

**WALDO COUNTY COMMISSIONERS COURT SESSION
SEPTEMBER 14, 2011
(SPECIAL SESSION)**

PRESENT: Commissioners William D. Shorey - Chairman, Amy R. Fowler and Betty I. Johnson. Also present for most or all of the session were Register of Probate Sharon Peavey, Register of Deeds Deloris Page, Sheriff Scott Story, Judge Susan Longley, Deputy District Attorney Eric Walker, Legal Secretary Carla Rogerson, and Deputy County Clerk Veronica Spear. Taking minutes was County Clerk Barbara L. Arseneau.

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

2012 BUDGET REVIEW:

The County Commissioners discussed the following budgets that were not discussed during the September 6, 2011 court session:

1010 EMERGENCY MANAGEMENT AGENCY BUDGET:

****A. Fowler moved, B. Johnson seconded to accept the most recent budget submitted at \$98,224.00. Unanimous.**

W. Shorey asked if the other Commissioners had considered the vehicle request made by the EMA Director during the September 1, 2011 budget review. A. Fowler was in agreement with this. B. Johnson also felt it was a good idea.

****A. Fowler moved, B. Johnson seconded to accept the proposal for a staff car for the Emergency Management Agency with the funding as proposed on September 1, 2011.** It was noted that this was a lease arrangement and would work well for the circumstances. **Unanimous.**

1015 DISTRICT ATTORNEY'S BUDGET:

****B. Johnson moved, A. Fowler seconded to accept the most recent budget with the personnel line presented at \$153,982.00 and the total budget request being \$212,006.00. Unanimous.**

1020 COUNTY COMMISSIONERS BUDGET:

W. Shorey asked about page #2 of the Technology Detail. Present to answer questions was Technology Consultant James Arseneau, who ran down through the items and answered questions. There are 95 machines on the County side and about 13 on the Corrections side. Domains need to be renewed; some on an annual basis, some every four to five years. There are two different addresses that have to be put under security certificates. Data cards are used for the deputies, for the Commissioners, EMA, and Communications. Some training that the EMA or Communications Center Director attend requires taking a card with them for access back to the office. Furthermore, if there was a disaster and they have to set up outside of the offices, they can do so. Internet and fiber were briefly discussed. Later in the fall a connection will need to be upgraded. District and Superior Court Internet is a free service at this point, but when it is foggy out, it does not work well. Now this needs to be addressed and so there is funding requested for that in the 2012 budget. ProQA had three patches in the previous year, but now they are not as involved as they were. Spillman releases patches every month for the CAD system, but the County only uses a few each year. Because there isn't enough funding to obtain all the patches, when patches are applied, it takes "more hand-holding."

W. Shorey asked if the large upgrade that is planned interacts with this \$82,000.00 yearly expenses. J. Arseneau responded that the upgrade costs have nothing to do with the yearly expenses. He explained that with the machines getting older, for example, six hard drives have failed in PC's in the last four months. It takes several hours to "clone" and get them back running. The longer the time goes by, the more failure there will be.

B. Johnson inquired about Citrix, as there have been some issues. J. Arseneau explained that the majority of the issues are more related to Apple products than the Windows products. B. Johnson stated that both she and the Judge of Probate have had issues. J. Arseneau noted that the Judge has also been assigned a County laptop that is Windows-based for compatibility.

A. Fowler asked how much time is being spent working on the Judge's Apple machine. J. Arseneau said he wasn't sure. He noted that the Judge had purchased it in the spring. He explained that there are some idiosyncrasies, especially with the newer operating system. When the County upgrades the servers, there will likely be fewer problems.

A. Fowler said she had some questions with the personnel lines as she didn't understand why they were so high. B. Arseneau explained the figures were based on the current pay scale for the Commissioners and the current pay scale for the Commissioners Staff and that pay steps on those scales were calculated at the date-of-hire anniversaries.

The mileage request was briefly discussed. It was decided to leave it as requested.

B. Arseneau was instructed to make sure that Malcolm Ulmer was aware that both courthouses now have fire alarms installed in them for Risk Pool purposes.

There was brief discussion on the cost of the liability insurance through the MCCA Risk Pool. The Commissioners instructed B. Arseneau to poll the other counties to see what their costs are.

