

**WALDO COUNTY COMMISSIONERS COURT SESSION
(SPECIAL SESSION)
FEBRUARY 17, 2011**

PRESENT: Commissioners William D. Shorey, Chairman, Amy R. Fowler and Betty I. Johnson. Also present was County Clerk Barbara Arseneau to take minutes.

Call to Order: Commissioner Shorey called the court session to order at 1:00 p.m.

COMMISSIONERS EMAIL OPTIONS:

Present with the Commissioners was Technology Consultant James Arseneau to inform the Commissioners about some options for receiving email messages from the Commissioners Office.

J. Arseneau explained that Commissioner Johnson had made some inquiries about receiving email and so he had researched some options. Currently each Commissioner is assigned an email address for their individual district and the Commissioners have to remotely access those messages in order to read them. If the Commissioners prefer, each district email correspondence can be sent to the corresponding commissioner. J. Arseneau explained that he had researched the other counties and of the sixteen, fourteen have email that go through the domain, like Waldo does. He noticed that many of the counties also have generic email addresses like Waldo has, which makes it so that the email addresses don't have to change as elected officials or employees come and go.

The option being offered now is to have the Commissioners use the individual District email accounts rather than their home email accounts, and then to have a copy of the District messages sent to their home emails. The email that goes to the Commissioners' general email at the office can also be copied to their home email addresses. The caveat is that the County Clerk, who has been monitoring and forwarding emails from just the Commissioners' general email account to their home addresses, will no longer be filtering the junk mail ahead of time.

B. Johnson noted that the Commissioners would have to change their business cards. She also inquired if special things related just to that district would only go to that district. J. Arseneau confirmed that this was the case.

J. Arseneau explained that this would eliminate the problem of any freedom of access situation, which would prevent the Commissioners' home email from being included, which is a safeguard. He further explained that the mail is in the server and that it could be searched that way.

The Commissioners agreed that it would be good for all the Commissioner District address mail and General Commissioners email to be copied to each Commissioner's home email address. J. Arseneau will notify the Commissioners and Clerk when this arrangement has been set up.

EOC/SHERIFF'S BUILDING UPDATE:

W. Shorey noted that the Commissioners needed to sign official paperwork with architectural firm WBRC who is working with the County on plans for the new EOC/Sheriff's building.

****B. Johnson moved, A. Fowler seconded to sign the contract with WBRC. Unanimous.**

HIRES FOR REENTRY FACILITY:

Present with the County Commissioners was Sheriff Scott Story, Chief Deputy Robert Keating and Lieutenant Jason Trundy. S. Story informed the Commissioners that for the past few weeks applicants have been screened for Corrections Officers positions. Three names were being brought to the

Commissioners for consideration: Jeb Fay, Walter Wagner and Paul Lisenby. It was noted that Paul Lisenby used to work for the Corrections part-time and would like to return.

****A. Fowler moved, B. Johnson seconded to hire Jeb Fay, Walter Wagner and Paul Lisenby as part-time Corrections Officers at \$12.58 per hour effective February 21, 2011.**

ELECTED OFFICIALS & FOAA TRAINING: S. Story informed the Commissioners that he is not required to take FOAA training, likely because he has so much other training related to public and confidential documents as a Sheriff, but he took the training online anyway and submitted his certificate for his file. He noted that both he and Chief Deputy Robert Keating have been to the school of Freedom of Access, and commented that he felt it was important to take it every year to “keep up to speed.”

EXECUTIVE SESSION:

Sheriff Scott Story requested an Executive Session as scheduled on the agenda to discuss a personnel matter related to consideration of employment and compensation.

****B. Johnson moved, A. Fowler seconded to enter Executive Session at 1:15 p.m. for a personnel matter related to consideration of employment and compensation as permitted by M.R.S.A. Title 1 § 405, 6(A). Unanimous.**

****A. Fowler moved, B. Johnson seconded to come out of Executive Session at 1:42 p.m. Unanimous.**

****A. Fowler moved, B. Johnson seconded to instruct Human Resources/Payroll Director Michelle Wadsworth to contact MainePers to request a study for an employee’s retirement plan. Unanimous.**

COMMISSIONERS DISCUSSION OF EVIDENCE FROM TAX ABATEMENT HEARING PET. #352 LANCE PHILBROOK VS. TOWN OF MONTVILLE, ADJOURNED FEBRUARY 8, 2011 COURT SESSION:

W. Shorey said that as he listened to the Montville Selectmen/Assessors and Mr. Philbrook, he had pretty well concluded that Mr. Philbrook was an honest man and trying to do what was right. He thought that the Selectmen had tried to do their job, and he understood that some of the businesses have really old equipment that isn’t worth much.

B. Johnson spoke in favor of the Plaintiff, noting that she didn’t think that the Selectmen had gone out and looked at all the businesses, and secondly, that the Selectmen were looking at businesses and not the personal property. She felt that the businesses needed to be lumped together and reviewed as a group. She didn’t think someone who owned a tractor for personal use should be lumped in with those who are in business with a sign on the door. She did not feel the Selectmen had made a real full effort, expressing that she was hoping the Selectmen would be able to say that they had looked at other businesses and assessed them, but she didn’t get the impression that they done the best job.

