

**WALDO COUNTY COMMISSIONERS COURT SESSION  
MAY 10, 2011**

**PRESENT:** Commissioners William D. Shorey – Chairman, Amy R. Fowler and Betty I. Johnson. 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.

**EOC/SHERIFF'S BUILDING CONTRACT UPDATE:**

Commissioner Shorey updated the Commissioners on the contract that was signed April 26<sup>th</sup> between PM Construction and the County of Waldo to build the new EOC/Sheriff's building. Ground will likely be broken around the third week of May.

**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:

**REVENUE:**

Projected receipt of revenue is about 33% at this point in the year and the County has received 44% so far.

**APPROPRIATIONS:**

- **COUNTY APPROPRIATIONS REPORT:** Expenditures are expected at about 33% and overall the budget is 37% expended. D. Parkman reported the percentage of expenditure on the following individual departments: EMA - 35% expended, Commissioners' budget - 44% expended (noting that this budget usually evens out the second half of the year), Treasurer's budget - 35% expended, Deeds budget - 33% expended, Probate budget - 31%, Sheriff's budget - 33% expended (noting that this was commendable in view of the fuel costs and increase in salaries after settling the union contract), Employee Benefits - 32% expended. D. Parkman reported that this is the first week that the County has had to borrow money from the T.A.N. Last year the County went until the second week of April before borrowing from the T.A.N., which was a marked improvement over previous years. A. Fowler commended Treasurer Parkman and the Commissioners for excellent fiscal management.
- **CORRECTIONS APPROPRIATIONS REPORT:**  
The Corrections expenditures are projected at 83% at this point in the year but is 79% expended.

**RESERVES:**

\$1,482,000.00 remains in the Reserve accounts at this point.

**WARRANTS:**

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

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the April 29, 2011 General Fund Accounts Payable warrant and the April 6, 14 and 28, 2011 Payrolls in the amount of \$258,693.10. Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to authorize payment of the April 29, 2011 Capital/Active/Restricted Reserve warrant in the amount of \$18,120.88. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the April 29, 2011 Reentry Accounts Payable warrant and the April 14 and 28, 2011 Payrolls in the amount of \$923,493.10. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the April 29, 2011 Maine Coastal Regional Reentry Center (MCRRC) Restricted Reserve warrant in the amount of \$873.62. Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to authorize payment of the May 10, 2011 General Fund Accounts Payable warrant in the amount of \$45,460.78. Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to authorize payment of the May 10, 2011 Active/Restricted warrant in the amount of \$8,026.08. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the May 10, 2011 Reentry Accounts Payable warrant in the amount of \$62,719.73 Unanimous.**

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

#### **BOC LEGISLATION – 1419:**

D. Parkman reported that he attended a recent Islesboro Town Meeting. He remarked that the reception this year was good and he was allowed to speak for a few minutes.

A. Fowler reported that she and D. Parkman have been working on L.D. 1419. They have met with the Governor and Commissioner Ponte on this L.D. and both she and Treasurer Parkman have testified. At the workshop last Friday, they spoke in front of the Criminal Justice Committee and the Corrections Working Group. The Governor's legal counsel even agreed with their testimony. At the 11<sup>th</sup> hour, Representative Haskell was permitted to submit amendments. Basically, this representative is saying, "Take all your capped funds and send it into the State and the State will pay the bills." A. Fowler noted that there have already been issues with the State not paying the Jail bills properly, so this amendment was not well received. A. Fowler explained that up to the point these amendments were put into the mix, the proposed legislation had a solid vote to pass, and these amendments "really threw a monkey wrench." She noted that there will be another meeting again this week on this matter.

A. Fowler also reported that Kennebec County has been moving toward changing its Jail to a drug rehabilitation Center. The idea is not to cost the consolidated system any money but, she noted, unfortunately, this has not been the case. County Administrator Bob Devlin submitted an amendment for the State to pay the larger corrections institutions before the "flagship" Jails. A. Fowler predicted that this is "not going to fly" but cautioned that it is also in Representative Haskell's amendments. She stated that she understood Kennebec is trying to save its facility, but it needs to work for the whole system.

