

## COMMISSIONERS MEETING

FEBRUARY 2, 2022

*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 Alfred, within and for the County of York, being held on Wednesday, February 2, 2022 A. D. at 4:30 P. M.

### COMMISSIONERS PRESENT:

Richard R. Dutremble  
Richard Clark  
Robert Andrews  
Allen Sicard  
Donna Ring

County Manager Gregory Zinser was present at the meeting.

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

#### 02-02-22      ITEM

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

Susan Wiswell (via ZOOM) commented that she urged the Commissioners not to pass the vaccine mandate (Item 6a under Old Business) since the Supreme Court shot down the OSHA mandate. This would only accomplish you losing ¼ of your staff, stated Ms. Wiswell.

##### **2      TO APPROVE THE MINUTES OF THE FOLLOWING MEETINGS:**

- a. Commissioners meeting of January 19, 2022  
Commissioner Clark motioned to approve the minutes. Commissioner Ring seconded the motion. Vote 4-1 ( with Commissioner Dutremble abstaining as he was not present)

##### **3      TO APPROVE TREASURER'S WARRANTS**

- a. Warrants to be approved on January 19, 2022 in the amount of \$552,673.07  
Commissioner Clark motioned to approve the warrants. Commissioner Dutremble seconded the motion. Vote 5-0.
- b. Warrants to be approved on January 26, 2022 in the amount of \$611,831.79

Commissioner Clark motioned to approve the warrants. Commissioner Dutremble seconded the motion. Vote 5-0.

**4 TO HEAR ANY REPORTS FROM THE COUNTY COMMISSIONERS**

None

**5 NEW BUSINESS**

a. York County Youth Fire Safety Program members plaque presentation- Molly Cunningham and Matt Leach explained the program that they run. Janet Teasenfitz, Director of Maine Behavioral Health has volunteered her time to assist and guide them to support the families in York County over the last five years, explained Matt Leach. He added that they have worked with over 90 children. Molly Cunningham thanked Janet for the last five years and stated that Janet is a huge part of the program. Janet was presented with a plaque and flowers. The Commissioners and County Manager thanked Janet and Molly and Matt. Janet Teasenfitz stated that about twenty years ago when the State started to provide the Juvenile Fire Safety program, she applied for a job and didn't get it but she stayed in touch. Janet added that she worked with Pam Tourangeau, former director of the program.

b. Seek hiring approval of Evan Sousa in the position of deputy in the Sheriff's Office with a hire date of February 14, 2022- Chief Deputy Jeremy Forbes addressed the Board and explained that Evan Sousa is a waiver candidate from the academy. Commissioner Sicard asked (currently lives in Connecticut) if Mr. Sousa has any connections to Maine? Chief Deputy Forbes replied that he has an uncle who lives in the Sebago area.

Commissioner Clark motioned to approve the hiring of Evan Sousa in the position of deputy with the Sheriff's Office with a hiring date of February 14, 2022.

Commissioner Dutremble seconded the motion. Vote 5-0.

c. Seek hiring approval of Seth Kenneway in the position of Reserve Fire Instructor II with a date of hire of February 7, 2022

County Manager Greg Zinser sought approval from the Commissioners.

Commissioner Clark motioned to approve the hiring of Seth Kenneway in the position of Reserve Fire Instructor. Commissioner Dutremble seconded the motion. Vote 5-0.

**6 OLD BUSINESS**

a. Review and discussion of County Vaccine policy (tabled from 1-19-22 mtg.)  
(Executive Session may be necessary)

The County Manager reminded the Board that they had directed him to come back with a policy that would implement a vaccine mandate. This item was tabled at the last meeting and is now on the agenda.

Commissioner Ring commented that the reason there was a rush was due to OSHA and that is now dropped. She added that she doesn't see that the County should be mandating anything. Commissioner Andrews stated that he agreed.

Commissioner Dutremble interjected that as a point of order, the Commissioners voted on this a few weeks ago so if they are going to reverse it, the Commissioners who voted in the affirmative would have to reverse the vote.

Commissioner Andrews motioned to take the item off the table. Commissioner Clark seconded the motion. Vote 5-0.

Commissioner Dutremble motioned to reverse our decision of January 2, 2022. Commissioner Sicard seconded the motion. Vote 5-0.

Commissioner Ring stated that she would like to revisit the policy regarding the vaccine mandate and asked if it is in line with CDC recommendations?

County Manager Zinser responded that the only item up for discussion is whether or not to approve the vaccine mandate policy.

