

March 11, 2021

**Minutes of the Washington County Commissioners'
Regular Meeting
held March 11, 2021
in the Superior Courtroom
Machias, Maine**

**Attending the meeting were:
Commissioner Christopher M. Gardner
Commissioner John B. Crowley, Sr.
Commissioner Vinton Cassidy
Betsy Fitzgerald, County Manager
Carla Manchester, Administrative Assistant
Susan Hatton, SCEC
Darren Paul, Passamaquoddy Wild Blueberry Company
Lynn Dwelley, EMA
Jill Holmes, Treasurer
Dean Preston, Unorganized Territories Supervisor
Carlene Holmes, Probate
Rich Rolfe, Jail Administrator
Josh Rolfe, RCC Director
Mike Crabtree, Chief Deputy
Barry Curtis, Sheriff**

Executive Department business was called to order at 4:15 p.m.

Approval of the minutes for the Regular Commissioners' meeting held on January 14, 2021. (Cassidy / Crowley, 3-0)

AGENDA ITEM: Monthly and Quarterly Reports

The Commissioners were provided written reports from the Treasurer's Office and Sunrise County Economic Council. The reports were accepted under the gavel. (See attached)

AGENDA ITEM: Payroll Change Notices

By consensus and at the request of Jail Administrator Rich Rolfe, the Commissioners discharged Carroll Francis, Jr. as part-time Corrections Officer effective 01/15/21. Mr. Francis was terminated during his introductory period.

By consensus, the Commissioners accepted the resignation of Mary Huntley as part-time Corrections Officer effective 01/28/21.

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***MOTION* Commissioner Cassidy moved to approve the hire of William Sternbergh as part-time Patrol Deputy effective 02/14/21. (Cassidy / Crowley, 3-0)**

Commissioner Gardner stated standard part-time provisions apply.

The Commissioners accepted the resignation of Michelle Potter as full-time Victim Witness Advocate for the Machias District Attorney's Office effective 02/19/21 by consensus.

Lynn Dwelley reluctantly gave her notice as full-time EMA Director. Lynn has accepted a position with Penobscot Emergency Management Agency but plans to remain part-time during the transition for a new EMA Director. On behalf of the Board of Commissioners, Commissioner Gardner thanked Lynn for a job well done, specifically through a world-wide pandemic. Commissioner Gardner stated Lynn lead the County throughout this tremendously difficult time with a calm and level-headed demeanor. By consensus, the Commissioners accepted Lynn's reclassification from full-time EMA Director to part-time effective 02/20/21.

The resignation of Brynn Jellison as part-time ECS effective 02/26/21 was accepted by consensus and without prejudice.

Patrol Deputy Timothy Mace gave his resignation as full-time patrol deputy effective 03/10/21. Tim will remain on the Sheriff's patrol deputy roster as part-time. Sheriff Curtis stated Tim had decided to accept a position in a different profession as it has become increasingly difficult to be in law enforcement. Commissioner Gardner stated it is alarming that we are losing employees in this profession. Commissioner Gardner noted it is an issue in society that is causing frustration and, in turn, making it hard to retain those in the profession of law enforcement. By consensus, the Commissioners approved the reclassification of Patrol Deputy Timothy Mace from full-time to part-time effective 03/10/21.

***MOTION* Commissioner Crowley moved to approve the reclassification of Ethan Stevens from part-time to full-time Patrol Deputy effective 03/18/21. (Cassidy / Crowley, 3-0)**

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Commissioner Gardner asked if compensation for officer training was needed for the agency Ethan Stevens' was leaving. Sheriff Curtis stated compensation would be needed but he has not had a conversation with the Treasurer regarding the cost.

Register of Probate Carlene Holmes stated the part-time Probate Clerk Elayne Watts gave her resignation. Elayne has worked in the Probate Court Office for 11 years. Elayne Watts' resignation was accepted by consensus and without prejudice effective 03/26/21. Register Holmes stated she will be advertising for this position immediately.