D. Parkman recalled the meeting last July in which the BOC met with Waldo County, as arranged by Senator Carole Weston. He had asked what money was left at the end of the year and recalled that it was “in the black” because the BOC had not paid a number of the Jail expenditures at that point. He added that this only lasted until July 5<sup>th</sup>, and then it would be “in the red” immediately after because the bills were finally being paid.

A. Fowler explained that Commissioners statewide are taking a stand on this issue. She recommended that the Waldo County Commissioners vote to oppose Representative Haskell’s amendments. A. Fowler stated that she will be meeting with the presidents of the Maine Association of County Clerks, Administrators and Managers, Maine Sheriff’s Association and Jail Administrators’ Association at 1:00 p.m. today.

D. Parkman spoke on the subject of who should be serving on the BOC, and stated that the MCCA had discussed compromising down to four county representatives and one person from the public domain. He explained that Representative Haskell has cut it down to three, which would put counties in the minority on that board.

After brief discussion, the County Commissioners voted as follows:

**\*\*B. Johnson moved, A. Fowler seconded to strongly oppose the amendments from Representative Haskell on L.D. 1419. Unanimous.**

**RECONVENED DELIBERATIONS FOR TAX ABATEMENT APPEAL PET. #352 LANCE PHILBROOK VS TOWN OF MONTVILLE:** (Please see separate minutes for this portion of the meeting.)

After this reconvened deliberation session, W. Shorey noted that during the previous reconvened hearing on April 12, 2011, the Montville Selectmen had asked if they could bring a State Assessor with them to a future case that would be heard by the Waldo County Commissioners. W. Shorey had responded that the Selectmen could bring a State Assessor with them or anyone else they wished to bring. The Commissioners would listen to the case at that time and make a decision based on the facts brought before them.

#### **FACILITIES MANAGEMENT REPORT:**

1. FIRE ALARM BIDS: K. Nealley reminded the Commissioners that there are currently no fire alarms in either the District or Superior Courthouses. Earlier this year the State had performed an evacuation drill along with the County offices in that building. The result is that the State is willing to assist the County in funding fire alarm systems in both courthouses. Bids for fire alarm systems were requested and have been received as follows:

Simplex Grinell: Total price - \$49,815.00, which is for both buildings. (It was not broken down as requested. Further clarification and breakdown will be needed.)

Eastern Fire Services: District Courthouse: \$16,763.00. Superior Courthouse: \$34,498.00. Monthly monitoring: \$25.00 for each building. Annual Testing and Cleaning: \$300.00 for each building.

Seacoast Security: District Courthouse: \$21,600.00. Superior Courthouse: \$45,000.00. Monthly monitoring: \$29.00 per building. They have a contract for annual testing and smoke alarm system: \$58.12 per month or \$696.00 for District Courthouse and \$792.00 for Superior Courthouse per year.

W. Shorey asked if K. Nealley would be comfortable obtaining a breakdown from Simplex Grinell. K. Nealley agreed that he would not want to exclude this bid for consideration simply because it wasn't broken out.

K. Nealley reminded the Commissioners that the State has agreed to pay half of the total cost and the County will pay the other half of this project.

It was noted that Simplex Grinell is the apparent low bidder. W. Shorey suggested giving K. Nealley authority to make the decision.

**\*\*W. Shorey moved, A. Fowler seconded to authorize K. Nealley to review the bids, obtain more information from Simplex Grinell and to make a decision on who would be awarded the bid. Unanimous.**

2. The State has also offered to pay half the cost to carpet the Judge's Chamber in the District Courthouse and the courtroom. K. Nealley has obtained an estimate of approximately \$5,000.00, the Counties share would be \$2,500.00, but he stated that he would like to get another estimate if possible.

