

Penobscot County Commissioners' Meeting Minutes March 23, 2021 **2327**
9:00 AM Commissioners Peter Baldacci and Andre Cushing **32°**
Commissioner Laura Sanborn via Zoom

Roll Call -

Commissioner Baldacci opened the meeting at 9:00 a.m. from the Commissioners Chambers and Commissioners Sanborn attending via Zoom. Commissioner Andre Cushing arrived at 9:15 a.m. in the Commissioners Chambers

Public Comment -

Janet Drew – citizen from York, Maine.

- Janet wanted to know if the Commissioners had the opportunity this week to tour the jail facilities and if so, any updates that the Commissioners would like to share.
- Janet asks if there have been any changes in the quarantine processes taking place in the jail; and if any news on the vaccines for the inmates.
- Janet recognizes that the numbers are going down in the jail. Janet feels that it is not jail overcrowding, but the trauma for the inmates.

Martin Chartrand – concerned citizen.

- Martin notes the reduction in the jail has been positive given the outbreak of COVID and other public health issues and is hopeful that is something that continues. Martin finds it interesting that people are still being held on bail violations or drug possession where they are not at threat to anybody in the community.
- DA Lynch report last week about the various diversion programs sounded good; but curious why there are still people who are serving 60 days for failing a drug test, etc.
- Has there been an investigation about how the outbreak originally started?
- Has there been an investigation on inmates being threatened by guards returning them to quarantine as a punishment?

Probate Update –

Register Renee Stupak reported on the following legislative hearings:

- LD 40– This bill establishes a presumption that every adult in a guardianship, conservatorship 34 or other protective arrangement proceeding is entitled to legal representation when not 35 already represented and requires the court to appoint an attorney, except that the 36 presumption may be rebutted if the court finds by clear and convincing evidence that the 37 adults knowingly and voluntarily refuse such

Probate Update – Continued:

representation and does not wish to contest 38 any aspect of the proceeding or powers of the guardian or conservator or limitation to the *increase costs to petitioners and counties for non-contested matters. Additional court time and cost to find clear and convincing evidence that the adult knowingly and voluntarily declines representation. Presently, there is a lack of available attorneys. How this would work is uncertain at this time.*

- LD 145 – provision 2. This bill amends section 5-308, subsection 4 and section 5-409, subsection 4 to 4 delay the effective date of the confidentiality of records provisions governing guardianships 5 of adults and governing conservatorships. When Title 18-C was enacted, with a September 6 1, 2019 effective date, the provisions of section 5-308 and section 5-409 had a delayed 7 effective date of January 1, 2021. The purpose of the delayed effective date was to give 8 the Supreme Judicial Court time to address confidentiality of court records in the state 9 courts and perhaps in the Probate Courts, and then give the commission an opportunity to 10 propose amendments to sections 5-308 and 5-409 to ensure consistency with confidentiality 11 of records provisions adopted by the Supreme Judicial Court. *Confidential, specifically medical and mental health matters, should be preserved by the court. Requests to view records, should be determined by order, case by case. Interested parties and attorneys of record shall have access without court order. In general.*
- LD 366 –This bill provides that the delay of discharge of a patient in a hospital until the appointment of a guardian constitutes substantial harm, thereby meeting one of the criteria for the appointment of an emergency guardian. *Court should determine case by case.*

Register Stupak reported on the number of dockets her department is handling versus last year's numbers. Sixty additional dockets this year as of date 3/23/2021.

Bid Opening Argyle-Alton Salt-Sand Roof Bids –

Commissioner Baldacci opened up the Argyle-Alton Salt-Sand Roof Bids. The following four vendors submitted their bids by the deadline. Total project price including all labor and materials as described in the bid specifications.

- David P. Trask & Son, Inc. Hudson, Maine \$58,750
- Newcomb Construction Perry, Maine \$85,000
- Williams Construction Brewer, Maine \$56,300
- Maine Highlands Contracting Beaver Cover, Maine \$139,757

Bid Opening Argyle-Alton Salt-Sand Roof Bids – Continued:

Commissioner Cushing moved to take these bids under advisement. Commissioner Sanborn seconded the motion. Vote to approve passed 3-0.

