

1 **COMMISSIONERS MEETING**

2 **January 18, 2023**

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5 *YORK,ss*

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7 At a regular meeting of the County Commissioners of the County of York, begun and
8 holden at the York County Government Building in Alfred, within and for the County of York,
9 being held on Wednesday, January 18, 2023 A. D. at 4:30 P. M.

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11 **COMMISSIONERS PRESENT:**

- 12 Richard R. Dutremble
- 13 Richard Clark
- 14 Robert Andrews
- 15 Justin Chenette
- 16 Donna Ring-excused

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22 County Manager Gregory Zinser was present at the meeting.

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

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28 **01-18-2023 ITEM**

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30 **1 PUBLIC COMMENT(S) ON ANY ITEM(S)**

31 None

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33 **2 TO APPROVE THE MINUTES OF THE FOLLOWING MEETINGS:**

- 34 a. Commissioners' regular meeting of January 4, 2023
- 35 Commissioner Chenette motioned to approve the minutes. Commissioner
- 36 Andrews seconded the motion. Vote 4-0.

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38 **3 TO APPROVE TREASURER'S WARRANTS**

- 39 a. Warrants to be approved on January 4, 2023 in the amount of \$437,152.94
- 40 Commissioner Clark motioned to approve the warrants. Commissioner
- 41 Andrews seconded the motion. Vote 4-0.
- 42 b. Warrants to be approved on January 11, 2023 in the amount of \$657,038.19
- 43 Commissioner Clark motioned to approve the warrants. Commissioner
- 44 Andrews seconded the motion. Vote 4-0.

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46 **4 TO HEAR ANY REPORTS FROM THE COUNTY**
47 **COMMISSIONERS**

48 Commissioner Clark reported that in Commissioner Dutremble's absence he served
49 as his proxy at the Maine County Commissioners' Association meeting at which
50 Commissioner Dutremble was voted in as President for 2023.
51

52
53 **5 NEW BUSINESS**

54 a. To hear tax abatement denial appeal for Keliehor v. Buxton
55 County Manager Zinser swore in Mrs. Keliehor who attended the meeting via
56 ZOOM. She stated that she and her husband had a realtor pull all Multiple
57 Listing sheets for all properties like theirs in Buxton. She referenced two
58 comparable properties she presented and stated that they are not really comps.
59 since one house was taken down to the studs. Mrs. Keliehor did state that the
60 condition of her house was "knocked down" from above average to average
61 condition but that she would argue that it was below average as it needs a new
62 roof, siding and windows. She continued that the biggest issue is the layout that
63 the town has is incorrect. What appears to be the main floor is actually an
64 unfinished space. Mrs. Keliehor stated that they are being taxed on that first
65 floor as being finished and it is not. The upstairs that the town shows as an
66 unfinished attic has two bedrooms and a bathroom.
67 Commissioner Clark asked when the property was purchased by the Keliehor's.
68 Mrs. Keliehor replied that they have owned it for 13-14 years.
69 Commissioner Clark asked what number Mrs. Keliehor thought the property
70 should be assessed at. Mrs. Keliehor responded, \$350,000.
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72 Mr. Gingras, Town of Buxton tax assessor, was sworn in by County Manager
73 Greg Zinser. Mr. Gingras stated that the town's (Buxton) position is that the
74 Keliehor's house has an assessed value of \$435,000. He sited comparable
75 properties and stated that all of these properties are identical and that cost
76 schedules are the same for everyone.

77 Commissioner Chenette asked Mr. Gingras if he did an on-site visit? Mr.
78 Gingras said he did not but that he reviewed the information given to him by
79 Mr. Keliehor. Commissioner Chenette asked Mr. Gingras when he does on-site
80 visits and Mr. Gingras replied when he is asked to.

81 Commissioner Chenette asked Mr. Gingras what determining factors there were
82 for him to change the home's condition from above average to average?

83 Mr. Gingras replied, the information given to him.

84 Commissioner Chenette asked if it was explained to them (Keliehors) that they
85 could have an onsite visit?

86 Mr. Gingras responded that he didn't think it was necessary as he was lowering
87 the value based on the information Mr. Keliehor gave to him.

88 Mrs. Keliehor asked if she could speak. Commission Chairperson Dutremble
89 replied that she could. Mrs. Keliehor referenced the Multiple Listing Sheets
90 that gave "sold" prices. She asked Mr. Gingras if it was accurate that one is
91 taxed differently for livable space vs. non-livable space. Mr. Gingras replied
92 that was true. Mrs. Keliehor replied that she is being taxed on a finished space
93 that is in fact, unfinished. She added that she wants to be taxed correctly on the
94 livable space.