**\*\*W. Shorey moved, B. Johnson seconded to authorize K. Nealley to award a bid to the company he believed would be the best for this carpeting project. Unanimous.**

3. Roofing on Extension Building Office: K. Nealley briefly discussed the need to do this roof, and noted that the money would likely need to be from the Facilities All Other Reserve. He had learned that the University could fund as much as \$5,000.00 of this project. After brief discussion of needing to go out for competitive bidding, the Commissioners agreed for K. Nealley to obtain competitive bids and the need for this project to be done before this coming winter. It was noted that this roofing project was cut out of the 2011 budget to try and keep the budget down.

4. Superior Courthouse Downstairs bathroom: K. Nealley reported a problem with the bathroom located in the lower Deeds level of the Superior Courthouse. It is connected to a water fountain upstairs. This winter, it plugged up, the sewage backed up and K. Nealley had to shut it down. The rug had to be cleaned three times before the problem was figured out. It was discovered that the tile pipe is broken. He has received an estimate of \$3,300.00 to dig up the sidewalk, fix the pipe, etc. A. Fowler asked if this bathroom was necessary. It was explained that there is a men's and ladies' room on the first floor but during court, grand jury, etc., those are perpetually full. K. Nealley said he would get two comparative bids and get it back to the Commissioners as soon as possible.

5. Needs Assessment: K. Nealley apprised the Commissioners regarding the needs study being performed by Winton Scott on offices in both District and Superior Courthouses. The total commitment was \$25,000.00 and the County will be paying \$12,500.00. The contract has come through and can be signed.

**\*\*B. Johnson, A. Fowler seconded to authorize Commissioner Shorey to sign the Memorandum of Understanding between Waldo County and Maine Judicial Branch.** Commissioner Shorey signed on behalf of the Commissioners and the County Clerk notarized it.

6. DOOR DECALS: Deputy County Clerk Veronica Spear reported to the Commissioners that, as requested several months ago, she had researched changing the logo on the Commissioners' Office doors. It will cost about \$42.00 each for an 11" circle for each door. There will need to be one smaller one for the hallway door leading to both Probate and the Commissioners Office, at an additional cost.

The Commissioners also requested that the doors be identified as the Commissioners and Treasurer's Offices.

**\*\*B. Johnson moved, A. Fowler seconded to the Deputy County Clerk allow purchase of decals with the wording "Commissioners and Treasurer's Offices." Unanimous.**

#### **EMA REPORT:**

Present for this report was EMA Director Dale Rowley with the following:

1. D. Rowley has met with PM Construction and also will be meeting with Technology Consultant James Arseneau regarding the existing buried radio and phone line system.
2. D. Rowley submitted an invoice for the air quality test that was performed in the existing jail. The Commissioners discussed this and agreed that the \$700.83 invoice should be paid from the current Corrections budget.
3. D. Rowley reported that brand new radio repeaters have been installed at Searsport and Winterport and are "all in, up and running." He explained that these towns are currently still transmitting in wide-band, but in a year from now, they will have to switch to narrow-band. The good news is they are wired for both – all that needs to be done is to turn the channel to Channel Two and they will be on narrow-band.
4. Evacuation signs: The Bangor Daily News interviewed D. Rowley and several other County EMA Directors because the State received "Tsunami money" for evacuation signs. These signs will be used for evacuations during hurricanes, as well. It will route people toward Bangor to get them away from the coast and also from Belfast, it will route people west and inland. These two roads can handle this type of traffic. This will move locals and tourists, especially, away from the coast and more inland. Residents know to take Route 7 and other routes to evacuate, but the signs will make it clear for tourists. The State coordinated with the County but didn't let them know when signs would put up. After a little confusion, State did a "media blitz" explaining the signs.
5. Search and Rescue Exercise: August 13, 2011 Mt. View School Complex (cafeteria and parking lot) will serve as the location for a Waldo County search and rescue exercise. This will put search and rescue teams out in the field, but will not include Game Wardens because they will be searching for "stuff, not people." About 65 people are planning to participate. B. Arseneau asked if the EOC will be serving and was told not during this particular exercise.
6. Maine Municipal Association has a poster describing municipal government, which D. Rowley used as a template for drafting a poster for a poster depicting the services of County Government. B. Johnson offered to meet with D. Rowley to work on this further. The Commissioners were very pleased with this poster and requested that the finished product be reduced to a page-size, as well, in order to be included in the 2010 Annual Report. This also could be sent to each Town Office and each school. D. Rowley suggested that the Technical School might be able to take it and make the graphics better and each department could word-smith it, but eventually the MCCA could use it to send out for each of the counties to adapt and use.