AGENDA ITEM: Signatures on Six-month Certificates

Six-month certificates were presented and signed for:

- Whitney Bassett
- Kyle Davis
- Hayden Gardner
- Carlen Jay

AGENDA ITEM: Signatures on County Tax Tabulation

Treasurer Jill Holmes presented the County tax tabulation for 2021 with a total taxation for all municipalities, including the Unorganized territories, of \$6,281,784.00. Commissioner Gardner stated the tax amount for each municipality is based on the State valuation with a mill rate of .0016273 applied to the valuation. Commissioner Gardner reviewed the highest taxed municipalities in Washington County. Listed from the highest to lowest tax amount is: Unorganized Territories, Baileyville and Milbridge. The complete tax tabulation list is attached.

AGENDA ITEM: Reappointment of Betsy Fitzgerald as Washington County Representative to LUPC

MOTION Commissioner Crowley moved to reappoint Betsy Fitzgerald to be the LUPC Representative for Washington County.
(Crowley / Cassidy, 3-0)

AGENDA ITEM: Award TAN

Treasurer Jill Holmes reported on the TAN Bid Opening for 2021 (see attached). Treasurer Holmes stated 8 bids were received. Five of the

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eight banks did not submit a bid. The bids submitted are as follows:

- Androscoggin Bank: 1.13% based on 365-day year and \$20,516.46 Interest
- Machias Savings Bank: 0.80% based on 360-day year and \$14,726.67 Interest
- The First National Bank: 1.34% based on 360-day year and \$24,667.00 Interest

Treasurer Holmes recommended the Commissioners accept the bid from Machias Savings Bank with a bid of 0.80% based on 360-day year and \$14,726.67 interest. County Manager Betsy Fitzgerald agreed with the recommendation.

***MOTION* Commissioner Crowley moved to accept the TAN bid from Machias Savings Bank as presented. (Crowley / Cassidy, 3-0)**

Commissioner Gardner asked that the records reflect that LD 434 was discussed at great length at the MCCA meeting he attended. LD 434 is "an act to clarify the bonding authority of counties for capital maintenance projects". The bill authorizes a county to issue bonds for capital maintenance projects in a single year without the need for a bond issue referendum, as long as the total amount of the bonds does not exceed 1/10 of the mill of the county's property valuation. Commissioner Gardner stated this means the County could borrow up to approximately \$320,000.00 without going out to a referendum. If a county charter provision provides for a higher total amount of bonds that may be issued for such projects without a bond issue referendum, that charter provision is valid. Commissioner Gardner noted if the County Commissioners' chose to put a bond out for a capital maintenance project, approval would need to be given by the Budget Advisory Committee. Commissioner Gardner added that participation for the Budget Advisory Committee is problematic. Commissioner Gardner asked U.T. Supervisor if he was able to borrow large amounts for capital projects. Dean stated he was not able to do this but it would be a good tool. Dean noted trying to fund projects in a one-year budget is difficult. Dean asked if this piece of legislation would impact the U.T. Commissioner Gardner responded that he was unsure but believes Maine Revenue is not engaged in this process. The Board of Commissioners agreed that LD 434 would be useful but all agreed that the approval would be needed from the BAC and that there could not be any more than one loan at a time.

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AGENDA ITEM: Discussion of COVID-19 Leave Policy

Commissioner Gardner stated that a COVID-19 Leave policy was drafted after it was brought to the Commissioners attention by the Jail Administrator and other employees. Commissioner Gardner stated that as we began to face the effects of COVID-19 in Washington County, the need to take time away from work to quarantine resulted in an inequitable procedure for all employees. Some employees were able to work from home while other employees were not able to carry out job duties from home. This procedure was not congruent for all employees. As the purpose of the policy states, "due to the contagious factors of COVID-19 delineated by the CDC and the congregate nature of the work performed with and for the public by county employees, this policy will guide the precautionary measures the county may take involving employees work status in connection with a potential exposure to COVID-19 in order to maintain both a safe and operational work environment." The proposed policy also states that "those not able to work remotely will otherwise be placed on administrative leave." The understanding is that employees would not be made to use their own leave accruals if ordered to stay home. Commissioner Gardner stated this was the reason to draft this policy. With some input from Jail Administrator Rich Rolfe and County Manager Betsy Fitzgerald, Commissioner Gardner presented the proposed policy. Commissioner Gardner read the COVID-19 Leave Policy in its entirety (see attached). Sheriff Curtis stated he was in agreement with the proposed policy. Commissioner Gardner stated this policy would be considered an emergency policy and will be reviewed when the State of Emergency has been lifted. There was an inquiry about a Remote Work Policy as this was a tool many learned to use and embrace.