95 Commissioner Chenette asked, wouldn't it be helpful to conduct an on-site
96 visit? Mr. Gingras replied that he did not think it was necessary as Mr.
97 Keliehor came in and spoke with him. But, now the information the

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Commissioners have received is different. He continued that yes, if it isn't accurate, he should go out and look at the property. Commissioner Chenette motioned to table the hearing to allow for the Tax Assessor to visit the property. County Manager Zinser interjected that there needs to be a timeline in which the applicant can withdraw their request. Commissioner Chenette withdrew his motion. Commissioner Clark asked Mrs. Kelliehor if she is okay with the Commissioners moving to table this matter until the second meeting in February to allow for time to get a site visit completed and have the assessor visit the property? Mrs. Kelliehor responded that she was fine with it but that it is a rental property with tenants so she will have to give them notice.

Commissioner Clark motioned to table this matter to the second meeting in February (if an agreement between the two parties is not made). Commissioner Andrews seconded the motion. Vote 4-0.

- b. To discuss 'FY 24 budget objectives-
County Manager Zinser stated that he had sent the Commissioners the latest budget reports earlier today and that we are right at where we should be to date. He continued that in the past the Board had given him a generalized direction for the budget. County Manager Zinser reminded the Board that last year a few new positions were added six months into the budget cycle so they will have to be included fully in the upcoming budget. Energy costs are going up for sure. He added that he will be asking for a few new positions to include: one more Finance staff member and one more staff member in Probate. The County Manager informed all that he had met with some department leaders and will continue to meet with more. Commissioner Chenette asked what is considered baseline (referring to the budget). County Manager Zinser replied baseline is the budget approved last year. Any new requests are itemized separately per the Commissioner's request in past years. Commissioner Dutremble asked if there will be a request for a security person at the courthouse? County Manager Zinser replied, yes. He added that there will be drastic increases proposed by Probate and they are needed. They are at a breaking point and they need to add some additional staff. The marshals will be going with the State. We will be asking for a court officer position three days a week. Commissioner Dutremble stated, let's be reasonable and that in the past we have had slight increases. Commissioner Clark stated that the county needs to work with someone on how we can reduce utility use and also look at solar power. It is the environmentally correct thing to do. We need to budget some money for that. County Manager Zinser replied that in a couple of weeks through the infrastructure act, we will receive about \$80,000 for energy efficiency. One of the allowable uses is to develop an energy efficiency model.

- c. To review and seek approval of Jail Medical Contract-
County Manager Zinser explained that this is year two of the contract. He

149 reminded all that we changed vendors two years ago. This contract shows an
150 increase of \$109,000. We will have an additional fourteen hours dedicated to
151 the MAP program. We are obligated to provide medical care to the inmates.
152 This (contract) is a one-year extension.
153 Commissioner Chenette asked when we will receive the credit back to us that
154 shows in the budget in year one.
155 County Manager Zinser explained that it will show up as a revenue in the jail
156 budget fund. He explained that there are still claims coming in so we do need to
157 wait five to six months to realize the savings.
158 Commissioner Clark motioned to approve \$1,997,560.00 for the extension
159 agreement with Correctional Psychiatric Services, P.C. Commissioner Andrews
160 seconded the motion. Vote 4-0.

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162 d. To review and discuss Remote Workers Policy-

163 County Manager Zinser explained that there are several positions in the county
164 where this can be done but we do not anticipate this will be widely used. It is a
165 mutual agreement between the employer and the employee.

166 H.R. Director Corliss joined the meeting via ZOOM and stated that once the
167 (COVID) emergency ended, we reviewed the employees still working remotely.
168 Employees on FMLA or out with worker's compensation injuries can possibly
169 still be productive and connected to the county. H.R. Director Corliss stated
170 that she agreed with County Manager Zinser that it won't be widely used and
171 that it wasn't during the pandemic. Most of our staff prefer to be in the office,
172 stated H.R. Director Corliss. However, some can be more productive at home.
173 For example, the Victim Witness Advocates worked from home as most of their
174 work is done on the phone. Remote work is another tool in our toolbox,
175 explained H.R. Director Corliss and we need clearer guidelines around it.

176 Commissioner Clark motioned to adopt the Remote Work Policy as presented.
177 Commissioner Chenette seconded the motion. Vote 4-0.

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179 e. H.R. Director Corliss to seek hiring/transfer approval for (requested by County
180 Manager Zinser):

181 i. Emmett Summers in the position of full-time corrections officer in the
182 Sheriff's Office with a date of hire of January 9, 2023

183 Commissioner Clark motioned to approve the hiring of Emmett Summers in
184 the position of full-time corrections officer in the Sheriff's Office with a date
185 of hire of January 9, 2023.

186 Commissioner Andrews seconded the motion. Vote 4-0.

187 ii. Tiffany Phelps in the position of full-time corrections officer in the
188 Sheriff's Office with a date of hire of January 9, 2023

189 Commissioner Clark motioned to approve the hiring of Tiffany Phelps in the
190 position of full-time corrections officer in the Sheriff's Office with a date of
191 hire of January 9, 2023.