Commissioner Sicard stated that the Commissioners can tweak the current policy. The County Manager replied that his first preference would be for the Commissioners to decide what they want to do and vote yes or no for the vaccine mandate.

Commissioner Clark motioned to approve the policy mandating vaccines for our employees. Commissioner Dutremble seconded the motion.

Discussion- Commissioner Ring stated that she will not support the policy.

Commissioner Andrews added that he will not vote for it.

Commissioner Clark stated that we are still in a pandemic. Thousands of Americans are dying everyday. People can't get treatments for other issues. We owe it to our employees to protect them from other employees, continued Commissioner Clark. He added that he thinks it is appropriate and within our purview.

Commissioner Sicard stated that he was in support of moving forward. Since then, the Supreme Court has changed things and OSHA has pulled back the testing requirement so there won't be a cost to test unvaccinated employees. COVID will be here like the flu and we will have shots available. Commissioner Sicard stated that he is not in support of the mandate.

VOTE 2-3 (opposed Commissioners Sicard, Andrews, Ring). Motion failed.

County Manager Zinser informed all that he is talking with NCEU as their contract doesn't address provisions that are in other union contracts.

He added that we will continue status quo.

Commissioner Ring stated that the CDC has changed to 5 days for a positive, vaccinated person to be out of work.

The County Manager replied that we kept it at 10 days and that he is thankful we did. He stated that he will revisit this at the end of the week and probably drop it down to five days.

Commissioner Ring asked if it is accurate that an employee (who tests positive) is put out 10 days having to use their own time. County Manager Zinser responded that it depends on the type of exposure. If it's not a workplace exposure, yes. Portions ( of time away from work) are covered if it is a workplace exposure, explained the County Manager.

Commissioner Ring responded that if we are making them stay out 10 days, it should come out of our ARPA money.

Commissioner Ring asked if the Commissioners will have something different at the next meeting? County Manager Zinser replied that it will just be an administrative change.

- b. Discussion of York Hospital Choose to Be Healthy and York Hospital Recovery Center requests for ARPA funds presented to the Commissioners at their October 20, 2021 workshop.

The County Manager reminded the Commissioners that it was discussed at the last meeting that we need to discuss what we want to do with these two requests. Commissioner Chair Sicard asked, how does the Board feel about the requests? Commissioner Clark replied that he reviewed the materials and recalled the meeting. He continued that he thought the Commissioners have been asked for operational money. Commissioner Clark stated that he would say thanks, but, no thanks. He added that he doesn't think it is in the sense of what we talked about making one-time changes. Commissioner Clark also commented that he looked at the salary lines and he has some trouble with those.

Commissioner Ring commented that the funds are going to communities and coalitions. I didn't understand, she stated.

County Manager Zinser said that would need to be flushed out. If they are re-granting funds, we would need to better understand what they are looking to do with those funds.

Commissioner Sicard stated that he recalls that the ARPA money would be used to backfill operational budgets This would help bridge the gaps. He continued that he agreed with Commissioner Clark as well as we've been pretty strong in saying we are not interested in funding operational costs.

Commissioner Clark motioned to reject funding for both requests. Commissioner Andrews seconded the motion. Vote 5-0.

- 7 TO CONDUCT AN EXECUTIVE SESSION ON PERSONNEL ISSUES PURSUANT TO 1 M.R.S.A. §405 (6) (A), ACQUISITION OF REAL PROPERTY OR ECONOMIC DEVELOPMENT PURSUANT TO 1 M.R.S.A. § 405 (6) (C), LABOR NEGOTIATIONS PURSUANT TO 1 M.R.S.A. § 405 (6) (D) AND CONSULTATION WITH LEGAL COUNSEL PURSUANT TO 1 M.R.S.A. § 405 (6) (E), REVIEW OF CONFIDENTIAL RECORDS PURSUANT TO 1 M.R.S.A. § 405 (6) (F)**  
None

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

Frank Demers (via ZOOM) stated that the vaccine mandate is a complex issue but that he is wondering why, since public health research has shown vaccines are effective, the Commissioners wouldn't want to provide the best protection to their employees and those they deal with in the public?

Commissioner Sicard thanked him for his comments. The County has been very involved with providing vaccines. We have a vaccine center. Commissioner Sicard added that they feel there would be lawsuits and issues with unions if we tried to enforce it.

**9 ADJOURN**

Commissioner Clark motioned to adjourn. Commissioner Dutremble seconded the motion. Meeting adjourned at 5:03.

