

**WALDO COUNTY COMMISSIONERS COURT SESSION  
DECEMBER 11, 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 8:30 a.m.

**CLOSING OF BOOKS:**

Registry of Deeds:

Present was Register of Deeds Deloris Page and Deputy Treasurer Karen Trussell. D. Page reported the following received from December 2011 through November 2012:

Fees - \$277,484.21  
Surcharge - \$21,756.00  
Interest - \$57.31  
Transfer Tax - \$47,324.86  
Grand Total: \$346,622.38

K. Trussell reported that the Register's figures matched the Treasurer's.

When asked by the Commissioners regarding the impact of recently passed legislation regarding fees, D. Page reported that the registry was losing between \$1,000.00 and \$1,500.00 per month in fees. She further commented that the first of the year, fees were not very good and most of the money the registry has received has been from July-on.

Registry of Probate:

Present was Register of Probate Sharon Peavey and Deputy Treasurer Karen Trussell. S. Peavey reported the following received from December 2011 through November 2012:

Fees: \$82,361.17  
Surcharge: \$2,950.00  
Restitution: \$2,934.79

**TREASURER'S REPORT:**

Present with the Commissioners was Treasurer David A. Parkman and Deputy Treasurer Karen Trussell.

**COUNTY REVENUE**

D. Parkman reported County revenue as being "very weak" as compared with other years. Normally the County received 10-15% above the expected revenue. It could be at 94% received at this time and is 102.55%.

**APPROPRIATIONS**

D. Parkman stated that the budget could be 94% expended at this point in the year and is currently 87% expended. D. Parkman commended the Commissioners for their budget being only 89% expended at this

point in the year. He also commended the Sheriff's Office for being 91% expended and for the Communications Center for being right on target at 94% expended.

#### CORRECTIONS BUDGET

D. Parkman submitted this report with no additional comments.

#### RESERVES

D. Parkman reported the total County Reserves left as \$368,152.42. Total balance of the Corrections Reserves is \$102,131.85.

#### INTEREST BUDGET FY2013

D. Parkman expressed grave interest over the Budget Committee's recommendation to reduce the 2013 Interest Budget to \$10,000.00. He doubted that would be nearly enough to cover the interest the County would owe on the Tax Anticipation Note (T.A.N.), especially since it would be very likely that the County will need to borrow on the T.A.N. fairly early in the year.

K. Trussell explained that right now, as the 2013 Budget stands with the additions and reductions made by the Budget Committee, it is approximately \$40,000.00 below the L.D. 1 Cap.

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

#### WARRANTS:

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of November 30, 2012 General Funds Accounts Payable warrant and November 21, 2012 Payroll in the amount of \$1,138,238.04. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the November 30, 2012 Restricted Reserve warrant in the amount of \$5,469.41. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the November 30, 2012 Reentry Accounts warrant and November 21, 2012 Payroll in the amount of \$702,512.61. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the November 13, 2012 General Fund Accounts Payable warrant and December 6, 2012 Payroll in the amount of \$251,599.46. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the November 13, 2012 Capital, Active & Restricted Reserve in the amount of \$6,458.44. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the November 13, 2012 Reentry Accounts Payable warrant and December 6, 2012 Payroll in the amount of \$1,059,733.68. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to authorize payment of the November 13, 2012 MCRCC Restricted Reserve in the amount of \$147.00. Unanimous.**

### **2013 TAX ANTICIPATION NOTE BID PROPOSALS:**

Present for the bid opening was Paul Doody of Camden National Bank, and Cathy Reynolds and Jennifer Seekins, both of Bangor Savings Bank. The proposals were for the Tax Anticipation Note and a three-year contract for the County Reserve Accounts.