UT Update –

Director Shaw Weeks and Deputy George Buswell reported the following on departmental operations:

- Discussion was held on the DOT paving project on Route 11 which is a state-maintained road in the UT requesting a temporary overlit permit.
 - Commissioner Sanborn moved to approve this project as presented.
Commissioner Cushing seconded the motion. Vote to approve passed 3-0.
- Commissioner Cushing moved to approve sending the 1992 Spartan Fire Engine to Central Maine Auction. Commissioner Sanborn seconded the motion. Vote to approve passed 3-0.
- Director Weeks asked that the Gordon's auto recycling license be re-signed as there was a minor change to the address from 515 Tar Ridge to 443 Tar Ridge. Signed.
- There was discussion on the Kingman Fire Station bathroom situation.
 - Commissioner Sanborn moved to approve purchase of a porta-potty for the Kingman Fire Station. Commissioner Cushing seconded the motion. Vote to approve passed 3-0.
- Deputy Buswell reported that spring thaw is underway with no problems as of yet. It has been an easy winter and there is a surplus of sand left over in a lot of our sheds.

Director Weeks reported the following on Legislative updates:

- LD 80, HP0046 – An Act to Provide Critical Communications for Family Farms, Businesses and Residences by Strategic Public Investment in High-speed Internet and Broadband Infrastructure; This has been tabled by the Committee on Taxation on February 18th.
- LD 146 HP0102 – A bill to “Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory”. The Committee on Taxation voted Ought not to Pass on February 27.
- LD 324 (HP 228) “An Act to Limit Public Land Ownership in Maine”. The Committee on ACF issued divided report on March 16th.

UT Update – Continued:

Director Weeks and Deputy Buswell outlined bids that will be presented over the next few months.

- Northern UT, Kingman, Prentiss Solid Waste
 - Bid solicitation on April 12th
 - Bid opening May 4th, 2021
 - Current contract with Ireland's Rubbish
- Cooperative Salt Purchase
 - Bid solicitation on May 10th
 - Bid opening June 1, 2021
- Grand Falls Snow Removal Contract
 - Bid solicitation on May 24th
 - Bid opening June 15th
- Greenfield Snow Removal Contract
 - Bid solicitation on May 24th
 - Bid opening June 15th
- Kingman/Prentiss Snow Removal Contract
 - Bid solicitation on May 24th
 - Bid opening June 15th
- Millinocket Snow Removal Contract
 - Bid solicitation on May 24th
 - Bid opening June 15th

Director Weeks reported on the UT fiscal year budget noting the following:

- Expenses should be at about 75% spent
 - Fire Protection is at 98%
 - Total spent is 69% of budget

UT Update – Continued:

- Capital Reserve balance is at \$624,987.78. There are no projects scheduled before July.
- Other revenues show an additional \$10,872 received for Local Road Assistance
- TIF Account balance is \$1,927,746.08

IT Update –

Director Cliff Warren presented the following:

- There is nothing to report on the budget at this time with the exception of an issue with Spillman not providing a proper invoice.
- Taylor Keeran has been promoted to the IT Manager.
- The IT systems manager position closes tomorrow; interviews will be held next week.
- Taylor has been working in PRCC getting their new radio system deployed.
- Cliff has been working with a security update with Microsoft Windows 10.

EMA Update –

Director Bradley Nuding and Deputy Lynn Dwelley reported the following:

- We received 8 pallets of bulk PPE from the Maine CDC and have been distributing out to healthcare facilities and public safety agencies.
- Visited Penobscot Valley Hospital to drop off PPE and walk through their mass vaccination clinic.
- Long-term care facilities are able to have in-person visitors if the facility has a positivity rate below 10%; above 70% vaccination rate amongst residents.
- Hazard Mitigation Plan - kick-off meeting went well. Sent surveys to all municipalities for assessment of local natural hazard risks and mitigation projects.
- River Flow Advisory Group established for monitoring major river(s) ice-out conditions. Current Penobscot River ice jam risk is low.
- LD1008 is still proposed to establish utility infrastructure liaisons to county emergency management during emergencies.
- Homeland Security Grant Program - notice of funding has been released and were working with the president of the District 5 Police Chief Association as well as the president of the Penobscot County Fire Chiefs Association to plan for regional projects that benefit multiple agencies.

EMA Update – Continued:

- Agreement with Civil Air Patrol to provide Emergency Operations Center support for COVID-19. We're grateful for Cathie Spaulding's support during a time of EMA staffing transition.

Finance Update –

Director Alexander reported the following departmental update:

- According to the necessary calculations allowed by statute which I shared with the commissioners previously, we are able to borrow \$5.2M for the TAN this year.
- Commissioner Sanborn moved to approve Director Alexander go out to bid for the \$5.2M TAN. Commissioner Cushing seconded the motion. Vote to approve 3-0.

