

Penobscot County Commissioners' Meeting Minutes February 9, 2021 **2321**
9:00 AM Commissioners Peter Baldacci **10°**
Commissioners Laura Sanborn & Andre Cushing via Zoom

Roll Call -

Commissioner Baldacci opened the meeting at 9:00 a.m. from the Commissioners Chambers and Commissioners Sanborn and Cushing attending via Zoom.

Approval of Minutes –

Commissioner Sanborn made a motion to approve December 1, December 8, 2020 and January 19 and January 26, 2021 meeting minutes. Commissioner Cushing seconded the motion. Vote to approve passed 3-0.

Public Comment -

Commissioner Baldacci acknowledged an e-mail from Larry Dansinger with questions for DA Marianne Lynch. Those will be addressed at next week's Commissioners meeting when DA Lynch presents her monthly update.

Deeds Update –

Register Susan Bulay reported the following:

- January 2021, we reported 20% more documents than our five-year average for a January. Which creates 20% more monies for us; almost \$108,000.
- Deeds staff are all healthy; those that have had a COVID test have come back negative.
- Deeds staff are following CDC guidelines by maintaining social distancing from the public and masks are to be worn by the public as well as office staff. There have been five complaints from the public in the last year that masks must be worn in the building.
- There have been some ongoing issues with the heating system in our office.
- We are keeping an eye on one bill in Legislation that pertains to our department. In LD418, (An Act to Create a Graduated Real Estate Tax), proposes if an individual buys or sells a piece of property to be used as their primary residence, the first \$150K of that purchase price will be taxed at \$1.50 per \$500 instead of \$2.20 per \$500; after that it will be taxed at \$2.50 per \$500. This Bill would be difficult to administer; the uncertainty if the applicant truly is using this property as "primary residence".

DA Update –

Office Manager Kristine Higgins presented for signature the following criminal forfeiture funds:

DA Update – Continued:

- State vs Leathers in the forfeiture amount of 15% of \$242 to the Sheriff's Office. Commissioner Sanborn moved to approve this request. Commissioner Cushing seconded the motion. Vote to approve passed 3-0. Signed.
- State vs Tardiff in the forfeiture amount of 15% of \$4,103 to the DA Office. Commissioner Sanborn moved to approve this request. Commissioner Cushing seconded the motion. Vote to approve passed 3-0. Signed.
- State vs Baker in the forfeiture amount of 15% of \$2,201 to the DA Office. Commissioner Sanborn moved to approve this request. Commissioner Cushing seconded the motion. Vote to approve passed 3-0. Signed.

Office Manager Higgins requested approval for four new badges and cases for the badges for the prosecutors in the District Attorney's Office for a total of \$589.40. The District Attorney's Criminal Forfeiture account currently has a balance of \$2,348.55 and funds from this account would be used to make this purchase.

Commissioner Cushing moved to approve this purchase from Central Equipment, LLC in the amount of \$589.40. Commissioner Sanborn seconded the motion. Vote to approve passed 3-0.

Maintenance Update –

Director Brian MacDonald presented the following:

- Two dozen workorders have been closed for the Sheriff's Office since January 1. Most of the workorders were plumbing and electrical. There is probably that same amount in this building, unfortunately we have no way of tracking them. Director MacDonald feels that using that same work order system county wide would be beneficial.
- Inspection Reports completed for the following:
 - Changes, repairs and training requested from Safety Works
 - Maine Municipal (workers comp insurance) inspections were done for the Wellness Center, EMA Office and the Franklin Street Offices
 - Jail elevator, courthouse building elevator, chairlift on Franklin Street, and the fire alarm systems
- The panic buttons are currently being identified and making an updated list
- There was a heating failure in the Courthouse building February 1st. The controller needs to be replaced and we are waiting for the equipment to arrive.

Facilities Update – Continued:

- There was an electrical issue late last week where some wiring inside the Court Street entrance shorted out. Since wiring was disconnected to present any additional issues, we have identified where the wiring goes. The electrician has been called.
- The exterior lights will be changed to LED lighting to save some monies.
- Director MacDonald has the revised renovation plans on the Video Conferencing Room in a form of a PowerPoint presentation. Director MacDonald met with one contractor who responded; other vendors were reached out to bid rejected the opportunity. Aaron Newcomb is the vendor who has given an estimate for the project.

