

**WALDO COUNTY COMMISSIONERS COURT SESSION
SEPTEMBER 6, 2011
(SPECIAL SESSION)**

PRESENT: Commissioners William D. Shorey - Chairman, Amy R. Fowler and Betty I. Johnson. Also present were Sheriff Scott Story and Judge Susan Longley. Taking minutes was County Clerk Barbara L. Arseneau.

Call to order: W. Shorey called the court session to order at 9:00 a.m.

EXECUTIVE SESSION:

****A. Fowler moved, B. Johnson seconded to enter Executive Session for discussion of a personnel matter as permitted by M.R.S.A. Title 1 § 405 6(A) at 9:01 a.m. Unanimous.**

****B. Johnson, A. Fowler moved to exit Executive Session at 9:11 a.m. Unanimous.**

****A. Fowler moved, B. Johnson to accept with regret the resignation of Chief Deputy Robert Keating effective December 16, 2011.** Discussion: S. Story stated that R. Keating wished to stay on as Civil Service Processor. The Commissioners agreed to this. **Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize the Sheriff to appoint and to hire Jeffrey Trafton of Thorndike, Maine as Chief Deputy at current Chief Deputy's salary of \$56,814.00, effective November 1, 2011. Unanimous.**

S. Story thanked the Commissioners for permitting him to have some "overlap" so that the new Chief Deputy could receive some training from the current Chief Deputy.

EXECUTIVE SESSION:

****B. Johnson moved, A. Fowler seconded to enter Executive Session for discussion of a personnel matter as permitted by M.R.S.A. Title 1 § 405 6(A) at 9:15 a.m. Unanimous.**

****B. Johnson moved, A. Fowler seconded to come out of Executive Session at 9:41 a.m. Unanimous.**

****A. Fowler moved, B. Johnson seconded to approve a COLA (cost of living) increase of 2% above the current pay scales for all non-union employees for 2012, including pay steps, with no additional changes, and for those Department Heads to resubmit their 2012 personnel line budgets to the Deputy County Clerk Veronica Spear by Friday September 23, 2011. Unanimous.**

DISCUSSION OF RECLASSIFICATION:

Present were Register of Probate Sharon Peavey, Judge of Probate Susan Longley, Budget Committee member James Kenney, Register of Deeds Deloris Page, Deputy District Attorney Eric Walker and Clerical Aide Karen Knox.

S. Peavey asked to reclassify the Probate Clerks positions, stating that it became evident during union negotiations that some positions were under-classified. It was identified that the two Probate Clerks were in need of being reclassified. She requested that they be re-titled "Probate Administrative Assistants" and be moved from Class III to Class IV. She explained that back in 2006 the Department Head Association

moved to recommend re-titling these positions, but this was not approved by the Commissioners. The request now was to reclassify based strictly on the job descriptions. She added that back in 2006, one of the District Attorney's positions also needed to be reclassified.

S. Peavey went on to explain that Probate Clerks create complex documents. She detailed some of the lengthy process that requires a lot of focus, requires excellent knowledge of Probate Code laws and procedures and described their function as a "multi-faceted process for review – with no room for error." Probate Clerks do daily reconciling of receipts and deposits. They facilitate end of month reports for Treasurer and end of year reports. Docketing is done on a daily basis, along with Judge's orders. S. Peavey stated that the Clerks have a high degree of contact with the general public; not always pleasant as many are in crises and not on best behavior. The Probate Clerks handle permanent and confidential records. They also must be certified annually to serve as Passport processing. She noted that passport processing is quite time consuming. The Probate Clerks provide notary services as well. Reclassifying these positions would increase the 2012 budget request by about \$3,900.00, based on pay scale of 2010 if increased by 1% for 2011 and then 2%.

W. Shorey took the opportunity to explain to those present the Commissioners' vote earlier that morning to set the COLA increase at 2%, plus step increases. A. Fowler did some calculating and said she could not figure out how the \$3,900.00 was figured. S. Peavey submitted a spreadsheet with figures and then went down through the list showing the figures including if the Probate Clerks had received a 1% COLA for 2011, then 2% on top of that for 2012. She reiterated that she used the 2010 pay scale, which these employees were currently working under, added 1%, then added 2% to pay scale.

When asked, S. Peavey stated that she was asking for this to take effect January 1, 2012. When asked if she wanted it sooner, she said she had anticipated this changing January 1, 2012, but if the Commissioners wanted to do it sooner, she would be in favor of that.

D. Page informed the Commissioners that the recommendation back in 2006 had also been for Deeds Clerks, but it also was not approved.

When asked, E. Walker said that he believed this would probably be the same request for his office staff as well.

W. Shorey said he was not ready to make a decision on this today. A. Fowler thanked S. Peavey for the information she had provided.

W. Shorey stated that the Commissioners won't be making a decision on the larger departments and their salaries until next week but would be moving on decisions for the smaller, simpler departments during today's court session.

The Judge was asked if she had something to say or was here for Probate. She responded that she did have something to say but would wait until later.