#### **EXECUTIVE SESSIONS:**

**\*\*W. Shorey moved, A. Fowler seconded to enter Executive Session at 10:49 a.m. for discussion of use of publicly-owned real property as permitted by M.R.S.A. Title 1, § 405, 6(C). Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to exit Executive Session at 11:01 a.m. Unanimous.** No action was taken at this time.

**\*\*B. Johnson moved, A. Fowler seconded to enter Executive Session at 11:02 a.m. for discussion of employment & compensation as permitted by M.R.S.A. Title 1 § 405 6(A). Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to exit Executive Session at 11:24 a.m. Unanimous.**

The following actions were taken:

**\*\*B. Johnson moved, A. Fowler seconded to change the name of the Severance Reserve to Severance/Assistance Reserve. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to move \$10,000.00 from undesignated funds to the Severance/Assistance Reserve. Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to grant the request for an eligible employee to be enrolled in Special Plan 2C starting July 1, 2011. Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to enter Executive Session for Title 1 405 6(A) to for the purpose of discussing personnel matters related to confidential leave at 11:28 a.m. Unanimous.**

**\*B. Johnson moved, A. Fowler seconded to exit Executive Session at 12:05 p.m.** No action was taken.

#### **CORRESPONDENCE:**

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

1. A request for a Tax Abatement Appeal was filed with the Commissioners and received on April 14, 2011 from Mr. Peter Walker. The Commissioners briefly reviewed the request for compliance with the dates to file such appeals, agreed to hold a hearing on June 14, 2011 and instructed the Clerk to send out the notice to both parties.

2. B. Arseneau asked if the Commissioners had reviewed the job description drafted by Human Resources/Payroll Director Michelle Wadsworth for the Temporary Office Assistant for the Commissioners Office to fill in during a planned leave this fall. The Commissioners approved the job description.

3. B. Arseneau informed the Commissioners that a survey has been circulating among the Managers, Administrators and Clerks asking which counties were going to budget to fund orthomagery (aerial photographs.) It appears that the price cost is lower the more counties are involved and so the counties are trying to get a sense of what the cost will be to each of the counties. The Commissioners asked B. Arseneau to provide them with a little more information before they could make a decision on this matter.

4. Jim Dittmeier, President of the Waldo County Chiefs, sent an invitation to the Commissioners to attend their next meeting in Brooks on July 26, 2011 at 6:30 p.m. He asked for confirmation of attendance. The Commissioners asked B. Arseneau to scan the invitation and send it to them.
5. The Commissioners noted pay step increases for the following employees:
  - Dispatcher Misty Lewis received a 12-year pay step for a rate increase of \$19.51 to \$20.34 per hour effective May 1, 2011.
  - Dispatcher Elena Donovan will receive a two-year pay step increase from \$16.63 to \$17.20 per hour effective May 17, 2011.
  - Deputy Register of Probate Judith Nealley received an eight-year pay step increase to \$18.80 per hour effective April 21, 2011.
  - Part-time Deputy Christopher Ross completed field training March 10, 2011 and should receive a pay increase from \$14.09 to \$17.70 per hour effective on that day.
  - Lt. Jason Trundy will receive a sixteen-year pay step increase from \$22.77 to \$23.11 per hour effective May 15, 2011.

#### **APPROVAL OF MINUTES:**

**\*\*B. Johnson moved, A. Fowler seconded to approve the April 11, 2011 Waldo County Commissioners Court Session. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to approve the minutes from the April 12, 2011 Waldo County Commissioners Court Session. Unanimous.**

The Commissioners stated that they wished to have more time to review the minutes from Tax Abatement Appeal Hearing Pet. #353 S. Bennett vs. the Town of Brooks before approving them. This was tabled to a future court session.

