

Penobscot County Commissioners' Meeting Minutes March 10, 2020 2276
9:00 AM Commissioners Peter Baldacci and Laura Sanborn 34°
Commissioner Andre Cushing – Arrived 9:08 a.m.

Public Comment –

Bangor resident Larry Dansinger asked how the Commissioners plan on being transparent with discussions on the new jail project. He would like posted on the Commissioners website along with the agenda: "To all interested parties, there will be a public discussion on the jail".

The Commissioners stated that an agenda is always emailed to the newspaper and media.

RFP Opening of Bids for Regional Public Safety Communications Upgrade –

- Commissioner Baldacci opened bids submitted for Regional Public Safety Communications Upgrade. Each were received by the date and time requested.
 - Whitten's 2-Way Service – to include: radio systems, microwave, dispatch console, site facilities services, and warrantees: \$3,931,879.03
 - Radio Communication Management – to include: radio systems, microwave, dispatch console, site facilities services, and warrantees: \$4,570,868.00
- Commissioner Sanborn moved to take the bids under advisement. Commissioner Cushing seconded the motion. Motion approved 3-0.

RFP Opening for Project Manager – Mission Critical Radio Infrastructure Upgrade –

- Commissioner Baldacci opened bids submitted for Project Manager – Mission Critical Radio Infrastructure Upgrade. Each were received by the date and time requested.
 - Cambay Consulting Services – 2,000 hours for two consultants (\$176,400 and \$154,000). Total \$ 330,400.
 - Ross and Baruzzini – 1,212 hours for \$200,727 (expenses included)
 - Communications Design Consulting Group – 624 hours @ \$125/hr. \$82,800
- Commissioner Sanborn moved to take these bids under advisement. Commissioner Cushing seconded the motion. Motion approved 3-0.

EMA Update –

- EMA Director, Michelle LaBree delivered latest information on the Coronavirus.
 - EMA is working closely with the Universities, health care and communities' partners on planning. We sent out templates on pandemic planning to schools. after we received inquiries. EMA has conference calls a few times a that she is to participating in with Maine CDC and Maine Emergency Management. Michelle is pushing out the information that she receives from Maine CDC so that there is one message to reduce panic and fear.

EMA Update –

- Michelle discussed the testing process –
 - State of Maine has a lab in Augusta. A test normally takes two days for results; previously testing was sent to Atlanta.
 - It is estimated to be able to process 100 to 200 tests a day – if more it will be sent to Atlanta
 - It is also understood that any positive tests will be sent to Atlanta
 - Once we have our first positive test, there will be a press release
 - Michelle reports that there are only 13-15 states that have not been affected
- The CDC is suggesting social distancing to help reduce community transmission. Questions arose from what is considered a crowded area? Guidelines for specific groups size are listed on the US CDC Websites.
- HR Director, Erika Honey reported on her meeting last Friday with EMA in developing a continuity of a government plan. This plan will address this issue more immediately and for future events that might happen. Erika would like the Commissioners support to:
 - Send out an email to each director asking them for data points. EMA will partner with those departments to walk through what will happen if the virus arrives here at the County. What steps can be provided for staffing, such as remote capabilities, and how to continue business as usual.
 - In the interim, we are also sending out information to our departments on hygiene and other tips from Maine CDC.
 - Erika has reached out to facilities to place additional hand sanitizer dispensers throughout County buildings. Unfortunately, we have limited supplies which are becoming increasingly difficult to locate. Erika has requested facilities to increase disinfecting of the building.
 - Each department/employee can also disinfect their own workspaces by cleaning doorknobs, desktops, etc. Each employee should think about social distancing.

Sheriff's Update –

- Sheriff Morton stated that today's jail population is 160 in-house (128 males, 32 females), 64 boarded out to other county jails, no federal inmates, no county swaps and 91 inmates in Pre-Trial Services.
- The Sheriff has spent that a lot of time in Augusta last week testifying on six legislative bills and met in three separate caucuses. He has testified on the lack of mental health crisis workers. There are bills regarding pregnant female inmates, transportation and officer qualifications. There is still work on LD-973 (jail funding) in which Sheriff will participate Wednesday and Thursday in Augusta on this bill.

