



TWO BRIDGES REGIONAL JAIL

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POLICY:

The Lincoln & Sagadahoc Multicounty Jail Authority ("MJA") adheres to established bylaws, policies and procedures in order that the respective responsibilities and duties of individuals charged with executing the Jail's mission are clearly defined and do not conflict. Bylaws govern the Authority's actions in developing, constructing, equipping, and operating the regional jail known as the Two Bridges Regional Jail ("TBRJ"). The MJA delegates full authority for daily operations of the TBRJ to the Correctional Administrator.

PROCEDURE:

1.101 STATUTORY AUTHORITY

- 1) The Lincoln Sagadahoc Multicounty Jail Authority, herein referred to as "MJA" is organized and exists pursuant to Title 30-A Maine Revised Statutes Annotated – Chapter 17: Lincoln & Sagadahoc Multicounty Jail Authority (Heading: PL 2003, c. 228, @1 (new)) and the Operations and Governance Agreement ("Agreement") adopted by the Counties of Lincoln and Sagadahoc.
- 2) The power and authority of the MJA formed under Title 30-A Maine Revised Statutes Annotated – Chapter 17 and the administration and the general supervision of all affairs of the authority are vested in the Directors. The MJA has the power, within the counties, to provide for the planning, construction, equipping, operation and maintenance of a common facility for corrections; to generate revenues from those activities and incur expenses from those activities, including reimbursement to Lincoln County and Sagadahoc County for organizational costs, and make contracts with persons, firms, corporations, partnerships, limited partnerships and other entities, whether private, public or municipal, as may be necessary or proper; and, in general, to do any or all other things necessary or incidental for the exercise of its powers or to the accomplishment of the purposes of the MJA.
- 3) The administrator of the Two Bridges regional Jail herein referred to as "TBRJ" facility assumes, when the board of Directors declares the jail facility operational, all powers and duties necessary to operate the TBRJ facility pursuant to Maine Law.

1.102 BYLAWS

- 1) The MJA bylaws provide guidance and direction, and establish clearly defined roles and authority for those individuals and groups responsible for the development and operation of the TBRJ.
 - a) Areas that the bylaws provide guidance and direction include:
 - b) Membership
 - c) Meetings
 - d) Officers
 - e) Committees
 - f) Financial
 - g) Administration
 - h) Amendments
- 2) Proposed bylaw amendment(s) shall be presented in writing and read for a first time at any regular or special meeting of the MJA. Such proposal may be considered and amended at such meeting, but shall not be acted upon by the MJA until a subsequent meeting, which may be held no earlier than thirty (30) days after the first meeting. At the subsequent meeting, the proposal may be adopted only by the affirmative vote of at least two-thirds (2/3) of the entire MJA members.

1.103 BOARD COMPOSITION

- 1) A Board of Directors (Board) manages the MJA. The Board consists of not less than twelve (12) Directors, six (6) from each Member jurisdiction. MJA Directors represent and are appointed by participating Counties in the manner and for terms as provided by the Agreement. A Member jurisdiction may appoint (an) alternate Director(s) to act in the absence of Director(s) appointed by that Member jurisdiction.
- 2) To the extent possible, the Board shall include a mix of individuals with sufficient managerial, technical, financial or corrections experience to execute their duties effectively and efficiently.
- 3) There is no compensation afforded Directors for service on the MJA Board. The MJA is responsible for authorizing reimbursement of Directors' mileage and other incidental expenses.

1.104 BOARD TERM

- 1) The term of public members shall be three years.
- 2) The terms of county commissioners and sheriffs shall run concurrently with their term of office as required by law.
- 3) Directors shall serve until their successors are appointed.
- 4) Any public member may be appointed to successive terms without limit.
- 5) Any appointee to a vacancy serves until the expiration of the term of the Director for whose position the appointment was made, and may be reappointed.

1.105 BOARD MEMBER VACANCY

- 1) Any vacancy on the Board must be filled within thirty (30) days after the vacancy occurs by appointment of the Commissioners of the Member jurisdiction that the Director represents.

1.106 BOARD MEMBER REMOVAL

- 1) County Commissioners, by majority vote, may remove their appointed Director(s) during their term for cause after notice and hearing.

1.107 BOARD OFFICERS

- 1) The officers of the MJA Board consist of a:
 - a) Chair
 - b) Vice-Chair
 - c) Clerk
 - d) Treasurer

Subordinate officers may be elected or appointed by the MJA.

- 2) No member of the Board may hold more than one office at any one time.

- 3) All officers are elected at the annual meeting by voice vote of the directors present. A majority of Directors present may, by majority vote, select another method of voting.
- 4) The Director receiving a majority of the votes cast for a position is elected to that position.
- 5) All elected officers serve a term of one year or until their successors are elected, or until they resign or are removed from office. After the TBRJ is placed in service, the Chair and Vice-Chair serve no more than two (2) consecutive one (1) year terms in succession.
- 6) If a vacancy occurs in an office, the MJA, at the next regular meeting following the occurrence of such vacancy or at a special meeting called for that purpose, shall elect a Director from the Board to fill the unexpired term caused by the vacancy following the same procedure used to elect officers at the annual meeting as described in this section 1.107.

