

**WALDO COUNTY COMMISSIONERS COURT SESSION  
APRIL 12, 2011**

**PRESENT:** Commissioners William D. Shorey – Chairman and Betty I. Johnson (Commissioner Amy R. Fowler 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 are coming in well. Total anticipated for this time of year is 25% and total received is 32%. Fees are at 40%. Probate Restitution is at 29%.

**APPROPRIATIONS:**

- **COUNTY APPROPRIATIONS REPORT:** 25% of the budget could be expended at this point in the year. D. Parkman pointed out that some budgets are expended higher than anticipated for this time of year. The Commissioners' budget is 38% expended because of dues and liability insurance. The Facilities Management budget is 32% expended. The Treasurer noted that Facilities got the "short end of the stick last year" [holding off on expenditures in order to balance other overdrafts in the 2010 budget] and he did not blame the Facilities Manager for expending it earlier this year. The Communications Center is 58% expended in the Part-time line. In the Sheriff's budget, the Full-time line is 28% expended. Regarding the wages that have been agreed upon in the Deputies' union contract, D. Parkman felt that the money to pay those wages should be coming out of the Sheriff's budget, even if that line is overdrawn because the contract wasn't settled in time to budget accordingly. He said he did not know how much the Sheriff might be able to shift around in the rest of his budget to cover that expenditure, but acknowledged that if it is in the red, other budgets may be able to compensate. He said that the Sheriff has been very, very good over the years and does a good job not going over budget very often. W. Shorey acknowledged this but stated that he did not believe this could be the case this year due to increased fuel costs, etc. There was brief discussion regarding the possible necessity of and appropriateness of using reserve funds if there wasn't enough funding in the operating budget. The Treasurer acknowledged the fuel situation was going to be a problem. W. Shorey noted that the price went up early this year and so this budget line was being expended quicker than anticipated. B. Johnson agreed with the Treasurer to wait and see how the budget is expended before making any decisions.

The Treasurer noted that the Communications Center does the best it can with the Part-time line and he noted that the Budget Committee did finally increase that line during the budget process. He expressed his appreciation for when the Budget Committee funds things in a way that reflects the actual costs.

W. Shorey made an observation that the Budget Committee doesn't always understand how random reduction in the County budget affects things for that year.

D. Parkman complimented the Judge of Probate for the Restitution she established. W. Shorey said he sat in on a court session with the Judge and said she has done more than she gets credit for. B.

Johnson said she also sat in on a court session and observed that the Judge has set up a program and just that day alone saved thousands of dollars.

D. Parkman stated that several years ago, he had seen the Court Appointments budget line being overdrawn and D. Parkman had recommended that this line be increased. At that time the Judge said she felt she could live within those bounds, and then she established the Restitution Program. D. Parkman said that these expenditures have leveled off since. It was explained to the Judge that the accounting was not a double-entry system and the restitution could not be put back in that line and the Treasurer has made a point to note the income from restitution since then.

- **CORRECTIONS APPROPRIATIONS REPORT:**

D. Parkman said that the County had a six-month audit and the auditor said in order to make the Corrections budget be “in the black,” 1.4% of anticipated taxes was included in that audit at the end of last year. The BOC now is saying that any fund balance should be transferred over to them to make decisions on where that money will be spent. D. Parkman said it made sense to use money at the beginning of the year rather than borrowing it from the Jail T.A.N. He did not want to put anticipated money in that figure, because it was not really there.

K. Trussell reminded the Commissioners that money would need to be moved from the Jail fund balance into the appropriate account for that portion of the new building that would be used by Corrections. W. Shorey said he hoped that there would still be some funding leftover. He noted that the building needs in relation to Corrections use have been identified and he estimated approximately \$100,000.00 that would impact the Jail during the construction of the new building – wiring and paving, etc. to tie the buildings together, and during the May regular court session, this funding would need to be moved for that purpose.

D. Parkman reported that over \$200,000.00 was used for the Re-entry center mission change. \$106,000.00 was able to be recouped that had been borrowed from the County funds for that purpose.

**RESERVES:**

D. Parkman reported that \$338,633.43 was moved from the Corrections fund balance to the Future Land and Buildings Reserve. D. Parkman asked when the Commissioners were opening bids for the new EOC/Sheriff Building and was told it would be on April 19, 2011 with a possible contract signing on April 26, 2011. The bids will require careful review.

