

Kennebec County, Maine

County Commissioner's Meeting

Minutes November 21st, 2023



Present:

Patsy Crockett, Commissioner, Chair
 George Jabar, Commissioner
 Joe Pietroski, Commissioner
 Chris Brawn, HR Director
 Cindi Ferguson, Finance Director
 Tom Doore, Treasurer

Lisa Bryant, Finance Manager
 Ken Mason, Sheriff
 Al Morin, Chief Deputy
 Bryan Slaney, Jail Administrator
 Devon Parsons, IT Director
 Abigail St. Valle, Register of Probate

Shay Freeman, DA Office Administrator
 Sean Goodwin, Acting EMA Director
 Dr. Timothy Pieh, MD-3 Medical Director
 Scott Ferguson, County Administrator
 Stephanie Schredder, Executive Assistant

Absent: Meaghan Maloney, District Attorney, Esq, John Brenenstuhl, EMA Director, Matthew Boucher, Register of Deeds
 Gail Towns, Deputy Register of Deeds, Jason Decker, Deputy EMA Director, Corey Goodchild, Asst. Jail Administrator

	Discussion	Action
Call to order	12:02pm	
Minutes	Joe Pietroski, Commissioner , made a motion to approve the minutes of November 7th, 2023, seconded by George Jabar, Commissioner , the motion carries.	Approved 3-0
Human Resources	<p><u>Chris Brawn, Human Resources Director:</u></p> <ul style="list-style-type: none"> ➤ Open enrollment for health, dental, and vision insurance started last week and goes through December 15th. ➤ Harassment training is complete. There are a few stragglers that will need to watch the video. Matt Boucher, Register of Deeds, is working on that and then I will get that out to those that did not attend for compliance. ➤ The employee handbook and administrative regulations rewrite is in full swing and taking a lot of time. ➤ Human Resources is working on a 2023 salary study for non-bargained personnel as was done last year. The county-wide information will not be out until January, so there is a bit of a lag. ➤ Personnel issues continue to be never-ending. We have quite a few things to cover in the Executive Session today. ➤ By law, there should only be two weeks that it takes to pay out separated employees. Human Resources will authorize PCNs (payroll Change Notice) to pay out the separated employee at the closest payroll date to of separation to comply with legal regulations. 	

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County Commissioner's Meeting

Minutes November 21st, 2023



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	<ul style="list-style-type: none"> ▪ Request to transfer a total of \$55,716 from Fund Balance to the Department of the District Attorney, in the amount of \$39,001 and to Probate Court, in the amount of \$16,715. • Fiscal Year '24 transfer for Court Security: <ul style="list-style-type: none"> ▪ Request to transfer a total of \$193,200 from Fund Balance to the Department of the District Attorney, in the amount of \$135,200, and to Probate Court, in the amount of \$58,000. • Joe Pietroski, Commissioner, made a motion to approve the Fund Balance transfer, and George Jabar, Commissioner, seconded the motion. ➤ Cindi Ferguson, Finance Director, thanked the Emergency Management Agency (EMA) for submitting the grant summary form for a grant and for designating a responsible party. It is important that each department designates someone who will make sure that all aspects of the grant are covered and that the county is in compliance. More information will be provided regarding salaries with this grant. Finance will be sure to work with Sean Goodwin, Acting EMA Director, to ensure that Peter Marchesi, County Legal Counsel, is able to review all documents and contracts. • Patsy Crockett, Commissioner Chair, references a recent contract that Finance noticed included an employee that was no longer employed by the County and that is why it is important to have a responsible party in the originating department. • Joe Pietroski, Commissioner, asked about Civil Processing budget report and pointed out that there is a deficit in revenue and expenditures. • Patsy Crockett, Commissioner Chair, inquires if the Commissioners had previously voted to enact an audit for the Civil department, and Cindi Ferguson, Finance Director, said that she didn't specifically remember an audit being approved for the Civil Department, but if the Commissioners want a Civil audit, to please specify where the funding would come from to pay for the audit. There isn't any available funding in the current budget, but a civil audit can be added to the FY25 audit with a significant increase in costs. • Patsy Crockett, Commissioner Chair, asked about the contract for the general audit, and Cindi Ferguson, Finance Director, stated that the contract has not been received yet for processing. • Joe Pietroski, Commissioner, questioned the CARA program budget revenue difference from year to year and Ken Mason, Sheriff, and Patsy Crockett, Commissioner Chair, stated that the difference was more due to federal issues than county responsibilities. Joe Pietroski, Commissioner, asked if an excess of money could carry over into the next fiscal year, and Ken 	<p>Approved 3-0</p>

