

**WALDO COUNTY COMMISSIONERS COURT SESSION
AUGUST 14, 2012**

PRESENT: Commissioners William D. Shorey – Chairman, Amy R. Fowler and Betty I. Johnson. Also present was 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 for the financial report was Treasurer David A. Parkman and Deputy Treasurer Karen Trussell.

D. Parkman reported the following:

COUNTY REVENUE:

71% of anticipated revenue for 2012 has been received.

COUNTY APPROPRIATIONS:

Expenditures could be as high as 60% and are currently at 55% expended. The only slight area of concern in the Communications Budget is the Tower line and all were already aware of the reason for this – the Budget Committee trimmed the budget. D. Parkman commented that the overtime line in that budget was looking good. W. Shorey explained that the new floater position has saved this line some money.

Communications Director Owen Smith had sent down a report dated July 13, 2012 indicating that during the months of June and July the floater position had saved a total of 25 shifts that would have been posted at overtime. These shifts were mostly vacation or compensation time off days and a few were classroom time that one of the supervisors spent with a new part-time trainee. The breakdown was as follows: Month of June – 11 shifts saved; month of July – 14 shifts saved. O. Smith further reported that the floater position has also made it easier to get the required QA shifts done. The Commissioners expressed their pleasure with how this position was working.

Audit Discussion:

D. Parkman informed the Commissioners that this is the second year that the County will need to have a federal audit. He felt that EMA Director Dale Rowley should include an administrative cost when he gets grants, and that Technology Consultant Jim Arseneau should do the same thing when he applies for grants. W. Shorey wondered if it would be possible to email all department heads and asked that when these grants are applied for, that they include administrative costs in those grant applications for the audits that will follow. This was followed by brief discussion about the fact that some grants would not allow for these types of costs to be included. The Commissioners discussed whether or not it would make more sense to set aside money in either the Audit budget or Grant Matching Reserve. W. Shorey wondered if there should be a separate Grant Audit budget. A. Fowler mentioned that there was already the Grant Matching Reserve and felt it made sense to fund that account for grant audit purposes. B. Johnson agreed. W. Shorey said he wondered if the County would be receiving \$500,000.00 worth of grant funds in the near future as he believed those types of grants are disappearing.

D. Parkman expressed concern over the way the Tower line was reduced last year by the Budget Committee, with the “real reason being to reduce pay for employees” and further expressed concern about budget lines not being funded properly. He stated that when he was on the Budget Committee a number

of years ago, the Budget Committee did not get involved with personnel lines and commented on the involvement in recent years by the Budget Committee in cutting budgets to try to affect wages, calling it “irresponsible”.

W. Shorey quoted recent comments made by the Belfast City Manager about not being able to hold budgets at zero for too many years. W. Shorey noted that in previous years, the County budgets had increased 8% or so. Then in recent years, the average increase was about 1.4 %, adding that “somewhere in between those two numbers” would be a budget that is funded and operating in a responsible manner.

****B. Johnson moved, A. Fowler seconded to file the Treasurer’s Report.** A. Fowler said she had some questions. She asked why and how the Technology reserve was in the red. W. Shorey explained this was mostly related to expenses with the new building. W. Shorey said that this money would be replenished by undesignated funds that would be moved into that reserve. A. Fowler said she also had a few questions regarding building maintenance but would wait and ask the Facilities Manager.

There was discussion of how the reserves have been drained and need to be replenished.

CORRECTIONS:

The Corrections Budget is about 5% expended.

MOCK TRIAL/LAW DAY INVOICE:

The Commissioners discussed an invoice that came through from the Registry of Probate that was related, in part, to a mock trial that was held by the Judge of Probate in the Probate Courtroom in May. As requested, the Judge had provided an explanation of the components of the invoice. The Commissioner briefly discussed that they would agree to pay the invoice as part of the first warrant to be read. B. Johnson first requested a motion that the Commissioners approved payment of this invoice.

****B. Johnson moved, W. Shorey seconded to authorize payment of the Judge’s invoice submitted in May. Unanimous.**

WARRANTS.

****A. Fowler moved, B. Johnson seconded to authorize payment of the July 27, 2012 General Fund Accounts Payable warrant and July 19, 2012 Payroll in the amount of \$213,027.12. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the July 27, 2012 Capital, Active & Restricted Reserve warrant in the amount of \$32,513.71. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the July 27, 2012 Reentry Accounts Payable warrant and July 19, 2012 Payroll in the amount of \$108,631.72. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the August 14, 2012 General Fund Accounts payable warrant and August 2, 2012 Payroll in the amount of \$400,167.27. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the August 14, 2012 Capital, Active & Restricted Reserve warrant in the amount of \$13,654.22. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the August 8, 2012 Reentry Accounts Payable warrant and August 2, 2012 Payroll in the amount of \$100,987.58. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the August 14, 2012 MCRRC Restricted Reserve warrant in the amount of \$662.88. Unanimous.**

FACILITIES REPORT:

K. Nealley reported that the Superior Courthouse roof bids have come in. Two roofing companies submitted proposals as follows.

