

December 9, 2021

**Minutes of the Washington County Commissioners'
Regular Meeting
held December 9, 2021
in the Probate Courtroom
Machias, Maine**

Attending the meeting were:
Commissioner Christopher Gardner
Commissioner John B. Crowley, Sr.
Commissioner Vinton E. Cassidy
Betsy Fitzgerald, County Manager
Carla Manchester, Administration
David Bibber, Town of Charlotte
Brenda Jones, Town of Charlotte
Bill Jones, Town of Charlotte
Dean Preston, U.T. Supervisor
Dana Kadey, Big Lake Township
Paula Johnson-Rolfe, WCSO
Rich Rolfe, WCSO
Lisa M. Hanscom, EMA
Robert A. Simpson, Whiting
Tammy C. Gay, Deeds
Josh Rolfe, RCC
Barry Curtis, Sheriff
Michael Crabtree, Chief Deputy
Darlene Perry, Probate

Executive Department business was called to order at 4:32 p.m.

Approval of the minutes for the Regular Commissioners' meeting held on November 4, 2021. (Cassidy / Crowley, 3-0)

AGENDA ITEM: Monthly and Quarterly Reports

The Commissioners were provided written reports from Emergency Management Agency and the Treasurer's Office. The reports were accepted under the gavel. (See attached)

AGENDA ITEM: Payroll Change Notices

Commissioner Gardner stated a wage adjustment for Registrar of Probate Carlene Holmes has been discussed and is effective beginning the pay period following the November 4, 2021 Commissioners meeting.

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MOTION Commissioner Crowley moved to hire Darlene Wallace Perry as full-time Probate Clerk/Secretary effective 11/19/21. (Crowley/Cassidy 3-0)

MOTION Commissioner Crowley moved to rehire Jaymie Myrick as part-time ECS effective 11/21/21. Standard part-time provisions apply. (Crowley / Cassidy, 3-0)

By consensus, the Commissioners discharged William Sternbergh as part-time Patrol Deputy effective 12/04/21. Chief Deputy Crabtree explained Bill had been helping with Crimestar. His services were no longer needed. Bill's discharge is without prejudice.

MOTION Commissioner Crowley moved to rehire Tracy Kyle as full-time Corrections Officer effective 12/05/21. (Crowley / Cassidy, 3-0)

MOTION Commissioner Crowley moved to reclassify Tyler Look from part-time to full-time Corrections Officer effective 12/12/21. (Crowley / Cassidy, 2-0-1)

AGENDA ITEM: Signatures on six-month certificates

A six-month certificate was signed for Heather Lee as presented.

AGENDA ITEM: Signatures on 2022 County Budget

Commissioner Gardner stated the final FY 2022 County Budget was already presented and approved during the November meeting. As a reminder, Commissioner Gardner stated the approved budget is \$6,588,577.15 with an increase of 5.4083%. Commissioner Gardner also noted wage adjustments were given to employees in consideration of wage adjustments that were not received during Coronavirus. The 2022 County Budget was signed as presented.

***SEE AMENDMENT TO MINUTES RE: APPROVAL OF FY 2022 BUDGET IN SEPTEMBER 12, 2024 COMMISSIONERS' MEETING MINUTES, PAGE 81.**

AGENDA ITEM: Approval of Commissioners' Meeting Dates for 2022

Commissioner Gardner stated the Commissioners' meeting dates will remain scheduled for the second Thursday of each month. The 2022 schedule was presented.

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MOTION Commissioner Crowley moved to approve the 2022 Commissioners' Meeting Date schedule as presented. (Crowley / Cassidy, 3-0)

AGENDA ITEM: Approval of Holiday Schedule for 2022

MOTION Commissioner Crowley moved to approve the 2022 Holiday Schedule as presented. (Crowley / Cassidy, 3-0)

AGENDA ITEM: County Policy Amendment

County Manager Betsy Fitzgerald presented a proposal to amend the County Policy regarding the insurance opt-out stipend for employees that can demonstrate proof of equivalent health insurance coverage through a spouse's policy, or through some other policy. The original policy did not address employees that have spouses that work for the county as well. The amendment to the policy states "County employees who elect to be covered under another County employees' policy may not also receive the weekly payment of \$100.00." Betsy stated the recommendation came from the perspective that the county already subsidizes all employees' insurance coverage. Paula Johnson-Rolfe stated that she has previously suggested allowing spouses working for the County be allowed to take advantage of the opt-out stipend because it would save the County money. RCC Deputy Director Josh Rolfe noted the opt-out stipend is also in the union contract. Commissioner Gardner stated the County should refine the County policy that allows the County to cover employees the cheapest way without it costing the employee. Commissioner Gardner recommended coverage costs be explored.