Kennebec County, Maine

County Commissioner's Meeting

Minutes November 21st, 2023



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	<p>Mason, Sheriff, stated that the money stays in one allotment that can be accessed any fiscal year. Cindi Ferguson, Finance Director, stated that there is a lot of accumulated funding from the CARA program and maybe that money can be used to offset programs like the mandated MAT (Medically Assisted Treatment) program.</p>	
<p>Sheriff</p> <p>Corrections</p>	<p>Ken Mason, Sheriff:</p> <ul style="list-style-type: none"> ➤ There was a retirement of an MRS employee which has been filled by a now former detective and now the Sheriff's Office is working on filling the detective position for which a candidate has been selected and will fill the position as of December 20th. ➤ The originally assigned Maranacook High School Safety Officer was deployed for a month and has a substitute placed until he gets back. ➤ This will be the first Winter in the new building. <p>Bryan Slaney, Jail Administrator</p> <ul style="list-style-type: none"> ➤ The population is rising at the jail and the population inside the jail as of today is 143. ➤ There is a lot of preparation for the holidays inside the jail. \$25 for all inmates was placed on their books by jail for Thanksgiving, and \$35 will be placed on the books for all inmates for Christmas. The funding for these allotments will come from the inmate fund. ➤ The lobby outside perimeter door to the jail facility is currently locked because of an incident last week when a couple of visitors created a biohazard mess. ➤ Staffing is good right now. Three graduated from the Maine Criminal Justice Academy. ➤ Jail Medical Contract: <ul style="list-style-type: none"> • MaineGeneral Medical Center has rescinded vaccination mandates and there have been increases in pay for nurses overall in different facilities and because of that, the jail has lost nurses, and in order to be competitive, we need to increase wages by \$5 an hour. There is a new nurse practitioner who is asking for \$3 an hour more, as well. • Hiring a travel provider would be the only other option which would be \$100+ more an hour. • George Jabar, Commissioner, said that the contract would not need to be amended, but the Commissioners would have to authorize the raise in pay for both requesting parties. • Ken Mason, Sheriff, requests the Commissioners to make a motion to increase the hourly rate of pay for the nurses within the facility by \$5 and increase our Nurse Practitioner pay by \$3 per hour. 	
		Approved 3-0

Kennebec County, Maine

County Commissioner's Meeting

Minutes November 21st, 2023



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	<ul style="list-style-type: none"> • George Jabar, Commissioner, made a motion to accept the requested increases, and Joe Pietroski, Commissioner, seconded the motion. • Joe Pietroski, Commissioner, stated that there is a concern that this cost will be passed down to the taxpayer and Ken Mason, Sheriff, agrees and mentioned that this could be the same situation with the state-mandated MAT program. 	
District Attorney	<p>DA's Office: Shay Freeman, District Attorney Administrator:</p> <ul style="list-style-type: none"> ➤ There are two trials next week. ➤ The court is coordinating with human resources to get a new legal secretary position posted. ➤ The court office had the 8th annual Thanksgiving festivities and adopted a family as an office for Christmas. 	
Probate	<p>Probate: Abigail St. Valle, Probate Register:</p> <ul style="list-style-type: none"> ➤ Court is being held today. ➤ Running a deficit of employees. ➤ Stacy Wells is Acting Deputy Register of Probate. ➤ Job post for Deputy Register will be going up next week. ➤ Patsy Crockett, Commissioner Chair, asked if the security alterations will be happening soon in the probate court and Abigail St. Valle, Register of Probate, stated that they are waiting for materials to arrive. ➤ Target electric has been doing an upgrade to the court this week (camera installation) takes time. ➤ Ken Mason, Sheriff, has promised to organize an active shooter training for the probate court. 	
Information Technology	<p>Information Technology: Devon Parsons, IT Director:</p> <ul style="list-style-type: none"> ➤ The server room air conditioning installation finished up yesterday. ➤ AFC has been installing the server room A/C and finished last night ➤ Paper is submitted for probate courtroom upgrade 	
Registry of Deeds	<p>Register of Deeds: Matthew Boucher, Register of Deeds:</p> <ul style="list-style-type: none"> ➤ Not present. 	