1. Hahnel Brothers - \$30,300.00.

2. Horch Roofing - \$26,500.00 to replace shingles on the front end of the building where the asphalt shingles are deteriorating. There would be a \$620.00 additional warranty for a certain number of years.

When asked by A. Fowler if the State was assisting in this project, K. Nealley explained that he has been in contact with the state and in this case, no, but the state sent three air conditioning units to assist with air conditioning issues.

****A. Fowler moved, B. Johnson seconded to accept the proposal from Horch Roofing in the amount of \$26,500.00 along with the \$620.00 warranty. Unanimous.**

W. Shorey asked if cleaning and floor maintenance in the new public safety building could be reduced from three days a week to two. The Commissioners discussed continuing with more maintenance in the winter but less in the summer months. K. Nealley said he would talk with the EMA Director, Sheriff and cleaning company.

A. Fowler asked about the Facilities maintenance line being overdrawn and heating repairs being overdrawn. K. Nealley thought the first was a roll-over bill from 2011 for the alarm system and the other was maintenance for an old system in the Superior Courthouse; plus, it can never be predicted what any given year it will be.

A. Fowler asked about costs related to maintenance on the new building. K. Nealley said it included signs, blocking off certain areas of the windows, septic drains needing to be flushed out, and he will need to determine if this will be an ongoing thing. K. Nealley added that there are still "bugs to be worked out" with that building.

(The Commissioners next held a tax abatement appeal for Deborah Penney vs. the Town of Knox, Petition #358. See separate minutes for this hearing.)

SHERIFF'S REPORT:

Present: Sheriff Story and Chief Deputy Jeffrey Trafton.

1. S. Story said that he had sent notice to the appropriate departments informing them of the need to have a draft jail budget in the system for CRAS Monday morning. Also, he needs to meet with several people to put the 2013-14 budget together. This will be a draft budget. He explained that it would be fine to wait for the Commissioners to review and approve it at their September 4, 2012 Special Court Session and any changes can be submitted later.

2. 2014-2015 Corrections Budget Prep: S. Story asked for authorization for Technology Consultant Jim Arseneau to work on the Jail portion of the budget, as there was going to be a charge and he didn't want to do it without his proposal. If they didn't want to authorize this, he said he would just do about 3% increases for personnel and for other commodities.

W. Shorey asked the other Commissioners if J. Arseneau should be engaged to prepare the technology support of the Corrections 2014-2015 budget request.

****B. Johnson moved to have Technology part submitted by J. Arseneau; A. Fowler seconded, noting that there should only be a couple of hours needed to perform this. Unanimous.**

S. Story said he would mail J. Arseneau and tell him that he had authority for a couple of hours of work on the Jail budget.

3. Chief Deputy Trafton submitted a copy of the TRIAD Newsletter, informing the Commissioners that there is about 2200-2300 people the Sheriff's Office mail this to. Now many of the seniors are online and have asked when it will be put online. The goal is to keep this information as a free service, they don't have money to have it put on a website. Someone suggested that it might be added to the County website. He spoke with Jim Arseneau and Jim offered to put it on the web site pro bono. A. Fowler said it is cheap to put things on the web site and since this is County related, she was in favor of this. D. Rowley, who was also present, explained what the process would be. J. Trafton said that if he could be taught how to do this, he would add it to the web site himself. S. Story added that he would like to be taught to add the Sheriff's Newsletter on the web site. D. Rowley said he adds things to the web site and that an hour with J. Arseneau, they could set it up and be able to do it themselves in the future.

EXECUTIVE SESSION:

****A. Fowler moved, B. Johnson seconded to enter Executive Session at 10:39 a.m. to discuss recent General Unit negotiations as permitted by M.R.S.A. Title 1 § 405 – 6(D). Unanimous.**

****A. Fowler moved, B. Johnson seconded to come out of Executive Session at 10:58 a.m. Unanimous.**

After brief discussion of the Prosecutorial Assistant position's proposed pay scale, the Commissioners voted as follows:

****A. Fowler moved, B. Johnson seconded to accept and sign the Prosecutorial Assistant 2012 Exempt Pay Scale as presented. Unanimous.**

EMERGENCY MANAGEMENT AGENCY REPORT:

Present with the Commissioners was EMA Director Dale Rowley with the following report, starting with three new tower projects:

1. New Amateur Radio Tower:

This new tower will be located near the generators behind the Public Safety Building. It will be 40 feet tall. It does not require City approval. The Air National Guard has volunteered to help install it free of charge.

