

**WALDO COUNTY COMMISSIONERS COURT SESSION
OCTOBER 09, 2012**

PRESENT: Commissioners William D. Shorey – Chairman, Amy R. Fowler and Betty I. Johnson. Also present was Deputy County Clerk Linda Kinney to make adjustments in 2013 budget numbers as needed 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 with the Commissioners was Treasurer David A. Parkman and Deputy Treasurer Karen Trussell.

COUNTY REVENUE

D. Parkman informed the Commissioners that the County side of the revenue should have been received at 80% and has actually been 87% received. He described this as being ahead of the anticipated amount, but behind as compared with previous years.

COUNTY APPROPRIATIONS

As of the end of September, the overall budget was 75% expended. The EMA budget is 76% expended. A. Fowler wondered what had occurred for the vehicle line to be overdrawn. K. Trussell thought this might be related to the new vehicle. W. Shorey stated that he believed it might have been the custom paint job. All agreed that this was unusual for the EMA budget to have any lines overdrawn. Otherwise, most of the other departments are on track. The Probate Registry had one line overdrawn, but this was the equipment repair line and that is always hard to predict each year. The only other line that might be of concern was the Communications Center Tower line. W. Shorey expressed concern about the over-time expenditure in that budget, as well. He emphasized the need to get the second floater position hired to help reduce these costs, since the current floater position appears to be reducing over-time costs.

D. Parkman stated that the County’s purpose is not to provide employment but to provide services to the County citizens, with which the Commissioners expressed their agreement.

CORRECTIONS BUDGET

The Corrections budget could be up to 25% expended and is 14% expended. A. Fowler expressed concern about the over-time and part-time lines, as those have been expended more than expected at 52% and 43% respectively.

D. Parkman reported that in the Jail checking account there will be about \$335,775.00. When a few more towns send in property taxes, this will help pay off the Tax Anticipation Note.

D. Parkman reported that 20% of property taxes have been received so far. Thank you letters have been sent to those Towns who have paid. Freedom paid in June and August, and Burnham, Montville, Troy, Prospect, Unity, Waldo and Winterport have all paid in full. Palermo has paid 1/3.

There was brief discussion about how lean the times are and the fact that fewer towns have submitted their property taxes is a demonstration of this.

W. Shorey briefly discussed recent bills at the new Public Safety Building related to maintenance on items that should have been done correctly the first time. A pipe was hit with a dozer while grading, which knocked it off center. The concrete was poured on top of this and then the pipe leaked later. The floor had to be ripped up and the pipe repaired. He explained that there would be a reduction in one of the invoices because the County should not have had to pay for this.

D. Parkman said he had received a call from auditor Craig Costello of Branther, Thibodeau & Associates. D. Parkman met with him last Thursday and reviewed the history of the audits performed during his time as Treasurer. D. Parkman made the point that when he contacts an auditor, he expects a timely phone call back, along with other expectations that he had, including that the audit be completed and submitted by the end of May of the following year. Mr. Costello has requested some of the recent years' audits. D. Parkman said he would like to get the 2011 Annual Report out as soon as possible. He believed that the numbers in the 2011 audit were correct. He was adamant that the current auditor's letter was no reflection of the work done by the County, but really, a reflection on the auditor. K. Trussell said that the current auditor had since sent a corrected letter. K. Trussell stated that one key item that had been missing was acknowledgement that the County had expended over \$500,000.00 in grant money during 2011.

W. Shorey said that he felt the current audit was not done as professionally as he would like to see. All agreed that the 2011 Annual Report should be sent out as soon as possible with the numbers that were given. W. Shorey agreed that the CPA signed it, so it should be sent out soon, but wanted to discuss this further with the Deputy Treasurer and Treasurer later today.

The Commissioners commended D. Parkman for going to meet with the prospective new auditor.

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

WARRANTS:

****B. Johnson moved, A. Fowler seconded to authorize payment of the October 9, 2012 General Fund and September 27, 2012 Payroll warrant in the amount of \$312,894.25. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the October 9, 2012 Capital, Active & Restricted Reserve warrant in the amount of \$18,408.51. Unanimous.**

****A. Fowler moved, B. Johnson seconded to authorize payment of the October 9, 2012 Reentry Accounts Payable and September 27, 2012 Payroll warrant in the amount of \$351,629.84. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the October 9, 2012 MCRRC Restricted Reserve warrant in the amount of \$1,540.97. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the September 27, 2012 Capital & Restricted Reserve warrant in the correct amount of \$18,746.22. (The previous incorrect amount had been \$18,746.49.) Unanimous.**

MICHAEL BOURRET, COASTAL COMMUNITIES WORKFORCE – DISCUSSION OF GOVERNOR LEPAGE’S PLAN:

Present with the Commissioners was Michael Bourret, Director of the Coastal Counties Workforce, Inc. He said he hoped to provide insight into the recent issue all have been hearing about in recent months. He provided a brief history of his background, part of which was working at the State level for a number of years under two governors. Later, state and locals had to come together under an updated system.

