

**WALDO COUNTY COMMISSIONERS COURT SESSION  
MARCH 13, 2012**

**PRESENT:** Commissioners William D. Shorey – Chairman, Amy R. Fowler and Betty I. Johnson. Also present was Dispatcher and Commissioner-in-running Andrew Cardinale and County Clerk Barbara L. Arseneau to take minutes.

**Call to Order:** Commissioner Shorey called the court session to order at 9:00 a.m.

**TREASURER’S REPORT:**

Present was Deputy Treasurer Karen Trussell, who reported the following:

As a whole, the County budget can be 18-19% expended and the Jail budget can be 68-69% expended. The County budget is 18% expended and the Jail budget is 68% expended, so both are right on track.

**REVENUE:**

K. Trussell reported that the revenue looks good on both sides. The County budget will have to start borrowing from the Tax Anticipation Note in the amount of \$100,000.00 this week. The Commissioners remarked that this was very good, although they noted that the County was able to go until May last year before borrowing.

(Now also present were Sheriff Scott Story and Chief Deputy Jeffrey Trafton.)

A. Fowler stated to Sheriff Scott Story that with the recent retirement of the Head Cook, there is no line item in the Jail budget to account for the unused leave that will need to be paid to this individual and the personnel line will be “in the red.” She asked where this could be funded from in the Jail budget. S. Story responded that adding it as a line item in the future would likely be frowned upon by the BOC. He reminded the Commissioners that another employee also had resigned, as well.

K. Trussell informed the Commissioners that the Facilities All Other Reserve needs some funds transferred to it to cover the expenditure to renovate and create office space for the Communications Director. It will cost \$6,303.00 to cover this expense. The console expense will be paid from the Technology Budget. The Commissioners briefly discussed money in the appropriate reserves that had not been used for the EMA/Sheriff’s Building project that could cover the radio upgrades for the Communications Center.

A. Fowler asked why the County went “in the red” on Parking Grounds and Snowplowing in the Corrections Budget with the winter being so mild. S. Story said he did not know the answer to that. A. Fowler also inquired about other expenditures and was told that these were related to Technology and should be directed to the Technology Consultant.

S. Story recommended a review of each line item in the budget to be sure they are on track for the next fiscal year as soon as possible.

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

**WARRANTS:**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the February 29, 2012 General Fund Accounts Payable and February 16, 2012 Payroll warrant in the amount of \$220,149.81. Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to authorize payment of the February 29, 2012 Active & Restricted Reserve warrant in the amount of \$11,172.71. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the February 29, 2012 Reentry Accounts Payable and February 16, 2012 Payroll warrant in the amount of \$109,539.91. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the March 13, 2012 General Fund Accounts Payable and March 1, 2012 Payroll warrant in the amount of \$192,067.38. Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to authorize payment of the March 13, 2012 Capital, Active & Restricted Reserve warrant in the amount of \$87,793.30. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the March 13, 2012 Reentry Accounts Payable and March 1, 2012 Payroll warrant in the amount of \$161,627.63. Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to authorize payment of the March 13, 2012 MCRRC Restricted Reserve warrant in the amount of \$31.20. Unanimous.**

**SHERIFF'S REPORT:**

1. Sheriff Story recommended hiring Kyle P. Wasiela as part-time deputy with the Waldo County Sheriff's Office effective March 13, 2012 at \$14.66 per hour until he has participated in the Field Training Program.

**\*\*B. Johnson moved, A. Fowler seconded to hire Kyle P. Wasiela as part-time deputy with the Waldo County Sheriff's Office effective March 13, 2012 at \$14.66 per hour. Unanimous.**

2. Job Descriptions have changed for the former Jail Administrator position, which is now titled "Detention Manager" and is held by Captain Robert Walker. This has resulted in minor changes with the chain of command now that Major Raymond Porter has filled the position of Corrections Administrator. S. Story submitted copies of the two job descriptions for the Commissioners to review. S. Story informed the Commissioners that this change has already proven to be very beneficial for the center. He is currently reviewing the Volunteers of America contract with a view to making some changes. B. Arseneau noted that the Commissioners had already approved hiring a new Corrections Administrator but the employee's name had not been recorded because he had not notified his previous employer. The Commissioners noted for the minutes that the new Corrections Administrator is Raymond Porter, who formerly worked as the County's Jail Administrator for a number of years.

