

**WALDO COUNTY COMMISSIONERS COURT SESSION  
JANUARY 11, 2011**

**PRESENT:** Commissioners Amy R. Fowler, William D. Shorey and Betty I. Johnson and County Clerk Barbara L. Arseneau to take the minutes.

**Call to Order:** The County Clerk called the meeting to order at 9:00 a.m. She noted that the first order of business was that nominations were to be received from the floor for Chairman of the Board of Waldo County Commissioners for 2011. Also present was Sheriff Scott Story.

**\*\*A. Fowler nominated William Shorey as Chairman of the Board of Waldo County Commissioners for 2011.**

**\*\*B. Johnson nominated herself as Chairman of the Board of Waldo County Commissioners for 2011.**

**\*\*A. Fowler moved to cease accepting nominations, W. Shorey seconded. Unanimous.**

Discussion: There was brief discussion on parliamentary procedure. W. Shorey said he had no comment on the nominations.

A. Fowler said she had thought about this long and hard before making her nomination.

B. Johnson said she served as parliamentarian for the State of Maine. She believed that it was important that parliamentary procedure be followed. She believed some things needed to be changed. She explained that the chairman may be a central figure and may communicate on agenda ideas, but she believed that the Board of Commissioners must work as a unit, and she believed it should be very clear that the Commissioners could not discuss any business other than during a meeting. She believed that in order to make change, you need to have someone new come in to make the change.

W. Shorey said he didn't view the chairman job as a "power situation." He stated that one thing he did like was to see decisions being made with more than one person, and acknowledged that in the past, at times, decisions had been made that should have had more input than just one person. He believed that the Commissioners should be making decisions together as a board. He expressed his view that the Commissioners have done a good job having "little jobs that they individually managed, to avoid duplication." If one would look after one thing, and another would look after another they could report back to the others. He illustrated this with the example of his assignment of overseeing the County Garden Project. He added that if he made a procedural mistake, he would apologize and move forward to correct it. He thanked A. Fowler for her nomination, and thanked her for all her hard work, stating that he was impressed with all she has done.

B. Johnson said she "threw her name in" to mainly start discussion. She said she had seen things during Commissioners meetings she attended that she thought should not continue, and that is the reason she brought this up. She said she could withdraw her name.

W. Shorey said he believed nobody in the room would accuse him of not letting them speak or disagree. A. Fowler confirmed this.

A. Fowler said she agreed with B. Johnson about communication.

B. Johnson repeated that she had seen things that she didn't believe should go on and wanted to bring it up.

Votes were called.

**\*\*Two in favor of William Shorey serving as Commissioner Chairman for 2001, with one abstention (B. Johnson.)**

**\*\*One in favor for Betty Johnson, with two abstentions (W. Shorey and A. Fowler.)**

B. Arseneau inquired about the votes and was told by Commissioner Johnson that if a person has made a nomination and spoken in favor of that nomination, they must vote for that nomination.

S. Story asked if he could make a point of order and ask a question of Commissioner Johnson and was told yes. He inquired about the statement that if a person makes a motion, the person must vote for that motion and what the person spoke for. B. Johnson explained that if a person speaks for something, the person must vote for it that way. The seconder usually votes for discussion and can talk for discussion. If the person making a nomination changes their mind, the person can withdraw the motion and the seconder also has to agree to withdraw the motion.

#### **FINANCIAL REPORT:**

Present with the Commissioners were Treasurer David A. Parkman and Deputy Treasurer Karen Trussell. D. Parkman reported the following regarding the County finances to the County Commissioners:

D. Parkman said the first thing he'd like to discuss is that he would like to increase the 2011 overlay. It is \$92,499.26 and the County is allowed to have 20% of the total 2011 budget. This amount is 2% of the budget. The \$2.8 million that is sent for Corrections is still County taxpayer money; therefore he would like to increase the overlay to what is raised in the County by the Towns. This will give the County another \$60,000.00 and he noted, "We will need it for 2012. We will be in deep, deep do-do." He explained that previously he had not included the Corrections portion in the overlay because it had been thought the County was to keep the money out, but after some thought, he recommended that this be included because it is part of what is assessed to the taxpayers.

**\*\*A. Fowler moved, B. Johnson seconded to increase the 2011 Overlay to the total amount of 2% of the total budget for 2011, including the Corrections portion. Unanimous.**

#### **FINAL FIGURES FOR 2010 (Unaudited):**

REVENUE: D. Parkman reported the unofficial revenue received for 2010 as being about 18% above what was anticipated. He explained that he tries to keep the revenues very conservative when estimating them and not to "get over-exuberant" about them.

He reminded the Commissioners that he had sent a memo out to all the Department Heads later in 2010 to watch their last month's (December) spending. He mentioned that the Facilities Manager generally holds off and spends his money toward the end of the year. D. Parkman thanked the Facilities Manager for holding his expenditures to 91% for the year. He thanked the Sheriff for holding the Sheriff's budget to 98% expended, even though the Sheriff had initially been concerned that he might overdraw that budget. S. Story noted that the Sheriff's budget would have been overdrawn if some of the December invoices had been received in time for the last warrant.

D. Parkman reported that the Communications Center budget came in at 98% expended. D. Parkman commended Communications Director Owen Smith. In the Commissioners budget, he noted that Advertising was \$1,000.00 overdrawn. The Employee Benefits budget was \$8,924.56 in the red. His unofficial report of unexpended funds for the entire 2010 was approximately \$87,392.72. The total 2010 budget was 98% expended.

D. Parkman expressed concern over how tight the budget was. W. Shorey said he understood the Treasurer's concern, but believed this was going to continue for at least another year.

#### RESERVE ACCOUNTS:

D. Parkman reminded the Commissioners that they had previously discussed moving some undesignated funds into the following Reserves:

- Severance: \$30,000.00
- Employment Security: \$30,000.00
- Deeds: \$5,000.00. K. Trussell referenced the December 14, 2011 Commissioners Court Session minutes, from which she read the following: "W. Shorey inquired about the \$5,000.00 requested by the Register of Deeds for Waldo's portion that will go toward a statewide web portal in the future and was told that this was being placed into a Reserve at a later date from undesignated funds." K. Trussell suggested moving \$5,000.00 to Deeds Surcharge. D. Parkman suggested moving the funds to County Planning. K. Trussell agreed that would work. It was decided that \$5,000.00 would be added to County Planning Reserve and "earmarked" for Deeds.
- Technology: \$25,000.00.

**\$1,000.00 REQUEST FOR CONFINED SPACES RESCUE TEAM:** Since funding reserves was being discussed, B. Arseneau asked if she could raise a question about the \$1,000.00 that had been requested by Searsport Fire Chief Jim Dittmeier for a Confined Spaces Rescue Team in a letter dated July 1, 2010 and which was discussed during Correspondence at the July 13, 2010 Commissioners Court Session. B. Johnson asked for more information and B. Arseneau explained that Chief Dittmeier had requested assistance in funding costs related to the Waldo County Confined Space Rescue Team that he established during 2009. The request from the County would be approximately \$1,000.00 each year for testing and maintaining the equipment and adding new equipment as needed. The Commissioners had intended to include this request in the 2011 Budget, but it had been inadvertently omitted and Chief Dittmeier had recently sent an inquiry through the County's web site as to what happened with this request, since he had not seen it on the 2011 Budget. After brief discussion the Commissioners voted as follows:

**\*\*B. Johnson moved, A. Fowler seconded for the County Commissioners to honor the commitment to fund this program with \$1,000.00 as promised.** Discussion: W. Shorey stated that he recalled that this equipment would be stored in a certain place and would be available to other towns to use. A. Fowler suggested funding it from HAZMAT/LEPC Reserve Account.  
**Unanimous.**

#### CORRECTIONS FY 2011 BUDGET:

D. Parkman said the Jail budget was very good, noting that it could be 50% expended and it is 27% expended at this point.