****B. Johnson moved, A. Fowler seconded to accept the revised budget as presented at \$524,638.08. Unanimous.**

1025 TREASURER'S BUDGET:

W. Shorey asked if the personnel lines reflected the 2% COLA and A. Fowler responded yes.

****B. Johnson moved, A. Fowler seconded to accept the most recent budget as presented at \$64,901.00.**

1030 FACILITIES BUDGET:

Present for this discussion with the others already in attendance was Facilities Manager Keith Nealley. W. Shorey asked about the work to be done on the steps at the District Courthouse. K. Nealley explained that there is \$2,500.00 budgeted for the stairs and \$5,500.00 to paint all the exterior trim on the District Courthouse. W. Shorey asked when it was painted last and was told it had been at least seven years. K. Nealley mentioned that the last time it was painted, some of the columns were only painted half-way because one of the inmates did not want to get up on a ladder.

The Commissioners requested K. Nealley's hand-written breakdown of the work projects. B. Johnson asked if this is all part of a maintenance plan. K. Nealley replied, yes, it is all part of periodic maintenance

planning that he has put together. When asked how important he would rate this, he said he was told by the contractor who recently did roof work that there is bare wood and if paint is not put on it soon, it will result in rot. W. Shorey wondered if the County should utilize the Courthouse Reserve for some of this. B. Johnson wondered if the State would chip in for any of the work. K. Nealley responded that it might be a possibility, but when it comes to the total building, the State is reluctant to get involved. If it affects the State Court System directly, they are more willing to match funds. He said he could contact them and see if they would be willing. B. Johnson commended him for his past success with working with the State to obtain funding for various projects. W. Shorey reiterated his recommendation to use the Courthouse Reserve. It was recommended that about \$8,000.00 be reduced from the 1030 budget and that some of the projects be funded from that Courthouse Reserve.

W. Shorey inquired about the proposed Communications Center renovations. K. Nealley explained that Communications Director O. Smith has requested a partition to close off Q/A by extending and insulating the wall all the way to the ceiling, moving some lights, and updating the hand-made work station installed when the building was constructed. The majority of the cost is related to replacing the work station. A. Fowler explained that there is no privacy for the Director, who cannot work from his desk and make phone calls when the Q/A is going on. She wondered why this was not constructed differently in the first place.

K. Nealley also reported that the tiles in the bathroom at the Communications Center need to be torn up and replaced.

K. Nealley apologized for not supplying a more detailed breakdown for the Commissioners. He had prepared one for himself, not realizing the Commissioners would also like to have it.

K. Nealley detailed recent work to the Cooperative Extension Office including installing a handicap door opener, installing a new ramp at the front going to the upper level of the building, and creating a designated handicap parking space for the upper level only. Now the lower level needs to be handicap accessible because it is utilized, too. The gravel parking area there is not conducive to wheelchair accessibility. K. Nealley recommended paving up to the door. When asked how important this was, K. Nealley reported that he has received several complaints and some emails, including from the Secretary, who told him that there is a person who is coming in who is in a wheelchair and the access is difficult and gets overgrown. K. Nealley said he keeps it cut and cleaned, but it is still difficult access for someone in a wheelchair.

When asked if the budget is higher than the previous year, K. Nealley reminded the Commissioners that none of the projects he had proposed to them last year were funded and had been removed from his budget. He mentioned that after Hurricane Irene, silt and dirt from the shingles on the Superior Courthouse roof were washed onto the ground and this is an indication that those shingles are nearing the end of their life and should be replaced in the near future.

The Commissioners looked at the reserves and discussed which ones they could fund some of the projects from. All agreed that they would like to use reserves to fund these rather than the operating budget. They instructed K. Nealley to see what he could find in shared funding from the State and the Extension Office, but added that he can move ahead on these projects regardless, because if no additional funding is obtained, the projects would be funded from Reserves.

W. Shorey asked K. Nealley's opinion of his fuel budget. K. Nealley explained that he used \$3.50 per gallon as an average for budgeting. \$3.11 is being paid currently. K. Nealley stated that he was comfortable that the funding would suffice.

W. Shorey noted that other than the Capital Outlay items, nothing was higher in the Facilities Management budget than the previous year.

