

**WALDO COUNTY COMMISSIONERS COURT SESSION  
MARCH 8, 2011**

**PRESENT:** Commissioners William D. Shorey – Chairman and Amy R. Fowler (Commissioner Betty I. Johnson could not attend). Present to take minutes was County Clerk Barbara L. Arseneau.

**Call to Order:** Commissioner Shorey called the meeting to order at 9:00 a.m.

**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:

**REVENUES:**

Revenues should be 18% and are at 25% received at this time.

W. Shorey asked, regarding Deeds revenue, if it was an accurate estimate that the County might lose about \$20,000.00 annually if the bulk rate court order for four other counties impacts Waldo County. D. Parkman said it may be more. K. Trussell explained that until the ruling goes into effect, it is difficult to know. W. Shorey said he recalled that when John Simpson of MacImage met with the Commissioners in January of 2010, Mr. Simpson had said something about \$20,000.00 being the figure.

D. Parkman reported that he and Commissioner Fowler were invited to the Town of Montville as part of a panel related to property taxes. A. Fowler said one of the first questions asked was about the Jails. After that lengthy topic, other questions were asked about the courts and other County services.

D. Parkman also went to the Burnham Town meeting recently and was allowed to speak. He commented that the townspeople were amazed to hear that during his first year as County Treasurer, within three days he had to borrow from the Tax Anticipation Note. More questions ensued related to County Government that he was pleased to answer.

**APPROPRIATIONS:**

D. Parkman reported that all departments were “in line” with expenditures for this time of the year, with the following exceptions:

- the Commissioners budget, which he noted has large expenditures such as liability insurance that must be paid during the first quarter of the year,
- the part-time line in the Communications Center, which is already 41% expended and the overtime line which is about 34% expended. It was acknowledged that there has been some turnover and a number of employees on leave, which likely have contributed to these expenditures.

**CORRECTIONS:**

The Corrections overtime is about 30% expended at this point in the year.

**FUNDING FOR REENTRY TRAINING:** K. Trussell reminded the Commissioners that during the November 9, 2010 Commissioners Court Session, the Sheriff had come to the Commissioners to request \$15,000.00 for training and \$2,040.00 for furniture at the Reentry Center. K. Trussell

submitted a memo regarding this matter to the Commissioners along with a copy of that portion of the November 9, 2010 minutes. In those minutes, the Commissioners stated that funding for these requests would come from a reserve, but no particular reserve had been indicated. K. Trussell explained that a reserve would need to be created and wondered if it would need to be two accounts, one called "Reentry Facility" and the other called "Reentry Training?"

A. Fowler recommended one reserve account rather than two and suggested naming it "M.C.R.R.C. Future Improvement Reserve". K. Trussell reminded the Commissioners that a description would need to be assigned to that reserve so it would be clear what it would be used for and noted that this would be a restricted reserve. She agreed that she liked the concept of one account rather than two. She explained that the funds would come out of undesignated funds on the Jail-side. She noted that the Commissioners would need to meet with the Sheriff at some point to come up with a long-term capital improvements plan to secure the undesignated funds.

D. Parkman explained that the auditor includes anticipated taxes so that the County looks as though it is "in the black." In actuality, the County would have been \$700,000.00 "in the red" at the end of June 2010, had the auditor not included these anticipated funds.

After brief discussion in which the Commissioners agreed to remove the word "Future" from the name, the following motion was made:

**\*\*A. Fowler moved, W. Shorey seconded to establish a restricted reserve entitled Mid Coast Regional Reentry Center (M.C.R.R.C.) Improvement Reserve. Passed by two.**

**\*\*A. Fowler moved, W. Shorey seconded to direct the Deputy Treasurer to move \$2,040.00 from undesignated funds to the M.C.R.R.C. Improvement Reserve.** Discussion: There was some question of how much money to fund initially and if there needed to be more.

W. Shorey had two questions; the first being that he wanted to be careful that money was not placed in haste and two, he wondered if the amount in the motion correct.

D. Parkman said that this was why he had instructed the auditor not to include anticipated funds but only to include actual funds.

**A. Fowler withdrew her motion and W. Shorey withdrew his second.**

**\*\*A. Fowler moved, W. Shorey seconded to move \$20,000.00 from the Reentry undesignated funds to the M.C.R.R.C. fund and further directed the Treasurer to pay up to \$15,000.00 for approved training and \$2,040.00 for furniture. Passed by two.**

W. Shorey noted that he will be away March 20 through early April and asked if the entire group could hold a workshop in early April in order to discuss cost planning, etc. related to the EOC/Sheriff's Building. All agreed this would be a good idea.

#### RESERVES:

D. Parkman noted that the Sheriff's, County Planning and Future Land and Buildings reserves are continuing to be used for the planning related to the new EOC/Sheriff's Building. There was brief discussion on stages of planning related to this building.

D. Parkman read expenditures from the February 25, 2011 and March 8, 2011 reserve warrants, which are included in the motions below.