Bids were received as follows:

1. Bangor Savings Bank: Tax Anticipation Note for \$4.5 million, subject to County placing General Fund, checking account and Jail account. Interest rate is .95% on an as needed basis and may be prepaid at any time without penalty.
2. Camden National Bank: Tax Anticipation Note for \$4.5 million, subject to issuing January 2, 2013, as needed or lump sum. Interest rate is .98% on either as-needed or lump sum. Interest is compiled over 365 days lapsed.
3. Key Bank: Tax Anticipation Note for \$4.5 million, subject to as-needed or lump sum basis. Interest rate of .81% based on actual 365 days basis. There is no pre-pay penalty and this must be accompanied by an unqualified opinion by Eaton Peabody that this is a bank-qualified tax-exempt entity. Proposal must be accepted by December 15, 2012.

As far as the Tax Anticipation Note is concerned, it was noted that Key Bank had the lowest interest rate.

Regarding the Reserve Checking Accounts:

1. Bangor Savings provided a summary of what was offered and what was required. D. Parkman recommended going with a sweep account with that. Currently is it .12%.
2. Camden National also provided a sheet with required balances information, in two scenarios. There is a \$10,000.00 minimum in the checking and everything else is swept. If the minimum is lower, there is a small cost associated with that.
3. Key Bank did not submit a proposal for the Reserve Checking Accounts.

**\*\*A. Fowler moved, B. Johnson seconded to accept the proposal from Key Bank for the Tax Anticipation Note, to keep the Reserves with Camden National Bank and to keep the General Funds for both Jail and County at Bangor Savings for 2013. Unanimous.**

The Commissioners signed the Arbitrage and Use of Proceeds Policy Post Issuance Compliance Policy Relating to Bonds Issued by the County of Waldo, Maine and Resolution authorizing the sale of up to \$4,500,000 Tax Anticipation Note of Waldo County, Maine, with the Note issuance, sale and delivery being to Key Bank.

**OPENING CLEANING CONTRACT BIDS:**

Present for the bid opening was Becky Woods, Walter Woods and Jamie Potvin with Community Cleaning. Also present was Sheriff Scott Story and Facilities Manager Keith Nealley.

When asked for his viewpoint, S. Story commented that the Sheriff's staff is exceptionally pleased with the cleaning that has been done currently by Community Cleaning, LLC, noting that they work around the Sheriff's Office schedule and that their attention to detail is second to none; which is important to the Sheriff's Office. The Technology Consultant used to find a lot of dirt in the computers and on the monitors but that is not the case anymore because of the level of cleaning.

Facilities Manager Keith Nealley explained that Community Cleaners has done an outstanding job, particularly on the floors. He commented that Maureen Hall's work has become exceptional now that she has taken on an additional worker and is no longer a one-person company. Central Maine Cleaners has also worked through one contract and performed well.

Bid proposals were received as follows:

Public Safety Building:

EMA –

Central Maine Cleaning	- \$4,900.00
Community Cleaning	- \$3,970.93
Maureen Hall	- \$2,500.00

Sheriff's Office –

Central Maine Cleaning	- \$9,240.00
Community Cleaning	- \$6,974.23
Maureen Hall	- \$3,300.00

District Court Building:

Central Maine Cleaning	- \$10,400.00
Community Cleaning	- \$10,925.10
Maureen Hall	- \$13,200.00

Superior Court Building:

Central Maine Cleaning	- \$15,300.00
Community Cleaning	- \$12,885.30
Maureen Hall	- \$12,300.00

Communications Center:

Central Maine Cleaning	- \$6,850.00
Community Cleaning	- \$6,965.50
Maureen Hall	- \$7,500.00

Waldo County Extension:

Central Maine Cleaning	- \$2,860.00
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Community Cleaning - \$2,424.72  
Maureen Hall - \$1,200.00

**Total Yearly Contract for All Buildings:**

**Central Maine Cleaning - \$49,550.00**  
**Community Cleaning - \$44,145.78**  
**Maureen Hall - \$40,000.00**

It was noted that the Budget Committee has tentatively reduced the 2013 Facilities budget to the previous year's (2012) and that needed to be taken into consideration. K. Nealley said his budget for cleaning was about \$50,000.00 but was concerned about the other cuts that had been made in his budget and did not want to pay more than he needed to.

S. Story asked if the Sheriff's Office would be getting the same services as he is getting now and whether or not the bids were "apples-to-apples."