****B. Johnson moved, A. Fowler seconded to remove \$30,000.00 from Capital Outlay with the understanding that it would be funded from the Courthouse Reserve and accepted the 1030 budget at \$251,624.00. Unanimous.**

1065 REGISTRY OF DEEDS BUDGET:

W. Shorey asked Register of Deeds Deloris Page to discuss the request for the new position. D. Page said she desperately needs the additional position. The workload is increasing. She felt the position was eliminated and was not discussed with her at all and was "a done deal" before she found out about it. She said she didn't know what she would have done without the part-time help she had this summer.

B. Johnson asked if the workload had "picked up." D. Page responded that telephone calls have increased, fees are up and copies are up. She said there are sales and that mortgages are starting to be approved, so she attributed the increase to these factors. W. Shorey asked what would happen if a part-time employee came in for the year at 24 hours per week. A. Fowler suggested considering a part-time "float" employee that could work in each of the departments as the need arose. There was discussion on whether it would be per diem or regularly scheduled for a certain number of hours.

J. Kenney said that his first thought with the hours was at what point do benefits kick in? He was told that full-time with benefits is 32 hours regularly scheduled per week.

W. Shorey said he was not in favor of a "float" employee, but would rather provide a permanent part-time employee to the Registry of Deeds. He inquired again about a permanent part-time employee. D. Page said that if this was what she was being offered, she would accept that. The Commissioners looked at the hourly cost. It would be \$14,952.00 for an employee to work part-time 24 hours per week. W. Shorey said he'd like to come back to that discussion in a few minutes.

When asked, D. Page said that the rest of her budget was mostly the same. W. Shorey inquired about line 7011 and was told that it was for a photocopier to replace the current one, which was in pretty rough shape.

B. Johnson asked about the classifications of the Clerks and if those had changed. D. Page replied that these are the same as what they were and had not changed.

****A. Fowler moved, B. Johnson seconded accepting the most recent budget minus \$9,527.00. Unanimous.**

1070 REGISTRY OF PROBATE BUDGET:

Register of Probate Sharon Peavey explained the budget change reflected a 2% COLA based on the 2010 pay scale, as that was the most recent scale the employees in her department had been paid at because of union negotiations. She said that if the Commissioners did increase the budget by 1% for the non-union employees, and the 2% was based on that, it would be total of \$873.00. D. Page asked if this would include

the Deeds Clerks, as well. W. Shorey said that he would come back to this discussion about 1% at another date.

****A. Fowler moved, B. Johnson seconded to accept the revised budget as presented with no other changes at \$196,319.00. Unanimous.**

1075 SHERIFF'S BUDGET:

Sheriff Scott Story was asked why the personnel lines were up so much and he explained that it was a result of the union contract, which was settled after his budget had been passed. In addition to this, there have been more call-outs for detectives, more overtime, etc. Calls for service were 16% over what they were at this time last year, and he is also spending more money in court time. W. Shorey noted that other than personnel lines, the budget was similar to last year.

S. Story asked the Commissioners if they had read his request regarding the Lieutenant's salary staying at his original request as presented on September 1, 2011, so that it would not be paid at the same level as the class directly below this position. The Commissioners said they had read that request.

S. Story said that fuel was factored in at the current price of fuel in July. Consumption was up this year, which really was more of a driving force than the price per gallon.

W. Shorey said that there really wasn't much to talk about with this budget. S. Story said this is really a "two-year budget" for him because it reflects the union contract change that occurred in 2011, which makes the increase larger.

****A. Fowler moved, B. Johnson seconded to accept the most recent Sheriff's budget as presented at \$1,322,577.70. Unanimous.**

1076 COMMUNICATIONS CENTER BUDGET:

Regarding the request to upgrade the radio communications, W. Shorey wondered if this should be backed out and piggybacked on some sort of a technology lease. This is currently being researched as a possibility. He noted that this might not be a "favorite" way to do it, but "if experts are telling you that every four-to-five years upgrades need to be done to keep running smoothly," he believed it should be done. If this were removed from the Capital Outlay, he observed that the rest of the budget is almost dollar-for-dollar the same as the previous year's budget, considering the COLA and step increases for employees.

