

Sagadahoc County Commissioners
Meeting Minutes
Tuesday, December 11, 2018

A regular meeting of the Sagadahoc County Commissioners was held at 3:00 pm Tuesday, December 11, 2018 in the Commissioners' Conference Room of the County Courthouse, 752 High Street, Bath, Maine 04530.

Present: Chair Charles Crosby, III; Vice-chair Carol Grose; Commissioner Rabyrne Hutton; County Administrator Pamela Hile; Sheriff Joel Merry; Chief Deputy Brett Strout; Finance Manager Jill Flaherty; Assistant to the County Administrator Mary Kay Blatz
Guest(s): Commissioner Elect Brian Hobart; BAC Member David Hennessey; Tim Gill, Runyon, Kersteen, Ouellette (RKO)

I. Chair Crosby called the meeting to order at 3:00 p.m. and established the presence of a quorum.

II. Public Comments

There were no public comments.

III. Consent Agenda:

1. Approval of Minutes for November 13, 2018
2. November Financial Statements
3. Warrants
4. Departmental Reports (Written)
5. Upcoming Meeting(s):
Regular Meeting at 3:00 p.m. on Tuesday, January 8, 2019
Meeting at 5 p.m. on Tuesday January 22, 2019 (IF NEEDED)
Oath Ceremony and Spirit of America Awards at 9:30 a.m. on Thursday December 20, 2018

Upon motion by Vice-chair Grose, and second by Commissioner Hutton, the consent agenda was unanimously approved as presented.

IV. Department Reports

1. Audit Presentation for FY 2018 – July 1, 2017 to June 30, 2018 – Tim Gill, RKO

Tim Gill congratulated Finance Manager Jill Flaherty and the Administration on a job well done, especially in consideration that Jill started her position at the end of the 2018 fiscal year. Mr. Gill reviewed the Financial Overview Report with the Board and explained the process they follow for the audit; developing a risk assessment to process and test internal controls to identify deficiencies or other material weaknesses. The audit resulted in no deficiencies or material weaknesses, with only a few recommendations. The full Comprehensive Annual Financial Report is available on the Finance page of the County website.

2. Sheriff's Department / Two Bridges Regional Jail – Sheriff Joel Merry

Sheriff Merry distributed his report to the Board, noting that November was a quiet month, with the exception of a traffic stop in Richmond resulting in a relatively minor accident which could have had significant consequences, when a tandem tractor-trailer side-swiped a cruiser that was stopped for a traffic stop on I-295. Fortunately, our deputy suffered only a minor injury but the cruiser has been deemed a total loss. The deputy and the County are not at fault in this incident. Sheriff Merry presented a jail update; we are currently into a time in which the Courts enter a lot of stays, for the holidays, putting the current total population at 141 which is 15 to 20 inmates lower than normal, with Sagadahoc County population at 20, and Deputy Lathrop working with 6 individuals on graduated sanctions.

V. Business Items

1. Replacement of Damaged Cruiser – Sheriff Joel Merry

In regards to the vehicle involved in the aforementioned accident, Administrator Hile informed the Board that the Risk Pool appraiser estimated approximately \$9,000 in damages, of which a \$1,000 deductible would be our responsibility. FedEx sent over their own appraiser, and are willing to declare the vehicle a total loss, offering \$21,000 for the damaged cruiser. The vehicle is a 2015 with approximately 85,900 miles, and would be due for replacement in about two years. Most of the equipment should be transferrable to a new vehicle with only a few enhancements. In consideration of last month's bid for three new cruisers, Sheriff Merry would like to add another vehicle to the order with Newcastle, the cost of which (a 2019 Dodge Durango AWD V6) will be \$28,778 (with no trade-in). It is estimated that the cost for the new lightbar and the installation of the other equipment will be approximately \$3,000, bringing the total expense to somewhere in the region of \$31,778. As the Lieutenant's position oversees the Transport Division, these vehicles have historically been purchased with Corrections funds. There is currently in excess of \$269,000 in the Corrections Surplus Reserve Account, so there is no impediment to using this account to fund the difference between the settlement amount and the final cost of the vehicle. Administrator Hile respectfully requested that the Commissioners authorize acceptance of the settlement with FedEx and the purchase of a new vehicle from Newcastle for \$28,778, with the funds for the purchase and the outfitting costs to be taken firstly from the settlement money, with subsequent funds taken from the Corrections Surplus Reserve Account.

Upon **motion** by Commissioner Hutton and second by Vice-chair Grose, the Board voted unanimously to **authorize Administrator Hile to accept the settlement offer from FedEx and to authorize Sheriff Merry to purchase an additional law enforcement vehicle from Newcastle, which with equipment installation, will be approximately \$31,778, with funds to be taken primarily from the FedEx settlement, and the balance from the Corrections Surplus Reserve Account.**

2. Retire/Rehire Policy – Administrator Hile

Administrator Hile advised that consideration of the recent changes in MePERS policy regarding MePERS retired, re-hired personnel, a County policy is needed to govern payment of the required MePERS contribution (5% currently, based on MePERS' Unfunded

Actuarial Liability) of the employee's total wages. As MePERS does not determine who is to pay the contribution, the Commissioners must determine the amount of the contribution that each party (employer/employee) will pay. This will apply to all affected retirees hired after October 1, 2018, and will become effective as of July 1, 2021 for those hired before that time. It will become effective immediately for newly hired, MePERS retired employees. As a starting point for discussion Administrator Hile presented a number of options for the Board to consider.

