

**WALDO COUNTY COMMISSIONERS COURT SESSION  
AUGUST 2, 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.

**AGENDA CHANGES:** Per the Commissioners' request, the first Executive Session scheduled for 11:00 a.m. has been postponed. Veronica Spear would be giving the Commissioners the first draft of the 2012 Waldo County Budget during that time.

Now also present for the Commissioners Court session were Victim/Witness Advocate Deborah McAllian and Legal Secretary Carla Rogerson from the District Attorney's Office.

**TREASURER'S REPORT:**

Present with the Commissioners was Deputy Treasurer Karen Trussell, who submitted the financial report as Treasurer David Parkman was not present.

**REVENUE:**

K. Trussell reported that the Registry of Deeds turned in \$24,119.20 in fees during the month of June. July fees will total \$33,189.66.

**APPROPRIATIONS:**

Total expenditures should be no more than 58.3% for this time of year. The overall budget is currently 59% expended. D. Parkman had noted a few areas of concern and asked the Deputy Treasurer to relay them to the Commissioners. One area is the Commissioners' budget, which is 76% expended. K. Trussell noted that this is largely due to the fact that there are leases that have been paid early in the year. A. Fowler asked if all the invoices for the Communications Center were current in this report and was told that they were. The Commissioners observed that Overtime line is 77% expended. The Sheriff's Budget is at 61% expended.

K. Trussell reported that she had accidentally coded an invoice to the Commissioner's Office that was actually Treasurer's accounting software. She has corrected it and now the Treasurer's Capital Outlay line is overdrawn. This line will need to be increased for 2012. Originally it was budgeted for a higher amount but one year it was only a partial bill and then the budget was reduced as a result.

**CORRECTIONS BUDGET:**

K. Trussell briefly reviewed the reductions made to the Reentry Center 2011-12 Budget by the BOC. Even though Waldo's facility is under the CAP, the BOC keeps reducing the amount so that Waldo County is actually paying more to ease the financial burdens of the other correctional facilities. A. Fowler explained that whatever is not spent under the CAP goes to the BOC.

B. Johnson reported that someone had complained to her that Waldo was not paying enough to Two Bridges Correctional Facility. It has been said that Waldo sends a lot of people there and doesn't pay much for those inmates. A. Fowler explained that the BOC makes those payments. Waldo County pays directly to the BOC and the BOC distributes the funds to the facilities that are holding Waldo's

inmates. K. Trussell explained that the statute changed how much is paid to these facilities for inmates being housed there from other counties. Waldo County has no control over that inmate fee.

Deborah McAllian asked when reimbursement is ordered by the court, who gets that money. K. Trussell explained that it depends on what they were ordered to pay. D. McAllian asked more specifically if someone was court-ordered to pay money to the County, where it goes. K. Trussell responded that it goes to the General Fund.

#### RESERVE ACCOUNTS:

K. Trussell read off specific expenditures paid from the Reserve Accounts, which are included in the warrants listed below.

#### WARRANTS:

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the July 28, 2011 General Fund Accounts Payable Warrant & July 21, 2011 Payroll in the amount of \$455,969.25. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the July 28, 2011 Capital/Active/Restricted Reserve in the amount of \$18,297.69. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the July 28, 2011 Reentry Accounts Payable Warrant & July 23, 2011 Payroll in the amount of \$71,494.40. Unanimous.**

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

#### CORRESPONDENCE:

Reporting correspondence to the Commissioners was County Clerk Barbara Arseneau, as follows:

1. EMA Director Dale Rowley has submitted an updated Pet Shelter Agreement between the County of Waldo and RSU 20 Troy Howard Middle School, formerly MSAD #34.

**\*\*B. Johnson moved, A. Fowler seconded to approve updated Pet Shelter Agreement between the County of Waldo and RSU 20 Troy Howard Middle School. Unanimous.**

2. The Commissioners signed the Waldo County Part-time Non-union Jail/Reentry Pay Scale that was discussed and approved during a previous Commissioners Court Session.

3. Eastern Maine Development Corporation sent a letter detailing the update of their new service area and revision of bylaws. They noted that the number of Corporate Members per area will decrease and asked if a Commissioner was still interested in being an EMDC Corporator. It was noted that former Commissioner Hyk served in that capacity. W. Shorey volunteered to serve on this.

**\*\*B. Johnson moved, A. Fowler seconded to nominate W. Shorey to serve as Commissioner Representative on the Eastern Maine Corporation's Committee.**

4. Communications Director Owen Smith has recommended hiring Rebecca Bryant as a part-time Dispatcher trainee effective July 26, 2011 at a starting pay of \$12.58 per hour.