**WARRANTS:**

D. Parkman read specific payments from the Reserve accounts, which are included in the warrant figures below.

**\*\*W. Shorey moved, B. Johnson seconded to authorize payment of the March 31, 2011 General Fund Accounts Payable warrant and the March 17 and 31, 2011 Payrolls in the amount of \$241,728.66. Passed by two.**

**\*\*W. Shorey moved, B. Johnson seconded to authorize payment of the March 31, 2011 Capital/Active/Restricted Reserve warrant and the March 17 and 31, 2011 Payrolls in the amount of \$41,129.53. Passed by two.**

**\*\*W. Shorey moved, B. Johnson seconded to authorize payment of the March 31, 2011 Reentry Accounts Payable warrant and the March 17 and 31, 2011 Payrolls in the amount of \$528,134.23. Passed by two. (This was later corrected as follows):**

**\*\*B. Johnson moved, W. Shorey seconded to correct the amount in the previous motion from \$528,134.23 to \$529,134.23. Passed by two.**

**\*\*W. Shorey moved, B. Johnson seconded to authorize payment of the March 31, 2011 MCRRC Restricted Reserve warrant in the amount of \$2,847.27. Passed by two.**

**\*\*W. Shorey moved, B. Johnson seconded to authorize payment of the April 12, 2011 General Fund Accounts Payable warrant in the amount of \$114,844.60. Passed by two.**

**\*\*W. Shorey moved, B. Johnson seconded to authorize payment of the April 12, 2011 Active/Restricted warrant in the amount of \$11,533.66. Passed by two.**

**\*\*W. Shorey moved, B. Johnson seconded to authorize payment of the April 12, 2011 Reentry Accounts Payable warrant in the amount of \$89,935.66. Passed by two.**

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

#### **PAY SCALE DISCUSSION:**

The Treasurer stated that he did not want to change anything on his pay scale and said he would go along with any COLA the Commissioners requested. The Treasurer also stated that Deputy Treasurer is happy with her current pay scale but requested occasional COLA's to keep it moving forward.

The Commissioners said they were listening to all parties regarding pay scales. W. Shorey said when budgets were being presented, they would see how the pay was looking at that time. He believed that there was no way to present a county budget any less than about 4 to 5% higher than the previous year because the budgets have been held down for so long.

D. Parkman said that the benefits package has been set up by the Commissioners, and that in the past, the Commissioners dealt with the pay for employees, not the Budget Committee. But when the Budget Committee started asking questions about the benefits package, D. Parkman said he remembered being very frustrated. He noticed that unions were formed shortly thereafter.

#### **PAY STEP INCREASE:**

D. Parkman requested a pay step increase for Deputy Treasurer Karen Trussell for the eight-year step effective April 14, 2011 with an increase annually from \$40,496.28 to \$41,224.28, or a bi-weekly increase from \$1,557.55 to \$1,585.55.

**\*\*B. Johnson moved, W. Shorey seconded to approve the pay increase as for Deputy Karen for completion of the eight-year step to \$41,224.28 annually effective April 14, 2011. Passed by two.**

W. Shorey commended the Treasurer's Office and Sheriff's Office for working hard with the Commissioners in finding money for the new building.

D. Parkman commented that his experience has been that all the Department Heads are excellent to work with, noting that even back when Randy Mailloux was Judge, he did a lot of additional work on

the courtroom. He stated that the Facilities Manager also was excellent to work with on building projects.

#### **EXECUTIVE SESSION:**

**\*\*B. Johnson moved, W. Shorey seconded to enter Executive Session for discussion of condition/use of publicly held property as permitted by M.R.S.A. Title 1 § 405 – 6(C) at 9:44 a.m. Passed by two.**

**\*\*B. Johnson moved, W. Shorey seconded to come out of Executive Session at 10:06 a.m. Passed by two.**

**\*\*B. Johnson moved, W. Shorey seconded to direct the Facilities Manager to respond to an inquiry asking for clarification of the Belfast Airport lines. Passed by two.**

**\*\*B. Johnson moved, W. Shorey seconded to direct the County Clerk to respond to the inquiry received from the City of Belfast Manager. Passed by two.**

#### **HIRE OF TEMPORARY PLANNER AND FRANKLIN STREET AND COUNTY PROPERTY LINE DISCUSSION:**

Present for this discussion was EMA Director Dale Rowley.

1. Contracted Temporary Planner Position: D. Rowley inquired of the Commissioners whether this position should start in June or July and noted that it would be a 1099 position. W. Shorey responded that either month was fine – whichever was best. D. Rowley asked if this needed to be advertised and was told that since the qualifications were so specific, this could be offered to the individual who was known to already possess these qualifications as a “sole source.”

2. Franklin Street Extension: D. Rowley reported that originally Belfast planned on laying out the street and it was actually property owned by the county. The City paid for and built up to up to the Rak property, but never paid for or took the rest of it. Because the County was never paid damages and nothing was ever built, that extension does not really exist. It is technically County Property and is also wet land. D. Rowley believed that there should be a new deed and property lines drawn up. He also recommended that because this is wetland, a covenant be added that does not permit any building on that stretch of land. He asked if this could be moved ahead. The County’s current deed is for 7 acres. W. Shorey agreed that this should be cleaned up and clearly defined. D. Rowley believed this would also be agreeable to the neighbors because it would clarify that this section of land would not be built on. D. Rowley said he has spoken with the City Planner, who is not taking any position on this, but who recommended that the County work with an attorney to have a new deed drafted that clarifies the boundary lines of the property. The covenant will protect the wetland.

