

Penobscot County Commissioners' Meeting Minutes March 16, 2021
9:00 AM Commissioner Peter Baldacci
Commissioners Laura Sanborn & Andre Cushing via Zoom

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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 moved to approve February 23, 2021 meeting minutes. Commissioner Cushing seconded the motion. Vote to approve passed 3-0.

Public Comment -

Susan D'Alessandro – concerned citizen

- Susan's main concern is on jail funding – how and where funds are being spent. We all recognized that there are limited funds. Susan understands that there is a lot that is not the commissions responsibility before people go to jail such as mental health and housing. Susan feels that there should be some sort of release plan set at time of admission. The American Bar Associations has a set a Standard of Care for inmates. After consultation with the inmate, correctional authority should develop an individualized program plan for the prisoner. Give each prisoner appropriate programs such as educational, substance and mental health, vocational, financial resources and other skills/programming to take with them once they leave jail.
- Susan will be attending a meeting to help the youth. There are a lot of parents working two-three jobs leaving the children out on their own. For some youth, their parents are leaving jail angrier than when they went in.

Lori Swain – concerned citizen

- Lori's main concern is the COVID 19 outbreak in the jail. Lori is asking what the Commissioners and Board of Visitors are doing on the following:
 - Protocol for admission in the jail (other than temperature checks)
 - Staff members threatening inmates with longer quarantine time if complaining
 - If employees are encouraged to be vaccinated
 - What is the percentage of employees refusing being vaccinated?
 - What is being done to expedite inmates being vaccinated
 - What data is being completed on how long it is taken inmates being treated/seen by health professionals

Public Comment – Continued:

Janet Drew – a concerned citizen

- Janet feels that inmates in prisons and jails are at a higher risk to contact COVID and potentially given a death sentence. We need everybody out that can get out which needs to be taken seriously in every level of government.
- Janet referred to last weeks meeting with the public commenting on letters from inmates of what is going on in the jail. We cannot discount the communication coming to us from inmates. This needs to be looked at more closely.

Larry Dansinger – citizen of Bangor had two comments.

- Larry is waiting on a response he asked about the inmates jailed for non-violent reasons. If these are misdemeanors than they shouldn't be housed in the jail. Larry refers to the inmates he saw that charges were bail violations, probation violations, or warrants. If this is a policy of the jail, then it should be followed.
- Bangor Daily News reports that there are 22 people infected with the virus right now. Larry feels that because of fear of retaliation in the jail from inmates, there may have been less infections. There needs to be something radical done to rectify the situation in the jail or we're going to have more and more people infected and in danger of contacting it. Larry feels the term "reckless conduct" can be said about the inmates in the jail. The jail needs to be sanitized to eliminate the virus.

UT Update –

Director Shaw weeks reported the following:

- Reminder of the bid opening for the Argyle/Alton Sand-Salt Shed Roof Project will be next week.
- Communication was received from the Elliotsville Foundation to create a Visitor Contact Station which would allow users to experience being in Maine's Katahdin Woods and Waters National Monument. The building will be constructed to look towards Mt. Katahdin and will include trails and associated parking for the facility.
 - This will be located in T3 R7 WELS, access from the East Branch Connector Road.
 - This has been proposed by Elliotsville Foundation, Harley Ward hired to complete site design and handle permitting for project.
 - Waste and continued road maintenance is handled by the National Park Service
 - Fire EMS will be provided by Stacyville and Patten

UT Update – Continued:

- LUPC is looking to see if the Commissioners have any comments on this proposal.
- The Commissioners were in verbal support of this project. Director Weeks will draft a copy of support for the Commissioners to sign at next week's meeting.
- Gordon's Auto Recycling is in the process of licensing an auto recycling dealership. As part of the preliminary process, Director Weeks submitted a zoning and permit form for the commissioners' signature. Shaw has been working with BMV and LUPC to work with getting this permit approved.
 - Commissioner Sanborn moved to approve authorization to sign the salvage dealer permit as Gordon's Auto in Prentiss as presented. Commissioner Cushing seconded the motion. Vote to approve passed 3-0. Signed.

Finance Update –

Director Judy Alexander presented the following:

- Director Alexander presented a revised promissory note for 10-year \$6M PRCC Infrastructure bond repayment. This change is to pay \$50,420.17 instead of \$50,000. Commissioner Baldacci signed this agreement.
- Permission to begin working on the TAN. The amount will be presented next week.

DA's Update –

DA Marianne Lynch presented the following:

- With courts reopening, Marianne has been working processing many of the older cases.
- Our diversion program was reopened at the BARN. We met last month and dismissed 15 misdemeanor cases. We have scheduled two more programs for March and April.
- The Sheriff and I have had ongoing meetings with DHHS Commissioner Hamm in support of opening up more mental health beds. It is recognized that some people don't belong in the emergency room or jail. There is a bill being looked at for funding to increase mental health beds.
- Drug Court is continuing with a lot of resources available. Marianne has assigned one ADA the sole responsibility for Drug Court since it is very labor intensive. There is discussion in the community to extend Drug Court to veterans and mental health courts. In order to expand, there are a number of variables that need to be in place such as the number of court rooms, judges and judicial marshals available.