**\*\*A. Fowler moved, B. Johnson seconded to hire Rebecca Bryant as part-time Dispatcher trainee at \$12.58 per hour effective July 26, 2011. Unanimous.**

5. Communications Director Owen Smith has recommended hiring Matthew Shaw as part-time Dispatcher trainee at \$12.58 per hour effective July 26, 2011.  
**\*\*B. Johnson moved, A. Fowler seconded to hire Matthew Shaw as part-time Dispatcher trainee at \$12.58 per hour effective July 26, 2011. Unanimous.**

6. Sheriff Scott Story notified the Commissioners that part-time Deputy Christopher M. Ross has resigned his position at the Waldo County Sheriff's Office effective July 26, 2011.  
**\*\*A. Fowler moved, B. Johnson seconded to accept with the regret the resignation of part-time Deputy Christopher M. Ross effective July 26, 2011. Unanimous.**

7. Sheriff Scott Story notified the Commissioners that part-time Deputy Damien Stone has resigned his position at the Waldo County Sheriff's Office effective July 12, 2011.  
**\*\*A. Fowler moved, B. Johnson seconded to accept with the regret the resignation of part-time Deputy Damien Stone effective July 12, 2011. Unanimous.**

8. The Commissioners noted pay steps for the following employees:

- Deputy Nicholas Oettinger reached the five-year pay step July 14, 2011 and received a pay increase from \$18.81 to \$19.52 per hour.
- Deputy Devin Littlefield reached the two-year pay step July 19, 2011 and received a pay increase from \$18.54 to \$18.81 per hour.

8. Searsport Fire Chief Jim Dittmeier sent a letter to the County Commissioners in which he made his first annual report on the Waldo County Confined Space Team. He expressed gratitude to the Commissioners for their backing and support.

**MINUTES APPROVED:**

**\*\*A. Fowler moved, B. Johnson seconded to approve the minutes from the June 14, 2011 Tax Abatement Hearing Petition No. 355 Peter Walker vs. the Town of Northport. Unanimous.**

The Commissioners tabled approving the minutes from the July 12, 2011 Court Session because there were some figures to be corrected and Commissioner Fowler had not had an opportunity to read them.

**2012 WALDO COUNTY BUDGET COMMITTEE CAUCUS:**

Present with the Commissioners were Bill Sneed, James Bennett, Richard Desmarais, David Barrows, James Kenney, Peter Curley, Veronica Spear and Sheriff Scott Story.

B. Sneed broached the subject of the Budget Committee Terms and errors with the terms that occurred somewhere around 2002-2004. He noted that during those years it was very difficult to find willing members to serve, that some had not finished terms, etc. B. Arseneau confirmed the errors, noting that there appeared to be a clerical error on her part regarding when those terms ended. The result is that terms are ending at the same time when they should be staggered within the three districts. He had spoken with B. Arseneau and V. Spear and a solution was believed to have been found. B. Johnson recommended putting in the date the member was appointed to also make it clear. There was brief discussion of David Barrows being selected by the Town of Lincolnville to complete the term for Bob Plausse, now that Mr. Plausse is no longer a selectmen. Bill Sneed stated that he has left

numerous messages for Ron Price and V. Spear said she also has called numerous times, with no response.

J. Bennett said he believed that the way to handle this would be to not nominate anyone new this year and keep the people on for one more year that are on a three-year term to make it so that each district would have staggered terms.

B. Johnson explained that if a member has served their term, the term is expired, not a vacancy. It was noted that Ron Price's term has been completed.

W. Shorey asked Bill Sneed to address this and make a suggestion. W. Shorey asked what could be done to move this in the right direction. V. Spear was asked to speak and she proceeded to explain her recommendation to resolve this problem. She noted that the terms for Bill Sneed and Ron Price are finished. She recommended re-elected those two if those in their district wished to nominate them. She also recommended keeping Nakomis Nelson the one year so that he would serve one year longer, and this would fix the cycle so that all the members in each district would have staggered terms. All agreed this would work and that it follows the process that was originally outlined in the statutes. The starting and ending terms will be added to the sheet for clarity. The Commissioners thanked V. Spear for coming up with this solution and Bill Sneed for bringing it to their attention and also working toward a solution.

#### **NOMINATIONS:**

**DISTRICT 2:** R. Desmarais nominated Bill Sneed for District 2. J. Bennett seconded. (There was brief discussion of whether or not a second had to come from the District being nominated on.)