**\*\*B. Johnson moved, A. Fowler seconded to approve the Detention Manager and Corrections Administrator job descriptions. Unanimous.** The Commissioners signed the new job descriptions.

3. S. Story reported that the Maine Coast Regional Reentry Center recidivism rate is about 25% as opposed to the 58% State standard. The components are being examined, including mentoring. The recent change in administration is anticipated to help this. When asked about the population, S. Story reported that one resident was sent back and another was too high risk for the program. There are about eighteen (18) residents at this point. S. Story explained that if a group of residents is brought in at the same time, they tend to develop a “click” or a “family unit” which is not a positive thing, so they try to set them up at the Reentry facility individually and on different days. He reported that the overall program is going very well. He and the staff are constantly assessing and re-assessing to make continual improvements to the program.

W. Shorey commented that those who work with him in the garden are generally very polite and do well. S. Story stated that this garden project is a mentoring component. He offered for Commissioner Shorey to take some of the mentoring training since he already serves in that capacity in the garden program. S. Story said that the majority of those who work in the garden are very excited about it and enjoy it very much. W. Shorey said that he always tells the residents that everybody out there is “on the same level and all work in the dirt”, including the deputies and himself as Commissioner.

4. S. Story informed the Commissioners that the former Head Cook position will be changing. The position has been posted and so far there is only one applicant. This position will be a program, like the garden, and will also need to be coordinated with the garden project. It will no longer be a food service but an educational program. The Commissioners agreed with this philosophy. It was understood that food still needs to be provided for those in the 72-hour hold, but the residents will benefit from a food-related program including budgeting, planning, preparation, etc. S. Story asked for permission to hire the applicant in-house since that is the only application that has been received. The Commissioners agreed, asking for more details to be brought in during a future court session.

#### 5. CRUISER BIDS:

Bid proposals for three Police Cruisers were received and reviewed as follows:

1. Bessey Motor Sales from South Paris: Three (3) Chargers \$24,253.00 each, totaling \$72,759.00. Seven (7) older Waldo County Ford Crown Victoria Cruisers would be traded in for \$7,600.00, so the grand total would be \$65,159.00. Warranties: There did not appear to be one included and would require a phone call to check. S. Story explained that the RFP hadn't included a request for an extended warranty.

(Adam Friend of Hartley's was now present for the bid openings.)

2. Newcastle Chrysler Dodge from Wiscasset: Three (3) Chargers at \$23,060.00 each, totaling \$69,180.00. Seven (7) Ford trade-ins (older Waldo cruisers) at \$10,000.00 would make a grand total of \$59,180.00.

3. Hartley's from Newport: Three (3) Chargers at \$23,260.00 each, totaling \$69,780.00. Seven (7) Ford trade-ins at \$5,500.00 would make a grand total of \$64,280.00.

4. Quirk: Three (3) Chargers at \$24,099.00 each, totaling \$72,297.00. Seven (7) Ford trade-ins at \$9,076.00 would make a grand total of \$63,221.00. Basic warranty information was included.

S. Story reminded the Commissioners that previous boards of commissioners generally gave preference, if the price difference was marginal, to local dealers, but said he recognized that the current board could make whatever decision they wished.

B. Johnson asked if the warranties might change the outcome. S. Story said he would confirm the warranties but suggested that he might not need to request the extended warranty if the standard met what the County had been purchasing in the past.

**\*\*B. Johnson moved, A. Fowler seconded to award the cruiser bid to Newcastle Chrysler Dodge as proposed, with trade-ins, at \$59,180.00. Unanimous.**

S. Story said that if there were any issues with the warranty information, he would request another meeting with the Commissioners.

