of free card.
- Bill reminded Marianne of the email that he sent regarding a request for assets and forfeitures. The amount of time it would like to format what was requested, would be too time consuming. Marianne states that they are not required to run into the format requested.

HR Update –

- HR Director, Erika Honey reported that this month will be about working on employee benefits. We will be looking at all of our benefits to make sure they are working for our employees and the County.
 - We are beginning our annual renewal process of employee benefits with Bill, Judy, Tyler and myself meeting with Dick Hansen to discuss our benefit plans.
 - The County has a new AFLAC representative in place and will be meeting sometime this week or next. I will be setting up appointments with employees which is something that needed to be improved upon and I feel this will be progress.
 - The County will have a review of our Maine retirement plan that will include exclusions that may or may not be existing in our plan. They are busy in MPERS taking a look at that for us.
 - Erika will be meeting for our quarterly review for Workers Comp claims next week. I've started pulling together some numbers and placing data markers on them, not only by loss time or medical, as previously done. I will be classifying those accidents - mishaps in how they can be prevented with regards to safety issues. Carving out those that may be related to jail and reconstruction

HR Update – Continued:

possibilities are the topic and identify some of those injuries that could be related to structure.

- The Sheriff's Office has been great in assisting in pulling together those numbers as a whole and utilizing the safety committee every month to discuss.
- We've had a couple positions open for the month of May that we advertised for and held interviews. The second probate position is in the final stages and hope to make an offer soon, as well as the part time maintenance position. We are hopeful to have employees in place by the middle of the month.
- HR are department heads are developing job descriptions. This process is going forward.
- We are looking at our annual review so we are consistent and it applies to every department.
- Upcoming events and training are as follows:
 - VOYA will be up this Wednesday and Thursday
 - Employee Wellness Fair – June 19th from 10:00 am-2:00 pm.
 - Visible and Invisible Disability Trainings by Karen Fraser (DOL) July 17th and 18th
 - DHS Site assessment beginning of July
 - MainePERS employee educational meeting and one on one discussions
 - Medicare 101 – Health Care Retirement Planning
 - Active Shooter
 - Erika will be attending the NACo Leadership Academy starting August 5 and is grateful for the opportunity.
 - Erika will be participating in the upcoming NDWB meeting/training on the 12th
 - Erika will be participating in a legislative update with Rudman and Winchell in July on the LD 369 (An act authorizing earned employee leave, into law which is effective January 1, 2021.)
- Bill Collins and Erika will be working on the General contract.
- We put out a feature for MCCA – some great stories from each department capturing and highlighting the work that our Employees are doing.
- The Wellness funds purchased a few CPR mannequins. We will be offering CPR to all county employees.

Sheriff's Update –

- Commissioner Baldacci expressed our condolences to the Sheriff on the recent loss of his mother.
- Chief Deputy Birch announced that he received a call this morning that former Deputy Tom Rushmore died unexpectedly.

Sheriff's Update – Continued:

- Chief Birch reported that today's jail population is 161 (117 males, 44 females) with 41 boarded out to other county jails. There are no county swaps, no federal marshals and 73 in Maine Pre-Trial Services.
- The deadline closes today at 1600 for the new Patrol Deputy position. Sgt Goodspeed reports there is a good application pool.
- There is no update regarding the Orrington or Hermon contracts.
- June is a busy month with the supplemental law enforcement contracts. We be attending many town meetings.
- Commissioner Sanborn moved to approve the Town of Winn contract as presented. Commissioner Baldacci seconded the motion. Motion approved 2-0. Signed by Administrator Collins.

Public Comment –

Larry Dansinger, citizen of Bangor discussed the article from the Portland Press Herald regarding women in prison. Commissioner Baldacci stated what he found interesting is the incredible growth of the inmate population of women in the last few years which is largely fueled by the drug epidemic.

Larry reiterated that there is still a concern on the proposed size of the jail. The vision from the group doing research doesn't point to a larger sized jail, but smaller. Larry appreciates Marianne Lynch using other resources and groups to provide services to get inmates out of the jail. Our group is trying to develop a plan for you to look at and would like to invite the Commissioners, to participate in one of our meetings. Commissioner Baldacci requested to know when and where and he will certainly attempt to attend.