192 iii. Wayne Plummer in the position of reserve corrections officer in
193 the Sheriff's Office with a date of hire of January 9, 2023

194 Commissioner Clark motioned to approve the hiring of Wayne Plummer
195 in the position of reserve corrections officer in the Sheriff's Office with a date
196 of hire of January 9, 2023.

197 iv. Kelsey Daniels in the position of reserve corrections officer in
198 the Sheriff's Office with a date of hire of January 9, 2023

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Commissioner Clark motioned to approve the hiring of Kelsey Daniels in the position of reserve corrections officer in the Sheriff's Office with a date of hire of January 9, 2023. Commissioner Andrews seconded the motion.

Vote 4-0.

- v. Transfer of Brad Paul from full-time civil deputy to full-time civil deputy supervisor with an effective date of January 23, 2023
Commissioner Clark motioned to approve the transfer of Brad Paul from full-time civil deputy to full-time civil deputy supervisor with an effective date of January 23, 2023. Commissioner Andrews seconded the motion.

Vote 4-0.

- vi. Transfer of Evan Sousa from corrections officer to patrol deputy in the Sheriff's Office with an effective date of January 23, 2023.
Commissioner Clark motioned to approve the transfer of Evan Sousa from corrections officer to patrol deputy in the Sheriff's Office with an effective date of January 23, 2023. Commissioner Andrews seconded the motion.

Vote 4-0.

- f. To review and seek approval of Acton/Shapleigh contract deputy agreement
Commissioner Clark motioned to approve the Acton/Shapleigh contract deputy agreement and authorized the Sheriff and County Manager to sign it.
Commissioner Andrews seconded the motion. Vote 4-0.

- g. Brief discussion of hiring of third Captain at the jail
County Manager Zinser reminded the Commissioners that previously they had authorized the hiring of a jail investigator. This position is still needed and therefore, we would like to go out and hire a third captain in the investigative position. This position is already in the budget added the County Manager.
Commissioner Chenette asked has this position been in the budget for several cycles? County Manager Zinser replied that it was in the last cycle.

Commissioner Chenette asked what happens to the remaining funds? County Manager Zinser responded that they lapse into the jail's undesignated funds.

- h. To seek approval for high density storage for District Attorney's new office
County Manager Zinser reminded the Board that they authorized new furniture for the D.A.'s new office in Biddeford. There is now a request before you for the purchase of high density storage in the amount of \$124,152.33. County Manager Zinser stated that he proposed these funds come out of unrestricted reserves. (account #37285)

Commissioner Chenette asked if multiple companies were looked at. County Manager Zinser responded, yes, and that this company will also refile and consolidate the files into a unified system.

Commissioner Clark addressed D.A. Slattery (attending the meeting via ZOOM) and stated that the Federal courts went to paperless filing 12 to 15 years ago. Is this at all likely to happen in the State courts?

D.A. Slattery replied that is a work in progress. The courts were supposed to go paperless three years ago but we are transitioning as much as we can.

Commissioner Clark asked would the documents be digitized and then destroyed?

D.A. Slattery replied yes, but that they are not there yet. Some documents need to be maintained. She added that the future does hold more digital material but we have a past that we have to maintain as well. D.A. Slattery further explained that they did go with a smaller proposal as they won't need the amount of growth that is normally built into the system.

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Commissioner Clark motioned to approve the Donnegan Systems filing system in the amount of \$124,152.33 for the York County D.A.'s office in Biddeford. Commissioner Andrews seconded the motion. Vote 4-0.

6 OLD BUSINESS

- a. To review and approve modified Findings of Facts
County Manager Zinser recapped that our attorney had added a line to the Findings of Facts as requested.
Commissioner Clark motioned to approve the document and send it on to the Appellant. Commissioner Andrews seconded the motion. Vote 4-0.

*****HEARD AFTER PUBLIC COMMENT*****

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)

- a. To conduct an executive session on personnel issues pursuant to 1 M.R.S.A. §405 (6) (A)
Commissioner Clark motioned to enter into executive session pursuant to 1 M.R.S.A. §405 (6) (A) personnel issues. Commissioner Andrews seconded the motion.
Commissioner Clark motioned to come out of executive session. Commissioner Andrews seconded the motion. Vote 4-0.
No action taken.

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

None

9 ADJOURN

Commissioner Clark motioned to adjourn. Commissioner Chenette seconded the motion. Vote 4-0.