#### COMMISSIONER WARRANT ASSIGNMENTS:

K. Trussell asked which Commissioner would be assigned to review and sign the second monthly warrant as that formerly was Commissioner Berry's role. There has been, in the past, permission given and then it is voted on during the next Commissioners Court Session. B. Johnson agreed to come in and review and sign the second monthly warrant.

**\*\*A. Fowler moved, W. Shorey seconded to assign Commissioner Johnson to review and sign the second monthly warrant. Unanimous.**

K. Trussell asked who should review the bills for the December 30, 2010 and January 11, 2011. B. Johnson said she wished to read them first. There was brief explanation that the December warrant was the last one for 2010. B. Johnson said she would review the warrants during lunch and then the Commissioners could vote on them in the afternoon.

D. Parkman read specific expenditures from the Reserve Accounts, which were included in the warrants. B. Johnson asked for copies to follow along on in the future, for all the Commissioners. D. Parkman explained he usually provided them to the Clerk, and agreed to provide them for each of the Commissioners.

K. Trussell asked who would sign off on the Payroll Warrants: After brief discussion, the Commissioners voted as follows:

**\*\*A. Fowler moved, B. Johnson seconded for Commissioner Shorey to sign off on Payroll Warrants. Unanimous.**

**\*\*B. Johnson moved to accept the Treasurer's report. B. Johnson withdrew the motion.** Commissioner Fowler explained that they would vote on that later in the day.

#### WARRANTS:

(The Commissioners voted later in afternoon on the following warrants, after B. Johnson had reviewed them:)

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the December 30, 2010 General Fund Accounts Payable & December 22, 2010 Payroll warrant in the amount of \$151,214.54. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the December 30, 2010 Reentry Accounts Payable and December 22, 2010 Payroll warrant in the amount of \$37,697.19. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the December 30, 2010 Capital/Active/Restricted Reserve warrant in the amount of \$32,604.11. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the January 11, 2011 General Fund Accounts Payable and January 6, 2011 Payroll warrant in the amount of \$166,482.15. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the January 11, 2011 Reentry Accounts Payable and January 6, 2011 Payroll warrant in the amount of \$100,859.56. Unanimous.**

**\*\*D. Berry moved, A. Fowler seconded to authorize payment of the January 11, 2011 Active/Restricted Reserve warrant in the amount of \$10,645.13. Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to accept the Treasurer's Report. Unanimous.**

#### ORGANIZATIONAL DISCUSSION:

B. Johnson inquired about the Committee Assignments for the Commissioners and their staff. She stated that she could see that many people held onto assignments for a long time, and wondered where she would fit in as a new person. The Commissioners discussed the past reasoning on serving on committees, for example A. Fowler serving on Jail stuff for years. W. Shorey asked B. Johnson which committees interested her, and she started by expressing interest in serving on the Waldo County Comprehensive Community Health Coalition. She wondered why not all three Commissioners served on the negotiating Team. B. Arseneau explained that a quorum of Commissioners would require an agenda being sent out, holding the negotiations in Executive Session, etc. and back when the unions starting forming, an attorney had recommended that one Commissioner serve and report back to others.

B. Johnson also expressed interest in serving on EMA/SO Building Planning Committee and the Coastal Communities Workforce Board. She then asked if she could serve on the Personnel Policy Board. W. Shorey said he would like to hand that off to another Commissioner the next time it needed to be updated, but since they were nearly finished with the upcoming revision, B. Johnson could sit in on the last few meetings related to that and could do the next revision, when that was required. B. Johnson said she would also like to attend the M.C.C.A. meetings. A. Fowler explained that that MCCA provides minutes for its meetings, so those would be helpful to B. Johnson. A. Fowler explained that she is the President of the MCCA this year and perhaps the other Commissioners could serve as her proxy, should she not be able to attend a meeting occasionally. B. Johnson then expressed that she would like to also serve as a backup up for union negotiations, since she observed that the Commissioner Chairman appears to serve as chief negotiator.

W. Shorey asked for the Garden Project to be added for 2010 and 2011 as his assignments. B. Arseneau apologized for the oversight of not including it on the 2010 list.

B. Johnson mentioned that A. Fowler has been attending Homeless Consortium, as has she, and she believed that both of them wished to continue to attend.

B. Johnson wondered if Waldo County General Hospital Director of Operations Dan Bennett's proposed involvement in the Garden Project was part of this committee list. W. Shorey explained the background – D. Bennett had thought there might be volunteers through the WCGH that might get involved in that project. All agreed to meet with D. Bennett later to hear how he would propose to do this and make decisions from there, but this would not be included on the committee assignment list as this is an “in-house list” only.

B. Johnson noted that there is no provision for grant writing at this point, commented that MMA has courses related to grant writing and suggested keeping this in mind. B. Arseneau said she had taken

some courses with MMA and looked into this years ago, and while she didn't know if things had changed in the meantime, the courses she attended were geared toward municipalities and she could not use the information to apply for grants for the County. She noted that the County's ability to apply for grants for County use is very limited.

A. Fowler recommended working more with Eastern Maine Development for grant purposes. W. Shorey believed that KWRED would be also a resource for grant applications. B. Arseneau mentioned that Cheryl Coats of DRG Specialty Services sent an e-mail stating she would be putting together a report that she would send later to help whoever would be searching for grants in 2011. The Commissioners agreed to put B. Johnson in charge of grant research/writing. B. Johnson suggested that maybe the County might be able to combine with municipalities to apply for grants.

W. Shorey asked B. Arseneau to review the changes in the assignment list, which she did aloud. B. Arseneau told the Commissioners she would send an updated list to them to make sure this was correct, and would also correct the 2010 list.

#### COMMISSIONERS GOALS:

W. Shorey asked B. Johnson for her goals. B. Johnson said she believes there needs to be more public awareness, including getting to press to attend Commissioners Court Sessions. She stated that it has been pointed out to her that it costs money for the press to come here. She suggested the Commissioners send out a press release; take a photo of the Commissioners doing their work and then do a write-up. A. Fowler explained that the Sheriff puts out a newsletter. B. Johnson said she had spoken with J. Arseneau about "Constant Contact" that could be put out as a newsletter. She believed the County should look to do that, and felt that each Commissioner has their own district they could put out information about. Outside people could unsubscribe if they wanted to. She said it costs very little, and would be about \$20.00 per month. B. Johnson said that people may not come to Commissioners Court Sessions, and noted that there isn't much room for attendance, but she would like to get the public engaged. She said she felt the County's web page is not user friendly. She felt that the Constant Contact would be more internal. She noted that the Commissioners would have to bring more technology in to do this. She recalled that someone else had recommended taping the meetings. Searsport and Lincolnville have a provision for this, but she was afraid only Belfast residents would benefit from this type of recording. She felt that somehow this needed to be addressed. She noticed that nobody seems to know what the Commissioners do. When she was running, people didn't know what that position does. She said this was not the case in many other counties. She mentioned that she had spoken to the other commissioners about this before.