#### **OLD BUSINESS – TABLED DISCUSSION ON NEW WORK STATION AT POST II OF REENTRY CENTER:**

The Commissioners reopened that discussion tabled at a previous Court Session regarding the need for a new work station in Post-II at the Waldo County Regional Reentry Facility. S. Story said they had never planned on doing this but when it was reviewed by Ann Schneider of MMA Workers Compensation, she “was pretty taken aback” at the work station situation. K. Nealley has some funds in the Corrections Portion of the Facilities budget to assist with this and S. Story said he agreed that this should be taken care of. He informed the Commissioners that the employees who sit at this station sit “a long day” and there are ergonomic deficiencies that need to be addressed. It is one of the most critical areas in the facility. When something bad happens, it is in that 72-hour hold. People try to kill themselves, are intoxicated, start fights, etc. This needs to be monitored well. A. Fowler asked if the new chair had been included in this. Nobody could find it in the proposal so it was assumed that it likely wasn’t included.

**\*\*B. Johnson moved, A. Fowler seconded to approve the new work station project at Post II in the Maine Coast Regional Reentry Center. Unanimous.**

The Commissioners thanked the Sheriff for his report.

#### **EXECUTIVE SESSION:**

**\*\*B. Johnson moved, A. Fowler seconded to go into Executive Session at 10:06 a.m. for a personnel matter related to compensation as permitted by M.R.S.A. Title 1. Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to come out of Executive Session at 10:14 a.m. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to compensate Facilities Manager Keith Nealley for additional work he performed during construction of the new EMA/Sheriff’s Building. Unanimous.**

#### **EXECUTIVE SESSION:**

**\*\*B. Johnson moved, A. Fowler seconded to go into Executive Session for a personnel matter related to compensation at 10:15 a.m. 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 10:21 a.m. Unanimous.** No action was taken.

**HUMAN RESOURCES/PAYROLL DIRECTOR REPORT:**

Present was Human Resources/Payroll Director Michelle Wadsworth, who reported the following:

1. The March Newsletter will be about self-funding health insurance and what it means, so that employees can better understand the County's plan.

2. Binders are completed for the Wellness Committee and a meeting will be scheduled soon. When asked who comprised the committee, M. Wadsworth explained that there is a representative from each department with the exception of the D.A.'s Office at this time. When asked what her goals were, M. Wadsworth said she was interested in hearing from the Commissioners as to their goals, but in the meantime some of her thoughts included having a nurse come to the departments to check employees for blood pressure and other checks, and to implement weight loss programs, etc. A. Fowler felt that money needed to be spent in order to promote wellness. She had mentioned a \$50.00 gift certificate to all employees on the health insurance plan to Olympia Sports, for example, which was suggested by Deputy County Clerk Veronica Spear. A. Fowler also referenced her other ideas from the previous court session.

M. Wadsworth suggested speaking with Bruce Osgood of the YMCA to get ideas from him. M. Wadsworth reported that she has contacted Andrew Feingold and asked what Meritain Health can offer as well.

B. Johnson reported that she has asked to sit in on these meetings (although not as a member) since she is on the Healthy Waldo County Committee and would like to report back to them.

W. Shorey said he has observed in his previous business experience that memberships to the YMCA have not been particularly successful. He has also observed, with a larger business of 300 people, that for a health plan to work, certain goals must be met in order to get a break on health insurance and must be monitored by a nurse in order to meet the criteria for a reduction on the cost of health insurance.

B. Johnson expressed concern about employees who are not on the health insurance plan and what benefit or reward they could receive, as well. She believed all employees needed to be included in this promotion of good health. A. Fowler said she agreed with this and agreed that employees should be rewarded for good behavior. She had suggested sneakers at Olympia Sports to get people active. M. Wadsworth said that one of the locations might even give a discount to the County. B. Johnson suggested getting the Wellness Committee really enthusiastic, get them going and also mentioned that grant funds are out there for wellness programs that could be researched. W. Shorey said that he believed this would need to take some time to do this wellness program right, rather than rushing through it. He said he agreed that there might need to be some money incentives but may not agree with the suggestions he had heard so far.

