

**COMMISSIONERS REGULAR MEETING**

**September 18, 2013**

*YORK,ss*

At a regular meeting of the County Commissioners of the County of York, begun and holden at the York County Government Building in the Commissioners' Community Room in Alfred, within and for the County of York, being held on Wednesday, September 18, 2013 A. D. at 4:00 P. M.

**COMMISSIONERS PRESENT:**

Sallie Chandler  
Daniel C. Cabral  
Richard R. Dutremble  
Michael J. Cote  
Gary Sinden

County Manager Gregory Zinser was present at the meeting.

*All present were invited to rise and salute the flag of the United States.*

**Call Meeting to Order**

**YOU ARE INVITED TO RISE AND SALUTE THE FLAG OF THE UNITED STATES**

**09-18-13      ITEM**

**1      NCEU GRIEVANCES**

Attorney John Richardson was present at the meeting to represent the National Correctional Employees Union. He mentioned to the County Commissioners how impressed he was with what had been done to the building.

Commissioner Dutremble motioned to enter into executive session per 1M.S.R.A § 405 (6) (A) personnel matters. Commissioner Cabral seconded the motion. Vote 5-0.

Commissioner Sinden motioned to come out of executive session. Commissioner Cabral seconded the motion. Vote 5-0.

Commissioner Cabral motioned to enter into executive session pursuant to 1 M.R.S.A. § 405 (6) (E) discussion with legal counsel. Commissioner Dutremble seconded the motion. Vote 5-0.

Sheriff Ouellette, Lt. Col. Michael Vitiello, Captain Tim Kortez and County Attorney Tim O'Brien were also present in executive session.

Commissioner Dutremble motioned to come out of executive session. Commissioner Cabral seconded the motion. Vote 5-0.

Commissioner Sinden stated that he was satisfied that the Garrity warning is not an issue in NCEU grievance #5-13-01 and that a previous infraction of the same nature was handled in the same manner. Commissioner Sinden moved to deny the grievance. Commissioner Dutremble seconded the motion. Vote 5-0.

## **2 PUBLIC COMMENT(S) ON ANY ITEM(S)**

Bill Burns questioned why it was not stated on the agenda that the grievance hearings would be held in executive session. Commissioner Chair Sallie Chandler responded that it is the option of the grievant. County Manager Greg Zinser added that the Commissioners retain the right to go into executive session at any time as long as the correct reason is stated.

## **3 TO REVIEW AND APPROVE THE MINUTES OF THE COUNTY COMMISSIONERS' REGULAR MEETING OF SEPTEMBER 4, 2013**

Commissioner Dutremble motioned to approve the minutes of September 4, 2013. Commissioner Cabral seconded the motion. Vote 5-0.

## **4 TO HEAR ANY REPORTS OF THE COMMISSIONERS**

Commissioner Sinden remarked that he had attended the Maine County Convention and found several sessions to be quite valuable. Commissioner Chandler mentioned to all that she had also attended the convention and found the Governor's speech interesting as well as Chief Deputy King's session.

## **5 TO HEAR ANY REPORTS OF THE COUNTY MANAGER**

- a. County Manager to introduce EMA Director Leo Rogers
  - i) Request Commissioner Approval of Yearly Hazard Mitigation Plan

Director Leo Rogers circulated the document for the Commissioners' approval and signatures.

- ii) Various updates on programs

Director Leo Rogers informed the Commissioners that on September 10th and 11<sup>th</sup>, York County EMA exercised their communication system along with the State of Maine.

Director Rogers gave an update on upcoming EMA events such as a safety fair on October 5<sup>th</sup>, an exercise in the Emergency Operations Center on October 18<sup>th</sup> from 12:00 p.m. until 4:00 p.m. and a Statewide Vigilant Guard exercise in November. He will circulate dates of all events to the Commissioners in the event they wish to participate.

Director Rogers also informed the Commissioners that he would very much like to bring back the Search and Rescue Team and will be holding an informational night in the near future to further discuss this item.

Lastly, EMA Director Leo Rogers mentioned that he had been speaking with Time-Warner regarding a possible disaster partnership.

County Manager Greg Zinser added that he felt it important to re-establish the Search and Rescue team in York County. He added there will most likely be the need for start up funds but there are various avenues to obtain these needed funds.

Commissioner Cote questioned who took over the responsibilities when York County's search and rescue team dissolved? EMA Director Rogers responded that there is an independent group (Pine Tree) and that he has spoken to them but they do not want to be part of York County Emergency Management.