W. Shorey said he felt that this was a good idea and did not want to see this go by the wayside. He recommended that B. Johnson compose a press release for today's court session and bring it back to the County Commissioners for discussion. B. Johnson explained that she didn't particularly like to write, but could certainly produce something. She agreed that something should be written up about today's court session.

D. Parkman explained that he has made a point to reach out to the Waldo County's Selectmen's Association. He suggested that as an avenue for the Commissioners. B. Johnson said she had also spoken with Kathy Littlefield, the Association's president. B. Johnson asked if she could work with Technology Consultant James Arseneau to try to put this together. A. Fowler suggested that Deputy County Clerk Veronica Spear also assist with this.

A. Fowler said she has been approached regarding a number of the bid processes for Technology, Janitorial, etc. and had not been able to answer these questions related to the bid process. B. Johnson said she had spoken with A. Fowler about the bid process because she had also been asked about this. A. Fowler said she did not know how long the contracts are for, and it bothered her. B. Johnson said that the Commissioners should know the information and that this is public information. W. Shorey agreed that A. Fowler should look into this. A. Fowler said that since B. Johnson knew a fair amount about Technology, she might want to be involved in that review.

W. Shorey said that the Waldo County Garden Project will take a lot of his time. He added that he would also plan on serving as a project manager for the EOC/Sheriff's Building. He touched on the Courthouses situation and commented that where this would end up is an area of concern. He thought the Commissioners should start defining what should come out of the upcoming Courthouse study. He mentioned, for example, a building he'd seen down on Lower Congress Street, and wondered how this could be analyzed for the purpose of housing the courts. He noted that the current Commissioners Office was set up in a very inefficient manner because of the small quarters, with everyone disrupted when someone comes in. He described the current pay scales situation as "just a disaster." A. Fowler agreed. W. Shorey said he wanted to make attempts this year to deal with this, while considering the taxpayers. He recognized that employees need to pay their bills and feed their families, and there needs to be a balance. He wanted to make sure this started to be addressed this year.

B. Johnson said that with W. Shorey being in charge of the Garden Project, she felt it was important that news about that be out there so that the public could be aware. Having the hospital involved, and having definite written guidelines so outreach could be done, was very important. She inquired about written guidelines. W. Shorey explained that this project was not that complicated at this point. He credited the Sheriff for the Reentry's involvement. W. Shorey explained that it was his intention that the Garden Project remains uncomplicated as possible. B. Johnson asked about the legal guidelines and how those would pertain to the public involvement. W. Shorey replied that every time he was out in the community, the Garden Project has been a very positive point of discussion.

### **SHERIFF'S REPORT:**

Present with the Commissioners was Sheriff Scott Story, Chief Deputy Robert Keating, Register of Deeds Deloris Page, Register of Probate Sharon Peavey and Deputy Register of Probate Judith Nealley. S. Story addressed the Commissioners and stated that he would like to come back to a couple of points:

1. He noted that this is a new Board of Commissioners in the sense that he hoped they could work as a team. He asked for a courtesy. He asked that the Sheriff's Office be referred to as the Sheriff's Office. "I am an elected official, and this is an elected office. I have 36,000 people who elect me, just as you do. I would like this mutual respect because there are times in the past that we elected officials are viewed as department heads in a subservient way. I would like my office referred to as an office, with several departments within that."

2. Pay Scales: S. Story wanted to make it clear, that the night of the budget that there were three people in the County that got 1% raises – the three elected officials sitting in the room as he was speaking, which included the Register of Deeds and the Register of Probate. He has spoken with the Register of Probate, and he knew that the elected officials would like to work with the

Commissioners to establish and fix the pay scales. He acknowledged that he should not be sticking his nose into union contracts but that there are on-union pay scales he wished to be involved in.

3. Corrections 2012-13 Budget: S. Story said believed that the Commissioners had reviewed a budget already in September, but he later learned that this budget was not actually due until about now. The Board of Corrections went back to follow the law and the law for submission by counties involves the Board determining the growth rate. If counties submit budgets within that growth rate, those budgets pass. If a budget is higher than the growth rate, that county has to go before the BOC similar to the way Waldo County goes before the Budget Committee. The Commissioners are the financial CEO's, who review the budget. Then it goes to the BOC. The Commissioners approved the budget and submitted it. In the past the BOC has not followed the law, making the Sheriff, Deputy Treasurer, and later a Commissioner, meet with the BOC repeatedly to review these budgets line by line. The process now will follow the law. The growth limitation is the present LD 1 CAP. The County's CAP is 2.8%. He explained that the budget has been put together and reviewed. First it was up 3.5%. He sat down with Deputy Treasurer Karen Trussell, H.R./Payroll Director Michelle Wadsworth and County Clerk Barbara Arseneau to work at getting the budget down about \$22,000.00. It was dropped enough to get under the growth rate. Two changes were made, and he turned the floor over to Karen Trussell to explain.

K. Trussell said she had reviewed the health insurance line together with M. Wadsworth and felt comfortable dropping it \$10,000.00 each of the two years of the projected budget, which totaled \$20,000.00 for each year. She noted that Technology Consultant Jim Arseneau had not been included in the discussion, but it was recommended that \$18,000.00 for training for Corrections 2012 be taken from undesignated funds and then make a plan to put that into reserve and pay for it that way.

S. Story asked the Commissioners for their approval of these reductions, knowing that the funding piece could be funded from the fund balance, since the Reentry has not been running at full capacity.

The total Corrections Budget for 2012 and 2013 is \$3,054,667.64. When the revenues are subtracted out, the County meets its CAP requirement.

**\*\*A. Fowler moved, B. Johnson seconded to accept the 2012-13 Corrections budget as presented. Unanimous.**

S. Story said K. Trussell would submit this through the CRAS system by tomorrow's deadline. He commented that he believed that this reworking of the budget would be best solution, rather than having to go before the BOC for a budget review for a budget higher than the growth rate.

4. Emergency Operating Committee: S. Story said that he wanted to involve the Commissioners in discussion about the make-up of the EOC and the memo that went out about changing the job descriptions to be in the EOC. He asked for future discussion on that.

The Commissioners tried to figure out which memo S. Story was referring to. They wondered if it was the one that informed employees that they attend training, or the one that went out listing all the people that are on the Committee. S. Story explained that it listed a great many employees on the EOC, including many from his Office.

S. Story said it would not work for him to strip his staff that way, and noted that it was not his position to not try to work with the EOC, but he needed to have a future conversation with the Commissioners about staffing the EOC with his staff and the impact this could have.

5. Volunteers of America (VOA) Contracts: S. Story said that Commissioner Fowler had inquired about the VOA contracts and he explained that they had simply “slipped by him.” He would like to address these today. One contract is for pre-trial services with Karen Clark for \$5,366.00 per month. The second contract is for the Reentry Center to be renewed for up to two years. He explained that the contract with VOA came in after a review by a committee, not just locally, but MDOC, Two Bridges Jail and involved looking at proposals for a number of different providers, and there was a provision to renew the contract. He believed renewing one more time would be appropriate, noting that this is not as easy as bidding for a cruiser. “This is kind of a sole source provider,” he explained. He noted that a number of people applied and VOA was the one selected. When asked, S. Story said that the contract price had increased. He had anticipated this and allowed for extra funding, but this has not increased that budget line. He asked the Commissioners to vote on this, reminding them that a compliance monitor, Cheryl Gallant, also reviews these contracts.