A. Fowler stated that she had noted that it has been three years, and the Selectmen still don’t have all the area businesses. She observed that they show a depreciation schedule, which is a plus, but she wasn’t sure they were using it or understood how to use it. She did not believe their practice of how they were taxing was fair. The other thing that bothered her was it appeared that the man who was trying to be honest was being penalized for filling out the forms. A. Fowler said she generally rules in favor of the town, if the assessors/selectmen can show that they are taxing fairly. She did not believe this was the case with Montville. She said she thought the Town’s recommendation to go to the code enforcement officer and get denied before talking to the selectmen was disturbing. She felt that a good tax assessor or

selectmen would educate the people about the processes and the paperwork that needed to be done. She felt there were serious issues coming in the future with Montville.

****B. Johnson moved, A. Fowler seconded to grant the abatement on the personal property of Lance Philbrook at \$155.72.** Discussion: A. Fowler said that she believed abatement was warranted in this circumstance, and hoped that the selectmen would work on the situation with the taxes. If there was abatement this circumstance, perhaps the Town would work on things. **Passed by two; W. Shorey opposed.**

MISCELLANEOUS BUSINESS:

1. B. Johnson asked for clarification regarding the County Clerk's recent inquiry regarding payment of the bill for the attorney who performed some legal work related to the County's health care plan. B. Arseneau referred to the August 17, 2010 Commissioners Court Session minutes in which the Commissioners authorized hiring the attorney for these services in the amount of \$4,500.00, but it had not been specified where the funding would come from; hence the inquiry. The Commissioners agreed that the invoice should be paid from the health plan fund.

2. A. Fowler has received notice that Chief Sauffley's Courthouse Committee has been reconvened and Commissioner Fowler has been asked to serve again.

3. A. Fowler informed the Commissioners that she testified on behalf of the MCCA for Mr. Ponte. The next day he was confirmed by the Senate. A. Fowler already sent him a congratulatory card and invited him to visit the Reentry Facility.

4. A. Fowler met with Speaker of the House Robert Nutting, and spent about 1.5 hours in really positive discussion.

5. W. Shorey said he has two letters he has been working on with the County Clerk and one was related to selling the 100-acre property. It is his hope that this property can be sold without the assistance of a realtor. The second letter will be to the Budget Committee, which will include a spreadsheet showing budget increases from 1989 to 2011. He explained that the last three years actually only averaged a 1.5% increase, which you could not see at all in the 18 years prior. The Commissioners have tried to be frugal, but this type of frugality can only continue so long before services have to be cut.

CORRESPONDENCE:

Present to report Correspondence was County Clerk Barbara Arseneau, as follows:

1. Treasurer David Parkman sent a memo dated February 11, 2011 thanking all the Department Heads/Elected Officials for keeping the 2010 budget "in the black."

2. NACO sent notice that they are renewing the contract with CaremarkPCS Health, L.L. C. for the NACo Prescription Discount Card Program. The counties enrolled with NACO do not have to sign the agreement but may opt to if they wish. The Waldo County Commissioners opted to sign.

3. Town of Brooks resident Sirena Bennett submitted a Tax Abatement Appeal to the County Commissioners. After reviewing the request, the Commissioners instructed the County Clerk to schedule an appeal hearing during the next regularly scheduled Commissioners Court Session on March 8, 2011.

****A. Fowler moved, B. Johnson seconded to go into recess at 2:42 p.m. Unanimous.**

****B. Johnson moved, A. Fowler seconded to come out of recess at 3:01 p.m. Unanimous.**

FUEL OIL BIDS

Present with the Commissioners was Facilities Manager Keith Nealley and Mr. David Bowen of Community Fuels.

Bid proposals were received from the following companies:

1. Maritime Energy: \$3.21 per gallon. Price over rack was also provided, but not considered by the Commissioners. \$80.00 per hour for repair.
2. Community Fuels: \$3.21 per gallon. Price on repair was \$65.00 per hour.
3. Tidewater Oil Company: \$3.2296 per gallon. Price on repair was \$67.50 per hour.
4. Moonlight Fuel Company: \$3.10 per gallon. \$50.00 per hour for repair service.
5. Thompson's Oil: \$3.1125 per gallon. \$66.00 per hour for burner repair.
6. Irving Oil: \$3.249 per gallon. \$85.00 per hour for burner repair.
7. C.N. Brown: It was noted that this bid was received by fax. It was put in an envelope before being given to the Commissioners. The bid is at \$3.3531 per gallon. \$75.00 per hour for burner repair.


The Commissioners expressed pleasure that the bids came in as low as they did.

The bids stated that the Commissioners may accept or reject any and all bids. There was brief discussion in which W. Shorey expressed concern that the lowest bidder was a very small company and noted that already one small business had "folded" in Brunswick. It was noted that they do not have a lot of space for oil storage. All the Commissioners agreed that this was something that should be taken into consideration. There was also brief discussion about the current situation of unrest in the Middle East and the impact that has on oil prices.

W. Shorey said he appreciated small businesses, but was very concerned that the bid submitted was not necessarily stable.

****B. Johnson moved, A. Fowler seconded to award the fuel oil bid to Thompson's Oil at \$3.1125 per gallon. Unanimous.**

****B. Johnson, A. Fowler moved to adjourn the court session at 3:43 p.m. Unanimous.**

Respectfully submitted by 
Waldo County Clerk