

**Penobscot County Commissioners' Meeting Minutes March 28<sup>th</sup>, 2017 #2131**  
**9:00 AM Commissioners Peter Baldacci, Tom Davis, and Laura Sanborn. 30°**

**Approval of Minutes-**

- Commissioner Davis made a motion to approve the March 21<sup>st</sup> minutes. Commissioner Sanborn seconded the motion. Vote to approve passed 3-0.

**Sheriff's Department Update-**

- Sheriff Troy Morton stated the jail had a population of 207 as of Friday March 24<sup>th</sup>. Due to safety concerns over the high number and headed into the weekend, the Sheriff sent 15 down to Cumberland County Jail. Because of inmate risk levels, genders, and mental health issues the jail population is far more complex to manage than legislators or the average citizen most likely comprehends. He explained it is not as simple as just having an open bed for an inmate to fill.
- Troy plans to attend legislative meetings this week discussing over a dozen bills effecting law enforcement and county jails. Sheriff Morton will be representing the Maine Sheriff's Organization.
- Troy explained there is a bill in state legislature that is written for states to not follow federal law in regards to immigration policies. The Sheriff noted that all of the state's county Sheriffs received a notification letter from the American Civil Liberties Union (ACLU) encouraging them to oppose the bill.
- Patrolman Christopher Watson struck a deer with his cruiser and incurred \$4,187 worth of damage. Sheriff Morton asked the Commissioners if they would recommend the department to not fix the vehicle considering it already has 130,000 miles on it. Administrator Bill Collins suggested that the Commissioners accept a \$3,187 insurance check (damage less county's \$1,000 deductible), and then reassess the vehicle at a later time. Troy mentioned there is a company that is currently interested in buying the vehicle in its current state and Deputy Watson has been driving one of the department's spare cruisers. Commissioner Davis made a motion to accept the insurance funds and reassess the damaged cruiser at a later date. Commissioner Sanborn seconded the motion. Vote to not repair and accept these funds passed 3-0.
- Sheriff recognized and complemented long-time Sheriff Department employee Dianne Estey, who plans on retiring at the end of April. Bill noted Dianne was very involved with the county's Biggest Mover's and other wellness programs the county has participated in.
- The Sheriff then voiced his frustration with the state's legislative Criminal Justice committee in regards to the jail funding crisis. He feels the committee should either grant the county jails their respective supplemental budget or approve solutions that the county jails are presenting. Troy noted he was able to clarify with the committee questions regarding the percentage of Pre-Trial and Probate inmates in our jail.

**Sheriff's Department Update Continued-**

Commissioner Baldacci stressed the importance of keeping the District Attorney's Office engaged to help reduce the stays of Pre-Trial and Probate inmates. Troy felt the committee was leaning towards supporting the supplemental funding requests versus lifting the 3% jail budgetary limit. However the Sheriff emphasized that regardless of the funding issue, the population crisis has to be addressed with the courts for a long term fix.

- Troy stated he attended the Town of Passadumkeag's Town Meeting recently. A supplemental part-time patrol contract with the Sheriff's department was unanimously approved. He was amazed at the turnout for the meeting and added the town has appropriated \$5,000-7,000 for the service. Troy thanked the town and noted the part-time contract should be beneficial for both parties involved.

**TAN Bid Opening-**

- Treasurer Dan Tremble and Financial Director Judy Alexander opened six bids that the county received for an upcoming TAN.

<b><u>Bank</u></b>	<b><u>Fixed Rate - Lump Sum</u></b>	<b><u>Fixed Rate – Amount as Needed</u></b>
Androscoggin Bank	1.43%	1.50%
Camden National Bank	1.23%	1.23%
First National Bank	1.15%	1.15%
Key Bank	1.05%	1.05%
Machias Savings Bank	1.12%	1.12%
Bangor Savings Bank	1.14%	1.14%

- Commissioner Baldacci asked if there was a depository relationship required for any of the bids. Dan and Judy noted that was not a stipulation of the bid but they will review all of them and report back to the Commissioners. Commissioner Davis made a motion to take all of the bids under advisement. Commissioner Sanborn seconded the bid. Vote to approve passed 3-0.