He submitted a folder of materials for each County Commissioner, including a printed PowerPoint presentation and 2011 Annual Report, among other documents.

HISTORY:

WIA legislation created the WIA in 1998 under President Clinton. In Maine, this means County Commissioners. The balance of power at the local level is CLEOS (Chief Local Elected Officials) who handle the fiduciary end and establish the workforce board and fiscal agent and have broad oversight, and a workforce board; which is more policy and plan oriented.

There are very few examples of state-run workforce boards, such as New Hampshire. This coordinates the job seeker with the job provider. The purpose of the act is to get people who are not in the labor force back into the labor force or to restore people who have fallen out of the labor force back in to the labor force.

The act is three “silos”; Adult Ed, Dislocated Worker, and Youth Plan. By federal law, they must provide Core Services, Intensive Services and Training Services. When asked, M. Bourret explained in this region 30% goes toward training and, depending on leverage, it can be up to 40%. When asked, M. Bourret stated it was originally 20%. Later there was a change to closer to 30%. Changes were made in the system to bring this percentage up.

The act reinforced the authority of the state and the locals, emphasizing the strong role of the locals and private sector, and balancing both supply and demand.

M. Bourret explained the role of the Chief Local Elected Officials (CLEO). He acknowledged Waldo’s agreement to send a Commissioner to fill that role. He noted that there has never been a quorum issue in the past 15 years. He referred the Commissioner to page 4 of the PowerPoint printout to see more details about the role of the CLEOs. The roles included the following:

- To appoint one of its members to serve on a multi-county board of chief local elected officials.
- To establish the governing principles of CLEO Board.
- To establish a Local Workforce Investment Board (LWIB), appointing and removing members as necessary.
- To assume fiscal liability for WIA funds and establish a fiscal agent for the Local Workforce Area.
- Political advocacy for Local Area & Board.
- To review and approve the administrative budget relating to the oversight of the local area.
- In partnership with LWIB, to hire and evaluate the Executive Director.
- Meet regularly with the Executive Committee of the Workforce Board.
- To serve on the State and Local Workforce Board.

M. Bourret stated that he went to the Maine County Commissioners Association and began a series of meetings that took nearly a year, in which there was a lot of discussion in setting up the geography so that

the right arrangement would be made for the region. Ultimately, the governor and the commissioners established this regional setup up as a collaborative process. There were fiscal issues in the western Maine area, which happened “on the heels of” the Baldacci administration. The Federal government monitored it and found some things, etc. A member of the WIA board at that time “got a bad taste in his mouth” and this may have resulted in the mindset of “throwing out the baby with the bath water.” When asked what the issue was, M. Bourret said he believed that the person who was running the books borrowed money to buy a camper for personal use, which was not a good thing. He ultimately had to pay it back. This left a poor mark on the WIA. A lot of the current situation has been motivated by that one bad experience.

Regarding the LePage Administration, they are looking at the eight (8) chamber districts as the region. What is different is that each of these regions no longer runs the region. They only provide business input to Augusta. The businesses no longer have oversight but instead, just provide input advisory in nature. This is a big change from how they acted in the beginning. The point about the training funds is that it does not include the Youth funds.

A. Fowler asked what the remaining 70% of funds is spent on. M. Bourret directed attention to page 7, where there was a color chart of expenditures including 15% for administration, 20-35% for staff, 20-35% for training and 25-35% for leases. He noted that the admin, staff and leases were being called “overhead.” He explained that nobody can be put in Training Services unless they have been put in core and intensive services. The WIA share space with the career centers in many cases throughout the state. In this region, the ability was relaxed in that in places where it made sense, Goodwill Workforce Solutions does not co-locate with the State; as it doesn’t always make sense to do that. Waldo County is an example of that. The State closed the Belfast office about three or four years ago, and Sanford was also closed. There needs to be a place to do these things.

