

**Penobscot County Commissioners' Meeting Minutes May 04, 2021      2333**  
**9:00 AM Commissioners Peter Baldacci, Andre Cushing & Laura Sanborn    53°**

**Roll Call -**

Commissioner Baldacci opened the meeting at 9:00 a.m. with all Commissioners present in the Commissioners Chambers

**Approval of Minutes –**

Commissioner Sanborn moved to approve March 30, 2021 meeting minutes. Commissioner Cushing seconded the motion. Vote to approve passed 3-0.

**Public Comment -**

***Janet Drew – citizen from York***

Participant asked if there is any more information on the timeline about the federal COVID money that's coming and what kind of things that the county is looking at. Since there is a lot of need, what organizations you're working with to be able to be able to really make this money count.

Participant also spoke on the comments from a couple weeks ago from the speaker who was the representative in the room. It seemed as though that he was representing the jail and said that "Every person in the jail deserve to be there. There were bad people, there. Which was unfeeling for the people who spoke before him. The Commissioners response was, "he doesn't represent the view of the Commissioners". But the point that has to be made is he represents somebody's view. What is happening is the Commissioners and the board has enough power in that room is enough power to influence the culture at the jail.

Commissioner Baldacci responded to Participant questions.

- Commissioner Baldacci represents the State of Maine with the National Association of Counties (NACo) has information that they're expecting very shortly, the guidelines from the Treasury Department for what uses are acceptable for the American Rescue funds. Which we are hopeful within the next ten days or sooner. So, until we see that, we do not have definitive plans, we need to see the guidelines. I think there has to be a relationship to the epidemic. We believe there are things that can assist us with the jail to make it safer. With the outbreaks, we going to look at things that can make long term benefits to the county.
- The individual who spoke was our county treasurer. He is an advisory elected official to provide advice to the Commissioners on financial matters. He does not speak for the jail.

**Public Comment – Continued:**

He does not speak for the Commissioners. He speaks as County Treasurer. So, just to clarify that, those were his comments.

***Larry Dansinger – citizen from Bangor***

Participant reiterated that the focus on this group that presents public comment weekly is focusing on reducing the numbers of people in the jail. We think it will benefit the community in terms of its own safety and security. We don't think the punishments in the jail benefit public safety, but benefit law enforcement. Part of the reason why we're emphasizing the use of the rescue monies to be able to reduce the numbers of people in jail, it'll increase public safety in law, so benefit financially, the county, in terms of being able to address other needs such as addressing mental health, substance use disorder needs in the community.

Participant wanted to address today the email of March 8<sup>th</sup> with concerns that was sent to the commissioners, Sheriff Morton and other individuals. Participant believes that there are differences between how people inside the jail, administrators, jail personnel, and field staff see these issues. Participant emphasizes the importance of having some neutral third party that can look at these issues. Participant requested at the Board of Visitors meeting a couple weeks ago, nothing was said. I believe that the Board of Visitors needs some new people; and has a recommendation.

Participant is encouraging the County Commissioners to look at what can be done to address those issues, to find out where the truth is; jail staff or inmates.

Commissioner Baldacci responded stating that he disagrees with the factual statement that there has been no response. Some of those issues involved medical care for a specific individual. I indicated that week that I spoke with the head nurse about the medical treatment and the kind of services that were being involved. She was limited by HIPAA as to the extent of the individual, but gave information that I shared that she was seeing to the medical care daily of this individual. The nursing staff is contractual, they're not employees of the jail. They have their own obligations, their own licenses as independent.

Participant states that he was referring to the list of grievances from 23 individuals from March 8<sup>th</sup>.

**Northern UT, Kingman and Prentiss Solid Waste Bid Opening –**

Notifications were sent to 13 vendors for bids for the Northern UT, Kingman and Prentiss Solid Waste contract. There were no bids submitted. Commissioner Sanborn moved to approve Director Weeks to resend notifications and they will be opened at the May 18<sup>th</sup> Commissioners Meeting. Commissioner Cushing seconded the motion. Vote to approve passed 3-0.