**Financial Director Update-**

- Financial Director Judy Alexander presented the Commissioners with a snapshot of the county's financial state as of December 31<sup>st</sup> 2016. Judy commented that since the jail has a fiscal year end of June 30<sup>th</sup>, the numbers presented for that department represent half of the years' budget.

**Financial Director Update Continued-**

Judy stated that the jail's revenue was 5% over the projected income at midyear, and their expenses were slightly over 50% of the budgeted yearly amount. Judy did note that all of the jails correction funds are received upfront which over projects the midyear figure. Judy commended all of the departments for keeping an eye on expenditures and feels the county is in line with the current budget.

- Judy stated that the projected undesignated fund balance as of 12/31/16 was \$1.4 million. She explained the county is allowed by law to carry over \$2.3 million.
- Judy then presented the county's financial status as of February 28<sup>th</sup> 2017. She noted the all of the department are in line with the projected budget. Judy explained that despite the jail already spending the entire year's budgeted boarding funds, the overall expenses are close to being in line. This is due to that the county's health insurance premiums have actually decreased and the county had originally budgeted an increase.
- Judy added that all the county's municipal taxes have been paid in full. There is only one town (Webster) that owes the county for interest from a prior tax bill.
- Judy then suggested moving the jail's fiscal year (July 1<sup>st</sup> – June 30<sup>th</sup>) to matching the county' calendar year for financial reporting. The Commissioners expressed they were concerned that this would cause towns to have to commit to 18 months' worth of a jail tax burden. Treasurer Dan Tremble and Judy explained that the current town tax bills already include the jail's entire budget for the year (6 months of the jail's previous year's budget [January – June], and 6 months of the next year's budget [July- December]). Thus there would be no effect for tax budget planning by changing the jail's fiscal year. Commissioner Baldacci noted they can formalize the change at a later date.

**Executive Session-** Commissioner Davis made a request to go into Executive Session to discuss a legal matter at 9:37 am under 1 MRSA §405 (6) (E). Commissioner Sanborn seconded the request. Vote to approve passed 3-0. The Commissioners, Administrator Bill Collins, Treasurer Dan Tremble, Finance Director Judy Alexander, and county attorney Ed Bearor were in attendance. Executive Session ended at 9:55 am.

**Purchase & Sales Agreement Approval of 127 Hammond Street, Bangor, Me –**

- Commissioner Sanborn made a motion to authorize county Administrator Bill Collins to make an offer to purchase 127 Hammond Street, Bangor Maine. Commissioner Davis seconded the motion. Vote to approve passed 3-0.

Administrative Update Continued-

- Administrator Bill Collins informed the Commissioners that he has reached out to all department heads on attending Maine County Day next Monday. None of the department heads expressed an interest aside from the Sheriff. Sheriff Morton had previously mentioned that the department will try to do something for the event.
- Bill reminded the Commissioners that he plans on attending the Criminal Justice hearing in Augusta tomorrow.
- Bill plans on meeting with Jim Mackie and two PRCC employees this week to discuss their concerns.
- The county's safety committee informed Bill that the Probate Office would like to purchase a wheelchair to have for citizens coming to their office. Commissioner Davis believes it is a liability issue and since there is already a handicap lift he does not feel the county should. Bill said he learned that the Federal Building used to have a wheelchair but no longer offers one for the same reason of a liability risk. The Commissioners agreed not to purchase one at this time.
- The Wellness and Health Committee asked if the Commissioners allowed employees children to use the county's wellness center. The Commissioners said they want to limit the center to employees and their spouses. The county's health insurance agent Dick Hansen asked if the county had any plans to move the wellness center over to the 127 Hammond Street building, providing the county obtains ownership of the property. Commissioner Baldacci said that contingent on the sale, the county is examining all department needs and is unsure at this time what departments will expand and/or utilize the space. The focus would naturally be to solve the jail overcrowding crisis, but aside from that no decision has been made at this time.
- Bill explained the Chief Deputy of the jail delivered some papers that were dropped off by a Federal Marshall which required they be signed which would reflect they have been served. Bill directed the deputy to have the Sheriff's secretary Vanessa Holmes scan the documents and email them to Malcolm Ulmer at the risk pool. Commissioner Baldacci noted that it is important to inform all of the jail's employees to never sign served papers. The papers should be directed to the correct administrator or department head and signed by them only.
- Bill informed the Commissioners an employee was struck by a local police department's cruiser behind the jail. The cruiser was backing up and did not see one of our correction officers walking behind it. The employee jumped out of the way once he was lightly struck. Bill noted a report should have been made of the incident but never was. The good news is the correction's officer was not injured.