M. Bourret referred to page 8 of the document and mentioned that they are trying to see that things are balanced so that not just one calls all the shots. He explained that the Governor’s plan “takes a step back” and this raises the question of what is good for the State of Maine. He added that there has been no consultation or conversation between the State and locals on this matter. The locals were called to the State, after the Governor had made his statements about 80% for admin and 20% for training. This was the beginning of the current situation. M. Bourret said a lot would be lost if the Governor’s model moved forward. When asked if a proposal was requested by the Governor, M. Bourret responded that a meeting was scheduled but was not held because there were various issues about setting up that meeting and the State is saying that the locals did not want to meet. The date scheduled was not convenient to some of the locals so the State called it off and claimed that the locals were not willing to meet with them when the reverse is more the case.

B. Johnson confirmed that the WIA came in and spoke with MCCA. Then they were supposed to set up a meeting with the CLEOS, which was not mutually convenient, and another meeting has not been scheduled.

A. Fowler asked about the funding and was told that the \$7,817,396.00 goes out to the providers and the providers spend that money based on staff, training and leases. A. Fowler asked how many people benefitted from this program in terms of jobs and training and was directed to page 3 of the 2011 Annual Report. M. Bourret explained that 75,000 customer visits were experienced that year. He also referred to the bottom of page 6, stating that 2,896 people were served by grant funds to receive skills training.

A. Fowler asked if Goodwill Industries was the main training center for people. M. Bourret replied that they are the operator and run the program, adding that it is easy to think all the training is done there but it isn't. They "broker" with colleges to train. Their training is more "soft skills" which includes making sure people are ready to receive training. One thing they have done is the *Teachme* program. Because all the performance was met by WIA, money was received to train refugees and immigrants. He stated that this is one of the most accountable systems in federal government, meeting seventeen (17) different required standards. This has to be met, and has to be met in a short period of time; at least within two years. He explained that there are a lot of variables but the concern is having Augusta run this. He believed local oversight was extremely important and running such a large state from the state level is a bad idea. He illustrated with the Nevada government. Their governor tried to have it run from the state level and this was denied because there wasn't county commissioner agreement in doing it that way.

He asked if there were any additional questions. The Commissioners thanked M. Bourret for his presentation. B. Johnson explained that she had invited him to the meeting to explain things to the Commissioners, adding that she was constantly learning more about this board. She added that she believed it would be very hard to have this work at the state level. She observed that there are so many other organizations have been considered to be run from the state level and it doesn't work. She explained that all Maine County Commissioners need to understand and stay firm on this point, and that the commissioners need to advise all their CLEO's to stand firm on this matter.

HEALTH INSURANCE DISCUSSION:

The Commissioners reviewed the discussion held during the September 19, 2012 County Commissioners Court Session. There was brief review of the tier levels, which the Commissioners had decided not to change, and the other item left to formalize a decision on was whether or not the County would continue with the out-of-network provision.

A. Fowler expressed her view that the County has been one of the greatest employers in terms of "tweaking" the plan to include as many health care providers as possible for County employees when the plan changed from Aetna to Meritain. Now that the County is back under the Aetna Network as part of the Meritain Plan, she felt that at some point, the County would need to establish in-network and out-of-network and to have employees pay the out-of-network cost if they choose an out-of-network provider.

B. Johnson said it would make some differences to some people but agreed with A. Fowler that if employees know up front, they can make up their minds whether or not they will go to in-network providers or out-of-network providers.

W. Shorey said he was not in favor of changing this because he wasn't sure how badly employees would be hurt by this change. He was afraid that someone needing a procedure may have to go all the way to Portland or further to get the care they need from in-network providers. He asked that the County finish up the current year and if he could get some questions answered, he might consider it. A. Fowler said she would support research being done by both Commissioner Shorey and herself. The one caveat she had is that this needs to be decided by December 31, 2012 as she felt that making changes mid-year was difficult.

W. Shorey said his desire was also to see, financially, where the County was because, if it was not broken, why fix it?

M. Wadsworth reminded the Commissioners that Insurance Administrator Malcolm Ulmer had told them that the plan could be customized to within a certain mile radius for in-network providers. She asked if there was a figure for how much was paid as a result of including out-of-network claims as in-network. A. Fowler thought there was, but was not sure what that figure was.

There was discussion that even if this was changed, there are still some in-network claims that take several months to get paid, so this would not eliminate all of the processing issues.

W. Shorey said he was reluctant to make changes when a company tells them they have “all kinds of money” and then tries to sell them on a change as a way to save money.

The Commissioners postponed a decision on this until a later date.