York County Archives Project

Phase 1 Report and Recommendations – January 2023

After statehood was ratified in 1820, the Maine State Legislature and Governor William King approved the following “Act To establish Courts of Sessions”:

SECT. 1. BE it enacted by the Senate and House of Representatives in Legislature assembled, That there shall be a Court of Sessions in the several counties within this State . . . hereby vested with all powers relative to the erection and repair of gaols [sic. jails], and other county buildings, the allowance and settlement of county accounts, the estimate, apportionment and issuing warrants, for assessing county taxes, granting licences, laying out, altering and discontinuing highways, appointing Committees and ordering Juries for that purpose; as well as all other duties appertaining to a Court of Sessions. [emphasis added]
https://digitalmaine.com/arc_200_exhibit_early/

For Maine citizens, this description of county court powers represented little, if any, change from the General Court of Sessions under Massachusetts government. For this reason, the “Act” helps to answer a central question of the York County Archives Project.

How do the old Commissioners’ books, court records, maps, and document files held by the Commissioners and the Registry of Deeds interact with one another?

The Commissioners’ books record the official meetings and proceedings of both the county government and the lower courts of law in York County, 1680-1699 and 1846-1976. Over time, the clerks added Docket books to keep track of cases and deliberations. Every civil or criminal case, road petition, complaint, and annual budget carried with it writs, reports, bills, letters, surveys, deeds, and more as supporting materials kept in folded packets filed in drawers (c.1730-1980). In some instances, a numbering system connects the books, documents, and plans, and in others the items can be tracked by date recorded. Every time a court case encompassed the division, sale, or seizure of land, copies of the related documents were entered at the Registry of Deeds for a fee. Various aspects of County business generated other record books and files such as jail records, treasurer’s books, or compilations of copied documents related to special cases.

We’ve learned this much, and more, from reviewing the records and assessing them in the context of archival storage and historical and legal significance.

Overview

The project covered a lot of ground to determine what you have, how it is organized, the relationship among all the records, the condition, dates, and topics. Questions remain before moving on to decisions for “archival storage, indexing and cataloging of documents that ultimately leads to a publicly accessible database through our records management system” (Agreement 9-30-22). Thus you will find a proposal for Phase 2 submitted with this report, based on recommendations detailed below.

The report has six sections. Each section summarizes our findings for that material and offers recommendations:

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Research

The project began with online research into the history and locations of York County records and microfilm. Historians and members of the legal professions who have written on the topic of early New England court records stress the importance of these resources for understanding U.S. history. The Maine State Archives website includes cataloging at the series, subseries, and volume or folder level for the York County records they hold, providing an overview of how the records relate as judicial documents. This information helped to establish context for a study of the volumes and microfilm in the Commissioners Records Room. Research continued throughout the project.

Recommendations

Create a research guide to historical York County records, outlining the available materials, where they can be accessed, and what kinds of information can be found.

County Commissioners/Court Records and Documents

The name for the York County meetings began as Quarter or County Court in the 1630s to 1670s fielding criminal and civil cases as well as county business. After coming under the jurisdiction of Massachusetts circa 1680, the meetings were divided into the County Court of Pleas for civil cases and General Sessions of the Peace for criminal cases and county administration. Throughout the 18th century the assemblies were Court of Common Pleas and Court of General Sessions.

The 1820 Maine Court of Sessions became County Court of Commissioners in 1831. Common Pleas ended in 1839. By 1852 the State reorganized the Supreme Judicial Court into three regional districts with numerous Superior Courts and municipal courts until setting up the system of 33 judicial divisions in 13 Districts in 1961. During over 100 years of change for the trial courts, County Commissioners continued to handle a variety of civil cases from 1852 to 1961.

Seventeen bound volumes in the Commissioners Records Room document that time period. These volumes (1846-1976), plus one 1689-1699, are part of an uninterrupted record series beginning in 1636. The Maine State Archives (MSA) holds the early volumes in the series, 1636-1866 (about 100 books), and both locations hold additional supporting record volumes and document files. In Alfred the books are called Commissioners records and at MSA they are arranged and described with Judicial records. Indeed, they contain both county and court documentation.

The index card file in the Commissioners Records Room corresponds to County and General Sessions records and specifically all references to road and railroad petitions. The bottom two drawers are in order by town and date. The earliest date appears to be a 1705 road in Kittery recorded in Court of Common Pleas Volume 6 p. 311, Roll 3 of the MSA microfilm, up to Volume 29. The top right drawer is a record of railroad petitions.

Recommendations

York County Commissioners and County Manager contemplate approaching MSA to request the return of the earlier records for ongoing care and preservation. Raising the question will initiate a conversation about Maine's judicial and county records, how they are preserved, and in what ways to make them available. Even if the records remain in Augusta, by this process the Commissioners advocate for the preservation of York County records and for accurate cataloging to allow researchers to access the records.

Is the County obligated or required by law to preserve all of these old records and make them accessible to the public?