MOTION Commissioner Cassidy moved to reject the proposed amendment to the insurance opt-out stipend and direct County management to explore cost and coverage options. (Cassidy / Crowley, 3-0)

AGENDA ITEM: Signatures on MainePERS Plan Changes for F.O.P. and N.C.E.U.

An agreement between the County of Washington and MainePERS to allow union members of F.O.P and N.C.E.U. to participate in special retirement plans was presented. Per union contract, the F.O.P. members will be converting from the Special 2C plan to the Special 3C

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plan. Also, per union contract, the N.C.E.U. will be converting from the Regular AC plan to the Special 4C plan. The changes for both plans will be effective January 1, 2022.116

***MOTION* Commissioner Cassidy moved to sign the MainePERS Plan Change agreement as presented. (Cassidy / Crowley, 3-0)**

AGENDA ITEM: Agreement to Provide Services to UMM

Chief Deputy Crabtree stated that UMM contacted the Sheriff's Office regarding police coverage on the schools' campus. The contract is for \$20,000.00 to assist in campus security. The term of the contract began on October 1, 2022 and terminates on May 20, 2022. Chief Deputy Crabtree stated the security coverage will be filled by full-time Patrol Deputies first, then part-time Patrol Deputies if needed.

***MOTION* Commissioner Crowley moved to sign the Agreement to Provide Services to UMM as presented. (Crowley / Cassidy, 3-0)**

AGENDA ITEM: Election of 2022 Committee and Board Appointments

A list of 2021 Washington County Committee and Board Appointments was presented to the Commissioners. See attached listing.

***MOTION* Commissioner Cassidy moved to have all Committee and Board appointments remain the same in 2022. (Cassidy / Crowley, 3-0)**

2022 Committee and Board appointments are as follows:

Maine County Commissioners Association and Risk Pool Board-
Commissioner Gardner (Primary)
Commissioner Cassidy (Secondary)

Sunrise County Economic Council Board Member -
Betsy Fitzgerald

Northeast County Workforce Investment Board -
Commissioner Gardner

Washington County Council of Governments Board of Directors -
Betsy Fitzgerald

WCCOG Brownfield Advisory Committee -
Betsy Fitzgerald

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Betsy Fitzgerald to be proxy if there is no Commissioner available.

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AGENDA ITEM: Spillman Proposal

RCC Deputy Director Josh Rolfe presented a proposal to purchase a Spillman/Motorola Solutions RMS/CAD system. Josh stated the current Crimestar CAD management system is failing and an upgrade to the system is needed. Josh noted the upgrade was not included in the 2022 budget but the Sheriff's written proposal explains the need for this essential upgrade (see attached). It was also noted the system upgrade will provide interoperability with all responders in Washington County as well as other counties and state agencies. Josh stated Dennis Dorsey has been working with Spillman/Motorola Solutions on a quote. Through negotiations with Spillman/Motorola a proposed cost of \$333,115.83 has been reduced to \$250,000.00 for a savings of \$83,155.83 if the proposal is accepted and signed before December 31, 2021. The use of ARPA funds for this upgrade was discussed. Commissioner Cassidy questioned whether the project would be considered as an eligible expense with ARPA funds. Commissioner Gardner stated the use of ARPA funds for this project does pertain to the pandemic and should be a qualifying expense. Commissioner Gardner noted projects are not being preapproved for ARPA funds so the MCCA has obtained insurance to cover unintentional misuse of ARPA funds. Commissioner Gardner stated that at a previous MCCA meeting another county planned to use the ARPA funds for a similar project; helping to enhance medical response is an eligibility guideline. Sheriff Curtis noted the quote includes maintenance and comprehensive warranty coverage for the first year; there will be an additional cost for Year 2. Sheriff Curtis stated the maintenance agreement is a must. Sheriff Curtis also noted the maintenance and support covers all municipalities as well as the County. Chief Deputy Crabtree questioned if it was possible the State 911 surcharge funds could be accessed to help with the cost. Commissioner Gardner stated he did not expect 911 surcharge funds would be a possibility. Commissioner Cassidy asked if there would be enough in the Contingency Funds if the purchase was not covered by ARPA funds. Commissioner Gardner concluded the upgrade will need to be done at some point and recommended the approval of the purchase of the proposed RMS/CAD system.

***MOTION* Commissioner Crowley moved to authorize the purchase of the Spillman/Motorola Solutions RMS/CAD system with ARPA funds to be executed and authorizing County Manager Betsy**

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**Fitzgerald to sign the agreement as presented.
(Crowley / Cassidy, 3-0)**

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Josh noted the new system should be in place by March.