2013 BUDGET DISCUSSION:

The Commissioners briefly reviewed decisions made during the September 28, 2012 Special Commissioners Court Session. W. Shorey said he had a conversation with 2013 Budget Committee member Richard Desmarais about the recent request from the Waldo County Firefighter Association during the September 28, 2012 court session, and also spoke with him about Time & Tide’s lack of activity. B. Johnson said, she, too had an issue with this. She also mentioned Midcoast Economic Development (MCEDD) and said there had been discussion of approaching counties for funding the way Eastern Maine Development Corporation does. A. Fowler said that the presentation by the Fire Chiefs was outstanding, noting that Time & Tide has been transitioning for two years.

The Commissioners discussed not funding Time & Tide and funding the Firefighter Association training request instead. There was discussion of the fact that MCEDD was thinking of requesting funds rather late in the budget planning process for most of the counties. B. Johnson explained that this was partly due to recent developments in which anticipated grant funds were not going to be coming through as originally thought. She said that the group has been asking if Waldo would be able to allocate money and she had replied to them that she did not believe there would be any way this would happen, especially since it is so late in the year. The goal had been to try to get through 2013 without requesting funds, but she now believes that there will be funding requested from counties for the 2013 budget. She suspected they might approach the Budget Committee rather than the Commissioners. The Commissioners felt that they could do this, if they wished, but the Commissioners themselves were not going to add anything in the budget request at this time.

Regarding the Registry of Deeds 2013 Budget Request, the Commissioners had decided to keep the part-time clerk as part-time. B. Johnson said she had been in favor of making it full-time because she believed the trend was increasing and would continue. She also referred to legislation making it necessary to have people attend legislation sessions. She felt that it would be difficult to take care of business in an office and attend legislation at the same time. A. Fowler said that she was still not in favor as she did not believe she had seen a trend yet.

Regarding the Emergency Management Agency 2013 Budget Request to increase the hours for the Deputy EMA Director from 35 to 37.5, the Commissioners were in agreement with this.

MINUTES:

A. Fowler noted that she had reviewed the draft minutes and there was an error in the Commissioners September 27, 2012 minutes. Dispatcher Bisson's pay was incorrect. B. Arseneau explained that she had corrected that error and it was now reflected correctly in the minutes.

****A. Fowler moved, W. Shorey seconded, to approve the minutes from the September 19, 2013 Commissioners Court Session. Unanimous.**

****B. Johnson moved, A. Fowler seconded to approve the minutes from the September 27, 2012 Commissioners Court Session with the correction to Dispatcher Bisson's pay. Unanimous.**

****A. Fowler moved, W. Shorey seconded to approve the minutes from the September 28, 2012 Commissioners Court Session as presented. Passed, with one abstention.**

CORRESPONDENCE:

Present to review correspondence with the Commissioners was County Clerk Barbara Arseneau.

1. The job description has been updated for the Prosecutorial Assistant in the District Attorney's Office to Prosecutorial Assistant/Supervisor in keeping with decisions made as a result of union negotiations. The Commissioners signed this updated description.

2. Pay step increases were noted by the Commissioners for the following employees:

- Human Resources/Payroll Director Michelle Wadsworth will complete eight (8) years of employment with the County of Waldo on October 12, 2012 and will be eligible for the 8-year pay step of \$42,185.82 for this position.
- Corrections Officer Chad Corbin reached his five (5) year step on July 22, 2012 with a pay increase from \$16.86 to \$17.84 per hour. Sheriff Story apologized for missing this pay step increase and for any inconvenience it may have caused.

3. B. Arseneau reviewed the plans and arrangements for the Spirit of America Foundation Tribute ceremony that was being hosted by the Waldo County Commissioners on Saturday October 20, 2012, including who would be honored and how the certificates would be worded. The County is making those certificates and also providing refreshments for up to 60 people at the EMA Conference Room. B. Arseneau was working along with Bruce Flaherty, president of Maine Spirit of America, to make the arrangements.

ASSET FORFEITURE:

The Sheriff sent to the Commissioners a document indicating that the County of Waldo needed to vote to approve the transfer of asset forfeiture from Defendant Brandon Oxtan.

****B. Johnson moved, A. Fowler seconded to grant approval pursuant to M.R.S.A. Title 15 § 5824(3) & §5826(6) to transfer \$781.00 in U. S. currency and two weapons as asset forfeiture. Unanimous.**

****B. Johnson moved, A. Fowler seconded to adjourn the court session at 11:50 a.m. Unanimous.**

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