**\*\*B. Johnson moved, W. Shorey seconded to permit the EMA Director and County Clerk to work with an attorney and the surveyors to clean up this deed and add a covenant to this piece that would protect it from being developed in the future. Passed by two.**

3. The Commissioners discussed the need to schedule a commissioners' court session after the EOC/Sheriff’s building bids are opened on April 19, 2011. The Commissioners tentatively selected May 3, 2011 at the request of D. Rowley.

4. D. Rowley inquired about the Commissioners' policy on County employees living outside of Waldo County. The Commissioners stated that the policy allows an employee to live within five miles of the County line.

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

(There was informal discussion between the Commissioners and Montville Selectmen regarding the tax abatement process in general, and whether or not the Simpson case should be heard, particularly since Commissioner Fowler had been contacted about this property a few years ago, came out and viewed it and stated that she didn't think there was a case. They acknowledged that this was a new, separate abatement appeal but were still questioning the process. W. Shorey described the Commissioners' appeal hearings as "rather a layman's process.")

### **CORRESPONDENCE:**

Present with the Commissioners was County Clerk Barbara Arseneau and Deputy County Clerk Veronica Spear to take this portion of the minutes.

1. MEMO TO BOC: Briefly discussed by the Commissioners was a copy of a memo sent from the presidents of the Maine County Commissioners Association, the Maine Sheriff's Association, the Maine Jail Administrators Association and the Maine Association of County Clerks, Administrators and Managers to the Members of the Board of Corrections expressing concerns about recent actions and inactions of the Board of Corrections, particularly related to budget funding.
2. APPOINTMENT TO MIDCOAST ECONOMIC DEVELOPMENT DISTRICT (MCEDD): Commissioner Fowler received an E-mail from Roger Moody of Knox County inquiring about getting someone appointed to fill a slot for Waldo County on the Transitional Executive Committee – perhaps the Waldo County Commissioners could appoint a Waldo County resident or a Waldo County Commissioner to do this. The Commissioners decided to hold off discussion on this until the April 19, 2011 Commissioners Court Session when Commissioner Fowler could be present.
3. B. Arseneau informed the Commissioners that the memo from the Commissioners to the Waldo County Legislators regarding the recent court decision on the matter of MacImage of Maine and the potential impact to the County of Waldo was sent out April 5, 2011.
4. An E-mail communication was received from Jennifer Carter of "localbizspotlight" asking if the County of Waldo website could be added to their site as a link. Commissioner Fowler had sent an E-mail response indicating that she would defer to the "Technology People" on this. B. Johnson stated that she was not in favor of allowing this link. W. Shorey agreed.  
**\*\*B. Johnson moved, W. Shorey seconded not to permit a link with "localbizspotlight" web site and the County of Waldo official web site. Unanimous.**
5. The Commissioners briefly commented on a well-written article in Village Soup reporting on the role of dispatchers in the Communications Center.
6. MMA Course on Board of Assessment Review: B. Arseneau reminded the Commissioners that she has registered Commissioners Shorey and Fowler as well as herself for the Board of Assessment Review course offered by Maine Municipal Association on May 12, 2011.

7. B. Arseneau informed the Commissioners that the County is having email issues with Outlook, that the County cannot use email today and it may be “down” periodically over the next few days until the problem is resolved. One of the County PCs appears to be causing the issue and it needs to be isolated.

8. Communications Director Owen Smith sent a memo informing the Commissioners that he has started up another weight-loss contest with 14 employees participating. The rules are the same as last time with the exception that the 1st place winner will be awarded 60% of the money and the 2<sup>nd</sup> place winner will be awarded 40%. Entry is \$10.00 per person.

9. The Town of Jackson has been doing extensive research on Sullivan Road and Selectman John Work sent copies of this road research to the County Commissioners Office with a request that the County please file it with other road records. After brief discussion that the Town was simply making sure there was a second location for these documents to be found, the Commissioners had no objection to filing it a copy in the Commissioners Office.

**APPROVAL OF MINUTES:**

B. Arseneau reminded the Commissioners that she had submitted to them draft minutes from the March 21, 2011 Commissioners Court Session. The Commissioners tabled making a decision until they meet during a special Court Session scheduled on April 19, 2011.

**MISCELLANEOUS COMMISSIONERS BUSINESS:**

1. Old Business - Tabled Corrections Request:

The Commissioners did not discuss the tabled discussion of Corrections Request. It will be included on the next regular session’s agenda when Commissioner Fowler can be present.

**NEXT COURT SESSION:**

The next scheduled Commissioners Court Session is a special Session scheduled on April 19, 2011.

**\*\*B. Johnson moved, W. Shorey seconded to adjourn the Court Session at 11:39 a.m. Passed by two.**

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