**\*\*A. Fowler moved, B. Johnson seconded to enter Executive Session at 10:36 a.m. for M.R.S.A. Title 1 § 401 6(D) to for discussion of union matters. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to come out of Executive Session at 10:56 a.m.** No action was taken.

## **TECHNOLOGY REPORT:**

Present with the Commissioners was Technology Consultant James Arseneau of J&B Diversified Associates, who reported the following:

1. After some research and calling, J. Arseneau reported locating a third party to contract maintenance for the Sun Server. The company is WBTECH. Unfortunately, they will not do 24/7 coverage but will do 9/5 coverage. Sun wanted \$1,800.00 and this contract will be \$2,500.00 for that piece. It was originally \$3,600.00. This will put the County at around \$41,000.00, which is within the budgeted amount that was estimated. It is not 24/7 coverage, but is better than none at all. J. Arseneau noted that the next budget will need to address a replacement server.

**\*\*B. Johnson moved, A. Fowler seconded to sign the contract with WGTECH for \$2,500.00.**

**Unanimous.** The Commissioners thanked J. Arseneau for finding this company and for making this arrangement.

2. Spillman has turned on CAD Mapping and Pin Mapping and configuration and testing are being done.

3. There a few items at the new EMA/Sheriff's building being attended to regarding cabling, etc. for video monitors and overhead projectors. B. Johnson asked if J. Arseneau was doing anything with security. He explained that Seacoast handles this. B. Johnson said that there is still a problem with employees having access to the fitness center. J. Arseneau said that the building wasn't designed for multiple access zones and thought it was very gracious on the part of the Sheriff to have offered to open up the gym to other employees. J. Arseneau said there could be an exterior door put on that room, but all agreed that it would detract from the appearance of the building. He reemphasized that he is not involved in the security element of things.

4. A. Fowler asked about the lease agreement in the Corrections budget line 4405 and asked what the leftover funds were. J. Arseneau said those are unspent funds for the Spillman lease. He explained that some of this relates to the State's mandates. He added that without his folders and notes, it was not easy to provide details. There was brief discussion about video conferencing and the money required for that versus transporting inmates. He noted that Waldo is one of the few counties that does not utilize video conferencing.

5. Regarding the leasing part of Spillman, the last payment will be made this year. No maintenance has been paid except to small modules. It will be between \$37,000.00 and \$39,000.00 for maintenance. He reminded the Commissioners that the County knew this was coming. It was \$29,000.00 when the system was purchased. The Jail's portion will be between \$9,000.00 and \$15,000.00. J. Arseneau is working on the budget now, since that is coming up soon.

## **CORRESPONDENCE:**

Present to report Correspondence was County Clerk Barbara Arseneau, with Deputy County Clerk Veronica Spear taking minutes as follows:

### **1. COMMISSIONERS OFFICE REPORT:**

Deputy County Clerk: B. Arseneau reported that Veronica Spear has been working on the following:

- Completed adding earned and used vacation, sick and comp time to the employee payroll checks. These are now reflected on the pay stubs.
- Completed and sent out minutes for Tax Abatement Hearing Petition #356 for T. Paul vs. the Town of Palermo that was held February 14, 2012.
- Is currently working on the 2012 Public Hearing and final Budget Committee Meeting minutes from November 30, 2011.
- Ordered and received two new file cabinets to replace those that were no longer locking.

A. Fowler asked V. Spear finish transcribing the 2012 Budget Public Hearing minutes from November 30, 2012 as soon as possible. If they could not, she needed the pages with the final vote at the very least.