Commissioner Sinden questioned if there is a documented need for a team. Leo Rogers responded that yes there is and if YC EMA is called upon right now we have no team for that particular type of incident. He further explained that Pine Tree SAR works throughout the State and currently the Forestry Service handles York County's search and rescue calls.

County Manager Greg Zinser reminded the Commissioners that the EMA vehicles are stored in other areas of the County and that temporary agreements made for temporary housing are coming to an end. He added that this shouldn't be a surprise to any of us as we knew this was going to be an issue. Mr. Zinser stated that he has asked Leo to discuss this with other area fire departments to see if they have any extra space. The County Manager added that response time is also an issue. He stated that it appears the time has come to look into building a garage and added that vendors are limited for this type of building. The County Manager asked what the board's pleasure would be. He added there are options to finance and that appropriation from surplus is another option.

Commissioner Chandler stated that it's been difficult for us to house the big van and that she agrees that it's time we look for a place here. Commissioner Cote asked if there was any proposed area. Greg Zinser responded that the government building is in a well head district making construction not possible. Therefore, the former EMA looks like an ideal area. Commissioner Cote suggested selling the former EMA building and using the

money for the garage project. Commissioner Sinden disagreed and stated that the food pantry, in his opinion, is performing the most important function in the county by providing bulk food for all towns in York County. "They were thrown out of their previous home and it is vital they stay there as they are vitally valuable and it is a perfect fit", stated Commissioner Sinden. Commissioner Sinden requested one or two concrete proposals for the garage being presented to the Commissioners for their review.

b. Discussion on Threshold to Maine

County Manager Zinser relayed to the board that he had been contacted by Mark Hews, Executive Director of Threshold to Maine, a resource conservation program tied loosely to cooperative extension. In the early 70's the Commissioners sponsored this program. The funding for this program has been eliminated from USDA. The purpose of Threshold to Maine is to find programs to help natural resource businesses. Mr. Hews has been speaking to several counties in Maine to gather if there is any desire in reigniting the program. The County Manager told Mr. Hews he would be happy to participate in a meeting and also stated that we might be able to find office space for them. He added that he told Mr. Hews any funding issues would have to go through the Commissioners. The Commissioners agreed that Mr. Zinser should attend an initial meeting and get back to them with what information he gathers.

c. Introduce Sheriff to obtain permission for cruiser purchase

Sheriff Ouellette addressed the board and stated that he went out to bid on cruisers and decided to start looking at more full size models for deputy safety and comfort. The Sheriff reported that two bids out of the five sent out were received: one from Quirk Ford which included a cost of \$21,200 for a left over 2012 Caprice with a V 8 engine. The difference to get a 2014- which is a V6 was only \$1,200. The other bids were from Galos in Saco, ME for about the same cost (\$27,498 for 2013 Caprice and \$20,981.00 for 2014 Impala). Sheriff Ouellette recommends to the board purchasing the vehicles in York County from Galos. He is requesting the approval to purchase three vehicles: two Impalas and one Caprice. The County Manager interjected that there is \$27,500 set aside in Sheriff's office reserve line budget.

Commissioner Sinden motioned to approve the purchase of three cruisers for the York County Sheriff's Department. Commissioner Cabral seconded the motion. Vote 5-0.

d. Discussion of letter from Town of South Berwick

Commissioner Chandler remarked on the letter from the town of South Berwick regarding the issues between the Commissioners and the Budget Committee and that she felt a response to the town was necessary to clear up misinformation. Commissioner Sinden drafted a response letter and read as requested by the Town of South Berwick, the letter from them. (Attached as record of minutes).

After reading the letter, Commissioner Sinden remarked that the level of misinformation contained in this letter is astounding. Commissioner Sinden continued by stating that he has heard time and again how the Commissioners have a duty to come to the Budget Committee. He further stated, "It is our duty to present the budget committee a budget within a specific time frame and we have always done so." "However, the Budget Committee has never met the time frame. They spend so much time complaining that we do not live up to them. We have a responsibility to provide them with a budget and make sure department heads are available. We need to continue to do our duties under the law. It is very disturbing when misinformation is spread and is harmful to County government."

Commissioner Cote spoke and stated that he represented himself and did comment to the South Berwick Town Council that "you folks " were doing what you thought was in the best interest for the County. Commissioner Cote further stated that in the future he would ask the Commissioners if they would all like to come with him to a town council meeting and stated that he only spoke for himself at this meeting. Commissioner Dutremble acknowledges that the budget board (committee) did not accuse us to his knowledge, of not meeting the deadline and clarified that the Commissioners have not always met the deadline. Commissioner Dutremble mentioned that in the last ten years there have been many different Commissioners but a couple of the budget board members are the same and that the some of the same issues continue to occur.