Sheriff's Update – Continued:

- Our staffing level is down 12 officers in corrections. Boarding out inmates should help alleviate some of the strain off our officers; the movement of inmates is wearing them out. It is 24/7 addressing staffing needs.
- The Sheriff is meeting with the court in regards to cancellation of arraignments without notification. This is a terrible waste of officer resources and is exasperating to all involved.
- Sheriff is frustrated that there is so much discussion about what resources the jail has and should provide, versus what should/could be done before the arrested arrive to jail. The Sheriff gave an example of 12 pregnant female inmates that came to jail last year, only six had seen doctors. Sheriff feels the engagement of services should happen before they come in the doors of the jail.
- The SO is preparing for the second day reporting diversion program to be held in April. There are 15 people enrolled. Riverside Adult Education has been a beneficial partner in this program. Sheriff is working on a grant to help fund this program.
- The Sheriff is requesting to expand the cleaning service for the intake area to include restroom/shower areas. He will come back with quotes.
- Commissioner Sanborn made a motion to approve \$326,025 for nine (9) 2020 Ford Utility Police Interceptor (Gas engine) \$36,225 per vehicle. Commissioner Cushing seconded the motion. Motion approved 3-0.

UT Update –

- UT Director Shaw Weeks requested TIF funds to purchase four Kingman -Mattawamkeag firefighters turn out gear. Commissioner Sanborn moved to approve Industrial Protection quote in the amount of \$7,396. Commissioner Cushing seconded the motion. Motion approved 3-0.
- Director Weeks presented a letter from Great Lakes Hydro America for the Commissioners signature. This letter states that the Commissioners have decided not to submit any formal comments for or against the Great Lakes Hydro America proposal for construction in Township A Range 7 WELS. Commissioner Sanborn moved to approve signature of this document as noted. Commissioner Cushing seconded the motion. Motion approved 3-0. Signed.

Probate Update –

- Registrar Renee Stupak updated the Commissioners with information on LD 657 and the reorganization of the Probate Courts with a projected start date 2023. The Register of

Probate Update – Continued:

Kennebec County and Governor Mills met yesterday regarding this new reorganization of the Court.

- A Big concern is who will be responsible for the costs generated with this transition and where those funds will come. Computer costs alone to link to District Court could be \$2 M. Another cost is updating Probate courts to meet District Courts standards.
- Governor Mills plans on speaking to the Judiciary Committee and will put together a Blue-Ribbon panel including some registrars as part of that committee.
- Commissioner Baldacci noted that during a conference call yesterday MCCA indicated it is not supportive of this new model. Commissioner Baldacci feels there needs to be questions answered and this thought through.

Maintenance Update –

- Maintenance Director Cap Ayer revisited having the two lamp posts replaced in front of 85 Hammond Street. Director Ayer is requesting to put out a \$9,000 bid to replace both lamp posts. The Commissioners requested before approving this bid to reach out to the City of Bangor and see if they have any surplus lights we can have.
- Director Ayer reported that he will be getting estimates on resealing cracks in the driveways and parking lots.
- Director Ayer stated that his custodial crew is maintaining standard practices on disinfecting bathrooms, door handles, hand rails, etc. Director Ayer is working with his vendor on purchasing hand sanitizers. Unfortunately, he doesn't have any in inventory.
- The part timer custodian recently gave his notice. He will work until the end of March.

Deeds Update –

- Susan Bulay, Register of Deeds stated she has two credit card merchant ID's. In order to have those she needs to be PCI (payment card industry) compliant. Register Bulay has no problems with credit cards going through as they are processed through a third-party vendor. However, a problem lies with the swipe machine she has in our office. It is showing the company that tests our systems that we are not PCI compliant.
- Register Bulay is unaware if we have a contract with Blue Pay who is our current vendor and if there would be any cancelation fees to separate us from them.
- Register Bulay presented the Commissioners with a quote from another credit card processing agent that our bank (Machias Savings) uses and recommends. She will do more research on costs involved if we switch to a new merchant.

TIF Application for OTELCO Argyle Broadband –

- Matt Lewis from Maine Stream Finance presented the Commissioners with a request for TIF funds in the amount of \$81,250.
- OTELCO is looking to increase their infrastructure in Argyle Township. This proposal is seeking 50% match funds of their investment \$162,500. OTELCO is looking to applying for a ConnectME funds Grant in the amount of \$81,250. If that grant is approved for OTELCO the amount requested to the County would be reduced. Another request would be that those monies be placed into a loan facility. (a 0% interest no payment loan). How this works is if OTELCO upgrades service in the Argyle area for five years, then that loan would be forgiven.
- Commissioner Sanborn moved to approve \$81,250 in TIF funds for the OTELCO Argyle Broadband project subject tied to successful matching grant from OTELCO. Commissioner Cushing seconded the motion. Motion approved 3-0.