**\*\*A. Fowler moved, B. Johnson seconded to approve both the Pre-Trial and VOA contracts. Unanimous.**

6. Cruiser Bids: S. Story explained that he and the Chief Deputy have reopened bids to include Dodge Chargers, has they have proven to be excellent, and also included previous year leftovers that could be purchased cheaper, noting that over \$1,000.00 per vehicle was saved last year by purchasing new previous-year models.

S. Story opened the bids as follows:

1. Cole Whitney Ford: 3 Crown Victoria cruisers, with no warranty. (Chief Deputy Keating said those warranty bids were requested separately.) The amount was \$24,697.00 per cruiser.
2. Thornton Bros, Lincoln: 3 Cruisers (unknown). Total @\$ 76,845.00 (\$25,615.00 each). There also did not appear to be a warranty quote provided. The bids had been for either a Crown Victoria or a Charger. It was further noted that the separate warranty bid was requested. A. Fowler wondered if the warranty was built in.
3. Casco Bay Ford, Yarmouth: A bid was provided, but with no cost numbers included.
4. Quirk, Augusta: 2011 Crown Victoria - \$22,129.00 each, in stock. The power train warranty is \$1,455.00 each, totaling \$23,584.00 each with the warranty. S. Story noted that the specs were not exactly as requested. Another bid was to spec, and that was for a 2011 Crown Victoria at \$22,924.00 each. With the warranty, the total was \$24,379.00. These are not in stock. Also provided was one sedan “street-appearance” vehicle at \$22,798.00. This is still a police package, but used for a detective, for example. This would be \$24,253.00 with the warranty. It was noted that the request was a leftover from last year’s bid spec. There is not a request. For a 2011 Charger, which is not in stock, it would be \$20,728.00 each. There was no warranty price included for the Charger. A

“street appearance” vehicle quote was also provided. S. Story suggested that after the extended warranty price is known, if it is the same, the Charger would be the least expensive.

W. Shorey asked if the Sheriff felt that he and the Chief should review these bids more carefully and then come back to the Commissioners with a recommendation later in the court session. S. Story responded yes, he would like to take time and review the bids. It was agreed to disregard the bid from Casco Bay because there were no prices provided. S. Story said he did not need to call the others to inquire about whether the warranty is included because they are already higher than the ones with the warranty. S. Story was going to follow up with the one dealer with questions they had. He returned the rejected bids to the County Clerk for a letter to be sent to them notifying them and thanking them for submitting their proposals.

S. Story invited the Commissioners to come up to the Reentry Center any time. B. Johnson said she had visited and was very impressed with the operation.

S. Story emphasized again that he would like to assist the Commissioners with the pay scales. W. Shorey said he didn't think an in-depth thing could be done now with negotiations, and he hoped that an in-depth study would be done in advance of the next negotiating sessions. S. Story said he hoped this situation wouldn't go two years, because his pay check was going in the negative, while other county employees got substantial raises. He noted that his salary is lower than the salary of the City of Belfast Police Chief. He added that he has never, ever asked the Commissioners for a raise but that it “stun” that they were all told that the non-union County employees were all getting 1% when, in fact, there were only three employees who received only a 1% pay increase while everyone else, either through new pay scales or adjustments, getting more than 1%.

S. Peavey noted that the Judge of Probate also received only a 1% pay increase, so the total was four employees.

S. Story said that for him it was a matter of fairness and equity. He wanted to get his share with everyone else, or not receive anything like everybody else.

#### CRUISER BID PROPOSALS, CONTINUED LATER IN AFTERNOON:

Chief Deputy Robert Keating and Sheriff Scott Story returned later in the afternoon to make recommendations for accepting a bid proposal to the Commissioners. R. Keating recommended accepting the proposal to purchase three (3) Dodge Chargers from Quirk. He explained the process for arriving at this recommendation based on what the package included. The Crown Vics came to \$24,379.00 each with warranty. The Chargers came to a total of \$20,728.00 each, resulting in a savings of \$3,661.00 per car. The warranty is included in that price, according to the dealer. S. Story said that cages and other equipment will need to be purchased to outfit those cars. He said that he had enough money in Capital Outlay to do this. It was emphasized that these vehicles are “tough.” It was noted that there were issues with the fan assembly in earlier models, but Dodge supposedly has rectified this problem on the newer cars.

**\*\*A. Fowler moved, B. Johnson seconded to accept the bid for the three chargers at \$20,728.00 each from Quirk. Unanimous.**

#### PROBATE STAFFING DISCUSSION:

Present for this discussion was Register of Probate Sharon Peavey, Deputy Register of Probate Judith Nealley, Register of Deeds Deloris Page, and Human Resources/Payroll Director Michelle Wadsworth. A spreadsheet listing information about the Maine County Registries of Probate was submitted to the County Commissioners. A. Fowler asked who made the spreadsheet, and M. Wadsworth said that B. Arseneau sent out a request for information and M. Wadsworth followed up on it for accuracy, and put a spreadsheet together.

B. Arseneau explained the spreadsheet was just a starting point and that much more detailed information would be forthcoming from the Register of Probate. She noted that she and M. Wadsworth had worked with S. Peavey so that she would know what information they had requested.

S. Peavey addressed the Commissioners and started the discussion by explaining that there was not room for four people in the previous Probate Registry. When the Registry moved from the Superior Courthouse to the District Courthouse, they hired a fourth person. The caseload has stayed constant since '03 and duties have since increased. She explained that Waldo Probate Registry now does passports and photos, totaling over 600 per year at 15 to 20 minutes per passport to process. She explained that the clerks have to stop what they're doing and process the passport application while the applicant is standing in front of them, and often multiple family members come in at once. Each one has to be done separately. While taking photos and developing adds to the time, S. Peavey explained that it was worth it because it brings in revenue even though it does "tie up" the clerks. S. Peavey mentioned that the clerks must do annual recertification training program through the Department of State. S. Peavey started online training back in December and just completed it last week, and stated that a person must pass with a certain grade or it is not possible to move forward to next level.

Every document goes through the registry, and files are handled several times. Child support issues, particularly since Judge Longley began serving, are a pretty involved process. S. Peavey noted that the registry has to notify DHHS of every child support order, and further explained that most probate courts are not handling child support issues.

A restitution system has been implemented in the past few years. This must be tracked to make sure restitution is paid in a timely manner. If it is not paid, the Clerks must follow up with a notice process to get parties in court the following Wednesday. The Clerks also track annual accounts and guardianship reports and have to contact and follow-up with people. This is done monthly, and sometimes weekly. The Judge has developed several forms for use in the court – over 25 forms - which are constantly being developed and revised. The Clerks must constantly check the Judge's file to make sure the most current forms are being used.

S. Peavey informed the Commissioners that having any of her staff serve on the Emergency Operating Committee (EOC) leaves the Probate Registry terribly short-staffed. It is challenging to have two people gone out of the office. Currently, two Probate staff members are serving on the EOC.

S. Peavey stated that IKON is a great system and will be even better when all the records are in it. Records are scanned and uploaded to a web site. She explained that on the site you can actually see the documents filed, and acknowledged that it takes a lot of time to input these records. Currently they are working on 1987. The goal is to go back to 1981 when the Probate Code went into effect.