**DISTRICT 3:** J. Bennett nominated Harry Potter, J. Kenney seconded this.

Ballots will go out to all the Towns.

W. Shorey asked when the members of the Budget Committee would like to meet, noting that an all-day Saturday session had worked last year. Some agreed to start at 9:00 on a Saturday and the Commissioners stated that they would provide lunch to get it all done the same day. R. Desmarais said he preferred the old way of meeting several evenings as it gave them more time to digest and review it. B. Sneed acknowledged this, noting it had been difficult for new people coming in. D. Barrows said it would cost him a day's work, but he understood the need to do what was best for the majority. The Commissioners agreed to try and schedule it on one of the Saturday's Mr. Barrows was not scheduled to work if he would send those dates to the County Clerk.

J. Kenney asked what the schedule was for the Commissioners to start reviewing the budget and was told September 1 and 2, 2011. The County Clerk was instructed to send out that schedule to the Budget Committee Members so that they could attend and listen if they wished.

W. Shorey gave a brief update on the progress of the new building project. So far, change orders have totaled about \$1,200.00 and the project has been pretty well on track. At this point it appears it will be completed the end of November.

#### **DISCUSSION OF DEEDS LEGISLATION:**

Present was Register of Deeds Deloris Page, who offered to explain the legislation for copy fees. She noted that it coincided with Waldo County's fees so there wasn't much that had to be changed. With ACS, it was .50 cents per page. With the pay-per-view one, people had to put in their credit card number for every page. A subscription would eliminate that issue.

W. Shorey asked how much the County would lose in revenue because of this process. D. Page responded that she would not really know until a year had passed. All agreed that the situation was better than the thought it would be. The legislation provides an end date, so it will only be for a year. She still wasn't sure what the impact will be.

W. Shorey asked if MacImage was doing any work for any of the counties and D. Page said she believed he was doing some work for some counties. She was not sure if he had updated it from the one he was using before or not. The Commissioners noted that they never received a proposal from Mr. Simpson of MacImage as requested back in January 2010.

### **SCHOOL RESOURCE OFFICER POSITION UPDATE & OTHER SHERIFF'S REPORT:**

Present was Sheriff Scott Story.

1. S. Story informed the Commissioners that he has been approached by a company (Getcrashreports.com) that sells accident reports over the Internet once receiving them electronically from the crash reporting program, after they are reported by the Deputies. Several other Law Enforcement Agencies have contracted with them, including a number of other Sheriff's Offices. The County gets \$10.00 for each report sold, as it does now; however the County does not have to conduct the search, or copy and mail to individuals or insurance companies who request the reports. The company also sends .50 cents to the Maine Sheriff's Association for each county report sold. This company makes its money by charging a little more than the \$10.50 it pays out. This costs the County nothing and saves his office some work, which will now be conducted by the company. Sheriff Story requested permission from the Commissioners to go ahead and contract with this company.

**\*\*B. Johnson moved, A. Fowler seconded to authorize Sheriff Story to contract with Getcrashreports.com. Unanimous.**

2. S. Story shared that Bernstein Shur attorney Matt Tarasevich recommended working with the union on this, since the union had expressed interest. He had developed a draft for this, which he submitted to the Commissioners. The job description was included in the draft. He particularly referenced the Work Schedule. He read to the Commissioners that if the SRO ever did work for the Patrol Division, he/she would be compensated at the Patrol Division pay rate. It could be argued that this position might not be technically a law enforcement position and since there is no advantage or disadvantage, he and the attorney believed that this particular position could be considered a union position. This was not to set a precedent for any other positions to be added to the union. They will be eligible to apply for overtime shifts, particularly during the 9 weeks they are not working at the school.

Under the second paragraph, he explained that there would be specific circumstances that would permit the employee to come back to the Patrol Division within specific parameters and timeframes as outlined in the document.

A. Fowler asked if the position was filled by a non-employee, was this creating a position in the Sheriff's Office. S. Story responded no, if the SRO position was terminated by the school, that person would not be considered a County employee.

There was brief discussion on how this position would be used and the role it would play in the school.

S. Story noted that the SRO position will be different in terms of vacation leave and the personal day. If a patrol officer takes this SRO position, those benefits will "freeze." Their vacation will be the summertime and school vacations will coincide with the school's, just like a school teacher.

Under Terms of Employment, it states clearly that this position does not constitute a precedent in any way for the inclusion of any other future positions created by the Sheriff's Office or County.

The school understands that this position would be under contract for cost of living increases of 3%, 3% and 3% each of the years.