2. New 100 Ft. Public Safety Tower Project:

This project is scheduled to go before the City Planning Board on August 22, 2012. The FCC permit application has been submitted and he is waiting for their approval. He is also waiting on the new deed being worked on by legal counsel.

3. Radio Tower at Mount Harris:

The County has the potential to own this tower, which is near the Dixmont Town Line. He explained that it is a "nice tower because it can hit 8 counties." One government agency can transfer to another county. He is applying for a radio license. He mentioned that the Amateur Radio people have built a network from Aroostook to York Counties. There would also be an opportunity to tie in with other counties.

4. Joint Disaster Exercise with Knox County – Penobscot Bay Responder 12: This tabletop exercise will be September 5, 2012 and is mainly for first responders. A full scale exercise will be held on October 13, 2012 starting at 8:00 a.m.

CORRESPONDENCE:

Present with the County Commissioners to discuss correspondence was County Clerk Barbara Arseneau

1. An email message was received from Bruce Flaherty, who also unexpectedly came to speak briefly with the Commissioners before their session started. He was in contact with the Commissioners to request that the Commissioners hold a ceremony honoring Waldo County volunteers who have been recognized by the Spirit of America Foundation Tribute, preferably during one of their court sessions in September. W. Shorey stated that he was not really in favor of holding this during a commissioners' court. A. Fowler explained that she was asked to participate last year and she felt it was a worthy cause and a good thing for the Commissioners to endorse and participate in. She recognized that the Commissioners do not have enough space in their conference room to hold this. She felt that it was good to recognize the good things people do. Perhaps it could be held in one of the other County facilities, but this would need to be checked. She wondered why there weren't more names on the list of recipients. B. Johnson said that she thought B. Flaherty had indicated that there would likely be more names added to this list. W. Shorey thought the County might agree to host a simple supper and B. Johnson suggested that it be held later in the evening with more finger/dessert type foods. The Commissioners agreed to host this and would come up with a place and a schedule, perhaps in October since September is a very busy month. W. Shorey said he would follow up with Mr. Flaherty and suggested a Saturday afternoon.

2. Communications Director Owen Smith submitted a written request to purchase a new I.D. machine to replace the existing machine which was purchase about nine years ago. Dispatch Supervisor Michael Larrivee makes ID cards for County employees as well as for other agencies. Now that all County employees must have an ID card, it gets used frequently, and it is no longer making good quality ID cards. I.E. If it is purchased before August 31, 2012, the vendor will give the County \$350.00 trade-in, bringing

the cost to \$4,837.80 for actual purchase. As this equipment failure was not anticipated, O. Smith asked if it could be funded from the Equipment Reserve.

****A. Fowler moved, B. Johnson seconded to authorize purchase of the new I.D. machine for a total of \$4837.80, to be funded from the Equipment Reserve. Unanimous.****

3. The following pay step increases were noted by the County Commissioners:

- Deputy Daniel Thompson for completing the five-year step effective August 11, 2012, with a pay increase from \$19.37 to \$20.11 per hour.
- County Clerk Barbara Arseneau for completing fourteen years of full-time work as County Clerk, with a salary increase to \$50,386.94, with the total 2012 increase to be \$49,035.00.

APPROVAL OF MINUTES:

****A. Fowler moved, W. Shorey seconded to accept the minutes from the July 10, 2012 and July 24, 2012 Waldo County Commissioners Court Session. Unanimous.**

MISCELLANEOUS COMMISSIONERS BUSINESS:

1. Postponed Corrections matter: This matter continues to be postponed.

2. W. Shorey reported that there have been a lot of phone calls with engineers and Attorney Andy Hamilton of EatonPeabody regarding the Old County Jail and Old Jailer's House. The County has applied through the City of Belfast for a Brownfields Assessment grant to determine whether or not remediation work is needed for those buildings. Many people are in the loop, including the Historical Society and the City Planner and there is good, productive dialogue going on.

3. B. Johnson reported that KWRED (MCEA) may approach the County for a small amount of money to help support a small advisory board so that this group can oversee and know what is going on in the Counties. They will be holding a meeting in September.