- 1) The record books in the Commissioners' Records Room have already been preserved and made accessible via microfilm. The microfilm is obsolete and should be migrated to digital. If the County is required to (or chooses to) make the records accessible in a different format, more easily, or with an index, further consideration is needed.
- 2) Based on the information gathered so far, I recommend retaining all of the record books and document files examined in the course of this project. The bulk are records of official business and others offer details of 17th and 18th century life not easily found. How much preservation and access they need depends on research value, frequency of use, material type, and fragility. However, the County should follow state guidance for retention if available. I could not determine specifically what records the County is required to preserve or in what format.

The Commissioners may need to pose the question to legal counsel and consider consulting with other counties and MSA. Here is an outline of how the question breaks down:

- 1) What records is the County required to retain and preserve?
 - a) Admin section of Local Government Records Retention Schedules: 1.22a All official meetings held or conducted by local government officials, where official minutes are kept with an accurate record of votes and actions. Includes, but not limited to: Agendas, meeting/agenda packets (briefs, reference materials, etc.) – Permanent
 - b) How should the Registry of Deeds handle recorded deeds not returned to owners and unrecorded deeds kept in the office over time?
 - c) Is the County required to have secure, climate-controlled, fireproof facilities?
- 2) Are specific formats required for preservation and access?
 - a) Digital has replaced microfilm as the standard for preservation
 - b) Registry of Deeds is required by statute to preserve their documents in a certain way and to provide public access copies with an index
- 3) Is an index required and in what detail?

Microfilm

The bound volumes of the York County court and commissioners' records at Alfred and in Augusta were all microfilmed decades ago. York County holds three to four copies of film for over 117 volumes. The Maine State Archives (MSA) and the Church of Jesus Christ of Latter-Day Saints genealogy project (FamilySearch.org) each filmed the series at least once. The preservation company Kofile also filmed the books at Alfred. None of the films at Alfred are considered master copies and microfilm is no longer considered best for preservation or access. The microfilm reader/printer at Alfred is operating but obsolete.

FamilySearch.org website has digital copies of all the bound York County court and commissioners records held at the Maine State Archives. Access is free, though users are required to register. The images appear to be directly from the originals rather than converted from the microfilm, indicating more recent image capture or scanning.

Recommendations

Several questions arose from extensive comparison of microfilm rolls with volumes at York County, catalog records for volumes at MSA, and digital images of record books on FamilySearch.org. These questions would be addressed in Phase 2 of the project:

- Where are the master films? Can we use them to create digital versions?
- Were the Court of Common Pleas v31-56 (1811-1839) not filmed? These don't show up on any version of microfilm but are on FamilySearch.org
- Are the record books and dockets held at MSA physically preserved in the same way the books at the York County courthouse have been?
- A few volumes at York County need to be preserved and digitized (in lieu of microfilming)
 - Vol 5 Part 2 (Use index from MHS transcript publication)
 - Volume 6 dockets (find 1-5?)
 - Shapleigh Proprietors Records

Case Files

The “commissioners court” packets in 50 drawers (1831-1965) include supporting documents for court cases and county business related to roads, bonds, county budget estimates, tax abatements, damages, etc. The cases are numbered, though files don't appear in the drawers for every case. Case numbers correspond to entries in the county commissioners docket and record books.



The Maine State Archives acquired the earlier case files for York County Court of Common Pleas 1686-1839 and Court of General Sessions 1801-1866 when the bound volumes were transferred to Augusta for long term care. As with the record books and dockets, the case files form a subseries within the Judicial Department Record Group at MSA.

On a separate note, it was in the Commissioners storage room where several volumes of 19th century county documents were found by chance. Mr. Hayman's fascinating handwritten manual of practices for the lower courts was also squirreled away in a box of duplicate agricultural reports.

Recommendations

Based on preservation precedents set by Maine State Archives and Massachusetts Supreme Judicial Court Archives, many of these packets of documents could be retained and preserved for historical significance. While next steps await the answers to questions outlined for the Commissioners on page 3 of this report, the attached proposal for Phase 2 of the project includes tasks for further investigation:

- Assess any changes in subjects over time from 1831 to 1965
- Visit MSA in Augusta for comparison with their "case files" for York County
- Ask other Maine counties what steps they took for packet preservation and access
- Seek information about the appraisal and weeding process used in Massachusetts for similar materials before and after 1860

The Commissioners storage room needs further work to sort and organize materials and discover if any more official or historically significant gems are hidden there. As well, some of the more modern records, such as payroll, may have applicable retention schedules in the Local Government Retention Schedule maintained by Maine State Archives. A Phase 2 project to organize the room could include:

- Making a list of the record groups of 20th and 21st century materials stored in the room to consider retention requirements
- Culling duplicate materials and routine records that it is not customary to keep



“Keep Forever” Boxes

Finally, the five boxes of papers in file folders and packets that prompted this broader archives project! We performed a preliminary survey of the documents by examining them as found in groups sorted by category and without further rearranging or reorganizing the groups. Three to five documents in each category were sampled and researched. Later I tidied them all into clean boxes with temporary labels.

