

**WALDO COUNTY COMMISSIONERS COURT SESSION
(SPECIAL SESSION)
JUNE 9, 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 1:09 p.m.

MINUTES APPROVED:

****A. Fowler moved, W. Shorey seconded to approve the minutes from the March 8, 2011 Tax Abatement Appeal Hearing Pet. #353 for Sirena Bennett vs. the Town of Brooks. Passed by two, with B. Johnson abstaining.**

****B. Johnson moved, A. Fowler seconded to approve the minutes from the April 19, 2011 Special Commissioners Court Session. Unanimous.**

****A. Fowler moved, B. Johnson seconded to approve the minutes from the April 26, 2011 Special Commissioners Court Session. Unanimous.**

****B. Johnson moved, A. Fowler seconded to approve the minutes from the May 10, 2011 Commissioners Court Session. Unanimous.**

****B. Johnson moved, W. Shorey seconded to approve the minutes from the May 10, 2011 Reconvened Tax Abatement Deliberations for Pet. #352 Lance Philbrook vs. the Town of Montville. Passed by two with A. Fowler abstaining.**

Regarding tax abatement appeal hearings, W. Shorey asked the opinion of the other two Commissioners whether they wished to hold separate discussions at a future meeting for the next tax abatement hearing that is scheduled on June 14, 2011. He was referring to MMA course in which it was done either way “about 50/50” to either hold discussions the same day or just hear the case and then discuss it later. It was agreed that the Commissioners would decide this on a case-by-case basis; if it was a complex case, the Commissioners may consider holding deliberations at a future meeting so that they would have time to think about it more.

REVIEW AND DISCUSSION OF PROPOSED UPDATED PERSONNEL POLICY:

Present with the Commissioners was Human Resources/Payroll Director Michelle Wadsworth and County Clerk Barbara Arseneau.

W. Shorey wondered if the approach to reviewing this document might be to go where the policy tabs were, as he believed that was where the new items and biggest changes were. M. Wadsworth noted that there were new items in the pages before the tabs. The Commissioners believed that most of that was “boiler plate” and all acknowledged that they had seen an earlier draft and were relatively current with the review process.

B. Johnson inquired about the review of the final draft by the Department Heads and was told by M. Wadsworth and B. Arseneau that the Department Heads found very few changes that needed to be made; mostly grammatical.

Specific items discussed by the Commissioners:

1. Hiring Process – B. Johnson said she had already reviewed this in a previous draft and recalled that this started being discussed as early as January of 2011. No changes or comments at this time.
2. Leave Policy – There was brief discussion on the fact that this section in particular was reviewed by an attorney. There were a lot of changes in this and this is why it is a separate section, as there are future changes that may occur.
3. Technology Policy – A. Fowler asked why the Human Resources Director was removed in so many places. W. Shorey explained that the Sheriff in particular, and other department heads had also agreed that they didn't want to be "micromanaged." B. Arseneau and M. Wadsworth confirmed that this was the issue. A. Fowler and B. Johnson expressed concern over the lack of checks-and-balances in the event a department head chose not to take care of the issue. A. Fowler noted that the current department heads are extremely conscientious and do an excellent job dealing with technology issues, but there could be problems in the future. W. Shorey said he had thought there would be much more discussion on the part of the Department Heads regarding the policy in general, but he had been surprised to see that other than this particular issue of not wanting the Human Resources department involved early on, the group had been ready to move the policy forward.

There was discussion on keeping the Commissioners out of the loop until it became a disciplinary matter that had to come before them. The Commissioners discussed and agreed that it was not right to expect the Technology Consultant, which is an outside contractor position and not a County employee, to serve as the "check-and-balances", but rather it should be an internal checks and balances. Both A. Fowler and B. Johnson expressed that it was logical for the Human Resources/Payroll Director to service in this capacity.