1.108 MEETINGS/QUORUM

- 1) The MJA meets at 4:00 PM on the second Wednesday of each month at a place determined by the Chair of the MJA. The January meeting shall be the annual meeting of the MJA. The Chair presides at all MJA meetings at which s/he is present.
- 2) The MJA may change the date and time of any regular meeting at any prior meeting.
- 3) Special meetings may be called at the discretion of the Chair or by any three (3) members of the MJA upon forty-eight (48) hours written notice to all members that identifies the time, place and purpose of the special meeting. Only matters listed in the notice may be considered and/or acted upon at a special meeting. The Clerk shall notify the public of special meetings by notice in at least two (2) local newspapers at least twenty-four (24) hours in advance of such special meetings or, if circumstances demand, by using other reasonable means to provide notice to the public.
- 4) Pursuant to Title 1 M.R.S.A. Chapter 13: Public Records and Proceedings, MJA considers its and its committee meetings public meetings. Executive sessions shall be conducted in accordance with Title 1 M.R.S.A. §405.
- 5) Executive sessions may be called only by a public, recorded vote of 3/5 of the members, present and voting. A motion to go into executive session indicates the precise nature of the business of the executive session and includes a citation of one or more sources of statutory or other authority that permits an executive session for that business; no other matters may be considered in that particular executive session. Deliberations in executive session(s) shall comply with 1 M.R.S.A. § 405. A member participating remotely may participate in an executive session in accordance with the following:
 - a) The member must state for the record that he or she is alone and cannot be overheard
 - b) If another person is present the board must vote to authorize it.
- 6) The Correctional Administrator, in consultation with the MJA Chair, is responsible for preparing and mailing regular meeting agendas to all members at least five (5) days prior to scheduled meetings. The Correctional Administrator, in consultation with the MJA Chair, is responsible for preparing and mailing special meeting agendas to all members at least forty-eight (48) hours prior to the meeting.

- 7) The Correctional Administrator assigns clerical support, as necessary, to create a written record of meetings held by the MJA and its committees, and to distribute such record. Meeting records will be distributed to MJA Directors and meeting participants as appropriate.
- 8) A quorum is a simple majority of Directors present, so long as a minimum of at least three (3) Directors representing each county are present.
- 9) Each Director is entitled to one vote on the MJA. The Board Chair votes as any other member. All actions of the MJA may be taken by a majority vote of all members present and voting (provided Quorum rules are satisfied).
- 10) Parliamentary procedure set forth in *Roberts Rules of Order* governs all questions not governed by the Agreement, bylaws or other adopted rule of the MJA.
- 11) Members of the Jail Authority are expected to be physically present for meetings except when not practicable due to the following reasons:
 - a) In the case of an emergency or urgent issue that requires the body to meet via remote methods.
 - b) An illness, physical condition, family emergency, a Board member being temporarily absent within the boundaries of the two counties, or any temporary absence of a member that causes significant difficulty traveling to the meeting location.
 - c) To provide a reasonable accommodation to a member with a disability.
 - d) Geographic characteristics that impede or slow travel.
 - e) Weather conditions that limit or contribute to unsafe passage to the meeting location.
- 12) The Chair, in consultation with the Correctional Administrator, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member who is unable to attend a meeting in-person will notify the Chair or Correctional Administrator as far in advance as possible.
- 13) Any meeting of the Jail Authority, when any member of the Board participates via remote methods, will be conducted in such a way to allow the public to offer comment. The public will additionally be provided an opportunity to attend the meeting in-person unless there is an emergency or urgent issue that requires the Board to meet using only remote methods.
- 14) Remote methods of participation may include telephonic or video technology allowing simultaneous reception of information and may include other means necessary to accommodate disabled persons. Remote participation notification must be made on Two Bridges Regional Jail's communication platform prior to the meeting, or the meeting must be recessed until notification can be made.
- 15) Proper technology equipment must be installed prior to the meeting, to allow for all remote participants to clearly communicate and receive information. Two Bridges Regional Jail shall be responsible for maintaining such equipment to be used at in-person meetings and fully remote meetings. Remote attendees of the meeting shall be responsible for their own equipment. Any Board member participating remotely will be required to have adequate technology equipment to participate in Board discussions and when voting on agenda items.
- 16) Remote participation will not be by text-only means such as e-mail, text messages, or chat functions.
- 17) Notice of all meetings will be provided in accordance with 1 MRSA §406. When the public may attend via remote methods, notice will include the means by which the public may access the meeting remotely.
- 18) The Jail Authority will make all documents and materials to be considered available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person provided there are no additional costs to the Authority.
- 19) All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the Board and the public. A Board member who participates remotely will be considered present for purposes of a quorum and voting.