**Administrative Update Continued-**

Bill informed the Sheriff's Department's safety representative to be sure a report is filled in the future so there is a record of the occurrence. Commissioner Baldacci asked Bill to have Sheriff Morton follow up with the local police department so they are aware of the accident as well.

- Commissioner Davis made a motion to re-appoint Charlie Pray as Penobscot County's representative to the Land Use Planning Committee. Commissioner Sanborn seconded the motion. Vote to approve passed 3-0.

**PRCC Update/ Radio Consulting RFP Approval-**

- Department head Chad LaBree presented the Commissioners with a RFP for a Radio Consultant he has put together. The RFP's goal is for a consultant to examine the departments current infrastructure; discover any gaps in radio coverage; analyze the current system's coverage map; look over the department's licenses; and provide solutions on transitioning to an analog/digital simulcast system. Another goal of the RFP is for a company to provide cost analysis and direction for the department to be able to seek out federal grant funding. Commissioner Baldacci noted the wording of the bid was for the vendor to provide "one or more solutions". Chad noted he would change the wording to "multiple solutions" and omit the wording "one". Commissioner Davis motioned to approve the RFP as amended. Commissioner Sanborn seconded the motioned. Vote to approve passed 3-0.
- Commissioner Davis asked Chad how many employees he had projected to use if the county were to take over Hancock County's PSAP services. Chad answered he had planned on hiring three more employees. Chad and Judy commented that based on pay and benefits was how they had quoted Hancock County. Commissioner Davis suggested they review their quote in order to be sure we would be competitive. Chad noted we are competing with Somerset County. He believes they have bid only adding two additional employees as they have already added a new position into their approved budget. Chad questions changing our quote. Commissioner Davis feels Somerset and Penobscot will be the only two primary dispatch centers in the state. Chad noted that some of Maine's cities utilize the Department of Public Safety (DPS) as their dispatch and the towns are not required to pay DPS for their services. He feels as long as DPS continues to provide those services, counties like Somerset and Penobscot will never gain those city's services. Chad noted that the Hancock County dispatch area is a very difficult to service due to the complexity of the national park and large number of seasonal visitors. He commented that there are three dispatch centers on Mount Desert Island alone. Chad feels Hancock won't partner with Somerset since they would have to run fiber lines in order to comply with Somerset's

**PRCC Update/ Radio Consulting RFP Approval Continued-**

digital IP system.

- The Commissioners asked if Chad and/or a dispatch employee would be willing to attend Maine County Day down to Augusta. They feel it would be a good networking opportunity for PRCC to have an opportunity to communicate with legislators and other county representatives. Commissioner Baldacci thought it was important from a legislative point of view for the PRCC to be present to communicate any county concerns or inputs for any dispatch legislation. Chad noted he will attend.
- Chad and the Commissioners commented on the importance of finding more federal funding.

**Executive Session-** Administrator Bill Collins made a request to go into Executive Session to discuss a personnel matter at 10:30 am under 1 MRSA §405 (6) (A). Commissioner Sanborn seconded the request. Vote to approve passed 3-0. The Commissioners, Administrator Bill Collins, Treasurer Dan Tremble, Finance Director Judy Alexander, and District Attorney's Office Manager Kristine Higgins were in attendance. Executive Session ended at 10:45 am.