Human Resources/Payroll Director: B. Arseneau reported that Michelle Wadsworth has been working on the following:

- Setting up paperwork and meeting with several new hires.
- Assisting the District Attorney with wording for posting the Legal Secretary and Prosecutorial Assistant positions and reviewing the job descriptions that were submitted by the District Attorney.
- Catching up on filing enrollment applications, personnel change requests and a number of other documents with MainePers electronically online. MEPERS had a glitch with their programming for several months and the County was not permitted to send paper copies, so M. Wadsworth had to wait until MEPERS fixed their online issues before she could submit all these documents electronically.
- Working on researching wellness programs and putting together binders with documents for each Wellness Committee Member.
- Assisting with some claims issues related to changing from Great West-Cigna, First Health and PHCS over to the AETNA network in January of 2012.
- Working on union-related matters and preparations for upcoming negotiations.

County Clerk: B. Arseneau reported that she has been working on the following:

- Completed 2010 and 2011 employee performance evaluations.
- Kept current with transcribing and sending minutes from Commissioners Court Sessions.
- Been working on union-related matters and preparations for upcoming negotiations.
- Been performing specific research for FOAA requests from citizens and others.
- Repairing older documents at the Archive and started organizing some of items that have been sent to the Archive.

2. Village Soup News has been purchased, reportedly, by the owner of the Free Press. B. Johnson requested that the staff look at possibilities of advertising for employees through the Free Press and Pen Bay Today. B. Johnson explained that the Towns all express that Bangor Daily costs too much to advertise in. There was discussion of how the statutes on advertising and notices may need to change with the times.

3. When asked if they are still requesting the Town Annual Reports, the Commissioners said yes and to put them on the shelf in the conference room.

4. The Mid-Coast Regional Planning Commissioner sent a letter to Commissioner Johnson as an effort to contact all towns, cities and counties to ask for project requests. These requests will be forwarded to the State for funding consideration. The Commissioners had no requests.
5. A letter has been received from Norris Staples of Plisga & Day Land Surveyors outlining a proposal of surveying services that he will perform related to the Waldo County Jail Property and specifically related to the Old Jailor's/Sheriff's House and the Old Jail. The good-faith estimate in fees and expenses totals approximately \$3000.00 and will not be exceeded without prior authorization from the County Commissioners.  
**\*\*B. Johnson moved, A. Fowler seconded to sign the letter of engagement with Norris Staples of Plisga & Day to have this work performed. Unanimous.**
6. The Commissioners received a letter dated February 27, 2012 from Howe, Cahill & Company confirming their decision to terminate their services to MCCA and the Risk Pool effective June 30, 2012.
7. Communications Director Owen Smith requested confirmation of hiring Lori Benner as full time dispatcher for the Waldo County Regional Communications Center effective March 5, 2012. She is already certified in EMD, CTO and 9-1-1 and has a little over three years of dispatching experience, so she will be paid at \$17.72 per hour.  
**\*\*A. Fowler moved, B. Johnson seconded to approve hiring Lori Benner as full time dispatcher effective March 5, 2012 at \$17.72 per hour. Unanimous.**
8. The MCCA has asked that all counties post that they are seeking interested county officials for an appointment to the Maine Geolibary. None of the Waldo County Commissioners were interested in being appointed to this position.
9. Deputy District Attorney Eric Walker sent a written request for confirmation of hiring Irene Blood as a temporary office assistant with full-time hours while the District Attorney's Office posts for a permanent full-time Legal Secretary. I. Blood started on February 22, 2012 and will work for the next two to three weeks at \$12.83 per hour.  
**\*\*A. Fowler moved, B. Johnson seconded to approve hiring Irene Blood as a temporary employee at the District Attorney's Office for full-time hours for two to three weeks starting February 22, 2012 at \$12.83 per hour. Unanimous.**
10. A memo was received from Communications Director Owen Smith informing the Commissioners that dispatcher Christopher Therrien left employment with the County effective February 15, 2012.  
**\*\*A. Fowler moved, B. Johnson seconded to accept Christopher Therrien leaving employment with the County on February 15, 2012. Unanimous.**
11. The Commissioners have been receiving email messages from people who would like the County Commissioners to either support or not support the liquefied propane storage tank that ConocPhillips and DCP Midstream are proposing to construct and operate at Mack Point in Searsport. The Commissioners instructed the Clerk to collect and file all such correspondence, stating that the Board of Waldo County Commissioners would not be involved in this matter.