UT Update –

Director Weeks and Deputy George Buswell presented the following:

- Director Weeks is requesting approval to go out to bid for a metal roof for the Alton/Argyle Salt Sand building. Bid due by March 23, 2021 at 9 a.m. Alton will pay 1/3 of the cost.
 - Commissioner Sanborn moved to approve this request. Commissioner Cushing seconded the motion. Vote to approve passed 3-0.
- Director Week is requesting permission to post on the Maine Fire Chiefs Association website a 1992 Spartan Fire Engine pumper truck. This engine is currently housed at Kingman Fire Station and had been offered to schools to use for hands on learning free of charge; with no success. It is recommended to state on the advertisement “make an offer” vs listing a price.
- Deputy Buswell reported we are in the process of cleaning out the Kingman Fire Station building since the County is now responsible for it. The following inventory was left behind: out of compliance old turnout gear, old equipment that no longer works, five Scott air tanks, kits and self-contained breathing apparatuses, and 11 spare steel tanks with valves. The equipment that is too old to be serviceable has been removed from the site. The equipment that still has a value to other fire departments will be first offered to our contract partners and then posted to the Maine Fire Chiefs Association site.
- Deputy Buswell reported that all our salt-sand sheds are half full and feels we should be able to get through the winter.
- The roads have been good and is pleased to say that this year we have had very few complaints. This has been an easy year for our contractors without the snow and freezing rain which has been typical of other years.

Sheriff's Update –

Sheriff Troy Morton introduced Pat Kimball, Chair of Penobscot County Jail Board of Visitors.

The following was reported:

- The Board of Visitors (BOV) Role is to ensure that the inmates are able to report back to the Sheriff and that those inmates with mental illness receive the services they need in a timely, respectful manner.
- With the following recommendations made, the BOV will be able to see the gaps in services. As well as ensure the safety and well-being of the inmates currently residing at PCJ. The recommendations are really about organizing ourselves. We recognized during the first year of meeting together there are a lot of things not right and still much to be learned; i.e. terminology and procedures of the jail.
- Annual Report Recommendations are as follows:
 - Continue to meet quarterly to report the work we are doing and allow Sheriff an opportunity to keep us updated. In 2021, we form a subcommittee that puts together a written policy and procedure for the BOV to request interviews and also how to record and share the information we learn. It should include how to respond to any immediate safety issue and how and who to report this and how to protect the confidentiality of the person who we are interviewing.
 - Improve the method in which appointments are scheduled and increase efficiency. We will be meeting with the Program Staff to develop protocols to help the BOV in scheduling appointments to expand the number of interviews we can conduct.
 - We need a committee to explore how we can more efficiently collect data on how many individuals we see and demographics so we can ensure we are able to connect to many different prospective. We also need a system of where to store our information, it needs to be confidential but at the same time allow us to review and make recommended changes.
 - Review the regulation and guidelines around the grievance reports filed and define what is the responsibility of the BOV in regards to this.
 - We need to discuss how we will post information and make our reports and findings available to the public at the same time protecting the person being interviewed. We need a system where we can collect public questions.
 - We need to determine the definition of annual in regards to our election of officers and reporting our annual report. Nowhere is it defined if we are a calendar year or a fiscal year.
 - We have had a few resignations from the BOV and need to appoint at least 2 new members to the board for 2021.

Sheriff's Update – Continued:

- Set a yearly schedule for 2021 and publish those dates for the public.
- Pat has agreed to server as Chair for one more year.
- Ms. Kimball stated that the new grant that the jail received will improve greatly for mental health services.
- Commissioner Baldacci thanked Ms. Kimball and members of the board for the work being done. The Board offers insight to those who are on the outside looking in.
- Ms. Kimball stated that the Board members were fortunate to tour the jail facilities before COVID hit. Unfortunately, new board members may not be offered the same opportunity. Sheriff has been setting up ZOOM interviews with inmates since April. Some of the complaints are the mental health issues. Unfortunately, there is only one psychiatrist on staff, so it's not neglect, more a timing issue. Some of that should be resolved with some of the grant monies.
- Commissioner Sanborn commented that she is impressed that Chief Greeley interviewing former inmates. These interviews where they can be more open about feedback without worrying about retribution.
- Sheriff Morton stated that his Program Division will be working directly with the Board of Visitors in providing assistance in scheduling appointments during the month. This will increase the opportunities for more interviews.