**UT Update –**

Director Weeks presented the following:

- Millinocket Solid Waste Contract
  - After further talk with town officials I was able to negotiate a rate increase of 10% the first year and 5% the following two years. Commissioner Sanborn moved to approve the contract as presented. Commissioner Cushing seconded the motion. Vote to approve passed 3-0.
- Kingman Cemetery
  - I talked with the Prentiss Cemetery association in regards to adding the Kingman Cemetery to the cemeteries they currently manage. The group will discuss this proposal and get back to me.
- West Seboeis Road discussion
  - The State of Maine Bureau of Parks and Land contacted Shaw directly because of some issues with property owners and road access on the West Seboeis Road in Long A Township.
  - Land Owners abutting the road have taken issue with State access to the West Seboeis Road just before the rail road crossing. Owners are threatening to gate the road. Gating the road would prevent the public access to the Seboeis Lake Public Boat Launch, the ATV trails connections from Brownville to Millinocket, Passamaquoddy Tribal Land Access and impend the flow of millions of dollars of wood products being hauled in that area.
  - The Bureau of Parks and Lands has proposed buying partial parcels of owner's land to maintain access south of the rail road tracks.
  - It does not appear the land owners can gate the road as it is a county road.
- Road Construction Permit from LUPC for The East Branch Connector Road Conservation Project.
  - Project submitted by Maine Waterside Trails, LLC and the project is being managed by Haley Ward Inc.
  - Two phase construction of road in T3 R7 Wells, east of Stacyville

**UT Update – Continued:**

- The road will be 2.6 miles long, 18-foot-wide gravel road. Designed to minimize the public traffic along the Seboeis Rd and help preserve the natural scenic qualities of the East Branch of the Penobscot River. Little to no impacts on existing uses; primarily forest management and recreational activities. Maintenance of the proposed road, once complete, will be the obligation of the United States National Park Service.
- Junkyard issues in Greenfield – Presented are before and after photo's
  - Residents are concerned with a junkyard issue in Greenfield
  - We have sent multiple ceases and desist letters to the property owner (signed by the commissioners) and have worked with the DEP and BMV to resolve the issue
  - The BMV has an active case open on the property. BMW has authority to issue fines and citations. Director Weeks is relying on them in terms of the cleanup of the automobile graveyard because they do have actual authority to regulate and punish. We have a long, drawn out civil process in which the responsibility ultimately could still end up on taxpayers for mediation of these sites.

Director Honey reported that she spoke to a resident who is concerned and frustrated about this junkyard. Resident is requesting that we monitor the situation closely.

Commissioner Baldacci encourages Director Weeks to talk to whoever the officials are to get updated information; the Commissioners do have an interest in it.

**Administration Update –**

Administrator Honey reported on the following:

- Correspondence –
  - PENQUIS has requested that we appoint two seats from northern Penobscot on the Steering Committee. Two individuals are terming out of their seats; Alvin Theriault and Stephen Stanley. Commissioner Sanborn moved to reappoint Mark Leonard to the PENQUIS Steering Committee. Commissioner Cushing seconded the motion. Vote to approve passed 3-0.
  - LUPC received a notice of filing of application from Mark Wright.
  - Notice of an external audit of Brookfield's Dam Safety Program
  - DOT notice of layout and taking of certain parcel(s) of land in Orono.

**Administration Update – Continued:**

- Employment within the County:
  - We are wrapping up interviews with the clerical assistant position for the DA's office, IT Systems Administrator and the Jail Custodian; and are looking to make final considerations hopefully this week.
  - We will be conducting interviews for the full-time clerical specialist position in Probate this Friday.
  - Interviews will be held next week for the full-time DA Clerical Specialist I position that closes tomorrow.
- We held our second round of the COVID universal testing last Friday with approximately 72 tests conducted and all came back negative.
  - We are requesting to re-open our building to the prior state. The public will use the vestibule to ensure that they are wearing masks and then be able to go directly to the offices in which they have business.
  - We requested offices who were able to send people home to work remotely over the last two weeks, and we are looking to bring them back into the office space.
  - Maine CDC has been provided our negative test results. In seven days if we don't have another positive case, Maine CDC will be closing the case.
  - The Commissioners are in agreement to re-opening the building to the prior state and allow those that were working remotely to come back into the workspace.
- HR is working on getting some of the training efforts out to employees. Administrator Honey has a meeting with a representative from NACo tomorrow to talk about some of the free professional development courses they offer.
- LD 1654 - An Act to Stabilize State Funding for County Corrections was printed yesterday and we will be closely monitoring progress of it. As of late, a public hearing has not been scheduled.
- We are closely monitoring when the treasury guidance will be coming out on the COVID funds.
- Commissioner Baldacci shared that MCCA had a legislative conference call on Monday and provided the following report:
  - LD 434 was a bonding bill that would have allowed counties to borrow up to a certain amount of dollars without a public referendum. It has gotten marked up so much that the recommendation is to kill the bill.