- a) The simplest option is to consider the fee as part of the cost of "doing business" and pay the full 5% for everyone affected by the new MePERS requirements.
- b) Because retirees provide a valuable pool from which to draw qualified and experienced personnel, those hired after the date of the adoption of this policy will pay 2.5% of the UAL fee, and the County will pay the remaining 2.5%. The County's annual cost for someone making \$50,000 would be \$1,250; however, we would not be paying the cost of a non-retiree enrolling in the MePERS program, which would be \$6,250 based on the same salary.
- c) To avoid a sudden fiscal impact on the five employees who were hired/elected prior to 10/1/18, the County will phase in payments as follows:
 - a. County share - 5% FY 2021-2022 (very roughly estimated cost \$15,250)
 - b. County share - 4% FY 2022-2023 (very roughly estimated cost \$12,568)
 - c. County share - 3.5% FY 2023-2024 (very roughly estimated cost \$11,325)
 - d. County share - 2.5% FY 2024-2025 (very roughly estimated cost \$8,332)
 - e. County share 2.5% in subsequent years
- d) Current employees who retire from and are rehired by the County after January 1, 2019 will be treated as new employees for the purpose of this policy (i.e., a 50/50 split). This will cost the County significantly less than the payment of the pre-retirement MePERS contributions.

One issue that will need to be determined is whether or not we can charge this cost to those individuals who are union employees (if they are not assessed this cost, it would be unfair to assess the other "grandfathered" employees); however, there will be plenty of time to adjust this if needed before July 1, 2021.

After discussion regarding the costs and benefits of each option, the Chair Crosby called for a motion.

Upon **motion** by Vice-chair Grose, and second by Commissioner Hutton, the Board voted unanimously to **adopt a policy that shares the contribution 50% / 50%, phasing in the program for the five currently employed, as outlined in section C above.**

3. Appropriation of Funds for Tower Projects

Administrator Hile reminded the Board that, as money has been set aside in the capital reserve account to fund improvements to communications coverage throughout the County, and there is approximately \$38,000 in Homeland Security Grant money also available to fund this project. As the Bowdoin project is ready to move forward and we are in the process of securing approval from the owner of the Phippsburg tower to add some equipment at that site, the Administrator respectfully requested that the Commissioners officially appropriate the "Tower Project" capital reserve account funds and approve moving forward with the project.

Upon **motion** by Commissioner Hutton and second by Vice-chair Grose, the Board voted unanimously to **authorize the appropriation of funds for the Communications Tower Project.**

4. Authorization to Accept Bids for Radios for the Sheriff's Department

Administrator Hile advised that the current radios used by the Sheriff's Department have exceeded their functional life, which has resulted in a degradation of transmission and reception, the need for new radios is immediate. The recently approved 2018 Homeland Security Grant includes \$21,500 for the purchase of portable radios which will cover the cost in full. Due to unforeseen circumstances, the bidding process has not yet closed, but in consideration of the immediate need, and that no County funds are to be spent on this project, the Administrator respectfully requests that the Board authorize her to accept a bid for this project, provided that: 1.) the vendor selected is the low bidder, *and* 2.) the total cost does not exceed \$21,500. If both of these conditions are not met, the matter will be brought back to the Commissioners for consideration and action.

Upon **motion** by Commissioner Hutton, and second by Vice-chair Grose, the Board voted unanimously to **authorize Administrator Hile to accept a bid for the purchase of radios, in accordance with the specifications outlined above.**

5. Appointment of MCCA and Risk Pool Representative and Proxy

Administrator advised that MCCA's by-laws require that Counties provide notice of their nominees to the Board of Directors at least two weeks before the annual meeting in January. She therefore respectfully requested that the Commissioners consider their appointment of a representative to the MCCA and Risk Pool Boards of Directors for the coming year, as well as reappointment of the County Administrator to serve as the alternate/proxy for both Boards. Chair Crosby has served in this position for the past few years. After discussion on the position's responsibilities, Chair Crosby called for a nomination.

Upon **nomination** by Chair Crosby, and second by Vice-chair Grose, the Board voted unanimously to **appoint Commissioner-elect Hobart to serve as the MCCA and Risk Pool Representative, and Administrator Hile to serve as Proxy.**

6. Appointment of Members to the Board of Assessing Review

Administrator Hile advised the Board that the terms of David King and Fred Kahrl on the Sagadahoc County Board of Assessing Review will expire on January 1, 2019. At this time, Mr. King has agreed to accept reappointment, if it is the wish of the Commissioners. Administrator Hile has not yet received a reply from Mr. Kahrl. Therefore, Administrator Hile respectfully requested that the Commissioners reappoint Mr. King, and reappoint Mr. Kahrl contingent on his acceptance, to the Board of Assessing Review. the terms of which will run will run from January 1, 2019 to January 1, 2022.

Upon **motion** by Commissioner Hutton and second by Vice-chair Grose, the Board voted unanimously to **reappoint Mr. David King and Mr. Fred Kahrl to the Board of Assessing Review, with Mr. Kahrl's reappointment contingent on his acceptance of the position.**

7. Request for Early Closing on December 24, 2018

Administrator Hile respectfully requested that, in light of precedence and in effort to extend a holiday gesture of appreciation to the staff, the Commissioners consider the possibility of allowing a 1 p.m. closing on December 24th.

Upon **motion** by Commissioner Hutton, and second by Vice-chair Grose, the Board **voted unanimously to approve closing County Offices at 1 P.M. on December 24th.**

VI. County Administrator's Report – Full report available for review upon request

VII. Executive Session

Executive session was cancelled.

VIII. Adjournment

Upon **motion** by Vice-Chair Grose and second by Commissioner Hutton, the Board voted by **unanimous acclamation to adjourn the meeting at 4:06 p.m.**

Respectfully Submitted,

Mary Kay Blatz
Assistant to the County Administrator