DA Update – Continued:

- DA Lynch discussed programming where classes could be held if a sentence is less than 30 days. Marianne is in the early discussions with Maine Pre-trial to design something for those right in the middle as an alternative to jail. Marianne's programs are: Drug Court (high end, high need people), and the misdemeanor diversion program (people just coming into the system).
- Jury trials are starting back this month. The challenge is with subpoena's being issued, there is a four-page COVID questionnaire that needs to be filled out by all those involved in the case.
- Our long time Victim Witness Coordinator, Carlene Engstrom recently retired.
- The DA's office welcomed two new attorneys, Chris Smith and Jason Horne
- The DA's office welcomes a new student intern Lori Manzullo
- We had 29 applicants for the Victim Witness Coordinator position recently vacated by Carlene. Marianne credits the Commissioners for the large turnout because word has gotten out that Penobscot County is a great place to work.
- Marianne emailed her staff marking one year anniversary of COVID. Marianne praised her staff for their flexibility in working from home and the county for your support.

Office Manager Kristine Higgins reported the following:

- Our financial account is in line where it should be for January and February (16%). Due to being down one victim witness coordinator, jury trials restarting and the mandated COVID questionnaire, Kristine is requesting overtime for a total of 30 hours for two weeks for two remaining victim witness coordinators. The Commissioners are in support of this request.

Sheriff's Update –

Sheriff Troy Morton reported the following on the Law Enforcement Division:

- Another very busy week on the law enforcement side of the house.
- Sheriff reported that he has communicated with local representatives on the ongoing issues with lack of mental health beds. We are a resource rich area with lots of clinicians, mobile and crisis services; what we are lacking are beds.
- Sheriff spoke to the incident last week with a person in crisis – this was the third time that the Sheriff's Office has dealt with the same individual. It shows that people are being released to soon after an evaluation because of lack of beds.

Sheriff's Update – Continued:

Sheriff Morton reported the following on Corrections:

- In-house jail population is 107 (91 males, 16 females); 51 boarded out to other facilities, no federal inmates, county swaps and there **206** inmates in Pre-trial Services.
- Sheriff reported being advised by MDOC and Maine CDC recommendations of best practices. We continue to stay on the high end of the 14-day quarantine period.
- Universal COVID testing –
 - 76 in-house staff members tested; this does not include those that went to walk in clinics or their own PCP
 - 215 PCR tests performed on inmates; this does not include rapid testing
 - 12 positive staff members; 11 recovering and 1 still positive
 - 10 positive inmates; none recovered – tomorrow is the end date for 3 or 4 incubation
 - Second round of COVID testing in the entire facility will take place
- There have been little to no new admissions. Local law enforcement when unable to issue a summons are diverted to other county facilities.
- The State still has not released vaccines for inmates; a survey was requested on our population by age. Age 60 and above (3). Age 50 and above (21)
- The State will be using our facility as a regional vaccination site for those that missed the opportunity last time. There are some State and County employees that can come during that time for shots.
- PACE will take place this weekend; there are 14 people registered. The two officers managing the day reporting program have been vaccinated.
- Sheriff is hopeful a piece of legislation on extending the furlough program will pass.
- Legislative hearings are underway in Augusta. We are actively following those hearings having to do with anything jail related.
- Board of Visitors –
 - Two more members of the Board of Visitors have quit. Sheriff thanks them for their support and time. Sheriff is working on filling those seats with the current board members providing names of recommendations. The Board of Visitors will hopefully be able to go back to having video conferencing. It has been challenging since we have been understaffed.
- Sheriff Morton stated that the Commissioners are welcome to tour the jail anytime.
- Sheriff commends Director MacDonald in bringing in vendors to repair the damaged cell block. While the block was closed for repairs, our cleaning company came in to sanitize those cells.

Administration Update –

Commissioner Baldacci reported on the following:

- Employment within the County were posted:
 - Clerical Specialist II for Probate
 - Assistant Finance Director
 - IT Systems Administrator
 - DA's Office will be holding interviews this week for the Victim Witness Coordinator
- Commissioner Baldacci reported on the legislative conference call with the Maine County Commissioners. An item building support is to allow us to go out to bond for projects without a county wide referendum with a certain limitation on what is allowed. This would benefit us to do more capital projects.
- 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: John Walsh and Stephanie Lunt – Hired full-time; Timothy Hall and Taylor Keeran – Promoted; Seth Witmer, Serena Bemis-Goodall, and Ellery Goode – Resigned; Carlene Engstrom-Lassalle - Retired
- Payroll Warrant to be approved for 03.12.2021: \$269,900.62
- A/P Warrant to be approved for 03.16.2021: \$204,023.05
- UT Warrant to be approved for 03.16.2021: \$39,674.17
- UT TIF Warrant to be approved for 03.16.2021: \$3,311.34

Meeting Adjourned-

Commissioner Cushing moved to adjourn the meeting at 10:12 a.m. with no further business on the agenda. Commissioner Sanborn seconded the motion. Vote to approve passed 3-0.

Certified By:

-ABSENT-

Peter K. Baldacci, Chairman

Laura J. Sanborn, Commissioner

Andre E. Cushing, III, Commissioner

Administrator, Erika Honey