She explained that she would really like to go back to 1827, and that will take a long, long time. S. Peavey told the Commissioners that the microfilming pile and back-scanning is falling behind now that the Registry is down to a staff of three. She added that she has “been a little neglectful in her administrative work”; for example, she has not been able to do performance evaluations for employees. Some of the personnel files are “just a mess” as she hasn’t had time to take care of them.

Regarding other Maine Probate Registries, S. Peavey had performed her own partial survey. None of those registries with fewer employees are doing everything Waldo does. None do restitution and rarely do child support. Most are not microfilming. A. Fowler asked for a copy of this survey, and also asked why there are so many new forms. S. Peavey explained that Judge Longley finds them helpful for the public and parties using the court to know what they are supposed to file and it assists the Judge in doing her work because she has put it in these documents. J. Nealley stated that the Waldo County Probate Court holds weekly hearings.

S. Peavey further explained that microfilming will go by the wayside and registry will not be able to track reports and accounts efficiently.

W. Shorey asked if S. Peavey could pull figures together on the restitution program, although he said he wasn’t sure how he will gauge it. When asked, S. Peavey said Judge Mailloux did it rarely - if restitution came in, great. If not, there was no system to collect it. With this program, it is followed up on and money is brought in.

S. Peavey observed that the County has grown in other departments: the Commissioners Office once operated with two people, Deeds with two people; the Sheriff’s Office had one secretary – all have grown and so has Probate. She explained that this is how they stay productive and efficient, adding that the public is served very well. Generally, an informal Probate proceeding can be processed within 24 hours, with documents being returned to parties.

B. Johnson said she believes a lot is done in this Probate office as she has seen this for herself.

A. Fowler said an employee from another county had “sung the praises of Waldo” and that “they had their stuff together.”

W. Shorey said he believed S. Peavey had enlightened the Commissioners and he felt that they were comfortable addressing the staffing issue as requested. The Commissioners voted as follows:  
**\*\*A. Fowler moved, B. Johnson seconded to approve the hire of a full-time Probate Clerk to fill the current vacancy, as presented previously. Unanimous.**

S. Peavey invited all the Commissioners to visit the Probate Registry. J. Nealley said that when she was told there was a two-year learning curve, this was eight years ago. She noted that she is still learning every day. “There is a huge learning curve,” she remarked.

B. Johnson said it was very interesting to hear that other counties do not do as much as Waldo, and she was impressed with how efficient Waldo Probate is with a greater workload here.

W. Shorey said he had raised the issue because these are tough economic times and when reductions take place, it should take place during those times. He just wanted to be reassured that filling that

vacancy was actually needed. He recognized that it is. The Commissioners thanked S. Peavey for meeting with them.

D. Page stood before the Commissioners and stated that Probate Register Sharon Peavey had an opportunity to provide written information, whereas, she herself was told that Deeds was going to lose an employee because they weren't busy, and she had not had the opportunity to present information. She said many of her reasons for needing an employee were the same as Sharon's. She stated that Deeds serves the Public like Probate. She added that this past December was one of the best. She told the Commissioners that the Deeds Registry is very, very busy, as it has starting to pick up. Now she doesn't even have funding for a position even if the Commissioners allowed her to hire someone. She said that at the very least, she needed a part-time person in the mornings when they are the busiest. When asked if the fourth position had been full-time, she said that it was. She said she never had the opportunity to speak; she was simply told what was going to happen. She asked that this be considered further.

#### EOC/SHERIFF'S BUILDING:

W. Shorey reported on progress related to the plans for the new EOC/Sheriff's Building. The initial proposal for costs was too high and was reduced by lowering the height of the building by two feet, which was originally designed so the antenna for the Emergency vehicle could fit in it. He noted that it would be much less expensive to get a different antenna. When they spoke with the engineering firm, they had a "mammoth" heating system that was "state-of-the-art." Now they are working on a design for a standard air conditioning system. W. Shorey said he was just giving some highpoints of the issues at hand for B. Johnson. B. Johnson said she needed an overview of where the project was at, stating that she didn't know what the building even looked like. W. Shorey explained that final drawings are not completed yet and the engineering is about 60% done. He volunteered to put a packet together for B. Johnson. It is hoped that all the information will be available in February or March. When asked by B. Johnsons if the architectural firm was chosen by bid, W. Shorey said yes. She asked if there was a timeframe included in that bid. W. Shorey explained that things had slowed down a bit, the firm fit another client in during that time, and then it was too late in the year to build.

A. Fowler said that, for the most part, she felt comfortable having W. Shorey and others on the committee who knew what to look for.

B. Johnson inquired of W. Shorey about his background. W. Shorey said he was a subcontractor for Honeywell. Besides that, he built agricultural buildings for many years.

B. Johnson said she's only heard various things regarding this building project and would appreciate whatever material she could be given. She said she wasn't interested in the finer details, but was more interested in the bigger details. W. Shorey said that when the building went out to bid, there will be a sort of "escape clause" or "opt out" clause allowing for adjustments, changes, or for the County to be the general contractor in order to save money. B. Johnson said she had attended meetings of the "neighborhood," mostly to hear their viewpoints. The other question she keeps getting asked was why this was such a rush, and why wasn't it being done after that. Both W. Shorey and A. Fowler explained that the Commissioners had spoken about it in the fall and agreed that they did not want to start building in the winter months. The consensus was that this always results in astronomical problems. W. Shorey pulled out an Event Log Report schedule for the project and had copies made for the other two Commissioners.

While looking at the Event Log Report, W. Shorey predicted that there would be bids received that would be “the lowest seen in some time.”

B. Johnson asked if there would be specifications for the bid proposals and was told there would be a package.

W. Shorey said a lot of discussion has been going on to try to keep costs down while accomplishing what was needed. B. Johnson asked if there would be any public meeting before the bid process started. W. Shorey said that process had already been done through the City of Belfast and did not need to be done again. A. Fowler confirmed that technically construction could have started right after the City approved the project.

#### BRIEF REPORT FROM HUMAN RECOURSES/PAYROLL DIRECTOR:

Present with the Commissioners was Human Resources/Payroll Director Michelle Wadsworth and County Clerk Barbara Arseneau. B. Arseneau asked the Commissioners to allow M. Wadsworth to bring two things to their attention just before Correspondence and the Commissioners agreed.

#### 1. PAY STEPS/PAY SCALE INQUIRY FOR THOSE HIRED ABOVE STARTING PAY:

Present for this brief discussion was Human Resources/Payroll Director Michelle Wadsworth. She explained to the Commissioners that some questions and confusion exist regarding rehiring or hiring an employee at a rate higher than the starting rate and there were differing opinions of when such an employee would move to the next pay step on the pay scale. She explained that two of the departments are currently doing different things, based on their individual interpretation of things. She illustrated with an example: if you hire or rehire an employee who has experience in the position and the employee is hired at the five-year level but their date of hire is a certain date, how long do they wait until they reach the next pay step in relationship to the date of hire? One department is doing one thing, and another department is doing another.

A. Fowler said that she didn't believe this problem with pay scales could wait two years, referencing the Corrections Pay Scale, etc.

M. Wadsworth continued to illustrate with another example: if an employee was re-hired after six months, do they start over again on the pay scale, even if they are hired at a higher rate? How long do they wait until they reach the next step? The examples of positions were discussed briefly. M. Wadsworth said that the current policy states that when an employee is rehired within six months, they return “as if they never left. They remain whole.” She suggested that the Commissioners give this some thought.