Based on this limited survey, I found the groups are primarily deeds (c1730-1980; bulk 1780-1840), both recorded and unrecorded. They are originals, which were inadvertently retained due to some difficulty in getting them back to owners. By policy, the Registry of Deeds makes a copy of the deed for the record and returns the original. Occasionally an error in the mailing address or some other factor prevents the return. An “unrecorded” deed is basically a deed that was received at the registry but no one paid the recording fee or retrieved the paper. No other pattern or rationale has emerged to justify retaining these deeds and not thousands of others.

Temporary groupings and box labels for deeds:

- Recorded Deeds sorted by town 3 boxes, c.1730-1830; bulk 1780-1815
- Recorded Deeds filed chronologically, ½ box, c.1730-1810; bulk 1750-1810
- Unrecorded Deeds filed chronologically, ½ box, c.1730-1810; bulk 1750-1810
- Deeds, recorded/unrecorded, ½ box, 1880-1980; bulk 1890-1930
- Unrecorded Deeds, ¼ box, c.1785-1945; bulk 1800-1840, listed on bound forms

An additional box holds documents created as part of court and county business:

- Homestead exemptions c.1851-1872
- Insurance bonds 1826-1865
- Partitions c.1827
- Petitions and civil suits

Recommendations

I’m inclined to recommend preserving these sets of deeds and legal documents, despite the ambiguity surrounding the status of the deeds. The strength of the collection stems from the period, early federal and statehood, and what archivists call evidential and intrinsic value. That is, the documents show evidence of the activities of the people who created them and they are physically the actual documents at the center of county, court, and registry activities.



“1816 to 1828 Deeds & other papers received on file only for safe keeping.”

The next steps would be to improve storage conditions for safe handling and create a preliminary inventory. With more information about the content and condition of the papers, it will be possible to recommend how best to catalog and make the collection accessible.

- 1) Order archival boxes, folders, mylar enclosures, and other supplies

- 2) Rehouse the papers during the process of compiling a detailed assessment
- 3) Enclose in mylar the most fragile items already unfolded
- 4) Humidify/flatten sample documents without changing the order of packets
- 5) Assign temporary box and folder numbers
- 6) Create a list of folder headings and dates; note historically significant items

Maps and Plans

The basement map room stores primarily plans from the Registry of Deeds. A couple of drawers and two metal cabinets house other items that needed investigation. The drawers relate mostly to the work of the Registry of Deeds, being copies of plans and maps, some recorded, original plans needing to be filed, and a group of surveys and maps donated by a mid-20th century surveyor.



Rolled materials in the first metal cabinet include approximately 30 maps or drawings submitted with Commissioners court cases or county projects and labeled as such (see image). They include property surveys, construction drawings, turnpike proposals, and more such as the “Saco River Electric Railroad Plan and Profile of the Proposed Route through the Town of Buxton” made up of 30 blueprints attached (at least 90 ft) rolled. These copies and blueprints may be historically significant.

The second group consists of map copies that are not significant in the context of the county’s responsibilities. They include duplicated census bureau maps, printed maps in poor condition, and enlarged copies of USGS maps.

Recommendations

Maps in the drawer have been sorted as recorded, unrecorded, published, and donated. They all require further investigation to clarify if any are “record” copies or unneeded duplicates or Commissioners records rather than Deeds.

If it is determined that case files and supporting documents will be preserved, then the rolled surveys, drawings, plans, and blueprints in the metal cabinets related to County business should be inventoried, researched, and transferred into proper storage. This would be a combination of flat storage and rolled storage on 6” tubes stored in boxes.

Map copies and census bureau maps in the right hand metal cabinet accumulated for reference purposes and should be recycled.

January 22, 2023

York County and York County Registry of Deeds
 Contact: Greg Zinser, York County Manager
 45 Kennebunk Road, Alfred, ME 04002

Proposal

The Plan of Work outlined below is derived from recommendations in the York County Archives Phase 1 Report of January 2023. Archival Services for Phase 2 combine further investigation into the content, condition, and historical significance of the records; research into migrating microfilm to digital formats; writing a guide to York County records; and several preservation measures for newly discovered record books, fragile documents, and maps or plans.