NWDB Update –

- Joanna Russell Director of Northeastern Workforce Development Board (NWDB) provided and update on the bidding process for Workforce Innovation Opportunity Act (WIOA) Request for Proposals for the Northeast region.
- The NWDB received proposals from two service providers on Friday, March 6.
 - Eastern Maine Development Corporation (EMDC) delivered their proposals in response to both RFP's. One proposal was in response to the WIOA Adult and Dislocated Worker/combined with the One Stop Partner RFP and the second proposal was in response to the WIOA Youth Services RFP.
 - Goodwill Industries of Northern New England delivered proposals in response to both RFP's. One proposal was in response to the WIOA Adult and Dislocated Worker/combined with the One Stop Partner RFP and the second proposal was in response to the WIOA Youth Services RFP.
- The proposals will go to the review committee set to meet March 25th to decide on an award based on consensus. They will make a recommendation to the NWDB who will decide to approve or reject the review committee's decision on March 26th. If all goes according to plan the NWDB will make an award announcement March 27th.
- Appeal letters are due no later than 4:00 p.m., April 3rd.
- This is for a two-year contract; however, it can be extended an additional 3-4 years. This depends on the program performance outcome and how well the service provider does.

IT Update –

- IT Director Cliff Warren presented a quote from CMC Technology Group who is our current vendor.
- This quote is for a specific 10 gig fiber link from the primary and secondary server site. We currently have one gig connectivity, but we need the additional bandwidth in order to service our network better. This would be expandable to a new corrections facility and would provide us the means by which we could run fiber across the street at 10 GB connectivity.
- Commissioner Cushing moved to approve up to \$14K for this project with monies to come from Capital Set Aside Funds. Commissioner Sanborn seconded the motion. Motion approved 3-0.
- Director Warren introduced his newest staff member Taylor Keeran. Taylor has worked for the County for about a year and moved from Regional Communications Center. Taylor reported that Director Warren presented him the project of deploying 53 new computers with RCC being his first priority. Taylor states that the transitions has been easy and he is enjoying his new role. Director Warren commented that Taylor has been a tremendous asset to his team with his knowledge of Spillman.

Finance Update –

- Judy Alexander, Director of Finance presented a representation letter for CPA Chester Kearney for our FY19 UT Audit. Signed by Commissioner Chair Baldacci.
- Judy requested permission on getting the TAN ready out for bid for the bank. She reports that our cash is down to \$2.7M and we spend between \$1.5-\$2M a month. Approved.
- Assistant Finance Director Tyler Thompson has recently submitted his letter of resignation with no identified date of departure. Judy will get together with HR Director Honey to create an announcement to hire for this position.

Administration Update –

- Administrator Bill Collins has been in communication with Julie Flynn (Deputy Secretary of State Bureau of Corporations, Elections and Commissions) in regards to the radio project being placed on the June referendum vote. Commissioner Cushing moved to place on the June ballot a \$ 6M bond for a 15-year term with legal Counsel preparing the question. Commissioner Sanborn seconded the motion. Motion approved 3-0.
- A reminder that the MSA Convention will be held March 25th at the Cross Center; the next MCCA meeting will be held Thursday, March 26th at the Convention.

Administration Update – Continued:

- There will be two grievance hearings heard at next week's meeting, March 17
- Attorney Frank McGuire from Rudman and Winchell has announced his retirement
- Our VOYA representative Karon Noyes will be in the Complex tomorrow
- There was a telephone message left from Dori Meservier from the State of Maine, DOT requesting old records of the Commissioner's Office as part of a title work project
- We received numerous phone calls regarding the Grant Road in Corinth being unpassable; the town regraded the road last Friday.
- The bicentennial parade will be May 16th. There are a large number of counties that plan to participate; MSA will have a float
- The elevator was out of service this weekend. It was repaired yesterday.
- Administrator Collins presented for signature a criminal forfeiture funds for the DA's Office.
 - State vs Ross in the forfeiture amount of \$755.20Commissioner Sanborn moved to approve receipt of these funds. Commissioner Cushing seconded the motion. Motion passed 3-0. Signed.
- Bangor Daily News has sent a FOIA requesting five years of disciplinary and settlement information. This FOIA is for all departments within Penobscot County. There was a formal response prepared and mailed by Attorney Mr. Bearor yesterday.
- Bill and Erika will be attending "The Hero's Breakfast" Wednesday, March 25th. Deputy Director of EMA, Bradley Nuding will be a recipient of one of the awards for his quick CPR actions last year.
- Administrator Collins and Director Honey will be meeting Thursday with the General Unit negotiations as well with the FOP for their negotiations.
- Special thanks to Director Honey, Director LaBree and Deputy Nuding for all their hard work during the Covid-19 pandemic the last few weeks.
- Sheriff Morton will be speaking to the Rudman attorneys tonight on our future jail construction project.
- There has been extensive work from MCCA, MSA and MCCAM on LD 973. We submitted our cap estimate of \$7,375,000.
- A grievance was submitted in regards to our retiree health insurance. Director Honey is working on providing a side-by-side comparison of retiree's vs active employees. We are working with Attorney John Hamer on this topic.
- Director Honey is working with Malcom on the release for reimbursing the two employee's vehicles that had been damaged on our property.