1.109 COMMITTEES

- 1) The MJA may establish special and standing committees, advisory, technical or otherwise, as appropriate for the conduct of its affairs.
- 2) MJA establishes the following permanent committees:
 - a) Finance
 - b) Executive
 - c) Advisory
- 3) The MJA Chair chairs the Executive Committee and shall appoint a chair for each individual committee.
- 4) The Finance Committee membership includes two (2) members from each County. The MJA Treasurer serves in an ex-officio capacity on the Finance Committee.

The Finance Committee provides guidance and support to the Board regarding the finances of the MJA including areas of budgeting, accounting, financial reporting, treasury and debt management, risk management, and other financial areas. The committee shall also perform such other duties as may be assigned by the Chair or by the MJA.

- 5) The Executive Committee membership includes the Chair, Vice-Chair and three (3) other MJA Members elected by the Board. In the interim between regular MJA meetings, the committee is authorized to act as directed by the MJA.

1.110 ADVISORY COMMITTEE

- 1) The Advisory Committee membership includes fifteen (15) individuals appointed by the MJA who provide technical guidance to the MJA and Correctional Administrator on policy and operations, develop and update strategic plans, provide recommendations on process improvements, and share ideas relative to community-oriented programs for the TBRJ.
- 2) The MJA, at its sole discretion, shall outline specific tasks for the Advisory Committee to perform, and it shall grant the Advisory Committee appropriate authority to carry out the tasks assigned to it.
- 3) The Advisory Committee shall meet a minimum of three (3) times per year. The Correctional Administrator shall schedule and chair the meetings of the Advisory Committee. A quorum is a simple majority of the eligible and appointed committee members. Additionally, the Correctional Administrator shall ensure that written minutes of Advisory Committee meetings are taken and that minutes of Advisory Committee meetings are distributed to Advisory Committee Meetings and the MJA.

1.111 CORRECTIONAL ADMINISTRATOR

- 1) The MJA appoints the Correctional Administrator for the TBRJ. The Correctional Administrator is responsible to the MJA for TBRJ operations.
- 2) The MJA Chair and one other Authority member shall conduct an annual review of the Correctional Administrator's job performance and discusses the review results directly with the Correctional Administrator, and together establish performance goals for the upcoming year.

- 3) The MJA shall review the Correctional Administrator's compensation plan annually. The MJA may, at its sole discretion, modify the Correctional Administrator's compensation plan based upon the Correctional Administrator's performance.
- 4) The MJA will generally review the Correctional Administrator's job performance and compensation plan within thirty (30) days of the Correctional Administrator's employment anniversary date. The MJA may formally review the Correctional Administrator's performance and/or compensation at any time it deems appropriate.

1.112 TBRJ OPERATIONS

- 1) The MJA employs a staff of qualified professional and other persons to execute duties and implement projects, programs and other functions.
- 2) The Correctional Administrator shall have direct supervision of all TBRJ employees. The Correctional Administrator shall also have direct control, subject to the approval and guidance of the MJA, of the management of the affairs of the TBRJ.
- 3) The Correctional Administrator shall perform the duties identified in 30-A M.R.S.A. § 1801 *et al.*, and such other duties as established by the MJA. The MJA delegates full authority for daily operations of the TBRJ to the Correctional Administrator.
- 4) The Correctional Administrator, upon specific written direction by the MJA, shall have the power to execute on behalf of the MJA, any agreement or other instrument that can be executed by the MJA. Unless otherwise provided, the Correctional Administrator may sign or countersign checks and vouchers in payment of MJA obligations not to exceed the amount of \$10,000 per instrument.
- 5) The Correctional Administrator shall keep the MJA aware of TBRJ activities by providing updates at MJA regular monthly meeting and at other times as appropriate. The Correctional Administrator shall, as soon as practical, notify the MJA Chair, or the Vice-Chair in the absence or unavailability of the Chair, about noteworthy events of an emergent nature affecting the TBRJ, that significantly impact the community(ies), and/or that are related to the safety/security of the TBRJ, and/or serious personnel matters involving the TBRJ. The MJA Chair, or the Vice-Chair if applicable, is responsible for notifying other Board members about matters reported to the Chair or the Vice-Chair by the Correctional Administrator on a need-to-know basis.
- 6) The MJA Chair will advise Board members about the level of confidentiality applicable to TBRJ matters. Board members shall maintain the requisite level of confidentiality of TBRJ information received as instructed by the Chair.
- 7) Individual Board or committee members shall not direct or make requests to the Correctional Administrator unless directed to do so by the MJA.

1.113 POLICY and PROCEDURE

- 1) The MJA must approve TBRJ policies governing Administration of the TBRJ and personnel policies for TBRJ. The Correctional Administrator is responsible for and shall approve, with appropriate guidance from the MJA, all other policies and forms for the TBRJ.

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