**WARRANTS:**

**\*\*W. Shorey moved, A. Fowler seconded to authorize payment of the February 25, 2011 General Fund Accounts Payable warrant and February 17, 24 and 25, 2011 Payrolls in the amount of \$210,620.72. Passed by two.**

**\*\*W. Shorey moved, A. Fowler seconded to authorize payment of the February 25, 2011 Reentry Accounts Payable warrant and the February 17, 2011 Payroll in the amount of \$63,747.80. Passed by two.**

**\*\*W. Shorey moved, A. Fowler seconded to authorize payment of the February 25, 2011 Active/Restricted Reserve warrant in the amount of \$12,006.90. Passed by two.**

**\*\*W. Shorey moved, A. Fowler seconded to authorize payment of the March 8, 2011 General Fund Accounts Payable warrant and March 3, 2011 Payroll in the amount of \$211,318.23. Passed by two.**

**\*\*W. Shorey moved, A. Fowler seconded to authorize payment of the March 8, 2011 Reentry Accounts Payable warrant and March 3, 2011 Payroll in the amount of \$55,982.16. Passed by two.**

**\*\*W. Shorey moved, A. Fowler seconded to authorize payment of the March 8, 2011 Active/Restricted Reserve warrant in the amount of \$17,442.21. Passed by two.**

The Commissioners commended the Deputy Treasurer for her work.

**\*\*W. Shorey moved, A. Fowler seconded to file the Treasurer's Report. Passed by two.**

**(RECONVENED Tax Abatement Hearing Pet. #352 Lance Philbrook vs. Town of Montville: Please see separate minutes for this portion of the meeting.)**

**FACILITIES REPORT:**

Present with the Commissioners was Facilities Manager Keith Nealley, who reported the following:

1. K. Nealley will be meeting with Jeff Henthorn on March 17, 2011 at 1:00 p.m. regarding the fire alarms at both District and Superior Courthouses. K. Nealley stated that he has made contact with Simplex /Grinell and a survey was performed by that company. The State would like to give input into what type of alarms will go into these buildings. The Commissioners commended K. Nealley for working so well with the State on various courthouse improvement projects.

2. Regarding the status of the joint State/County Courthouses Study, preliminary deed work has been done at the Superior Courthouse. K. Nealley reported that the County owns more property closer to the City Hall than he originally thought.

3. A reminder to the Commissioners that they have already committed some funds from the Courthouse Reserve as follows: \$12,500.00 for the joint State/County Courthouses Study, \$8,130.00

for the contract with Northeast Equipment for painting the interior of District Court and \$7,616.00 for replacement of the slate roof at the District Court building. This contract was awarded to Northeast Equipment last fall, but due to the weather they were unable to start the work. The County also has a commitment to W.B. Mason for a new work station at the D.A.'s Office for \$1,630.00. Altogether, these projects total \$29,876.00.

4. K. Nealley will be out on leave during the week of April 4, 2011 and the Facilities Technician will take care of things in his absence.

**EXECUTIVE SESSION (Unanticipated and added to agenda right before the Court Session):**  
**\*\*W. Shorey moved, A. Fowler seconded to go into Executive Session at 10:19 a.m. for discussion or consideration of employment, assignment, etc. as permitted by M.R.S.A. Title 1 § 405, 6(A).**

**\*\*A. Fowler moved, W. Shorey seconded to come out of Executive Session at 10:41 a.m. Passed by two.** No action was taken.

**BULK RATE FEE:**

Present with the Commissioners was Register of Deeds Deloris Page.

D. Page reported that at this time, she is aware that two of the four counties involved will be appealing the recent court ruling on the matter of MacImage. She explained that the County of Waldo will get a "stay" and the County will be able to still charge the current fees during that stay.

D. Page reported that in 2010 the Registry of Deeds took in about \$62,000.00 in copy fees and \$33,000.00 in Internet revenue. She estimated that this is approximately what the County would lose in matching MacImage's pricing, if that is the outcome. She also stated that the bulk rate will need to be redone.

W. Shorey mentioned that John Simpson of MacImage, during his meeting with the Waldo County Commissioners in January of 2010, had mentioned that the County might lose about \$20,000.00. He wondered if it could be worse and D. Page replied, estimating, that it would likely be at least that and maybe more.

A. Fowler asked where that figure was derived. D. Page responded that she was not sure where Mr. Simpson came up with that figure. A. Fowler said that she believed that there will still be people coming in off the street asking for copies or requesting faxes. D. Page agreed, stating that the information on the Internet only goes back into the 1980's. When asked about the ACS Contract, D. Page explained that there were either two or three years left on the five-year contract.

W. Shorey inquired about the bid process for this service. D. Page said that there might be a clause for renewal in the current contract with ACS, noting that the County has been with ACS for many years. She acknowledged that this could go out to bid and MacImage could bid on this. She stated again that the bulk rate fee will have to change.

W. Shorey stated that he believed that any appeal the counties would make would have to be based on taking exception to various aspects or points of the case.