12. The Mid-Coast Regional Planning Commission has invited the Board of Commissioners to attend the Annual Meeting of Municipal Shellfish Management, Municipal Solid Waste Costs and Safe Routes to School on April 25, 2012 from 6:00 to 8:30 p.m. at the Union Town Office. None of the Commissioners could attend.

**MINUTES APPROVED:**

**\*\*B. Johnson moved, A. Fowler seconded to approve the minutes from the February 14, 2012 Waldo County Commissioners Court Session and minutes from the February 14, 2012 Tax Abatement Hearing Petition #356 Timothy Paul vs. Town of Palermo. Unanimous.**

**POSTPONED JOB DESCRIPTION DISCUSSION – PROSECUTORIAL ASSISTANT:**

The Commissioners briefly discussed the job description that had been originally submitted and then revised for the proposed Prosecutorial Assistant position. B. Johnson said that after reviewing the position and the qualifications along with the test for FLSA exemption, all agreed that this met the test for Professional Exemption from the Fair Labor Standards.

**\*\*B. Johnson moved, A. Fowler seconded that the Prosecutorial Assistant position be a salaried, FLSA-exempt position. Unanimous.**

Deputy District Attorney Eric Walker now appeared before the Commissioners and District Attorney Geoffrey Rushlau telephoned and was placed on speaker to discuss the changes in the description with the Commissioners. G. Rushlau explained that there are two strikeouts on the second page.

Discussion of salary: G. Rushlau gave a brief history of the Knox County Prosecutorial position this was somewhat modeled after. Knox County recently performed a salary and pay review, which established a wage band for the Prosecutorial position for the high and the low wages. He was not necessarily recommending following that model but mentioned it might be helpful because this position was compared with other similar positions throughout the state. B. Johnson recommended finishing the vote on the job description itself before discussing wages.

**\*\*B. Johnson moved, A. Fowler seconded to approve the job description with the changes on the second page as submitted. Unanimous.**

E. Walker informed the Commissioners that there is some money unspent in the budget so far this year, so that will be helpful to put toward this position. \$32,000.00 had been budgeted for the Receptionist position that was eliminated in December of 2011.

There was discussion of what wage range this position needs to be placed in. This would be the highest paid position in the office due to the requirements. After additional discussion about where the funding could be found, which possibly might include the Commissioners part-time line if that is determined later, the salary was set at \$42,000.00.

**\*\*B. Johnson moved, A. Fowler seconded to approve setting the salary for the Prosecutorial Assistant in the District Attorney's Office at \$42,000.00. Unanimous.**

**JUDGE LONGLEY:**

W. Shorey asked if Judge Longley wished for this discussion to be in Executive Session, to which she replied that would not be necessary.

J. Longley spoke about Judge positions and the independence of the Judiciary. Maine decided to follow the constitution and make a fine line between the branches so that the judicial employees would be independent. In another county a few years ago, they tried to cut the judge's health care benefits. It went to the law court. The court came down and made a decision, but the footnote said that they were not deciding whether health insurance was compensation or not. Judge Longley had sent a letter requesting that the Commissioners look at what she was paying for health insurance in 2005. The Commissioners reviewed and then sent her a check refunding the premium she paid during 2005-2008. The Commissioners then sent a letter saying that she was asking for compensation premium payments from 2009 through 2011. She explained that she was trying to clarify that today. She expressed her appreciation for her job. She felt that this did not need to be decided today but felt that this would be an ongoing matter.