S. Story explained that the Selection Committee was made up of three people from the school and two from the Sheriff's Office.

Financials: S. Story stated that, in recognition of the current fiscal climate, he was not asking the Commissioners to hire the person for three more months. Nobody currently working at the Sheriff's Office will be taking this position without a pay cut. This is designed for someone who does not need health insurance. The base pay will be \$35,396.00. S. Story proposed a stipend of \$10,000.00 for the person taking this position and not enrolling in the County's health insurance plan. If a person needs insurance, this would be a \$27-28,000.00 salary with the rest going toward the insurance. The school will be giving \$53,000.00 either with the stipend or not. The County will spend a little over \$53,000.00 on this employee. It was made very clear that this is not consistent with the current union buy back of 34%. He already spoke with the F.O.P. union and it is agreed that this \$10,000.00 stipend will NOT become a bargaining tool in future negotiations.

The total will be \$75,003.00, which is \$3.00 over the school's budget, and which Sheriff Story jokingly offered to pay for himself in order to avoid having to recalculate all the numbers.

A. Fowler asked about the computer and S. Story stated that he received the numbers from Technology Consultant James Arseneau. S. Story said he assumed that this cost was spread over three years. He thought that the equipment costs go down in subsequent years. A. Fowler said that she would like to look closer at the cost of computers later. W. Shorey said that he is wondering if some of the phones and I-pads are taking over the sales of personal computers.

S. Story asked if he could post this in-house this afternoon, as the school was very interested in getting this advertised to start interviews and was told he could.

The Commissioners stated that they were pleased with the information presented.

B. Johnson asked how the funds would be paid. S. Story thought that it might be handled as a money-in-money-out, possibly through the Detail Account. S. Story said he knew that the Commissioners had stipulated that this position not cost the County anything.

K. Trussell said that if there would need to be health insurance for the position, it would need to be paid out of the health insurance budget line and this would take some thought.

A. Fowler asked if there was a grant opportunity out there for this type of position. S. Story said that he had applied but the caveat is that the grant cannot be applied for if it would be supplanting funds already budgeted, which was the case; however it was clearly indicated as such in the grant application for full disclosure purposes.

**\*\*A. Fowler moved, B. Johnson seconded to authorize the Sheriff to post the School Resource Officer position immediately. Unanimous.**

S. Story thanked the Commissioners and all involved for the honor of the nomination of the NACo Courthouse Award and for being allowed to travel to Portland, Oregon with Commissioner Shorey to receive the award for Waldo County. MPBN just did an article, and there is an appointment to meet with WLBZ. There is some great press for this award.

W. Shorey said that because of this award, they were able to be visit with the incoming President with NACo and he gave Commissioner Shorey his calling card and told him to call any time. W. Shorey also had the opportunity to speak with those who won the other awards. He could see the benefit of Counties sending an attendee because it opens up communication and an opportunity to learn many things.

The reentry has received international recognition and Director Mike Tausek is being sent by VOA to Singapore to present Waldo County's program at an international conference. Sheriff Story said that he is also sending Captain Walker to Cincinnati for a national conference where nationally renowned experts in reentry and corrections will be presenting.

W. Shorey said he didn't realize how important it would be to have residents develop life skills and attitudes to get back into the civilian population. B. Johnson noted that the citizens have also been very helpful.

#### **MISCELLANEOUS COMMISSIONERS BUSINESS:**

1. Tabled Corrections Request: This was not discussed.
2. B. Johnson said that Commissioner Shorey would be giving a report for Healthy Waldo County regarding the Waldo County Garden Project. W. Shorey said he would like to take her out to the garden site on the 'gator and drive her around to see how it is all laid out. He said he is generally out Monday, Wednesdays and Fridays. He noted that yesterday about 800 pounds of food was being shipped and that currently there are about eighteen organizations that benefit from the garden.
3. The trees for the new building project will be moved either next week or the following.
4. The Commissioners suggested adding an afternoon session to their court session on September 13, 2011 to serve as a back-up in case they needed more time to review the 2012 Budget.
5. B. Johnson asked if the Commissioners could change their October Court Session as she had something she needed to attend on October 11, 2011, which was when that court session. The Commissioners agreed to schedule the session for October 17, 2011.