W. Shorey requested that they discuss one question and one situation at a time. M. Wadsworth started over and asked if there is a new hire, 01/01/2011, hired at a higher rate, when would the employee move to the next step on the pay scale? B. Johnson believed it would be when the employee actually reached the time served and completed the three years, for example. W. Shorey commented that what Commissioner Johnson said made sense. He thought that if the employee was “up there enough” to be hired at a higher rate, they would have to wait the three years.

The structure of the pay scale was discussed. B. Johnson said that if you hire someone with experience, you are hiring them with that experience, and they are then like everyone else. They

would have to wait until they worked the number of years before getting the next step increase. They would already be getting the salary and now they need to put in the time.

The Commissioners agreed to schedule this on the February 8, 2011 agenda.

2. 2011 SALARY SURVEY: M. Wadsworth said she will be taking over the salary survey for all the Maine Counties. A. Fowler noted that MMA performs a salary survey for municipalities and asked B. Arseneau to inquire with Bob Howe of M.C.C.A. to see if they would be producing this for the counties.

### **CORRESPONDENCE:**

Present to review correspondence was County Clerk Barbara Arseneau.

1. The Commissioners noted pay step increases for the following:
  - EMA Deputy Director Olga Rumney reached the five-year step with a pay step increase to \$16.51 per hour effective January 3, 2011.
  - EMA Director Dale Rowley reached the five-year step, with a salary increase to \$46,954.51 effective January 9, 2011.
  - Detective Matthew Curtis reached the twelve-year step with a pay increase from \$21.43 to \$21.90 per hour effective January 10, 2011.
  - Corporal Steven Cole reached the twelve-year step with a pay increase from \$18.51 to \$18.91 per hour effective January 10, 2011.
2. B. Arseneau provided a copy of a letter from Coastal Counties Workforce, Inc. Executive Director Michael Bourret, since B. Johnson will now be serving on that committee.
3. B. Arseneau also provided copies of and e-mail from Justin Holmes, the new KWRED Executive Director, along with the agenda for KWRED'S next meeting scheduled on January 14, 2011.
4. B. Arseneau submitted a draft of the Certificate of Incumbency for 2011 for the Commissioners' review for accuracy. The Commissioners found it to be correct. B. Arseneau would send it to the Secretary of State after signing it.
5. Commissioner Shorey signed an updated Part-time Non-union Pay Scale for 2011.
6. M.C.C.A. Director Robert Howe has sent each county a survey to determine the interest of each board of commissioners in providing expanded county services. The boards have been asked to discuss the surveys, complete one collectively, and return it to Mr. Howe at their earliest opportunity. Commissioner Fowler offered to complete the survey and give it to the County Clerk to send back.
7. A letter has been received from attorney James Katsiaticas of Perkins/Thompson indicating that the matter related to MacImage of Maine, LLC has been concluded and this file will be placed in storage for eight years. If the Commissioners wished for it to be stored beyond that time, they must send a letter requesting an extension. Otherwise, the records will be discarded at the end of the

eight year period. The Commissioners did not believe there needed to be any additional holding time.

8. B. Arseneau informed the Commissioners that the U.S. Department of Justice has booked the Probate Courtroom on February 11, 2011 at 1:00 p.m. to conduct a sale of real estate involved in the matter of United States v. Gregory A. Harriman, et al and USDC, Maine, Civil No. 09-348-B-W.

9. B. Arseneau read to the Commissioners a copy of a letter that had been sent to the Waldo County Regional Communications Center from Lucinda Selchie, who receives a daily telephone call from the Dispatch Center as part of the "Friendly Caller" program to check on the welfare of people who wish to receive this service. In it, she thanked a number of the Dispatchers by name for "keeping track" of her and also for the wonderful care package the Center sent her. B. Arseneau had contacted Communications Director Owen Smith to find out more about the program and was told that money for the gifts that are put together and delivered to each person on the Friendly Caller list is donated by the dispatchers themselves by paying a \$1.00 to wear jeans each Saturday. The gift packs are adjusted for gender and distributed each year in December. The Commissioners commended the Communications Center for the success of the Friendly Caller Program and for the thoughtful gifts delivered to the citizens who participate in this program.

10. Cheryl Coats of DRG Specialty Services sent her last invoice for 2010 for grant research and is preparing a report that she hopes will be helpful for whoever will be doing grant research for 2011. She is doing this as part of her December work and will not be charging anything additional. She thanked the Commissioners for allowing her to be of service to the County of Waldo all these years.

#### **MINUTES APPROVED:**

**\*\*A. Fowler moved, W. Shorey seconded to approve the minutes from the December 28, 2010 Waldo County Commissioners Court Session. Passed by two.**

**\*\*B. Johnson moved, A. Fowler seconded to approve the minutes from the January 3, 2011 Waldo County Commissioners Court Sessions. Unanimous.**

#### **MISCELLANEOUS COMMISSIONERS BUSINESS:**

1. Waldo County Emergency Management Disaster Exercise Program. B. Johnson explained that this notice came in via the general Commissioners E-mail box. B. Johnson said she can check her phone for Emails. She requested that these types of things be forwarded to the Commissioners direct home e-mail address. B. Arseneau said that she tries to forward all items that come to the Commissioners general e-mail box and apologized if this had not been forwarded by her. B. Arseneau said that she would remind all departments that the "Waldo All Users" does not send information to the Commissioners home e-mail addresses, but to their District mailboxes, which they must check themselves.

2. B. Johnson inquired about the e-mail regarding Athena Health "garaging" the EMA vehicles. B. Arseneau responded that there was still correspondence going back and forth between EMA Director Dale Rowley and MCCA Risk Pool Coordinator Malcolm Ulmer regarding insurance coverage.

#### **OLD BUSINESS:**

1. TABLED DISCUSSION: CORRECTIONS REQUEST: The Commissioners wished to table any further discussion on this until the next regular Commissioners Court Session. A. Fowler noted that the Secure-Manage portion of this was purchased by VOA, so that part does not need to be brought up any more.

2. EXECUTIVE SESSION:

**\*\*B. Johnson moved, A. Fowler seconded to enter Executive Session at 1:09 p.m. for discussion of labor contracts and meetings between a public agency and its negotiators according to M.R.S.A. Title 1 § 405 6(D). Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to come out of Executive Session at 1: 42 p.m. Unanimous.** No action was taken.

### **COURTHOUSE STUDY DISCUSSION:**

Present for this discussion was State of Maine Facilities Manager Jeffrey Henthorn, Mark Wilcox of Winton Scott Architects and Waldo County Facilities Manager Keith Nealley.

K. Nealley informed the Commissioners that he had taken the two gentlemen on a quick walk-through of the courthouses.

J. Henthorn opened discussion with his comment that when he and former Commissioner D. Berry started discussions on the study, the thought process was that there were some issues with both court houses and how this could work, with the second component being space issues. Is there enough space? Could there be new space? Winton Scott Architects would look at this, examine the space using the buildings as they are now, possibly shifting things to become more efficient, or possibly looking for additional space. J. Henthorn had suggested that there be a study because sometimes when he travels he sees what has been done in other counties. He illustrated with the space for ex Dover-Foxcroft and Houlton. They ended up trading space with the County and renovating. J. Henthorn believed a professional is required to identify some solutions.