**District Attorney's Office Update-**

- The Commissioner Baldacci complimented office manager Kristine Higgins for her ability to help direct and lead the county's employees in the DA's office. Commissioner Davis then made a motion to move Kristine's to step 7 on the pay scale. Commissioner Sanborn seconded the motion. Vote to approve passed 3-0. Kristine thanked the Commissioners for their kind comments and decision.

**Public Comment-**

Nick Sambides, a reporter for the Bangor Daily News, asked a series of questions regarding the county's interest in the property located at 127 Hammond Street Bangor, Maine.

- Nick asked if the county has purchased the property and the reason they sought to purchase the property. Commissioner Baldacci answered that the Commissioners have authorized Administrator Bill Collins to make an offer on the building. Commissioner Baldacci noted that while the property has a lien on it from the mortgage holder TD Bank and a local contractor, he feels confident those issues will be resolved. Thus the County has begun the first steps in acquiring the property at a Voluntary Arm's Length basis.

**Public Comment Continued-**

- Nick then asked what were the reasons that the county desires to acquire this building. Commissioner Baldacci strongly emphasized that the location of the property as a neighboring property to our campus is the leading factor. The size of the lot and expanded parking are added benefits for the expansion of the county's campus.
- Nick questioned if the Commissioners had plans for the county jail in relation to the property. Commissioner Baldacci commented that if the purchase goes through, the Commissioners will assemble a group of citizens and architects to look at the property and give options for future plans.
- Nick asked when the purchase is likely to be finalized. Commissioner Baldacci answered that without any unforeseen issues it should be finalized within the next thirty days.
- Nick asked what will happen to the tenants who currently utilize the building. Commissioner Baldacci answered that one tenant's lease is about to expire. The Church's lease runs through April of 2018. Commissioner Baldacci noted that the county's attorney will work with the Church's counsel to see if something can be worked out that is fair for both parties.
- Nick asked how difficult it would be for another purchaser to remodel the building. Commissioner Baldacci believed it would be a very difficult building for a buyer to remodel due to its age and the additions that have been built onto it.
- Nick asked if there was a price disclosed for the offer. Commissioner Baldacci explained there was only a motion for Bill Collins to place an offer for the building. The dollar amount will be disclosed at a later date if the sale is finalized.
- Nick questioned if the Commissioners considered purchasing any other buildings. Commissioner Sanborn and Baldacci explained Sheriff Morton had been looking the past eighteen months for nearby buildings to consider purchasing. Commissioner Baldacci added the county is presented with either paying out hundreds of thousands of dollars to board inmates at other jails or search to expand the county's campus.

**Administrative Update Continued-**

- Commissioner Baldacci explained that over the recent visits to Augusta attending legislative sessions, he feels legislation is against lifting the 3% jail budget increase tax cap. He does feel that there is support though for the \$2.9 million supplementary budget increase for the county jails.
- Payroll Warrant to be approved for \$ 259,293.65
- Accounts Payable Warrant to be approved for \$ 352,027.99

**Administrative Update Continued-**

- Unorganized Territory Warrant to be approved for: None
- Payroll change notice signed for: Michael Osterby, LaNiece Sirois, and Terence Sullivan
- Compensation notice signed for: Denise Molinaro – 5.25 hours.

**Additional Public Comment- None.**

**Meeting Adjourned-** The meeting was adjourned at 11:05 am with no further business on the agenda.

**Certified By:**

\_\_\_\_\_  
/s/  
Penobscot County Administrator  
William Collins

\_\_\_\_\_  
/s/  
Peter K. Baldacci, Chairman

\_\_\_\_\_  
/s/  
Laura J. Sanborn, Commissioner

\_\_\_\_\_  
/s/  
Thomas J. Davis, Jr., Commissioner