The Commissioners discussed the qualifications of all the companies, the wide range of bids that were submitted and the nature of the buildings being cleaned. When asked what was told to the bidders, K. Nealley said he had provided the current numbers and explained that the costs needed to be reduced as much as possible, adding that the County was considering hiring a part-time employee for janitorial services if that would be the most const efficient.

K. Nealley said he could report to the Commissioners on the work performance and reminded them that there is a provision in each contract that permits either party to cancel the contract.

**\*\*A. Fowler moved, although adding that she was leery and nervous and found the figures to be disheartening, to award the 2013 cleaning bid to the lowest bidder, Maureen Hall. B. Johnson seconded this motion with the same reservations. Unanimous.**

K. Nealley said he would make a provision in the contract for either party to get out of the contract in 30 days.

**TECHNOLOGY BUDGET REVIEW:**

Present was James Arseneau, Technology Consultant and Sheriff Scott Story. J. Arseneau spoke with the Commissioners about the following:

1. **SPILLMAN JAIL TRAINING FUNDING.** J. Arseneau reported that there is a considerable amount of training that needs to be done that is coming up. Normally three weeks training involved. The decision was made to do it in two. When the Spillman installation group found out that the cost had been reduced to \$4,000.00 per week, they went to higher management at Spillman and said they would lose money on this. Therefore, they had it increased from \$4,000.00 back to the \$8,500.00. However, the \$8,000.00 quote will be honored for the two-week training if it is signed before the end of December. J. Arseneau said he has spoken with the Sheriff about spreading this out from March 2013 to the fall of 2013. It will probably be payable in April of 2013 per Sheriff Story.

A. Fowler asked if this amount included installation costs and was told it was. J. Arseneau explained the process and noted that the system has to be down three times during the transition process and then it will be all set. The County is on an older version of software so that is why more needs to be converted. This includes Admin training, "Go-live", and training for the staff at the facility.

When asked if this training was related to the new upgrades that have been requested, J. Arseneau explained that it was the "middle of the road" software back seven years ago and the hardware won't support the new software. He went on to explain that the equipment won't likely be there until June or July. If there is more money leftover, a check could be cut in the middle of the year.

W. Shorey asked if there was a contract for service. J. Arseneau said there is a 24/7 maintenance contract for the SUN server. The SUN Storage Array is 9/5 contract, which is with a third party contractor because the original company didn't cover it anymore. W. Shorey asked what would happen if the SUN server went down. J. Arseneau responded that they would have to try to find out what the problem was, try to find parts on EBAY, install them, and hope it worked. His experience has been that a week can be lost in the process of finding parts for this type of situation.

S. Story said that if they decide to do this contract, he recommended that unexpended funds in the current budget pay for this because the next Jail budgets will be calling for cuts and won't be approving anything above flat-funding. He said that when he first got the quote from Spillman, he said no. Then he tried combining training with other counties, which would have been difficult at best. He said he was happy with the quote that Spillman came back with and felt it needed to be done. The cost is \$8,050.00 for Admin training, Go-live and staff training.

A. Fowler stated that she did not want this to come from reserves but from the current budget.

**\*\*B. Johnson moved, A. Fowler seconded to approve the contract for the Spillman Admin training, to be paid from the current budget. Unanimous.**

There was discussion of when this should be paid. S. Story felt it was important, didn't want to hold up the rest of the system, and thought J. Arseneau should get in touch with him in April or May to pay for this, rather than waiting until June.

**J. Arseneau reported other counties who were also doing the same upgrades. S. Story said that he felt Spillman was more expensive than anyone else. That being said, he recalled that in the late 70's and early 80's the State wanted all to be on the same page. He still felt it was outrageously priced but that it was almost flawless and worked really well in communicating with other agencies in the State, etc.**

#### **SHERIFF'S REPORT:**

S. Story asked if he could make one brief request. He reported that the program with shotgun replacements had gone well. Now the same needs to be done with the long guns because they range all over the place in model and age and the ammunition is getting harder to fund. It is about \$700.00 per unit to get the long-arms unified. There is money in Asset Forfeiture to accomplish this.