W. Shorey asked if “hypotheticals” could be discussed. He explained that a different type of study had been performed about three years ago. K. Nealley confirmed this, noting that it was a mechanical assessment performed on the heating system at Superior Court by Carpenter, Associates, because there was some thought about replacing the heating system. It was recommended that Winton Scott look at that study to avoid duplication. K. Nealley described the difficult situation with regulating the current heating system.

A. Fowler asked what form the study would take and what exactly the report would tell the Commissioners.

Mark Wilcox of Winton Scott stated that some courthouses seem to have a lot of different people working in them, and it might be good if they could get “like” offices together. He would start with assessment of the buildings, their systems, the “envelope” of the building, type of construction, fire safety, handicap accessibility features and outline the deficiencies. He would also look at it on a department-by-department basis to see what the staffing needs may be in the next 10 years and determine if there is enough room to expand.

J. Henthorn guessed there might be a step in that process and once information was collected, they might go back to the Commissioners to check to see if this agrees with the Commissioners' view for the future, as they may have other thoughts. He stated that it was important to get the Commissioners' feedback before writing the report.

M. Wilcox said that this was true, noting that he was not sure where the other county buildings were. There was brief discussion on back-up function, etc. J. Henthorn said it would depend on how many courtrooms would be needed, looking at District Court Judges and Magistrates, the size of courtrooms, arraignments, etc. The courtroom may initially be loaded with people.

(Now present were Court Clerk Terri Curtis and Deputy District Attorney Eric Walker.)

W. Shorey said the third part of the question was he had been through the Superior Court several times and had observed tight parking and other negative aspects. He said he and Commissioner Fowler were driving around Belfast and on lower Congress Street, near the intersection near the bypass, there is a 26,000 square foot building with about 100 parking spaces near it, and wondered if that might be a possibility as part of a "brainstorming" thing. If the Clerks, D.A., courts, etc. could move there, then the County Commissioners could expand their office. W. Shorey noted that this building had gone down in price and thought it had tremendous potential. It used to be a Graphics place and then was the Diamond Exchange. A. Fowler described the parking alone as "almost dreamy."

J. Henthorn cautioned that the "price tag" can come in high for court spaces because courts are very unique places. There are supposed to be four zones: public, prisoners, staff, and judges and they are not supposed to cross paths. This requires expensive design to accomplish these zones.

W. Shorey likely said that having parking was a tremendous advantage, in terms of cost savings.

A. Fowler wondered how long it would take to compile the report and M. Wilcox responded four to six weeks. J. Henthorn said this is usually the first step when courts are developing a project. He noted that Androscoggin County is not happy with their courthouse. They've been interviewing architects for about six months to do a similar process. Parking is a real problem and the ADA situation is not really good. Androscoggin is performing a study as a first step and is hoping to have a County-led initiative, with the courts participating. They'll have a better sense of direction after the study is completed.

W. Shorey said that, in reference to the Lower Congress St. Building, he was just throwing this out for consideration.

J. Henthorn wondered how the City of Belfast would react to this. He explained that often there are very specific places that courthouses are expected to be within a City. A. Fowler commented that considering the economic times, options need to be looked at. She wondered if she and Commissioner Shorey had brought this up prematurely.

S. Wilcox gave an example of the space, spoke about reconfiguration, trying to squeeze things onto small lots, and then assigning price tags to these. A renovation with open space is less costly than something that goes downhill on an urban site. He described it is a "joint" exploration. There are

opportunities out there that the State and County need to consider together. He explained that he provides the raw data.

J. Henthorn suggested that the County may be requested to identify possible sites that might lend themselves to being good locations for such a project. He inquired about the Handicap Theatre on Church Street; for one thing, since ADA work had recently been done with that building. W. Shorey noted that there is a serious mold issue with that building and the cost to fix that would be astronomical.

K. Nealley, in thinking of other possible locations, noted that the former Matthews Brothers building has no parking. A. Fowler said the former Moss building was considered, but that was almost too big, would require elevators, etc. She stated that she didn't like the current arrangement in the Superior Courthouse where all the people cross paths and that it was not ideal at all.

W. Shorey said that during his time spent in the County, he had identified severe parking issues with both courthouses. He almost wondered if a building would have to be taken down to the basement and rebuilt altogether. He also wondered if it would make sense to try to put all the courts together, and then move Deeds upstairs in the District Courthouse. He asked that J. Henthorn and M. Wilcox look at things and take these ideas into consideration.

A. Fowler noted that there was some interesting potential out there. When asked where the building of interest was, it was described as being near the Armory. When Court Clerk Terri Curtis was asked if she considered that particular location as being "almost in town," she agreed. Deputy District Attorney Eric Walker clarified that location as actually being Upper Congress Street rather than Lower Congress.

M. Wilcox stated that to the extent they could be focused, rather than spending a lot of time on things that were not feasible and since he was limited in what he could review, he could work things up as to how they would fit and he would not rule this location out. J. Henthorn said that it probably should be considered as a possibility. He thanked the Commissioners for the copy of the Carpenters' Associates report that had been done. M. Wilcox, after quickly skimming the report, commented that it contained more detail than what he usually went into.

J. Henthorn noted that the Superior Courthouse site is so limited that there just is no space to add on to it. K. Nealley said it had been built in 1863. J. Henthorn said that he could tell it had been in that time period by the narrow space between buildings and the age of the surrounding buildings.

M. Wilcox noted that even though this was a historical building, and there were fire safety concerns that really couldn't be addressed because there is no place to put an addition.

J. Henthorn remarked that buildings such as these are often left in neglect because they are 19<sup>th</sup> century buildings and things are often ignored until there is a complaint filed. He used another courthouse as an example, noting that a complaint was filed, and a lot of work was being done, but the stairwell wasn't being addressed. He noted that State and local fire chiefs get involved in these matters.

E. Walker said he didn't know if the Commissioners were aware of the push to regionalize and consolidate courts. When asked, he said he didn't like it, personally, but recognized that this was the

trend – to have one courthouse that serves all courts. Bangor is doing it, Augusta, etc. J. Henthorn said that it had already happened with Waldo. E. Walker said he realized that, but described it as very inefficient the way it was currently set up.

J. Henthorn reiterated that court space would have to be designed that includes those four zones he mentioned earlier. He said that he believed that they may be able to find some efficiencies if the courts are in the same location. In Machias, for example, when two judges will be serving the same day, they will assist each other because they are in the same building.

W. Shorey explained that the Commissioners are making such a strong suggestion for the building on upper Congress Street because they believe it should be worked into the evaluation. A. Fowler acknowledged that the Commissioners are not architects, but they believe this location has a lot of potential and might be the right space.

M. Wilcox illustrated that a building is like a big square, which is normally bad when people want to have offices and windows, but can work well for a courthouse. If there is a large enough building, it can lend itself to the type of work flow needed in a courthouse.

W. Shorey described the parking as being in “locations.” When asked if he knew where it was, K. Nealley said he did and he had actually looked at it himself.

There was brief discussion on whether this would be a State-led or County-led project. J. Henthorn described the lengthy and involved process it would be for the State to take the lead, noting that this would include going before the legislature and the Governor. The Maine Facility Authority was able to “bond” courthouse and corrections. It was developed because it was rare that there was support for corrections and jails. He noted that each courthouse situation was unique and would require different solutions throughout the state. The Commissioners said they would give more thought to this possibly being more of a “County-led” project.