Kennebec County, Maine

County Commissioner's Meeting

Minutes November 21st, 2023



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Emergency Management Agency	<p><u>Emergency Management Agency:</u> Sean Goodwin, Acting EMA Director and Dr. Timothy Pieh, MD-3 Medical Director:</p> <ul style="list-style-type: none"> ➤ <u>MD3 Program:</u> <ul style="list-style-type: none"> • The initiation date for the MD3 program is a week away. • A special Wi-Fi connection next week for the vehicle, so that the car can do the EMS reporting from the vehicle. • Sean Goodwin, Acting EMA Director, explained that EMA was trying to find a billing mechanism for the medications that would be used in the field from the MD3 vehicle. • The insurance aspect of the program has been covered. • Once on the road, we can get feedback from the doctors to see what needs to be adjusted. • Tim Pieh, MD-3 Medical Director, pointed out that you cannot bill patients for services unless you transport them in the emergency vehicle and that the MD-3 vehicle is not meant for transport. • Joe Pietroski, Commissioner, asked if there will be any sort of media alert when the program launches, and Sean Goodwin, Acting EMA Director, said that Jessica Lowell, Kennebec Journal Reporter, would write an article. • MD3 will have equipment and medications that Life Flight and area EMS services. 	
Facilities	<p><u>Facilities Maintenance:</u> Dan Brunelle, Facilities Director:</p> <ul style="list-style-type: none"> ➤ The tire changing machine is in and the facilities staff are currently changing tires for the Kennebec County fleet. ➤ The sander is being fixed and prepared for the Winter season. ➤ AFC (Augusta Fuel Company) is installing 3 new water heat pumps which is part of a 10-year capital improvement project. ➤ There have been heating zone issues in the courthouse. AFC is not certified to work on the type of system that is having issues, and a larger company needs to be contacted for qualified repair. ➤ The concrete work on the South side of Hill House is finished. 	
Administrator	<p>Scott Ferguson, County Administrator:</p> <ul style="list-style-type: none"> ➤ Monday, November 27th will be the next Department Head Meeting and review the budget calendar and expectations. 	

Kennebec County, Maine

County Commissioner's Meeting

Minutes November 21st, 2023



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	<ul style="list-style-type: none"> ➤ Bill Doyle, NCEU Executive Director, stopped in yesterday with a new labor representative for the Jail NCEU (National Correctional Employees Union). ➤ Waldo County needed help with their budget and needed some state information, which Scott Ferguson, County Administrator, provided to them to aid them in their process. ➤ The State did not submit the FY24 supplemental to the State Budget System on behalf of County Jail Operations Fund of \$7.8 million and there has been no response from the Department of Corrections. ➤ Securus contract: <ul style="list-style-type: none"> • George Jabar, Commissioner, made a motion to sign the 3rd amendment to the master agreement for Securus, and Joe Pietroski, Commissioner, seconds the motion. ➤ Employee termination payout: <ul style="list-style-type: none"> • Sometimes, there will be times that we will not be able to wait for the PCN to process the payouts because of the law requiring the payment to be made within two weeks of termination. (As mentioned earlier by Human Resources) ➤ Kennebec County is awaiting the signed paperwork to come back so that the county can arrange for payment. 	Approved 3-0
Old Business/ Follow Up Items	<p><u>ARPA - Update:</u> Zeb Letourneau, Manager Consultant:</p> <ul style="list-style-type: none"> ➤ BerryDunn has completed, or is working to complete the following deliverables: <ul style="list-style-type: none"> • To date, the County has received \$7,293,392 in external grant project expenditures. BerryDunn is processing four expenditure reviews for \$271,182, including three reimbursement requests for \$256,276 in total and one true-up request for \$14,907. • There are two remaining projects that have not been executed: MMHSS and VOA. BerryDunn has met with MMHSS and scheduled a meeting with VOA to discuss their project's status. • The County has \$1,680,061 left in ARPA reserves that have not been obligated. • As the year progresses, if there are projects that are not demonstrating progress towards milestones, goals, or objectives, there may be opportunities to reallocate those funds. Our team is monitoring project progress and will keep you updated. <p><u>Discussion Items:</u></p> <ul style="list-style-type: none"> • November 7th guidance from the Treasury provides a new definition on when projects are considered fully obligated. 	