Sheriff Troy Morton reported the following on Corrections:

- In-house jail population is 160 (139 males, 21 females); 16 boarded out to other facilities and 211 inmates in Pre-trial Services.
- Our staff has assisted Cumberland County with coverage at Northern Lights with one of their inmates.
- Director MacDonald reported this morning on what he witnessed while working in the jail and why he felt the first-floor needs to be renovated. Sheriff elaborated stating that by renovating the first floor, there will more video capabilities allowing us better court processes and mental health evaluations. With Title 15 evaluations processes it will eliminate transporting by having these done by video, it will expedite the process.
- Judy Harrison of Bangor Daily News wrote a fantastic article on our mental health grant. We have had an outpouring of support since this article. This grant will not only impact the jail, but individuals outside the jail as well.
- Facilities had the front steps to the jail completed.

Sheriff's Update – Continued:

- There was a serious incident in our intake area where an inmate assaulted one of the Corrections Officers. Our population in the jail is high risk with our lower risk inmates boarded to other facilities.
- Final COVID testing numbers in the jail for January was 73.
- First round of COVID vaccinations were completed last week for both Law Enforcement and Correction Officers.
- Jail Kitchen manager Donna Downing and Lt. Ty Babb presented quotes for kitchen ovens. Commissioner Cushing moved to approve the purchase of two (2) Combi jail kitchen convection ovens from RM Flagg in the amount of \$31,000. Commissioner Sanborn seconded the motion. Vote to approve passed 3-0.

Sheriff reported on Law Enforcement:

- Deputies responded to three more deaths in our communities this week.
- Lt. Hotaling and Clerical Specialist Charity Davis have completed changing over our reporting system to NIBRS.
- The company we are using for our mobile app will work on redesigning the outdated Sheriff's website.
- An eight-year-old boy from Carmel purchased a sandwich for one of our Deputies at a convenience store. The store had lost its power and only accepting cash; the deputy only had a check card. This little boy used cash he had to purchase bait and paid for our deputy's meal. This heartwarming story has gone viral statewide.
- During a snowstorm, Orrington Deputy Baillargeon conducted a welfare check on an elderly lady. Deputy Baillargeon spent time getting her cell phone to work properly during this visit. The next day Deputy Baillargeon went back to make sure she was ok and shoveled her walkway.

Finance Update –

Finance Director Judy Alexander reported the following:

- Director Alexander presented the 10-year \$6M PRCC Infrastructure bond paperwork that was approved at last week issuing First National Bank as our lender. Commissioner Sanborn moved to authorize Commissioner Baldacci, Administrator Honey and Finance Director Alexander signatures on the paperwork. Commissioner Cushing seconded the motion. Vote to approve passed 3-0.

Finance Update – Continued:

- Director Alexander presented the 2021 Tax Warrant for approval. Commissioner Sanborn moved to approve the warrant as presented. Commissioner Cushing seconded the motion. Vote to approve passed 3-0.
- Discussion on the Municipal taxes are as follows:
 - Commissioner Cushing moved to approve 6% on 2021 late taxes. Commissioner Sanborn seconded the motion. Vote to approve passed 3-0.
 - Three of the six towns that were late have paid. Edinburg, Penobscot Nation and Stetson have been sent letters.
 - Once payment is received, a letter will be sent to the towns billing for the interest due
 - Webster Plantation overpaid and will be sent a refund after late charges.
 - Director Alexander stated the tax warrant and bills will go out to the Towns mid-March.
- Director Alexander presented year end 2020 report and discussion was as follows:
 - Unexpended Total is \$1,532,160.64
 - Expenditures shows three departments that overspent.
 - Probate – \$14,028.24 over budget due to ad litem costs
 - Sheriff - \$19,099.86 over budget due to had to make two additional vehicle purchases (Hermon and UT)
 - UT Administration - \$3,911.02 over budget due to paid out a retired employee
 - Total revenues are \$181,332.53 over what was budgeted
 - Revenues show the following:
 - The Tax Commitment includes those amounts not collected. The auditors prefer to show the total tax commitment as received with any uncollected amounts shown in an accounts receivable account.
 - Deeds – increased \$771,456.45
 - Probate – increased \$36,757.54
 - Sheriff's – increased \$69,166.63
 - Investment Interest - \$4,404.21
 - Office Space Rental \$620.20
 - Undesignated Fund Balance is \$3,022,883
 - After transfer to capital account will be \$2,822,611
 - Carry forwards balances are as follows before any action taken:
 - Institutional Equipment amount of \$11,560.27 can be used to help offset the cost of the two new Combi ovens approved purchase.