**Administration Update – Continued:**

- LD 1300 – An Act to Require County Governments to Coordinate with Municipalities to Create Plans to Address Homelessness. This doesn't provide any funding for our role. There are issues with whether it's a mandate. Commissioner Baldacci had spoken with the sponsor a while back and said we would be willing to help with coordinating bringing groups together. We don't have funding to deal directly, but we could be a convener if helpful. This bill has received a divided report in the committee.
- LD 719 - An Act to Resolve, to Establish the Commissioner to Create a Plan to Incorporate the Probate Courts into the Judicial Branch. There was a change where a study group that went ought to pass. The modification is to study it; bottom line this is a set up for a judicial branch takeover of the probate court judges. The Probate Registers Association took a position neither for or against.
- LD 375 – An Act to Create Greater Accountability in the Office of County Sheriff. MSA has reversed their position after working with Senator Keim on the language. MSA reversed their position and opposed it because it involves the county commissioners being the body that would determine sending any complaints about a Sheriff to the Governor. MSA stated that they had constitutional concerns, whereas the attorney general's office and their personnel reviewed it and said there's no constitutional issues. Commissioner Baldacci had the MCCA lobbyist assure Senator Keim that the Commissioners are supportive of her reference.
- 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: Jacob Hammond and Eric Hathaway – Resignation; Stephanie Lunt and Brett Crawford – Promotions; Cody Knight and Donna Smith – Payroll Status Changes
- Payroll Warrant to be approved for 04.30.2021: \$281,362.14
- A/P Warrant to be approved for 05.04.2021: \$429,707.81
- 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 9:37 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 Alexander, Treasurer Hiatt and Administrator Honey. Session ended at 9:55 a.m.

Executive Session---Commissioner Sanborn made a motion to go into Executive Session at 9:56 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 Alexander, Treasurer Hiatt and Administrator Honey. Session ended at 10:10 a.m.

**Sheriff's Update –**

On behalf of the Commissioners, Commissioner Baldacci expressed thanks to the Correction Officers for the work they do. We understand that is a difficult and challenging position they hold and we want them to know we appreciate all they do.

Sheriff Morton reported the following:

- In-house jail population is 175; 31 boarded out to other facilities, no federal inmates, county swaps and there **190** inmates in Pre-trial Services. We are holding 10-12 MDOC inmates and am hopeful that they will be released to MDOC soon.
- Sheriff spoke on the essential need of beds on the outside for those with mental health and substance abuse disorders. These individuals do not belong in the jail.
- COVID Update:
  - We still have two individuals classified as positive, but should be cleared by Friday.
  - All the universal testing over the last two weeks have been negative.
  - After Friday, we still have to be clear of any new outbreaks for 14 days, then we will be all clear.
  - PCHC will be back administering COVID vaccinations to inmates tomorrow. We have approximately 50% of the inmate population accepting being vaccinated.
- There was a lot of FOAA requests that we required counsel to review and assist with. Some of them required a lot of staff time, which is challenging with the inmate count up.
- The jail will be opening up the classroom so that one-on-ones are available; small group religious classes can continue and recreation time for small groups. Small groups are challenging because it takes more staff and time throughout the day to accomplish.
- Law enforcement responded to another overdose where the deputy had to inject two doses of Narcan to revive the person.
- Deputies responded to another suicide attempt last weekend. This same individual had been released from an evaluation just 24 hours prior to this incident.
- Deputies are still investigating a very serious crash in Greenbush last week.
- The National Takeback, shredding event held last weekend again was very successful.

**Meeting Adjourned-**

Commissioner Sanborn moved to adjourn the meeting at 10:28 a.m. with no further business on the agenda. Commissioner Cushing seconded the motion. Vote to approve passed 3-0.

**Certified By:**

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Administrator, Erika Honey

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Peter K. Baldacci, Chairman

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Laura J. Sanborn, Commissioner

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Andre E. Cushing, III, Commissioner