W. Shorey said that he has had some discussions with Judge Longley and the Commissioners' position had been that if the Judge was elected on a date, the health insurance premium would be held at that level throughout that term. The discussion is that Judge Longley feels that she is still entitled for this to continue as long as she is Judge in Waldo County for uninterrupted terms. W. Shorey said that after his repeated review of this law and information, he was reminded that back when this law was created, nobody had health insurance. He felt that the footnote was important when it said that if this case was about health insurance, it might not be the same answer. He understood complying with the law from term to term. Judge Longley read from the law and felt that it was very clear and suggested that the County might have another attorney review and be the arbiter on this. When asked about what other counties do, B. Arseneau reported that based on the responses she had received at this point, all but Washington and Aroostook County treat their judges like all other non-union employees in terms of health insurance premiums.

Judge Longley said that the State and the Constitution separates the branches and keeps the Judges separate and this was to avoid the "wrangling" and so that these discussions would not have to happen. She expressed that she was pretty sure that Sagadahoc, which brought this case forward initially, did not change health insurance premiums for their Judge of Probate. B. Arseneau acknowledged that she had not received a response from Sagadahoc, presumably because the County Administrator had left and a new one was coming on board.

B. Johnson thought that the decision had been made to honor the four year-terms but that the premiums would change with the start of each term.

A. Fowler felt that it would be one thing if the Judge of Probate's salary was low. A. Fowler stated that she was not comfortable doing something different for this one employee because of a statute that was in place long ago.

Judge Longley said that she believed the Commissioners letter was misapplying the context of the statute regarding uninterrupted terms and continuance of office and that it is when the term began uninterrupted. Therefore she wanted to clarify that the uninterrupted term started back in 2005, not 2009. She said she would speak with the Judges and she would be surprised if it was different with other counties but either

way, she knew the law, she upholds the law and she knows that without question, the continuance of office law exists.

W. Shorey said he agreed that this was so with the Voorhees case, which is the case that was brought forward in Sagadahoc County, but he stated that the footnote says that this decision was made for that case only and that it might be very different with another case.

Judge Longley said she believed Commissioner Shorey was on the right track, but compensation appointments are made when someone is first appointed and nobody is really addressing the issue of whether or not health insurance, as compensation, can be reduced.

A. Fowler asked if health insurance is required to be given to Judges by law and Judge Longley replied that it is not required. A. Fowler said she wondered, then, why health insurance was considered as compensation that could not be changed if it isn't required by law for Judiciary employees.

All agreed that there were different interpretations of the law. W. Shorey said he believed that a good compromise would be the four-year terms versus not increasing the salary from this point forward. Judge Longley agreed that it would not be good for her if the salary were not increased in lieu of holding the health insurance premium at the same rate throughout all the uninterrupted terms. She just asked that the Commissioners give this some thought, offered to check back with the Judges and would report back to the Commissioners in the fall.

**OLD BUSINESS:**

The Tabled Corrections matter is still tabled.

**MISCELLANEOUS COMMISSIONERS BUSINESS:**

1. B. Johnson reported that she has registered for the Homeless Consortium and asked if A. Fowler had. A. Fowler had not because she would need to leave partway through for a Corrections meeting.
2. There was brief discussion of Knox County's recent salary survey and the subsequent wage increases that were taking place. The Commissioners briefly discussed the salary study Waldo County performed a number of years ago and the resulting conclusion that the County simply couldn't afford to raise salaries as recommended by the survey. W. Shorey said his goal was to make the COLA's equal for union and non-union employees so that there would be fairness.
3. A. Fowler stated that she will be attending one day of the NENA Conference in April.
4. B. Johnson reported that she will be listening to a NACo Webinar on Healthy Counties.

**NEXT COURT SESSION:**

The next Commissioners Court Session is a regular session scheduled for Tuesday, April 10, 2012.

**\*\*W. Shorey moved, A. Fowler seconded to adjourn the court session at 12:45 p.m. Unanimous.**

Respectfully submitted by Barbara L. Arseneau  
Waldo County Clerk