***MOTION* Commissioner Crowley moved to adopt the COVID-19 Leave Policy as an emergency policy as presented.
(Crowley / Cassidy, 3-0)**

Jail Administrator Rich Rolfe asked if the policy would be effective immediately or if it would be retro-active and be applied to those employees that lost time when ordered to isolate. Commissioner Gardner stated the policy will be retroactive to January 1, 2021 and leave balances sheets should reflect any revisions by April 1st.

AGENDA ITEM: Bid for 28 Center Street

County Manager Betsy Fitzgerald stated that a request for proposals to repair and paint the exterior of the original portion of the 28 Center

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Street building was publicized. Betsy reported one bid for a total of \$47,000.00 was received. Betsy recommended the Commissioners reject the bid and do a second request for proposals. By consensus, the Commissioners directed Betsy to re-bid for the project. U.T. Supervisor asked if the bid of \$47,000.00 was considered an unreasonable cost. Commissioner Gardner replied that he would consider the bid unreasonable. Dean stated this could be a problem if there are no other bids to compare it to and that decision is not tied to anything. The County Bid Policy was discussed. County Manager Betsy Fitzgerald stated the County policy directs that anything with a cost or anticipated cost of over \$5000.00, must go out to bid. Commissioner Gardner recognized that solicitation and negotiating of the price for a particular project may be needed if no acceptable bids are submitted. Commissioner Gardner suggested the County policy may need to be revised stating that if no acceptable bids are submitted, that bids can be solicited and price can be negotiated. Commissioner Gardner directed County Manager Betsy Fitzgerald to make some changes to the current policy to that effect and bring it to the next meeting for the Commissioners to review.

Commissioner Gardner stated LD 272 was discussed at the February MCCA meeting. LD 272 is an "act to establish separate prosecutorial districts in Downeast Maine". Although there were members in support of LD 272, it was moved to take the position of "Neither for nor against". It was noted that the bill only involved Hancock and Washington counties, therefore the organization should maintain neutrality.

Commissioner Gardner discussed the Coronavirus Stimulus Package signed into law by President Joe Biden. Commissioner Gardner reported that it is expected that Maine will receive approximately \$6 billion of the \$1.9 trillion American Rescue Plan. Washington County can anticipate receiving approximately \$6 million. Commissioner Gardner stated the Commissioners will strongly support investing in maintenance projects. Commissioner Gardner asked County Manager Betsy Fitzgerald to begin the discussion with Department Heads as to what are considered preferred maintenance projects.

By consensus, the Commissioners approved the payment of the MCCA Membership due bill of \$8,582.00. Concern for the elevated price of membership was discussed last year but it has been decided not dispute the cost at this time.

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Commissioner Gardner noted a letter was received from the City of Calais concerning the cell phone service in the Calais area. The letter from the Mayor and City Council of Calais expressed the City's discouragement and dismay over the continually worsening cell phone service. The letter states the poor service could jeopardize the safety of the residents in the case of emergency, and may have a detrimental effect on development of local economy. The request from the Mayor and City Council is for action from the Board of Commissioners to bring this issue to the attention of the State Attorney General and the Federal Communications Commission. Commissioner Gardner stated the Board of Commissioners understand the lack of good cell phone service is a concern for public safety. County Manager was directed to seek advice from the County Attorney and send an appropriate response to the City of Calais.

ADJOURNMENT

5:15 p.m.

ATTEST:

Carla J.R. Manchester, Admin. Asst.