Commissioner Sinden reiterated that the legislature is the only one that can change law.

The County Manager will make the slight, recommended changes to the draft letter and then have the Commissioners review and sign it prior to sending it to the Town of South Berwick town Council.

Commissioner Sinden remarked that this brings up how it is always bylaws that define the functioning of the board. We do not have any such thing. We should have bylaws to define issues. The Commissioners directed the County Manager to come up with a sample of bylaws for their review.

County Manager Zinsser informed the board that he had arranged with Attorney Libby at their November 6<sup>th</sup> meeting, a discussion on the responsibilities of the Commissioners.

**10 min recess**

## **6 NEW BUSINESS**

a. Tax Abatement Denial Appeal- Peso/OCD Realty, Lebanon

Mr. Peso addressed the board informing them that he bought the property in January of 2013 and that the purchase price and town assessment are very different. He went on to say that the property is in disrepair and that the road is maintained by homeowners- not the town and has no power, Commissioner Sinden questioned what the current condition of the property is. Mr. Peso replied that it is a log home with many rotten logs in the

house, no central heat and the septic system is failing. Commissioner Sinden asked if the town has come out to re-assess the property. Mr. Peso replied that he has no knowledge of this. Commissioner Chair Chandler asked if he brought any comparable properties for the Commissioners to review. Mr. Peso responded that he had not and that his property is unique property. Commissioner Cote inquired as to the purchase price to which Mr. Peso responded was \$90,000.00.

Commissioner Sinden- questioned if Mr. Peso was requesting, as he read on his application, an abatement of \$100,000? Mr. Peso answered that he was looking for something.

Lebanon Selectman/Town Assessor Jason Cole addressed the Board and stated that Mr. Peso has quite a bit of land and that it was recommended that consolidating two pieces of his land together would help save property taxes assessed. Mr. Cole also stated that he did a walk around and discovered on the last assessment a 30x40 ft. garage had not been assessed and that the Town did not go back and assess Mr. Peso on that even though they could have. Jason Cole stated that he did look at comparable properties. Mr. Peso lives on a dirt road with no power. Other residents on that road want to live on generator. He added that the property was sold knowing there was no power there. Commissioner Cote questioned when the last time the property had been assessed by the town. Jason Cole responded in March and Selectwoman/Town Appraiser Karen Gerrish went out in July. Commissioner Sinden asked if there was a detailed assessment included. Mr. Cole responded there was not but that the condition of home was noted (on the outside). Commissioner Sinden questioned, in Mr. Cole's opinion, what condition the structure was in. Jason Cole responded he felt the property was in good condition. He circulated a photo of the exterior of Mr. Peso's home.

Mr. Cole encouraged Mr. Peso to come back and meet with the other assessors. Commissioner Chair Chandler asked if the tax assessment had changed. Jason Cole responded that it had not and the former owners never complained about their property taxes. Mr. Cole stated that the current request by Mr. Peso was denied as it was for \$100,000. He further stated that the next bill could be reduced if all parties agree. County Manager Zinser asked the current value of the garage that has not yet been added to the property tax bill. Jason Cole stated that the garage adds \$6,000 to the value of Mr. Peso's property.

Commissioner Sinden stated that he doesn't feel \$100,000 is a reasonable request for property tax abatement and therefore moves to deny Mr. Peso's request for property tax abatement. Commissioner Cabral seconded the motion. Vote 5-0.

## **7 OLD BUSINESS**

None

**8 PUBLIC COMMENT(S) ON ANY ITEM(S)**

Jason Cole addressed the Board and stated that there were two instances in Lebanon last year of lost persons and that he is very excited to hear a Search and Rescue team might be coming back to York County. He commended EMA Director Rogers for making this a priority. Mr. Cole also thanked the Commissioners for their efforts to straighten out the budget committee. He added that he had previously served on the budget committee and had no desire to do so again do to the issues it has. He went on to state that he applauds the Commissioners for what they are doing to try to straighten out long time issues with the Budget Committee.

Susan Wiswell added that she also is very pleased that York County EMA may soon, once again, have a Search and Rescue team and stated her interest in perhaps joining the team as she is a nurse and wilderness responder.

**9 ADJOURN**

Commissioner Cabral motioned to adjourn. Commissioner Dutremble seconded the motion. Vote 5-0. Meeting adjourned at 6:20.

**S/YORK COUNTY COMMISSIONERS**

**Minutes taken by Administrative Assistant**

**SIGNED:** \_\_\_\_\_  
**Kathryn A. Dumont**

**ATTEST:** \_\_\_\_\_  
**Sallie V. Chandler-Chair**