W. Shorey said he didn't enjoy "cobbling together" a meeting the way the Commissioners had this morning but it was just turning out that way.

1080 ADVERTISING AND PROMOTION:

A. Fowler said that she had no issue with the \$3,500.00 request from Waldo Community Action Partners (WCAP.) She briefly related the history with Eastern Maine Development Corporation (EMDC). EMDC hadn't brought in money that was promised, so the County did not fund them. Last year, they requested \$2,500.00, which was contributed on the County's behalf by KWRED. A. Fowler stated that she had read the color brochure, and said she wished they were doing a little more in the County. She could see funding \$5,000.00, unless someone else could tell her why they should receive more.

Time & Tide RC & D brought in a request for \$3,625.00. W. Shorey said he had found it interesting last year that this organization was funded and yet no additional funding for necessary fuel in the Sheriff's Office was permitted. He believed Time & Tide was going through some major difficulty, especially now that they were not being funded the way they were and now don't even have an office.

B. Johnson asked if anyone came in to speak on their behalf and was told that Vance Wells came in during the September 1, 2011 court session.

J. Kenney was asked his opinion. J. Kenney described EMDC as "productive." He noted that they offered classes on energy efficiency methods that people could do to their homes; "Things people used to know how to do, but somehow don't recall or know how to any more."

B. Johnson asked if Time & Tide requests funding from the Towns, as she had not recalled ever seeing them come to Lincolnville for money. The other two Commissioners said they believed it was by County, not by Town and J. Kenney concurred, stating that he was not aware of Time & Tide or EMDC coming in to the Town of Unity and requesting funds.

A. Fowler recommended not funding Time and Tide.

****A. Fowler moved, B. Johnson seconded to fund Waldo Community Action Partners (WCAP)'s request of \$3,500.00. Unanimous.**

****A. Fowler moved, W. Shorey to fund \$5,000.00 for Eastern Maine Development Corporation's request.** Discussion: W. Shorey said he wasn't in complete agreement with A. Fowler but said in fairness to EMDC, he said that "the strong side is Winterport, Frankfort, Searsport and Belfast areas." He agreed to support the \$5,000.00 funding.

B. Johnson asked if these decisions could be tabled until she could read the material that they had presented back on September 1, 2011. W. Shorey felt that the Board of Commissioners needed to move forward today or the budget process would fall behind schedule. **Passed by two, with B. Johnson abstaining.**

****A. Fowler moved, W. Shorey seconded to fund \$0.00 for Time & Tide RC & D. Passed by two, with B. Johnson abstaining.**

1090 AUDIT BUDGET:

****A. Fowler moved, W. Shorey seconded to approve the request at \$8,500.00. Unanimous.**

1095 DEBT SERVICE BUDGET:

This had zero requested, so the Commissioners took no vote.

2000 INTEREST BUDGET:

****A. Fowler moved, B. Johnson seconded to approve the Interest budget as presented at \$20,000.00. Unanimous.**

2005 UNIVERSITY OF ME COOPERATIVE EXTENSION BUDGET:

****A. Fowler moved, B. Johnson seconded to approve the U. of M. Extension budget at \$39,064 as presented.**

Discussion: W. Shorey said he had found it a bit unusual that “the grandparent” [University] said that the COLA’s had to be obtained from the County and wondered why that was being pushed off on the County. He commended the Extension office for the work they do and for the assistance they’ve provided with the County Garden. **Unanimous.**

2035 WALDO COUNTY SOIL & WATER DISTRICT BUDGET:

****A. Fowler moved, B. Johnson seconded to accept the Waldo County Soil & Water District budget as presented at \$20,475.00. Unanimous.**

2040 RECORDS PRESERVATION BUDGET:

As no funding was being requested, the Commissioners took no vote.

2045 RESERVES:

There was brief discussion on needing to speak further with Technology Consultant James Arseneau and Communications Director Owen Smith about whether a lease should be established or how to proceed with Technology upgrades. W. Shorey said he didn’t think the Budget Committee would want to look at a large lump sum. J. Kenney noted that one of the largest corporations he knows of utilizes leases in order to keep current with technological equipment. He noted that a five-year-old computer is not current.

2050 GRANTWRITING:

As no funding was being requested, the Commissioners took no vote.

1050 CORRECTIONS:

There was no discussion on this budget.

The Commissioners apologized again to J. Kenney for such a short meeting on the budgets. J. Kenney told them that no apology was necessary and that he had enjoyed sitting in on this discussion.

CORRESPONDENCE:

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

1. The Commissioners had already authorized signing the Electricity Supply Agreement with Constellation Energy to be the electricity provider and it only required a formal vote.
****B. Johnson moved, A. Fowler seconded to approve the signed contract with Constellation Energy. Unanimous.**

2. Request from TD Bank North: B. Arseneau explained that a representative of TD Bank North in Searsport had requested to be allowed to solicit Waldo County employees to open an account with them for certain special rates, etc. They had wanted to submit a flyer to that affect to each employee. The

Commissioners discussed this briefly and decided that they did not feel it was appropriate for the Commissioners to endorse one bank over another

****B. Johnson moved, A. Fowler seconded to deny the request from TD Bank North to solicit Waldo County employees to open accounts with them. Unanimous.**

3. Sheriff Scott Story submitted a resignation from part-time Corrections Officer Elmer Sweetland effective August 10, 2011.