#### **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.

2. A. Fowler reported that Waldo County's display at the Hall of Flags on April 28, 2011 was a huge success with a beautiful display, etc. Jail Administrator Robert Walker and Michael Tausek of V.O.A. did an outstanding job. A. Fowler noted that even though Deputy County Clerk Veronica Spear had not been able to attend due to a family emergency, this event would not have been the success it was without all preliminary work V. Spear had done in preparing, ordering supplies, etc. A. Fowler expressed how proud she was of Waldo County.

3. PROBATE SECURITY:

W. Shorey informed the Commissioners that he had met with Judge Longley, Register of Probate Sharon Peavey, Officer Greg Morse and County Clerk Barbara Arseneau to discuss arrangements for security for one Probate Court session each month. It has been decided that it will be arranged for the first Wednesday of the month, starting in either June or July. A. Fowler asked how this would be funded and was told that the Deputy Treasurer had examined the Detail Reserve and it was believed that this was an appropriate expense from this reserve for 2011. Starting in 2012, this expenditure will be funded in the Probate budget.

**\*\*A. Fowler moved, B. Johnson seconded to fund security for the Probate Court once per month via the Detail Account starting June 1, 2011 through December 2011, and will be funded as a Probate budget line item starting in 2012. Unanimous.**

(A. Fowler had to leave at 12:20 p.m.)

4. Judge Longley has asked B. Johnson to meet with her and assist her in developing some kind of computer program ideas to incorporate forms, etc.

5. B. Johnson said she enjoyed and learned a lot from attending the Maine Preparedness Conference and brought back a publication entitled, "Communicating in a Crisis: Risk Communication Guidelines for Public Officials.

6. B. Johnson reported that she attended the Brown Bag Luncheon on transportation issues and input and there will be another meeting later in May for more input. Waldo CAP currently has volunteers doing driving with reimbursement for mileage. This aspect of the program will be cut and there will be a big impact to the arrangement. Part of this is that there will have to be advance notice of rides needed, which is difficult and problematic. She told WCAP she would bring these issues back to the County Commissioners and keep them informed, and the Commissioners would try to keep the public aware of these issues. B. Johnson also mentioned that she was invited to present a Good Will Industries award to a student for her achievements.

7. B. Johnson stated that she will be attending the next meeting of the MCEDD serving on the Transitional Executive Committee. W. Shorey asked for Commissioner Johnson to occasionally request time to report on these meetings she attends. B. Johnson stated that she thought this was what she was doing now during Miscellaneous Business.

8. W. Shorey reported that strawberries have been planted in the Waldo County Garden. B. Johnson noted that there will be a booklet developed for what is available in relation to the Healthy Waldo County and possibly the Waldo County Garden Project. She asked Commissioner Shorey for information to take back. W. Shorey said he would provide specifics to Commissioner Johnson and he encouraged people to call regarding distribution of the produce. He would provide a phone number and make it public. W. Shorey said that they are reaching out to other counties to possibly send inmates to do work in the Waldo County Garden as part of expanding this project. B. Johnson asked for a list of pantries and food kitchens who have utilized distributions from the County garden and W. Shorey said he had a list he would be happy to provide her.

9. B. Johnson said she has been asked if there are any employee health initiative programs and the only one that came to mind was Athena Health, but perhaps there are others – perhaps a smaller business that has an initiative for healthy employees. W. Shorey said that at the Water District, over the years, they paid for YMCA memberships, which was really popular and was occasionally reviewed to see if people were using it. It kind of "dwindled down" after a while. B. Arseneau mentioned that through the Sheriff's Office, there is a reduced fee for annual gym membership at Bay Area Fitness Gym on Route 1. It was also noted that the County Communications Director has organized several weight-loss contests and one is currently going on right now.

**\*\*B. Johnson moved, W. Shorey seconded to adjourn the Court Session at 12:44 p.m. Passed by two.**

Respectfully submitted by Barbara L. Arseneau  
Waldo County Clerk