Fees and Expenses

Plan of Work below estimates 16 days @ \$360/day	\$5,760
Days onsite requiring lodging, 11 @ per diem \$160	\$1,760
Estimated Archival Services TOTAL	\$7,520
Archival supplies budget	\$1,000

Plan of Work

	Projects	Work Days
1	Microfilm/Preservation and access copies Meet with Registrar of Deeds to discuss seeking estimates for preservation copies of several Commissioners' record books not microfilmed; pursue next steps established at this meeting and follow-up <ul style="list-style-type: none"> • Vol 5 Part 2 (Use index from MHS transcript publication) • Volume 6 dockets (find 1-5?) • Shapleigh Proprietors Records • Other? Research answers to questions related to upgrading preservation and access copies from microfilm to digital: <ul style="list-style-type: none"> • Where are the master films? • Can we use them to create digital versions? 	1

2	<p>Maine State Archives–Seek an appointment to answer questions (if not feasible until MSA moves back to Cultural Building, do what's possible remotely):</p> <ul style="list-style-type: none"> • Visit MSA to review and compare “case files” for York County • Were the Court of Common Pleas v31-56 (1811-1839) not filmed? These don’t show up on any version of microfilm but are on FamilySearch.org • Are the record books and dockets held at MSA physically preserved in the same way the books at the York County courthouse have been? • Other 	1
4	<p>Case Files–Review and assess County Court case files:</p> <ul style="list-style-type: none"> • Assess any changes in subjects over time from 1831 to 1965 • Ask other Maine counties what steps they took for packet preservation/access • Seek information about the appraisal and weeding process used in Massachusetts for similar materials before and after 1860 • Report 	1
5	<p>Maps–Meet with Register of Deeds; Pursue further investigation, preservation storage measures, and weeding as recommended in Phase 1 report</p>	1
6	<p>Brief Progress Report Meet to discuss report and status of questions about legal preservation and access requirements posed to Commissioners in Phase 1 report</p>	1
7	<p>Commissioners Records storage room</p> <ul style="list-style-type: none"> • Sort and organize to check for historic records pre 1975 • Make a list of the record groups stored in the room to consider retention requirements • Cull duplicate materials/routine records that it are not customary to keep 	2
8	<p>“Keep Forever” Boxes Improve storage conditions for safe handling and create a preliminary inventory.</p> <ol style="list-style-type: none"> 1. Order archival boxes, folders, mylar enclosures, and other supplies 2. Rehouse the papers during the process of compiling detailed assessment 3. Enclose in mylar the most fragile items already unfolded 4. Humidify/flatten sample documents 5. Assign temporary box and folder numbers 6. Create a list of folder headings and dates 7. Report 	5
9	<p>Create research guide to historical York County records, outlining available materials, where accessed, and what kinds of information can be found.</p>	2
10	<p>Report on Phase 2 Include proposal for next steps for preservation, cataloging, and public access</p>	2

OMB Approved No. 1505-0276
Expiration Date: March 31, 2023

U.S. DEPARTMENT OF THE TREASURY
LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND

Recipient name and address: County of York 45 Kennebunk Road Alfred, Maine 04002	UEI Number: FRC4KA9GPKT3 Taxpayer Identification Number: 016000017
Amount of Federal Funds Obligated (Total of Fiscal Year 2022 and Fiscal Year 2023 Tranches): \$ 100000.00 Total Amount of Federal Funds Obligated: \$ 100000.00 The Federal Award Date is the date of the Recipient's signature below, provided that all other conditions of the award have been met.	Assistance Listing Number: 21.032 Assistance Listing Title: Local Assistance and Tribal Consistency Fund

Section 605(b) of the Social Security Act (the Act), as added by section 9901 of the American Rescue Plan Act, Pub. L. No. 117-2 (March 11, 2021) authorizes the Department of the Treasury (Treasury) to make payments to certain recipients from the Local Assistance and Tribal Consistency Fund.

Recipient hereby agrees, as a condition to receiving such payment(s) from Treasury, to the terms and conditions attached hereto.

Recipient: County of York

DocuSigned by:

27C35E758A2D4BC...

Authorized Representative: Gregory Zinser

Title: County Manager

Date signed: 11/7/2022

OMB Approved No. 1505-0276
Expiration Date: March 31, 2023

U.S. DEPARTMENT OF THE TREASURY
LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND
AWARD TERMS AND CONDITIONS FOR ELIGIBLE REVENUE SHARING COUNTY
GOVERNMENTS

1. Payment of Funds.

- a. Recipient understands that the Department of the Treasury (Treasury) will disburse funds under this award (the award funds) in two tranches, subject to any remedial actions taken pursuant to section 7 or any offsets imposed to satisfy any debt owed pursuant to section 9 of these award terms and conditions.
- b. In addition to the limitations provided in paragraph (a), payments under this award will be subject to the availability of funding, and, should the provisions of section 605 of the Social Security Act (42 U.S.C. § 805) addressing allocations or recipient eligibility be amended or the amount of the appropriation for implementation of such section be reduced, Treasury may reallocate the amount of the appropriation that remains available and adjust Recipient's total award amount accordingly. In the event Recipient's total award amount is reduced, the amount of a second tranche payment may be reduced to account for the receipt of amounts disbursed in the first tranche.
- c. If eligible revenue sharing county governments other than Recipient decline or do not claim the amounts allocated to them by Treasury from the Local Assistance and Tribal Consistency Fund, Treasury may supplement this award with an additional allocation to Recipient. The amount of this additional allocation will be determined by Treasury in its discretion as provided in section 605 of the Act and will be subject to the limitations provided in paragraphs a and b.
- d. Any change in an allocation will be deemed an amendment to this award to increase or decrease the total award amount, as applicable, unless, in the case of an increased allocation, Recipient declines the increased total award amount.