****B. Johnson moved, A. Fowler seconded to accept with regret the resignation of part-time Corrections Officer Elmer Sweetland effective August 10, 2011. Unanimous.**

4. Sheriff Story submitted a resignation from part-time Corrections Officer Stephanie Gracie effective August 10, 2011. Ms. Gracie has accepted a full-time position with the Waldo County Regional Communications Center.

****A. Fowler moved, B. Johnson seconded accepting the resignation of Stephanie Gracie as part-time Corrections Officer effective August 10, 2011. Unanimous.**

5. Sheriff Story submitted a resignation from part-time Cook Natalie Walker effective August 10, 2011.

****B. Johnson moved, A. Fowler seconded to accept with regret the resignation of part-time Cook Natalie Walker effective August 10, 2011. Unanimous.**

6. Sheriff Story submitted a resignation from part-time Corrections Officer Dennis Remillard effective August 10, 2011.

****A. Fowler moved, B. Johnson seconded to accept with regret the resignation of part-time Corrections Officer Dennis Remillard effective August 10, 2011. Unanimous.**

7. B. Arseneau submitted notification that she has reached the thirteen-year pay step for full-time employment effective August 31, 2011 with a pay increase to \$48,073.58. Total earnings for 2011 will be \$47,208.00. The Commissioners noted this pay step increase.

8. The Commissioners have been notified in writing that all Soldiers of the 262nd Engineer Company, Maine Army National Guard have been ordered to State Active Duty in response to Hurricane Irene, and must report for duty September 2, 2011. This includes one of the Corrections Officers and it is unknown when that employee will return for work at the Correctional Center. The Commissioners commended the employee for his service, noting that it was Joshua Bowles.

MISCELLANEOUS COMMISSIONERS BUSINESS:

TECHNOLOGY QUOTES FOR SWITCHES: W. Shorey stated that he wished to table until September 15, 2011 further discussion on quotes received for switches from CBE and PC Connection. The other Commissioners agreed.

DISCUSSION AT THE REQUEST OF JUDGE LONGLEY:

Judge Susan Longley commended the Commissioners for the 2% COLA and said that she understood the decision to do so. She said she had been working over the weekend and “crunching numbers” for if there was a better economy. She submitted a graph of disparity that is occurring in the Probate department. She also submitted the pay scale information statewide, noting that this is where she came up with the 80% figure. She understood that this could not be done this year, but wanted the Commissioners to understand

that this continues to go down. She mentioned that one court case related to Probate court in which the court said that they want to minimize the amount of time Judges interact with “those who hold the purse strings.” She said this explained to her why it was so hard for her to have contact with the Commissioners. She understood that the Department Head in the Registry is someone she has to supervise. She said she doesn’t see herself in a department on purpose due to statute and would like to discuss that with the Commissioners in early 2012.

S. Longley thanked the Commissioners for listening to her, and for noticing what she sees from her prospective. She noted that year seven is when her next pay step is, which is due this coming year. She confirmed that the Commissioners were instructing all to present 2% on current pay scales, including pay steps only, and no additional increases.

W. Shorey explained that the Commissioners just do not feel they can ask more of the taxpayers. J. Longley said she fully understood that.

B. Johnson expressed her surprise when she had seen the memo that explained that the Judge of Probate was not on the Department Heads’ distribution list, adding that it didn’t make sense to her.

J. Longley said that she would rather bring this up later in early 2012 and agreed it is a difficult issue. W. Shorey said that he understood that the Judge wanted to discuss this later rather than now.

J. Longley said that she had received a memo that said “Department Heads,” thought it wasn’t her, then heard from Michelle Wadsworth that she was also to be included in the pay scale committee as an elected official.

B. Johnson said that she would assume that an elected official would be a department head.

W. Shorey reiterated that this was a discussion that would be best held in the future, as the Judge had requested.

EXECUTIVE SESSION:

****A. Fowler moved, B. Johnson seconded to enter Executive Session at 10:45 a.m. to discuss confidential personnel matters as permitted by M.R.S.A. Title 1 § 405 6(A). Unanimous.**

****B. Johnson moved, A. Fowler seconded to come out of Executive Session at 11:37 a.m. Unanimous. No action taken.**

NEXT COURT SESSION:

The next Commissioners Court Session will be a special court session on September 14, 2011 for further review of the 2012 budget.

****B. Johnson moved, A. Fowler seconded to adjourn the court session at 11:37 a.m. Unanimous.**

Respectfully submitted by *Barbara L. Arseneau*

Waldo County Clerk