AGENDA ITEM: Mileage Reimbursement for Civil Process

Paula Johnson-Rolfe stated that she and the Sheriff have looked at the current mileage reimbursement for Civil Process Deputies. Paula reported gas prices have increased by \$1.23 per gallon since December 2021. Paula noted the IRS reimbursement rate is \$0.56 per mile. The County reimbursement rate is \$0.44 per mile. It is the recommendation of the Sheriff to increase the County mileage reimbursement rate to match the IRS. It is also the recommendation to set the County mileage reimbursement rate annually at the IRS index.

***MOTION* Commissioner Crowley moved to increase the County mileage reimbursement rate to \$0.56 per mile effective immediately and to authorize the County Manager to set the mileage reimbursement rate annually at the prevailing rate.
(Crowley / Cassidy, 3-0)**

Commissioner Gardner stated the decision to change the mileage reimbursement rate will be county wide.

AGENDA ITEM: Building Committee Update

County Manager Betsy Fitzgerald reported that the Building Committee met. The Committee has approved verbiage for an ad for bids for qualifications for Architectural and Engineering design services for a new Public Safety Building to be located adjacent to the County Complex in Machias. Commissioner Gardner agreed the County would like to see how many firms are interested in the project. Commissioner Gardner stated the County intends to utilize the ARPA funds for the Architectural and Engineering design services.

AGENDA ITEM: Informational Materials

Information materials have been submitted to the Commissioners for their review and information.

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AGENDA ITEM: Next Steps - EMS Discussion

Commissioner Gardner stated the Board of Commissioners held an Emergency Public meeting for the purpose of discussing the critical issues being faced by the County as it pertains to EMS providers due to the Governor's vaccination mandate. Commissioner Gardner reviewed the talking points of that meeting. Commissioner Gardner stated the mandate had caused a shortage in EMS workers and in turn caused some EMS agencies to be out of service for periods of time. During the Emergency meeting, the Commissioners gathered information from the EMS agencies and discussed ways in which the Commissioners could help alleviate the problem. One solution was to draft a letter to the Governor and make an appeal to relax the mandate. Maine EMS was also asked to weigh-in on the issue and describe what plan of action they will take should Washington County need medical emergency support. Commissioner Gardner reported that there have been no real solutions provided by either Office of the Governor or Maine EMS. Attorney Tim Pease reported to the Commissioners and County Manager that it is expected Maine EMS will officially adopt a final vaccine mandate rule, replacing the emergency rule issued this summer. Attorney Tim Pease recommended next legal step could be to challenge agency rules via a "declaratory judgement action". Commissioner Gardner stated the vaccination mandate and the effects it has had on medical emergency services were also discussed at the MCCA meeting. Commissioner Gardner suggested the County pursue a declaratory judgement action as recommended by the County Attorney. Commissioner Gardner stated he did not know how much such an action would cost, and if the County was prepared to take such an action. Commissioner Gardner stated the Board of Commissioner should at least consider filing such an action at the local level.

***MOTION* Commissioner Crowley moved to authorize County Manager Betsy Fitzgerald to work with Rudman & Winchell to file a declaratory judgement action.
(Crowley / Cassidy, 3-0)**

Commissioner Gardner reported it was discussed at the MCCA meeting that the Maine Criminal Justice Academy's standards need to be

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adjusted. Sheriff Curtis stated he will address the issue again.

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PUBLIC COMMENT:

David Bibber of Charlotte spoke on behalf of he and William and Brenda Jones of Charlotte. Mr. Bibber and Mr. and Mrs. Jones were present in anticipation of a decision on the tax abatement hearings that were held November 4, 2021. Commissioner Gardner stated both tax abatement request decisions have been ruled in favor of the taxpayer. Commissioner Gardner explained the written decision has not been completed yet due the complicated issues involved. Commissioner Gardner stated the Town of Charlotte will be notified and issues addressed. Commissioner Gardner stated the written decisions are expected to be presented and signed at the January meeting of the Commissioners.

MOTION **Commissioner Crowley moved to go into Executive Session. Commissioner Cassidy seconded the motion which passed 3-0. It was 5:41 p.m. (Crowley / Cassidy, 3-0)**

MOTION **The Commissioners declared themselves to have closed the Executive Session. It was 5:55 p.m. (Crowley / Cassidy, 3-0)**

No decision.

ADJOURNMENT
5:55 p.m.

ATTEST: _____
Carla J.R. Manchester, Admin. Asst.

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