Sheriff's Update –

Sheriff Troy Morton reported the following on Corrections:

- In-house jail population is 110; 58 boarded out to other facilities, no federal inmates, county swaps and there **216** inmates in Pre-trial Services.
- PACE program was held last Friday and Saturday. There were 14 people registered, with 10 attending. This day reporting diversion program is for no risk, low risk individuals.
- Board of Visitors is up and running with new members. They are still meeting virtually and hopeful that there can be meetings inside the jail when safe.
- The Courts are speeding up processes with evaluations, and meetings.
- DOC will be coming in next Tuesday for vaccinations for those employees from Penobscot County who missed the first set of shots.
- Today is our first day allowing new arrests being allowed in the facility; there is a limit of five.
- Our staff will be cleared at the end of this week to return to work.
- Universal testing took place twice last week.

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

- Patrol responded to two overdose deaths this weekend.
- Suicides are still high; at this time, we have deputies responding to a situation.
- CHCS case manager was involved this week. This clinician is available to law enforcement when out in the community and there is someone in crisis.

Sheriff's Update – Continued:

- Sheriff Morton discussed the \$750K Mental Health Grant that was recently awarded to Penobscot County. The grant monies from are being used for case manager, clinicians and peer support.

Administration Update –

Administrator Erika Honey reported on the following:

- Employment within the County:
 - Interviews were held for Probates Clerical Specialist I position and Ariel Tenney has been selected for that position.
 - Interviews for Probate's Clerical Specialist II position was held yesterday.
 - Assistant Finance Director position was posted and will close next Monday and interviews will be held end of next week.
 - IT Systems Administrator position closes tomorrow and interviews will be held end of next week.
 - Second interviews for Victim Witness Coordinator will be held Thursday.
 - Administrator Honey would like the clerical support position for HR to get ready to go out.
 - Commissioner Sanborn moved to approve this position to go out for advertisement. Commissioner Cushing seconded the motion. Vote to approve passed 3-0.
 - Administrator Honey will be requesting approval from ASFSCME to go out for two positions – jail custodian and training officer.
- Administrator Honey participated in the Maine Association of County Clerks and Managers last week. Erika was elected as vice-president for the next two years. The major topic is the American Rescue Plan Act. Our County is slated to receive some funding. NACo has sent a letter out for clarification on what the funds can be used for.
- ASFSCME corrections supervisors' negotiations will be Thursday.
- Sheriff, EMA and Director Honey have got the mental health grant systems up and going.
- Administrator Honey will be out of the office for a few days.
- We received from the Bangor Region Chamber of Commerce Golf Scramble if anyone wants to sign up for it.
- Sample pictures of lamps for the lamp post out front was provided. This will be revisited next week for further discussion.

Administration Update – Continued:

- State vs Tyrell Monroe in the forfeiture amount of \$932.51 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 Tyrell Monroe in the forfeiture amount of \$6,371.00 to the Sheriff's Office. Commissioner Sanborn moved to approve this request. Commissioner Cushing seconded the motion. Vote to approve passed 3-0. Signed
- 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: Ariel Tenney – hired Full-time; Ellery Goode – hired part-time; Rebecca Woodard – Transfer.
- Payroll Warrant to be approved for 03.19.2021: \$252,624.44
- A/P Warrant to be approved for 03.23.2021: \$165,504.18
- UT Warrant to be approved for: NONE
- UT TIF Warrant to be approved for: NONE

Executive Session---Commissioner Sanborn made a motion to go into Executive Session at 10:30 a.m., under 1 M.R.S.A. § 405 (6) (D) Contract Matter. Commissioner Cushing seconded the motion. Vote to approved passed 3-0. Present were: Commissioners, Director Bradley Nuding, Deputy Lynn Dwelley, Treasurer Hiatt, Director Alexander, and Administrator Honey. Session ended at 11:03 a.m.

Executive Session---Commissioner Sanborn made a motion to go into Executive Session at 11:04 a.m., under 1 M.R.S.A. § 405 (6) (D) Contract Matter. Commissioner Cushing seconded the motion. Vote to approved passed 3-0. Present were: Commissioners, Sheriff Troy Morton, Director Brian MacDonald, Treasurer Hiatt, Director Alexander and Administrator Honey. Session ended at 11:24 a.m.

Executive Session---Commissioner Sanborn made a motion to go into Executive Session at 11:25 a.m., under 1 M.R.S.A. § 405 (6) (D) Contract Matter. Commissioner Cushing seconded the motion. Vote to approved passed 3-0. Present were: Commissioners, Sheriff Troy Morton, Treasurer Hiatt, Director Alexander and Administrator Honey. Session ended at 11:44 a.m.

Meeting Adjourned-

Commissioner Sanborn moved to adjourn the meeting at 11:45 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