## **2012 BUDGETS:**

V. Spear submitted the 2012 Budget Requests and the tentative schedule for the September Budget review.

## **TECHNOLOGY REPORT:**

Present with the Commissioners was Technology Consultant James Arseneau, with the following:

1. The RSA device and Citrix Gateway have been installed successfully. Later in October, the security fobs will be distributed to the Officers. This is the third piece of authentication that the recent Maine Access Integrity Unit audit had “dinged” the County for.
2. **INTERNET CONTRACT RENEWAL:** The GWI contract, which is the Internet connection for the Sheriff’s Office and Communications Center, needs to be renewed for three years for \$440.00 per month. The bandwidth is increasing but the price will remain the same. He explained that GWI really collected their money up front, so they are willing to keep the price the same.
3. **FIBER CONTRACT RENEWAL:** The 36 months agreement with Lincolnville Telephone needs to be renewed. This is for the fiber optic cable that connects all the main offices for \$500.00 per month. This is reflected in the current year’s budget.

**\*\*A. Fowler moved, B. Johnson seconded to authorize signing both contracts. Unanimous.**

4. J. Arseneau reported that the County cannot do disaster recovery, which is a way to keep the servers running from a different location in the event of major failure, at this point. Fiber runs from the master switch located at the Communications Center to the Superior and District Courthouses. A new switch needs to be installed at Communications and the existing switch at Communications will be moved to the new EOC/Sheriff’s building. As we deploy the new switch, the Commissioners need to keep in mind that it will cost about \$19,000.00. The County spent about \$15,000.00 on the one at the Communications Center now. It will be about three day’s worth of work to install, at about \$4,000.00.

A. Fowler asked for clarification about the switches that are in place. J. Arseneau said that there is a daisy chain mess. When you build a new building, you typically put in the proper switch. This switch will provide for the required computer connections in the new building. Instead of buying the expensive switch in the EMA, it makes sense to put it in the Communications Center and put the other switch in the new building. B. Johnson asked how many switches are needed. J. Arseneau explained that every building has a switch. He described all the switches in the various buildings. The Sheriff’s building switch is 8-years old. The new switch being requested for purchase has 96 ports and would go into the Communications Center. When the current switch gets moved over to the other side and the new servers are installed, they will provide a disaster recovery site.

B. Johnson mentioned that one was 8-years old. J. Arseneau explained that the 8-year-old switch doesn’t have the capability that the other newer ones will. If left as is, it could be a day before service could be restored if it went down. B. Johnson acknowledged that technology changes. J. Arseneau said that the current switch isn’t even sold any more and the County had bought it when it was the best going.

W. Shorey asked about the possibility of changing to I-Pads. He wondered with the technology that they have now, with people being out on the road, if there would be something that would replace the PC's. J. Arseneau explained that what needs to be considered is the environment that the work is being done in. The Deputies have the full desk top. The issue is that the computers are taken in and out of the cars so much that an I-Pad might only be expected to last about six months.

A. Fowler asked if the deputies using the cellular cards are saving trips back to the office and therefore, saving gas. J. Arseneau replied that this really depends on the individual deputy regarding whether they are making trips to the office or not. A. Fowler asked about getting laptops that have been refurbished. J. Arseneau explained that all the laptops other than the first four have been received free from the State. The County purchased some docking stations for some of them. It has been only about \$1,000.00 to purchase the additional items needed. Because the Sheriff files his UCR's (Universal Crime Reporting), he is on the top of the grant list. J. Arseneau said that there are some areas in the County that are not cellular friendly and some deputies have to travel further to get cell service.

A. Fowler asked about the GWI figures in the 2012 budget and J. Arseneau explained that it was adjusted for the reduction and also because the Jail pays for part of it.

All together, it will be about \$19,000.00 for the switch plus \$4,000.00 in labor. The Commissioners asked where the money would come from for this switch. J. Arseneau explained that this was planned for when the Technology Committee met and made recommendations for how things would be updated on a cycle and was supposed to come out of the Technology Reserve.

J. Arseneau said that the switch from the Sheriff's Office would be used in the new building and recycled. It can be re-used. The Commissioners decided to hold off on making a decision on this matter until a later date.

**EXECUTIVE SESSION: M.R.S.A. Title 1, 405 6(A):**

**\*\*A. Fowler moved, B. Johnson seconded to enter Executive Session at 11:19 to discuss the details of an invoice. Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded moved to come out of Executive Session at 11:46 a.m. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to take funds from Technology Reserve \$9,525.00 to pay for an invoice to J&B Diversified Associates, Inc. Unanimous.**

**NEXT COURT SESSION:**

The next Commissioners Court Session is a regular session scheduled on August 2, 2011 rather than the second Tuesday of the month.

**\*\*B. Johnson moved, W. Shorey seconded to adjourn the Court Session at 11:56 a.m. Unanimous.**

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