Finance Update – Continue:

- Commissioner Sanborn moved to approve the carry-forwards from 2020 to 2021 as presented. Commissioner Cushing seconded the motion. Vote to approve passed 3-0.
- ACA reporting on our health insurance is due March 3rd.

Administration Update –

Administrator Erika Honey reported on the following:

- Reminder that FOAA certification needs to be done. There is a FOAA request pending which involves copies of certification.
- There are several items that are sent via docu-sign after every Commissioners Meetings. Please try to have them signed in a timely manner so that those documents can be wrapped up for the departments needing your signatures.
- Wellness Center two pieces of equipment out for bid; the bid opening will take place at next Tuesday.
- Sheriff Vehicle bids will also be opened at next Tuesday's meeting.
- Next Monday is Presidents' Day and the County Offices will be closed for non-essential personnel.
- Today's meeting marked how our new presentations will take place going forward. We have a schedule for all the departments to present monthly; however, if there is a need to report, any department sign up to report. The departmental presentations will be as follows:
 - First Tuesday – NWDB Quarterly updates starting in March
 - Second Tuesday – Deeds, Facilities and Finance
 - Third Tuesday – DA, PRCC and Probate
 - Fourth Tuesday – IT, EMA and UT
- We need to come up with COVID policies and processes and make it clear to staff. Our leave time that was extended expires the end of March. Directives will be modified this week.
- Commissioner Sanborn made a motion to deny the Kolman tax abatement due to there was no significant error in valuation by the State. Commissioner Cushing seconded the motion. Vote to deny approved 3-0.
- Employment within the County:
 - Director Honey will be participating in the internal position for Deeds tomorrow.
 - DA Clerical Specialist II interviews will be held next week

Administration Update – Continued:

- Interviews were conducted for the Corrections Utility Custodian position; those have been placed on hold as I'm currently in discussion with AFSCME.
- Commissioner Baldacci and I will participate via ZOOM in the MCCA and Risk Pool meetings tomorrow.
- Negotiations will be held Thursday for AFSCME C/O Supervisors
- There is an Emergency Action Review that will be held Thursday
- Commissioner Sanborn moved to approve the warrants as presented. Commissioner Cushing seconded the motion. Vote to approve passed 3-0.
- Payroll Change Notices signed for: Taylor Keeran and Steven Saucier - Payroll Status Change
- Payroll Warrant to be approved for 01.29.2021: \$282,681.49
- Payroll Warrant to be approved for 02.05.2021: \$255,850.55
- A/P Warrant to be approved for 02.02.2021: \$447,271.26
- A/P Warrant to be approved for FY 2020 02.09.2021: \$16,250
- A/P Warrant to be approved for 02.09.2021: \$237,337.89
- UT Warrant to be approved for 02.02.2021: \$133,958.60
- UT TIF Warrant to be approved for 02.02.2021: \$40,625.00

Executive Session---Commissioner Cushing made a motion to go into Executive Session at 11:05 a.m., under 1 M.R.S.A. § 405 (6) (D) Contract Matter. Commissioner Sanborn seconded the motion. Vote to approved passed 3-0. Present were: Commissioners, Administrator Honey, Director Alexander, Sheriff Morton and Treasurer Hiatt. Session ended at 11:38 a.m.

Executive Session---Commissioner Sanborn made a motion to go into Executive Session at 11:39 a.m., under 1 M.R.S.A. § 405 (6) (A) Personnel Matter. Commissioner Cushing seconded the motion. Vote to approved passed 3-0. Present were: Commissioners, Administrator Honey and Director Warren. Session ended at 11:55 a.m.

Meeting Adjourned-

Commissioner Cushing moved to adjourn the meeting at 11:56 a.m. with no further business on the agenda. Commissioner Sanborn seconded the motion. Vote to approve passed 3-0.

Certified By:

Administrator, Erika Honey

Peter K. Baldacci, Chairman

Laura J. Sanborn, Commissioner

Andre E. Cushing, III, Commissioner