4. There is a Corrections Workshop today. A. Fowler said she needs to attend and will have to leave before the court session is done.

2013 BUDGET CAUCUS:

Present: 2012 Budget Committee members Peter Curley, Richard Desmarais, James Bennett and Bill Sneed.

W. Shorey read the letter from the Town of Unity Selectmen nominating Selectmen Clement Blakney to fill the last year of the unfinished three-year term for former Selectman/2012 Budget Committee member James Kenney.

District 1:

****B. Sneed moved to nominate David Barrows to serve on the FY 2013 Budget Committee for a term of three years.**

****R. Desmarais moved to close nominations. Passed unanimously.**

B. Johnson said she is speaking with Islesboro to fill the vacant position of Nakomis Nelson..

District 2:

**J. Bennett nominated R. Desmarais.

District 3:

**R. Desmarais nominated J. Bennett.

Commissioner Shorey declared all nominations nullified because it was pointed out that previous legal counsel had indicated that nominations need to be made by a municipal officer from within that specific district.

District 1: No nominations were made from the floor, but later during the court session, at 12:01 p.m. the Town of Lincolnville faxed a letter stating that they, as municipal officers of the Town of Lincolnville, nominated Selectmen David Barrows to serve on the 2013 Waldo County Budget Committee. This was accepted by the Commissioners

District 2:

**R. Desmarais nominated himself to serve on the 2013 Budget Committee.

District 3:

**J. Bennett nominated himself to serve on the 2013 Budget Committee.

2013 BUDGET UPDATE:

D. Parkman presented a brief overview of the budgets, commenting that the budgets look good with the exception of the Tower Line in the Communications Budget. B. Sneed inquired about the part-time line in that budget. W. Shorey reported that part-time and over-time shifts had been saved by the floater position.

W. Shorey also reported the following regarding the Old Jailer's House and Old County Jail. He had called James Gillway and asked to speak with EMDC. Meanwhile, had been speaking with attorney Andrew Hamilton. The City of Belfast had some Brownfields grant money and the County applied through the City for an assessment grant. It was approved in a week. An engineering company out of Portland will be working on assessing the buildings for asbestos, lead paint and other chemical issues. This grant will hopefully lead the way to another Brownfields grant being applied for and awarded to perform any remediation work.

W. Shorey explained how the dividing lines of the buildings could be determined and an expert affiliated with EatonPeabody is working on delineating the buildings and spaces by means of condominium terms so that certain buildings are lumped together as a unit and other buildings are lumped together as a unit. The County hopes to resolve this matter in about 12 months.

D. Parkman said that he needed to speak about federal audits. Two years in a row, grant funds have been expended over \$500,000.00 and therefore a federal audit had to be performed. He did not know where the funding would be for this, as the second year was not expected. With this free money received from the government, there's always a cost. He suggested that money be budgeted to handle any future grant funds that, combined, total \$500,000.00 expended. There was some discussion of trying to include

administrative funds to be put toward an audit whenever a grant was applied for. This hasn't been planned on up to this point and it isn't known whether every grant can include administrative costs.

A. Fowler said the Commissioners had talked about it this morning and had thought it might be prudent that the Commissioners fund a potential federal audit each year in the Grant Matching reserve.

D. Parkman thanked the towns who had submitted their property taxes so far.

J. Bennett said he attended a meeting and people are having a hard time to pay their taxes. He noted that in his town, there is a large stack of pages of people who cannot pay their property taxes. He said in the next two months, Thorndike has to come up with about \$300,000.00 to cover the town's bill related to schools, etc.

W. Shorey said that the Communications radios were paid without a lease up front this year to try to keep the County debt free. He said with leases, the County mortgages itself for a number of years to come. He suggested that it would be much better to plan ahead for things that are going to come up every five years and set aside funding each year.

B. Sneed said the lien costs in his town were over \$10,000.00. He thought the valuation would be going down next year. He commented that the amount of foreclosures in the various towns is unbelievable, according to the State valuation person. He has seen this issue in most of the towns.

R. Desmarais said he went to Winterport and nearly every sign near the gas station is a "For Sale" sign on the houses.

B. Johnson said that many are asking a fairly high price on their homes.

A. Fowler commented that the country has been in a recession for several years.

W. Shorey said he didn't like new debt, period. B. Sneed commented that there are times when new debt is appropriate and acceptable.

The Commissioners recommended adjourning the court session and heading up to the EMA building for the luncheon that had been prepared.

There being no further business, the Waldo County Commissioners voted as follows:

****B. Johnson moved, A. Fowler seconded to adjourn the court session at 12:10 p.m. Unanimous.**

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