

MEETING AGENDA

Androscoggin County Commissioners
2nd Floor Conference Room
August 7th, 2019
5:15 p.m.



- I. **Call Meeting to Order** Time: _____
- II. **Pledge of Allegiance**
- III. **Roll Call** Commissioners Absent: _____
- IV. **Accept and Approve with a Waiver of Reading the Minutes**

A*	Meeting Dates: July 24 th , 2019	
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- V. **Review and Approval of all Bills, Part-Time Deputies Payroll**

A*	Warrants # 1936	
B*	Corrections Warrants # 1934J	
- VI. **Reports**

A	M.C.C.A.	
B	Central/Western Maine Workforce Board	
C	Register of Deeds & Probate Reports	
D	Administrator's Report	
- VII. **Comments from the Public** Notes:

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- VIII. **New Business** Notes:

A*	Budget Committee Ballot Count	
B*	Appoint MCCA & Risk Pool Representative	
C*	Contacting Attorney Policy	
- IX. **Discussion Items (Commissioners Only)**

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- X. **Future Agenda Items (Commissioners Only)**

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- XI. **Adjourn** Time: _____

Larry Post

From: Isaiah Lary
Sent: Wednesday, July 31, 2019 10:36 AM
To: Brian Ames; Sally Christner; Terri Kelly; John Michael; Noel Madore; Larry Post; Sandy Berube; Isaiah Lary
Subject: Proposed Policy Update and also Legal Information for inclusion in the Agenda and Board Packet
Attachments: Letter to Isaiah Lary regarding charter and bylaws.sent 7-23-19.pdf

Dear Mr. Chair, Mr. Post, and fellow County Commissioners,

I am submitting a proposed draft update of the Policy for Contacting County Attorney,

titled "**Policy for Contacting An Attorney That Will Be Billing the County for Those Services**"

There are two copies of the policy, one showing the deletions via a strike through and additions in Italics,

The second one should show just the additions in Italics, with the deletions removed for clarity to help make the document easier to read.

Please add both of these policy copies to the agenda and the Board packet for a vote under new business.

Also attached is legal counsel that was never billable to the Commission or the County for this question regarding the Bylaws and the Charter. Please include this in the Board packet and Agenda for the Commissioners under new business.

Here is a proposed draft of an updated Policy for Contacting County Attorney

(Please note, additions are shown in italics, deletions are ~~striketrough~~).

Androscoggin County Maine

Policy for Contacting *An Attorney That Will Be Billing the County for Those Services*

The need for legal advice may be determined by the County Administrator and/or the Chair of the Board of Commissioners *in an emergency (defined as an issue that must be addressed before the next Commissioner meeting in order to avoid significant legal issues)* ~~although it is preferable that the Board of Commissioners be part of the decision to seek the services of an attorney,~~ *but in all other cases legal counsel may be sought only by a majority vote of the full Board of County Commissioners. In all cases when legal counsel is sought, each member of the Board of Commissioners shall be notified when the services of any attorney are requested, and shall receive the complete and accurate written documentation of: what was requested, any counsel that was given, and any follow-up requests to or replies from the attorney.*

Once legal advice has been sought, or legal action has commenced, the contact shall be the County Administrator or the Chair of Commissioners *for issues under their respective jurisdictions per the Charter* for any responses or actions to be undertaken *but regardless of who is the contact all Commissioners shall be kept informed as noted above. Decisions under the Commissioners jurisdiction will be delayed until there is a majority vote of the full Board of County Commissioners to decide a course of action.*

No individual Commissioner shall contact ~~the County~~ an Attorney *that will bill Androscoggin County for those services* to seek legal advice without the approval of the Board of Commissioners. Initial contact with the ~~County~~ Attorney on behalf of the individual Commissioner shall be made by the County Administrator or Chair of the Board of Commissioners. ~~Time sensitive issues may be brought to the Chair or Administrator to request legal advice.~~

The ~~County~~ Attorney shall be apprised in writing of the policies concerning the authority to call for his/her services. In the Event that the ~~County~~ Attorney does provide legal advice upon the request of an individual Commissioner, without prior authorization from the Board of Commissioners, payment for those services will be the responsibility of the individual Commissioner ~~unless the Board subsequently agrees to approve the payment for services.~~ *This policy in no way limits the right or attorney client privileges of any Commissioner, Administrator, or Staff member to seek the services of an attorney that will not be billing the County for those services.*

Any requests for legal services by committees, other Boards or employees of the County shall be made through the County Administrator *or the Board of Commissioners depending on their jurisdiction per the Charter.*

Approved by County Commissioners at their meeting on _____ 2019

(Please note, additions are shown in italics, deletions are removed for ease of reading).

Androscoggin County Maine

Policy for Contacting *An Attorney That Will Be Billing the County for Those Services*

The need for legal advice may be determined by the County Administrator and/or the Chair of the Board of Commissioners *in an emergency (defined as an issue that must be addressed before the next Commissioner meeting in order to avoid significant legal issues), but in all other cases legal counsel may be sought only by a majority vote of the full Board of County Commissioners. In all cases when legal counsel is sought, each member of the Board of Commissioners shall be notified when the services of any attorney are requested, and shall receive the complete and accurate written documentation of: what was requested, any counsel that was given, and any follow-up requests to or replies from the attorney.*

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No individual Commissioner shall contact an Attorney *that will bill Androscoggin County for those services* to seek legal advice without the approval of the Board of Commissioners. Initial contact with the Attorney on behalf of the individual Commissioner shall be made by the County Administrator or Chair of the Board of Commissioners.

The Attorney shall be apprised in writing of the policy concerning the authority to call for his/her services. In the Event that the Attorney does provide legal advice upon the request of an individual Commissioner without prior authorization from the Board of Commissioners, payment for those services will be the responsibility of the individual Commissioner. *This policy in no way limits the right or attorney client privileges of any Commissioner, Administrator, or Staff member to seek the services of an attorney that will not be billing the County for those services.*

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Approved by County Commissioners at their meeting on _____2019

Isaiah Lary
Androscoggin County Commissioner - District 4
Serving the *Taxpayers* of Lisbon, Sabattus, and Wales

ANDROSCOGGIN COUNTY, MAINE
Policy for Contacting County Attorney

The need for legal advice may be determined by the County Administrator and/or the Chair of the Board of Commissioners, although it is preferable that the Board of Commissioners be part of the decision to seek the services of an attorney. Commissioners should be notified when the services of the attorney are requested.

Once legal advice has been sought, or legal action has commenced, the contact shall be the County Administrator and/or Chair of Commissioners for any responses or actions to be undertaken.

No individual Commissioner shall contact the County Attorney to seek legal advice without the approval of the Board of Commissioners. Initial contact with the County Attorney on behalf of the individual Commissioner shall be made by the County Administrator or Chair of the Board of Commissioners. Time-sensitive issues may be brought to the Chair or Administrator to request legal advice.

The County Attorney shall be apprised in writing of the policies concerning the authority to call for his/her services. In the event that the County Attorney does provide legal advice upon the request of an individual Commissioner, without prior authorization from the Board of Commissioners, payment for those services will be the responsibility of the individual Commissioner unless the Board subsequently agrees to approve the payment for services.

Any requests for legal services by committees, other Boards or employees of the County shall be made through the County Administrator.

Approved by County Commissioners at their meeting on 2/15 2017