2. Use of Funds.

- a. The award funds may be used to cover any cost incurred on or after March 15, 2021, for any governmental purpose other than a lobbying activity, as provided in paragraph b.
- b. Recipients may not use the award funds directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification,

policy, or appropriation.

- c. Recipient must expend and account for the funds in accordance with the financial management, procurement, and conflicts of interest standards, laws, policies, and procedures applicable to Recipient's expenditure of and accounting for its own funds.
3. Reporting. Recipient agrees to submit an annual project and expenditure report to Treasury for this award in the form provided by Treasury. Recipient acknowledges total award and expenditure amounts may be publicly disclosed.
 4. Cost Sharing. Cost sharing or matching funds are not required to be provided by Recipient.
 5. Compliance with Applicable Law and Regulations.
 - a. Recipient agrees to comply with the requirements of section 605 of the Act and guidance issued by Treasury regarding the Local Assistance and Tribal Consistency Fund program. Recipient acknowledges that the funds constitute federal financial assistance and are subject to federal law applicable to federal financial assistance. Recipient also agrees to comply with all other applicable federal statutes, regulations, and executive orders in the course of its use of the award funds.
 - b. Federal regulations applicable to this award include, without limitation, the following:
 - i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;
 - ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
 - iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
 - iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance;
 - v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto;

- vi. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. §§ 200.100-110, 203, and 303, and Subpart F (Audit Requirements).
- vii. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, Subparts A, B, and D, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
- viii. The provisions of Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170 applicable to executive compensation but not to subawards, pursuant to which the subsections of the award term set forth in Appendix A to 2 C.F.R. Part 170 applicable to executive compensation are hereby incorporated by reference.
- ix. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.
- x. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
- xi. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655) and implementing regulations.
- xii. Generally applicable federal environmental laws and regulations.

6. Maintenance of and Access to Records.

- a. Recipient will maintain records and financial documents sufficient to evidence compliance with section 605 of the Act, this award agreement, and implementing guidance issued by Treasury for a period of five (5) years after all funds have been expended or returned to Treasury.
- b. Recipient acknowledges that Treasury, including the Treasury Office of Inspector General, and the Government Accountability Office or their authorized representatives will have the right of access to records of Recipient in order to conduct audits or other investigations.

7. Remedial Actions. In the event of Recipient's noncompliance with section 605 of the Act, these terms and conditions, other applicable laws, guidance, or any reporting or other program requirements, Treasury may take any of the following remedies:

- a. Impose additional conditions on the receipt of the second tranche of the award;
- b. Temporarily withhold the second tranche of the award in whole or in part;

- c. Require recoument of payments under this award;
 - d. Terminate the Federal award;
 - e. Initiate suspension or debarment proceedings as authorized under 2 C.F.R. part 180 and Treasury regulations; and
 - f. Take other remedies that may be legally available.
8. False Statements. Recipient understands that making false statements or claims in connection with this award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.
9. Debts Owed the Federal Government.
- a. Any funds paid to Recipient (1) in excess of the amount to which Recipient is finally determined to be authorized to retain under the terms of this award; or (2) that are determined by Treasury to be subject to a repayment obligation and have not been repaid by Recipient shall constitute a debt to the federal government.
 - b. Any debts determined to be owed the federal government must be paid promptly by Recipient. A debt is delinquent if it has not been paid by the date specified in Treasury's initial written demand for payment, unless other satisfactory arrangements have been made or if the Recipient knowingly or improperly retains funds that are a debt as defined in paragraph (a). Treasury will take any actions available to it to collect such a debt.
10. Disclaimer.
- a. The United States expressly disclaims any and all responsibility or liability to Recipient or third persons for the actions of Recipient or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this award or any other losses resulting in any way from the performance of this award or any contract, or subcontract under this award.
 - b. The acceptance of this award by Recipient does not in any way establish an agency relationship between the United States and Recipient.
11. Amendments.
- a. The terms of this award may be amended with the written approval of Recipient and Treasury.
 - b. In addition, Treasury reserves the right to amend the terms of this award if required by U.S. law or regulation without the consent of Recipient.

- c. Notwithstanding the above, Treasury may, upon reasonable notice to Recipient, unilaterally amend this agreement for the sole purpose of making ministerial or administrative changes or correcting scrivener's errors.

PAPERWORK REDUCTION ACT NOTICE

The estimated burden associated with the collection of information provided for in section 6 of the terms and conditions is 15 minutes per response. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Office of Privacy, Transparency and Records, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220. DO NOT send the form to this address. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.