Kennebec County, Maine

County Commissioner's Meeting

Minutes November 21st, 2023



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	<ul style="list-style-type: none"> ○ BerryDunn attended a seminar on this subject where they were able to ask questions to Treasury officials about this new definition announcement. ○ The Treasury is now stating that projects are not considered obligated when the Commissioners (legislative body) vote to fund them. Projects will only be considered obligated when an order is placed for property or services, or entry into contracts, subawards, or similar transactions that require payment. This means the County will need to take additional steps (by executing a contract, purchase order, or grant agreement) in order to ensure your funds are fully obligated by the December 31, 2024, obligation deadline. It also means that some current projects the County has approved will not be considered fully obligated until there is a transaction that requires payment. ○ The County's established policy is to obligate personnel costs during the annual budget approval process. Due to the new obligation definition, County personnel costs to conduct programs funded by ARPA cannot be incurred beyond 2024. Therefore, any internal personnel costs that the County plans to fund with ARPA to support the MD3 program could not be covered beyond December 31, 2024. Contracts would also need to be executed with the doctors as contractors to fund their payroll expenditures. ○ Scott Ferguson, County Administrator, asked if the county could act as a payroll agent to the doctors working for MD3 if they were classified as independent contractors and Zeb Letourneau, Manager Consultant, stated that if the doctors are contractors, then he doesn't see any issue with it. ○ Cindi Ferguson, Finance Director, inquired if the doctors would have to be sub-contractors, or if the county could have an employment contract with them that goes through to a certain time period and Zeb Letourneau, Manager Consultant, stated that his understanding would be that they would have to be independent contractors. ○ Scott Ferguson, County Administrator, stated that the Treasury is still taking comments on this new rule before the period closes and Zeb Letourneau, Manager Consultant, said that he strongly recommends that the county submit a comment. ○ Scott Ferguson, County Administrator, asked if the county needs to give funding back to the treasury, can the county keep the interest earned on that money, and Zeb Letourneau, Manager Consultant, stated that, yes, the county would be able to keep the interest. 	

Kennebec County, Maine

County Commissioner's Meeting

Minutes November 21st, 2023



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	<ul style="list-style-type: none"> ○ Scott Ferguson, County Administrator, asked if funds can be reallocated after January 1st 2025 if a project doesn't fulfill requirements or falls through, and Zeb Letourneau, Manager Consultant, confirmed that funds can be reallocated after the obligation deadline. ● Zeb Letourneau, Manager Consultant, asked if the \$13,000 in TRC expenses for security audit was approved by the Commissioners, and he was assured that the expenditure had been approved a few years ago. ● Lockwood Mill is scheduled to close with the Maine State Housing Authority today. ● George Jabar, Commissioner, made a motion to authorize the chairwoman to sign on behalf of the county to execute the ARPA funding with Lockwood, and Joe Pietroski, Commissioner, seconds the motion. ● Cindi, Ferguson, Finance Director, asked when Lockwood would need the \$985K and Zeb Letourneau, Manager consultant, stated that BerryDunn consulted with Scott Ferguson, County Administrator, and Kennebec County law council, and determined that a payment is expected in late December or early January. ● The Town of Clinton informed BerryDunn that their budget for the water storage tank has changed substantially. The project was originally expected to cost \$450k and is now expected to cost just under \$1 million. BerryDunn is unsure if the project is still feasible. There is a meeting scheduled with the Town of Clinton to see where they are at, but at this point, the town would have to come up with the gap in funding. There is a chance that those funds might need to be re-obligated to another county initiative. <p><u>Mid-Maine Homeless Shelter and Services (MMHSS): Scope change request:</u></p> <p>Dr. Katie Spencer White, President and CEO:</p> <ul style="list-style-type: none"> ➤ There are 62 year-round beds, and 72 in the winter months at the shelter. ➤ MMHSS is the only year-round low-barrier shelter in the state aside from Bangor and Portland. ➤ This scope change would allow the shelter to keep their doors open through the Winter season. ➤ There has been a surge in demand for shelter for the homeless. This scope change would help fund the whole project. ➤ George Jabar, Commissioner, asked if this additional funding would be used for costs already incurred, and Dr. Katie Spencer White, President and CEO, stated that it would partially pay for costs that have 	<p>Approved 3-0</p>