****B. Johnson moved, A. Fowler seconded to change on page one of the Technology Policy the sixth paragraph to add the Human Resources Department back in first sentence and also to reinsert it in the last sentence in that paragraph. Unanimous.**

****A. Fowler moved, B. Johnson seconded to strike the last sentence on page one of the Technology Policy in paragraph seven, as it appeared to be redundant. Unanimous.**

4. Security Policy: No comments or changes at this time.
5. Volunteer Firefighter/EMT policy: No comments or changes at this time.
6. Recycling policy: There was brief discussion on the fact that the County has been recycling for several years, but there has been no actual written policy, so now there will be one.
7. Generic Transitional Training Program: This has been in place since 2004, but this was not included in the Personnel Policy. It was agreed that it should be.
8. Bereavement: There was discussion on the timeframe in which the 40 hours per incident could be utilized. There was brief discussion on whether it should expire after one year or not. There was lengthy discussion on how this would be tracked. It was decided not to spell out a time limit on each incident for using the 40 hours in this policy and that any special circumstances necessitating unused

bereavement to be saved for a future burial, etc. would undoubtedly be documented in the employee's file by the Department Head and Human Resources Director.

9. Workers' Compensation Policy: The Commissioners had discussed this briefly during a recent court session and had asked B. Arseneau to poll the other Maine counties regarding the following:

- Do any of the counties pay the regular salary while an employee was out on workers' comp leave;
- If so, do they pay full-time employees and part-time employees and;
- If so, do they require the employee to turn over their workers' comp checks to the County of Waldo; and
- If so, for how long?

This poll revealed, out of those counties responding, that only Hancock County pays both full and part-time employees for work related injuries their regular pay while out on workers' compensation for 90 days.

B. Johnson explained that workers' compensation checks paid to the employee are not taxable and therefore, do not have to be claimed. When the County pays the regular pay check, it is taxable. She suggested that employees would be much better off if they just receiving the workers' compensation check and not a regular paycheck from the County.

W. Shorey inquired about how much of the employee's regular paycheck was paid by workers' compensation. B. Johnson responded that it is two-thirds, but that the two-thirds is non-taxable.

M. Wadsworth explained that either way, there is the additional cost to the County for at least four years when a workers' compensation claim is being paid to a County employee.

****B. Johnson moved, A. Fowler seconded to accept the changes made by the Commissioners to the Waldo County Personnel Policy. Unanimous.**

EXECUTIVE SESSIONS:

In view of the fact that the June 14, 2011 Court Session had a rather full agenda, W. Shorey requested that the Commissioners hold an Executive Session to update the Commissioners on Support Staff Union Negotiations as permitted by the law.

****W. Shorey moved, A. Fowler seconded to enter Executive Session at 2:42 p.m. for update on Support Staff contract negotiations as permitted by M.R.S.A. Title 1, § 405, 6(D). Unanimous.**

****B. Johnson moved, A. Fowler seconded to come out of Executive Session at 3:06 p.m. Unanimous.** No action was taken.

CORRESPONDENCE (DATE-SENSITIVE):

Reporting only date-sensitive correspondence to the Commissioners was County Clerk Barbara Arseneau, as follows:

1. The Waldo County Firefighter Association has sent an invitation to the Commissioners to attend the Waldo County Firefighter Association Community Appreciation Barbeque and Graduation at the Liberty Fire State on June 26, 2011 at 1:00 p.m. An RSVP is requested by June 12, 2011.

Commissioners Fowler and Johnson instructed B. Arseneau to respond that they will attend. Commissioner Shorey stated that he needed to look at his calendar and would respond on his own once he had decided.

2. A reminder that the Commissioners have been invited by Searsport Fire Chief Jim Dittmeier to attend the next Waldo County Chief's meeting to discuss some items that may affect the volunteers in Waldo County on July 26, 2011 at 6:30 p.m. An RSVP is requested. All Commissioners instructed the Clerk to respond that they would all attend.

3. B. Arseneau submitted an updated Budget Planning Schedule to the Commissioners.

4. The Commissioners briefly discussed the draft agenda for the June 14, 2011 Waldo County Commissioners Court Session and approved adding the items Commissioner Johnson had requested, as well as to add the Treasurer on since he will be back from his trip earlier than expected.

NEXT COURT SESSION:

The next Commissioners Court Session is a regular session scheduled on June 14, 2011.

****B. Johnson moved, W. Shorey seconded to adjourn the Court Session at 3:13 p.m. Passed by two, as Commissioner Fowler had left the room to attend to another matter.**

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