The Commissioners asked D. Page to keep them informed on the appeals and any other information related to this court case. All acknowledged that the appeals process might take a while.

The Commissioners thanked D. Page for her report.

### **CORRESPONDENCE:**

Present with the Commissioners was Human Resources/Payroll Director Michelle Wadsworth, County Clerk Barbara Arseneau and Deputy County Clerk Veronica Spear to assist with this portion of the minutes. B. Arseneau asked the Commissioners to allow M. Wadsworth to report one item first and the Commissioners agreed.

1. M. Wadsworth stated that she has spoken with the County's representative at MainePERS regarding the status of the retirement study for an employee that had been requested during the February 17, 2011 Commissioners Court Session. The representative stated that information would likely be available by the end of the week.

2. B. Arseneau related the request from Register of Deeds Deloris Page for Deputy Register Stacy Grant to be allowed to carry over 13.5 hours of unused vacation leave through June 30, 2011.

**\*\*A. Fowler moved, W. Shorey seconded to permit Deputy Register of Deeds Stacy Grant to carry over 13.5 hours of unused 2010 vacation leave through June 30, 2011. Passed by two.**

3. Sheriff Scott Story asked B. Arseneau to submit to the Commissioners a letter of resignation from Corrections Corporal Christopher Louriero effective February 28, 2011, with the last day of work being March 12, 2011. The memo noted that Corporal Louriero has worked for the County since March 20, 1993 and will be missed by all.

**\*\*A. Fowler moved, W. Shorey seconded to accept with regret the resignation of Corrections Corporal Christopher Louriero effective February 28, 2011, with the last day of work being March 12, 2011. Passed by two.**

4. Sheriff Story also submitted a resignation from part-time Corrections Officer Ruben Page, effective March 4, 2011.

**\*\*A. Fowler moved, W. Shorey seconded to accept the resignation of part-time Corrections Officer Ruben Page effective March 4, 2011. Passed by two.**

5. Communications Director Owen Smith submitted a request that the following employees be allowed to carry over unused 2010 vacation leave as follows:

- Dispatcher Katie Dakin – 26 hours until June 30, 2011
- Dispatcher Michelle Clement – 35.5 hours until June 30, 2011

O. Smith explained that he has not pushed this issue too hard as the Communications Center has been "grossly short-handed for the last 6 months and remains so as of today."

**\*\*A. Fowler moved, W. Shorey seconded to approve the carry over of unused vacation leave for Katie Dakin in the amount of 26 hours and Michelle Clement in the amount of 35.5 hours through June 30, 2011. Passed by two.**

6. Register of Deed Deloris Page submitted a request for Deputy Register of Deeds Stacy Grant to be allowed to carry over 13.5 hours of unused 2010 vacation through June 30, 2011.

**\*\*A. Fowler moved, W. Shorey seconded to approve the carry over of 13.5 hours of unused 2010 vacation leave for Deputy Register of Deeds Stacy Grant through June 30, 2011. Passed by two.**

7. A tax abatement appeal application has been received from Jason and Ethan Simpson regarding their property on Map 43, Lot 2 in Montville Maine. After a brief review, the County Commissioners instructed the County Clerk to schedule an appeal hearing during their April 12, 2011 Commissioners Court Session, directly after the other Montville abatement appeal hearing that has already been scheduled for that morning.

8. B. Arseneau inquired as to the status of the unpaid loan for former electrician Ray Mansfield. Commissioner Shorey stated that he is still pursuing this but has no update at this time.

9. B. Arseneau informed the Commissioners that with their permission she would like to use some vacation leave in April to do some volunteer ministry work. She would be taking one day per week. The Commissioners approved this leave.

**MINUTES:**

B. Arseneau had submitted to the Commissioners minutes from the following Commissioners Court Sessions: February 8, February 11, February 17, March 1 (morning session) and March 1 (afternoon session) 2011 Waldo County Commissioners Court Sessions, and the February 8, 2011 Tax Abatement Hearing Minutes for Lance Philbrook vs. Town of Montville. Commissioner Fowler stated that she did not have an opportunity to read them. With Commissioner Johnson absent, the minutes could not be approved.

**\*\*W. Shorey moved, A. Fowler seconded to recess for lunch at 12:15 p.m. Passed by two.**

**\*\*W. Shorey moved, A. Fowler seconded to reconvene the court session at 1:29 p.m. Passed by two.**

**\*\*A. Fowler moved, W. Shorey seconded to enter Executive Session at 1:29 p.m. Passed by two.**

**\*\*A. Fowler moved, W. Shorey seconded to come out of Executive Session at 2:14 p.m. Passed by two.** No action was taken.

**OLD BUSINESS:**

The Commissioners did not discuss the tabled discussion of Corrections Request. It will be included on the next regular session's agenda.

**NEXT COURT SESSION:**

The next regularly scheduled Commissioners Court Session is April 12, 2011.

**\*\*A. Fowler moved, W. Shorey seconded to adjourn the Court Session at 2:16 p.m. Passed by two.**

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