B. Johnson said that if the Commissioners knew in advance that things would need to be upgraded, they could be planned for. A. Fowler responded that the Commissioners have had plans for years, but these were simply not funded over the years. W. Shorey noted that "people have not wanted to speak about building the reserve accounts over the years," which also makes planning very difficult. B. J. stated that it is always better to be proactive rather than reactive. She wondered if there could be a carry-over like the Towns and was told that the County cannot hold funds over from one year to the other in the operating budget. W. Shorey related the history of the Technology Committee and the recommendations that came from that committee for planning for upgrades every three to four years. Since that time, it was never allowed to be funded this way so that there could be sufficient funds set aside for these upgrades. There was discussion of showing the Budget Committee plans and B. Johnson thought that if they saw the planning, they would see it as being a responsible on the part of the Commissioners. W. Shorey explained that the County has been held way below the Cap, which made it impossible to do these things.

A. Fowler asked if the \$72,000.00 would be taken out of the 1076 budget with the understanding that it will need to be addressed later possibly with a lease situation. The Commissioners agree that this would need to be decided.

****A. Fowler moved, B. Johnson seconded to remove \$72,000.00 from the 1076 budget with the understanding that this would be addressed by some other means.** Discussion: As he had just arrived, the Commissioners explained their vote and reasoning to Communications Director Owen Smith.
Unanimous.

2025 EMPLOYEE BENEFITS BUDGET:

W. Shorey said that he had looked up information with the Deputy Treasurer to see that the health insurance account is not doing well. If the 2011 original request had been funded, the account would have at least moved toward the \$500,000.00 mark. Instead, it was cut and now the account is in the low \$430,000.00's. It is supposed to be moving toward \$1,000,000.00. He recommended asking for the original 2011 request with the \$67,000.00 that was cut; however he recommended not making a decision on this until a bit later.

K. Trussell was asked to come in and was asked some questions about the health insurance line. The Commissioners asked if the \$67,000.00 was removed, would that put the health insurance account in a stressful situation. She responded that it would.

B. Johnson said she was confused about the Extension Office and wondered if the amount cut from the Facilities Budget was in that budget. She was told, no, the work for the Extension Budget is in the Facilities budget.

W. Shorey said they would still need to come back to decide upon a possible lease arrangement and with the health insurance request, there is not way the 2012 budget can be less than a 5% increase over the 2011 budget.

The Commissioners asked V. Spear to confirm the amounts reduced from the total budget. She printed off the cover page so that they could see the total numbers. When asked if she would show in colors the cuts made by the Commissioners, V. Spear said she had already done so and they would show in the budgets presented to the Budget Committee.

W. Shorey said he would like to come back in October, look at the health insurance account at that time and then make a decision from there regarding how much the 2012 line request would be.

NEXT COURT SESSION:

The next Commissioners Court Session will be a regular session on September 15, 2011 that was postponed from September 13, 2011.

The Commissioners agreed to decide on the 2025 budget during the following session scheduled Monday, October 17, 2011 as the Commissioners could not hold it on October 11, 2011 as it normally would have been.

J. Kenney said the Commissioners had done a good job and had gone through a good process. He observed that Union contracts had to be negotiated, and he believed the COLA was fair. He noted that last year's attack on the health insurance was not aided because someone could not defend it. He recommended

bringing someone in to speak to the need. He encouraged the Commissioners not to go through the “fumble and bumble” again.

W. Shorey thanked J. Kenney for his comments. He stated that sometimes the Commissioners are not permitted to speak. He said that with the legislation that came out earlier this year that would have changed the final authority of the Budget Committees, the Waldo County Commissioners had voted against that with the understanding that there would be good and productive communication between the Commissioners and the Budget Committee. He hoped that would be the case. However, he had noticed that there were a lot of unanimous votes with the Budget Committee. He said that he would expect that if someone on that Committee was not in favor of it, that person would vote in opposition.

J. Kenney said, perhaps, he might speak up when he felt he should, but encouraged the Commissioners not to permit themselves to be “steamrolled.” W. Shorey said he would put his hand up and ask to be permitted to speak, but was not confident he would be called on since it is the Budget Committee’s meeting. He reiterated that he hoped that there would be more discussion among the Budget Committee.

J. Kenney congratulated the Commissioners on their budget review process.

****B. Johnson moved, A. Fowler seconded adjourning the meeting at 11:10 a.m. Unanimous.**

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