W. Shorey said he had checked on another unrelated project a year ago and the only State assistance he could get was about 15%. He believed the County would and should look for money that would assist in this.

J. Henthorn said he was aware of Hancock County and Androscoggin County obtaining money for energy efficiencies. The Judicial branch has not had a lot of luck in obtaining funds. There was some ADA money, but that source of money was the State and has expired.

W. Shorey referenced RUS and said that if in a \$1,000,000.00 project, if there was \$450,000.00 of “forgiveness money,” they would almost be at a point that leasing would make the payments on the building. He believed that if something was paying for itself, the taxpayers might find it more palatable.

J. Henthorn said he believed all the ideas were exciting, and acknowledged that this is why they had brought M. Wilcox in. He asked if the County was agreeable to proceed with Mr. Wilcox.

B. Johnson said that, in looking at possibilities, the building that has been mentioned might be the way to go. She wasn’t overly familiar with the study and project, but thought that the sooner they

got it underway, the better, noting that it would appear that the County would have to accept more of the responsibility.

A. Fowler said that she felt bad that the County hadn't mentioned the building sooner. She acknowledged that the Superior Courthouse is lovely, but she always worries about the heat, who was going to fall down the granite stairs, etc.

W. Shorey asked if they had a starting point. M. Wilcox said the first thing they would do is confirm that "jumping through the hoops that need to be jumped through to get where they needed to get through" to do these two court house may not be the way to go. W. Shorey agreed that the process in Belfast is "not fun."

B. Johnson said that when it was brought up that the courthouses be moved, the consensus of the general public is that they really want it to stay downtown, but practicality and function need to be considered along with location.

It was acknowledged by J. Henthorn that there is real money involved in finding the solutions. Perhaps other options may need to be indentified. The building of interest might disappear and may no longer be available. He recommended looking at a "bevy" of options.

B. Johnson said it was all the more important that it be looked at soon, and that crucial points be figured out as to what the County requires.

J. Henthorn explained that if it is determined that the two current buildings can't be renovated, another person/firm may need to be hired to go further with this project. The reason J. Henthorn recommended M. Wilcox is because he is very familiar with courthouses and courthouse space. He has been involved in a number of projects in recent years and has a lot of experience in knowing how courts work and in developing space projects.

M. Wilcox related some of his background experience, including with law enforcement space, and other specialized experience. He has worked in Portland since 1987. Mostly it is institutional-type work. The firm does a "50/50" mix of new and renovation work. He has done hospital work, a large renovation of the Portland City Hall back in the 1990's, public assembly space, etc. Winton Scott was established in the 1970's primarily on Section-8 housing, and then got involved in institutionalized work. Apartment housing is coming back. He said he is renovating his second school that is becoming housing. A developer that follows the Dept of Interior Standards gets some funding breaks. These are the types of things they are doing. He has also been involved in a lot of renovation work at Maine Medical. He noted that then internal spaces change and shift. "We are used to working in complex organizations," he explained.

J. Henthorn asked M. Wilcox how he would start this study. M. Wilcox said he would need to take a day, have some people come in and do a survey, including mechanical equipment. People would need to be interviewed to be sure that the right number of staffing is being considered. He often speaks with Department Heads and Commissioners – whoever can provide information on workflow - to get a sense of what the relationships are, who should be located where for efficiency reasons and workflow reasons, etc.

W. Shorey said he believed that M. Wilcox had a good feel for what the Commissioners' interests were.

A. Fowler asked T. Curtis for her thoughts. T. Curtis said she liked the idea of a one-story building and adequate parking. "When there are 150 jurors coming in and there is no parking, it is very frustrating. Many cannot walk. The lift that exists is difficult," she explained. She described the jury room as "atrocious." She said she didn't want to have to "truck files" for the rest of her life. Being in one building, having clerks all in one building, both courts going and staff divided, and being short-staffed as it is, is really difficult. She mentioned that security is also not good. A. Fowler suggested that T. Curtis drive by the Congress St. building to see what she thought.

J. Henthorn noted that it is so often the case that people don't want courthouses "out in the fields," they want courts in the developed part of town. Building one-story large courthouses on farm property is very appealing, but the cities will often demand that they stay in the developed areas. He asked how the report would be generated. M. Wilcox said there would be a draft report followed by a working period. He noted that the Commissioners/State would have to do the "heavy lifting" and would need to "come to academic insights in order to meet the real world." From his perspective, in evaluating options, he doesn't have all the variables under control. It is a process of evaluating the possibilities and then ranking and presenting them in a final report. Hopefully, then they would move on in a direction after the report was reviewed.

It was generally agreed that there would be the review of buildings, interviews of people, a draft report generated, meeting with the County and State, and go from there.

A. Fowler stated that cost to renovate would have to be considered on top of purchasing the property.

The Commissioners expressed their pleasure in meeting and working with J. Henthorn and M. Wilcox and said that they were looking for the most efficient and effective way to handle the space issues. It was hoped that this report will identify the space needs and be helpful to the County.

J. Henthorn acknowledged that most old courthouses are not old courthouses anymore. Wiscasset may be the oldest, continuous working courthouse in the country, but it can't be proven at this point.

J. Henthorn said a contract or professional services agreement needs to be drafted up with Winton Scott for the Judicial Branch and Commissioners to both sign. He asked M. Wilcox to draft it for review.

The Commissioners told both J. Henthorn and M. Wilcox that if there were any questions or the Commissioners could be helpful in any way, to let them know.

J. Henthorn said he would do some site surveys himself. He acknowledged that often a governmental entity may know what they wish to accomplish, but cannot always "turn on a dime."

J. Henthorn asked who would be the primary contact for the Commissioners. It was decided that it would be County Clerk Barbara Arseneau. He, M. Wilcox and B. Arseneau all exchanged contact information.

**SNOW STORM CONCERN:**

Court Clerk Terri Curtis inquired of the Commissioners about what the County may be doing because of the snow storm and large amount of snowfall predicted for tomorrow. Commissioner Shorey said he would make a decision by 7:00 p.m. and would have the Deputy County Clerk call T. Curtis if the County would be closing the courthouses the next day due to the storm.

**CORRECTIONS BUDGET, SECOND REVIEW:**

K. Trussell reported to the Commissioners that she had just learned that 4400 line was left off the budget because it was an error in the formula. This did not change the budget bottom line as a few other individual lines were adjusted to compensate, so the total will remain the same.

**\*\*A. Fowler moved, B. Johnson to accept the revised 2012-2013 Corrections Budget.**

**Unanimous.**

**NEXT COURT SESSION:**

Commissioner Shorey asked if the Commissioners Court Sessions could start around 8:00 a.m. or 8:30 a.m. Commissioner Fowler and B. Johnson both explained that this would not be feasible for them. It was agreed that the time would continue to start at 9:00 a.m. The next Commissioners Court Session is a regular session scheduled for February 8, 2011.

Commissioner Shorey thanked the other two commissioners for voting for him to be Chairman. He expressed that this was a very enjoyable day. All agreed that all must serve as a board, all must communicate with each other, not have any private meetings and must keep each other informed.

**\*\*B. Johnson moved, A. Fowler seconded to adjourn the Court Session at 3:36 p.m. Unanimous.**

Respectfully submitted by *Barbara L. Arseneau*  
Waldo County Clerk