Kennebec County, Maine

County Commissioner's Meeting

Minutes November 21st, 2023



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	<p>already been incurred. The projected costs for labor and audits have increased and the demand for services has increased.</p> <ul style="list-style-type: none"> ➤ The cost of audit has gone from \$12K a year to \$45K a year. ➤ The cost to operate a single shelter bed is \$100 a day and \$30 is currently funded and there is a need to find the remaining cost through other philanthropic sources. ➤ (recording) ➤ Currently receiving 30-33 for each bed and must obtain the remainder through different avenues. ➤ A project scope change would allow us to redirect the county's ARPA funding award of \$200K to maintaining shelter operations while the work of creating a more sustainable funding model for low barrier shelters across the state continues. ➤ George Jabar, Commissioner, made a motion to approve the request for the change of scope for the MMHSS as requested, and as recommended by BerryDunn, Joe Pietroski, Commissioner, seconded the motion. <p><u>VOICES Project Update:</u> Courtney Gary-Allen, Maine Mobilize Recovery (Voices) Director:</p> <ul style="list-style-type: none"> ➤ Door to door canvassing started in April of this year-knocked on visited 5,000 homes and will expand next summer. ➤ MaineGeneral Medical Center provided \$200K worth of Narcan. The conversations had with residents that are visited is to inform them of what Narcan is and how to use it. ➤ Met every goal for this year and everything is on track-exceeded every outcome promised. ➤ Now young people are training young people to train other young people to use Narcan. ➤ The Voices project has met every goal for this year and will be exceeding all of their originally stated outcomes. ➤ Moving to Waterville next summer for canvassing. ➤ Cindi Ferguson, Finance Director, asked if the Voices Project could write something up about their mission to add to the website, and Courtney Gary-Allen, Maine Mobilize Recovery (Voices) Director, stated that she would make a video for the county website and send it along. ➤ Joe Pietroski, Commissioner, requested for the more rural communities to be included in the canvassing. 	<p>Approved 3-0</p>

Kennebec County, Maine

County Commissioner's Meeting

Minutes November 21st, 2023



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	<p><u>Vehicle Policy:</u></p> <ul style="list-style-type: none"> • The Commissioners are waiting to receive the Sheriff's Office policy. 	
New Business	➤ None.	
Public Comments	<p>Kevin Judkins, Augusta City Councilor, and Betty St. Hilaire, Chair of The United Community Living Center:</p> <ul style="list-style-type: none"> ➤ The organization will be purchasing the United Methodist Church located on Green Street to provide 16 beds for a low-barrier shelter. ➤ Kevin Judkins, Augusta City Councilor, informed the Commissioners that the organization would like to create an informal agreement to utilize ten county parking spaces occasionally in order for the shelter to obtain their legal conditional use permit. <ul style="list-style-type: none"> • Betty St. Hilaire, Chair of The United Community Living Center, informed the Commissioners that the only time that the parking spaces would be needed would be at nighttime and gave a brief overview of the intent of the organization. • The City of Augusta requires the facility to have 20 designated parking spaces and the building already comes with 10. • George Jabar, Commissioner, asked if the ten spots would be for shelter staff only, and Betty St. Hilliar, Chair of The United Community Living Center, confirmed that they would be used for staff. • The facility would have a computer lab and a community kitchen. ➤ Scott Ferguson, County Administrator, stated that they cannot guarantee 10 designated spaces because of court trials, jury selection, and snow plowing. ➤ Kevin Judkins, Augusta City Councilor, suggested that they put wording in the informal agreement that stated the facility could utilize the county parking spaces when not in use. ➤ There will be an open house on November 28th from 4pm to 7pm for people to see what the shelter will be doing, and Kevin Judkins, Augusta City Councilor, invited the Commissioners to attend. 	

Kennebec County, Maine

County Commissioner's Meeting

Minutes November 21st, 2023



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	<ul style="list-style-type: none"> ➤ Ken Mason, Sheriff, offered the shelter an unconditional parking space in his designated spot in the Hill House parking lot. ➤ Patsy Crockett, Commissioner Chair, made a motion for Scott Ferguson, County Administrator, to draft a letter so that the wording the way we would like to have it and we allow them to use 10 parking spaces when they are available. Ken Mason, Sheriff, and Al Morin, Chief Deputy, are donating their designated spaces for unconditional use of the United Community Living Center, and George Jabar, Commissioner, seconds the motion. 	Approved 3-0
Adjournment	<p>There was a motion by Patsy Crockett, Commissioner Chair, to move to Executive Session to discuss personnel issues pursuant to 1MRSA § 405-6-E. George Jabar, Commissioner, seconds the motion.</p> <p>Declaration to end Executive Session at 2:06pm</p> <p>Motion by Patsy Crockett, Commissioner Chair to adjourn regular session at 2:06pm, and George Jabar, Commissioner, seconded the motion.</p>	<p>Approved 3-0</p> <p>Approved 3-0</p>

Respectfully Submitted: **Stephanie Schredder, Executive Assistant**