Administration Update – Continued:

- Administrator Collins thanked the Sheriff for attending the meeting in Augusta with Attorney General Frey in regards to the opioid lawsuit settlement. There is an agreement to a 50/50 split. Attorney Shayna Sacks attended and was very impressed with Sheriff Morton.
- Maine Government Day is April 14th in Augusta.
- Commissioner Baldacci mentioned that Charlie Pray will be filing papers to run for a State Representative seat.
- Payroll Change Notices signed for: Shawn Levasseur – Rehired; Jakob Bouchard, Jeremiah Campbell, Jon Carson and Alexis Rodriguez – Payroll changes; Michael Azevedo, Bradley Fitzgerald, Brittany Russell, Alexis Smith and Jordanna Sprague – Comp time.
- Payroll Warrant to be approved for Paydate 2/28/20: \$ 323,857.49
- Payroll Warrant to be approved for Paydate 3/06/20: \$235,718.00
- Accounts Payable to be approved for Paydate 3/3/20: \$ 386,124.79
- Accounts Payable to be approved for Paydate 3/10/20: \$ 387,126.73
- Unorganized Territory Warrant to be approved for Paydate 3/3/20: \$ 99,107.21
- Unorganized Territory Warrant to be approved for Paydate 3/10/20: \$ 22,580.25
- Unorganized Territory TIF Warrant to be approved for Paydate 3/3/20: \$5,655.53

Executive Session---Commissioner Sanborn made a motion to go into Executive Session at 11:30 a.m., under 1 M.R.S.A. § 405 (6) (E) Legal Matter. Commissioner Cushing seconded the motion. Motion approved 3-0. Present were: Commissioners, Bill Collins, John Hiatt, Judy Alexander, Sheriff Morton, Chief Birch, Lt. Hotaling, Captain Clukey, Lt. Nick Hardwick, Lt. Ty Babb, Attorney Ed Bearor and Rob Frank. Session ended at 12:28 p.m. No votes taken.

Executive Session---Commissioner Sanborn made a motion to go into Executive Session at 12:30 p.m., under 1 M.R.S.A. § 405 (6) (A) Personnel Matter. Commissioner Cushing seconded the motion. Motion approved 3-0. Present were: Commissioners, Bill Collins, Sheriff Morton, Chief Birch, Lt. Hotaling, Captain Clukey, Lt. Nick Hardwick, Lt. Ty Babb, and Erika Honey. Session ended at 12:52 p.m. No votes taken.

Executive Session---Commissioner Sanborn made a motion to go into Executive Session at 12:55 p.m., under 1 M.R.S.A. § 405 (6) (A) Personnel Matter. Commissioner Cushing seconded the motion. Motion approved 3-0. Present were: Commissioners, Bill Collins, Chris Lavoie, Josh Lilley and Erika Honey. Session ended at 1:14 p.m. No votes taken.

Executive Session---Commissioner Sanborn made a motion to go into Executive Session at 1:15 p.m., under 1 M.R.S.A. § 405 (6) (D) Contract Matter. Commissioner Cushing seconded the motion. Motion approved 3-0. Present were: Commissioners, Bill Collins, Chris Lavoie, Josh Lilley and John Hiatt. Session ended at 1:42 p.m. No votes taken.

Executive Session---Commissioner Sanborn made a motion to go into Executive Session at 1:43 p.m., under 1 M.R.S.A. § 405 (6) (D) Contract Matter. Commissioner Cushing seconded the motion. Motion approved 3-0. Present were: Commissioners, Bill Collins, Erika Honey and John Hiatt. Session ended at 2:02 p.m. No votes taken.

Executive Session---Commissioner Sanborn made a motion to go into Executive Session at 2:03 p.m., under 1 M.R.S.A. § 405 (6) (A) Personnel Matter. Commissioner Cushing seconded the motion. Motion approved 3-0. Present were: Commissioners, Bill Collins, John Hiatt and Erika Honey. Session ended at 2:12 p.m. No votes taken.

Executive Session---Commissioner Sanborn made a motion to go into Executive Session at 2:13 p.m., under 1 M.R.S.A. § 405 (6) (A) Personnel Matter. Commissioner Cushing seconded the motion. Motion approved 3-0. Present were: Commissioners, Bill Collins, Susan Bulay and Erika Honey. Session ended at 2:29 p.m. votes taken.

Meeting Adjourned-

Commissioner Cushing moved to adjourn the meeting at 2:30 p.m. with no further business on the agenda. Commissioner Sanborn seconded the motion. Moved to approve passed 3-0

Certified By:

Administrator, William Collins

Peter K. Baldacci, Chairman

Laura J. Sanborn, Commissioner

Andre E. Cushing, III, Commissioner