Commissioner Baldacci reported that they will be looking at the proposals from the architectural firms that were opened a couple weeks ago. We are looking hard at their numbers. We are not wedded to 300 beds.

Melissa Burkey spoke about the data that Marianne Lynch referred to. Melissa is encouraging the Sheriff's department to find ways to get hands on all kinds of data and what is trending. How many people are in jail today who could get out if they paid their fines. I think that is very important number if we could track it daily. Melissa feels that everything we're talking about needs more data.

Public Comment – Continued:

Capt. Clukey responded that every inmate is different as to what bail conditions are. There is no simple answer. Lt. Hotaling said in order to get that information we would have to open up every individual file and look at it and see if there is something we could do in the system that is holding people longer.

Commissioner Baldacci states the first step is to find out who's in jail and what are the driving conditions keeping them in jail.

AFSCME PRCC Contract Signing

- Present was Dispatcher William Lovejoy.
- Mr. Collins stated it was a pleasure working with this unit. The new contract expires in December 2021.

Administration Update –

- All Counties in the State of Maine were contacted by AJ Wagner for a FOIA request for a digital copy of our signed contracts from January to June 1st. He also wants a copy of the EMA all hazard mitigation plans. Finally he is requesting copies from the Sheriff's Department incidents reports of December 31st and January 1st.
- Bill received a request from another group that is looking to obtain asset forfeiture list for the counties. This has been sent to DA Lynch.
- Michelle LaBree has asked if it would be a conflict of interest to hire Scott Luciano part time in her office. Scott has his own business and works with local fire agencies. He is paid from Federal LEPC funds. This is independent of the County. The Commissioners and Bill do not see a conflict.
- MCCAM has put forth a letter to DOC Commissioner Randy Liberty as a \$273 K formal request for last year's surplus supplemental jail funding to go to Penobscot County. Commissioner Liberty responded by email. He looks forward to working with us.
- Bill reminded the Commissioners to RVSP if they plan to attend the NWDB Quarterly Meeting on June 12th.
- Risk Pool is trying to set up a mediation settlement meeting.
- Commissioner Paul Adams from Aroostook County was in an auto accident and is at EMMC.

- Sheriff has inquired into using the Old Y for the 1st and 2nd offender program. Bill is going to reach out to Code enforcement to see if allows us to be able to reporting

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Administration Update – Continued:

Program of some kind as to what we will have to do to make the building habitable.

- I should receive a formal document from Frank McGuire regarding the Town of Orono late payment request and will communicate that back to the Town.
- Payroll Change Notices signed for: Jennifer Jalbert – Hired; Andrew Rideout – Promoted; Laura Craig – Resignation; Ann Dunkerley and Robert Soucy – Payroll Changes; Bradley Fitzgerald and George Buswell – Comp time.
- Payroll Warrant to be approved for: \$ 214,835.00
- Accounts Payable Warrant to be approved for: \$ 390,723.68
- UT A/P Warrant to be approved for: -NONE-
- UT TIF Warrant to be approved for: \$2,451.24

Executive Session---Commissioner Sanborn made a motion to go into Executive Session at 10:25 a.m., under 1 M.R.S.A. § 405 (6) (D) Contract Matter. Commissioner Baldacci seconded the motion. Vote to approve 2-0. Present were: Bill Collins, Judy Alexander, Lt. Hotaling, Chief Birch and John Hiatt. Session ended at 11:04 a.m. NO votes taken.

Executive Session---Commissioner Sanborn made a motion to go into Executive Session at 11:07 a.m., under 1 M.R.S.A. § 405 (6) (A) Personnel Matter. Commissioner Baldacci seconded the motion. Vote to approve 2-0. Present were: Bill Collins, John Hiatt and Erika Honey. Session ended at 11:26 a.m. NO votes taken.

Meeting Adjourned-

Commissioner Sanborn moved to adjourn the meeting at 11:27 a.m. with no further business on the agenda. Commissioner Baldacci seconded the motion. Moved to approve 2-0.

Certified By:

Administrator, Bill Collins

Peter K. Baldacci, Chairman

Laura J. Sanborn, Commissioner

ABSENT

Andre E. Cushing, III, Commissioner