**\*\*A. Fowler moved, B. Johnson seconded to authorize the request to replace long guns as presented. Unanimous.**

(BREAK)

EXECUTIVE SESSION:

**\*\*A. Fowler moved, B. Johnson seconded to go into Executive Session at 10:15 a.m. for discussion of duties and assignments as permitted by M.R.S.A. Title 1 § 405 6(A). Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to come out of Executive Session at 10:29 a.m.**  
No action was taken.

**SAFETY SUGGESTION WINNER:**

Present with the Commissioners was Safety/Department Head Chairman Owen Smith and Safety Prize Winner Katherine Cunningham, Administrative Secretary at the Sheriff's Office. K. Cunningham explained the circumstances behind her safety suggestion, which was a simple but effective one. The lobby door at new Public Safety Building has a stationary glass plate and one gentleman nearly walked headlong into it because the way the light shines on it; therefore, she recommended moving a large floor plant in front of that stationary glass in the lobby, which has been implemented.

The Commissioners commended K. Cunningham for her practical suggestion and presented her with the 2012 safety suggestion prize of \$100.00.

EXECUTIVE SESSION:

**\*\*B. Johnson moved, A. Fowler seconded to go into Executive Session at 10:31 a.m.**

**\*\*A. Fowler moved, seconded to come out of Executive Session at 10:46 a.m.**

**\*\*A. Fowler moved, B. Johnson seconded, that after receiving information on the cost to perform an actuarial study to include the Corrections Officers in Special 2C with MainePers, regretfully, for lack of funding both now and in the future, not to have the study performed at this time. The Commissioners will continue to look at options in the future if the funding situation improves. Unanimous.**

**CORRESPONDENCE:**

Present with the Commissioners was County Clerk Barbara Arseneau, who reported the following:

1. The County received an additional \$100.00 from the Maine County Commissioners Association Risk Pool for additional work needed to restore a damaged 2007 Dodge cruiser in the Sheriff's Office. This is in addition to the \$3,058.96 already received for the same vehicle.
2. At times, the Commissioners have inquired about why the office does not subscribe to the Bangor Daily News. B. Arseneau reported that a yearly subscription for 52 weeks is \$202.80 and asked if the Commissioners wished to subscribe. They declined due to the cost.

3. M.C.C.A. Annual Convention Rooming: When asked, all three Commissioners indicated that they would be attending the M.C.C.A. Convention September 13 through 15, 2013 and instructed B. Arseneau to reserve rooms accordingly.
4. The Commissioners noted pay step increases for the following employees:
  - Julie Howard, for completing two years of employment on December 13, 2012 with a step increase to \$14.79 per hour.
  - Deputy Benjamin Seekins for completion of twenty years of employment with the County with a pay step increase from \$21.50 to \$22.09 per hour.
5. B. Arseneau informed the Commissioners that Human Resources/Payroll Director Michelle Wadsworth worked on a Sunday morning recently to assist a department in her capacity and also worked one evening last week to assist a department.

**MINUTES APPROVED:**

**\*\*A. Fowler moved, B. Johnson seconded to approve the minutes from the October 9, October 23, November 13 and November 30, 2012 Waldo County Commissioners Court Sessions. Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to pay \$500.00 from the Commissioners Budget to County Clerk Barbara Arseneau for work done above and beyond and for additional hours worked. Unanimous.**

B. Arseneau expressed great appreciation for this payment.

**\*\*B. Johnson moved, A. Fowler seconded to call a recess for lunch at 11:26 a.m. until 1:30 p.m. Unanimous.**

**Commissioner Shorey reconvened the Court Session at 1:27 p.m.**

(See separate minutes for Tax Abatement Appeal Pet. #361 Debrajean Scheibel vs. Town of Burnham.)

**JOB DESCRIPTION REVISIONS - DISTRICT ATTORNEY'S OFFICE:**

Present with the Commissioners was District Attorney Geoffrey Rushlau and Human Resources/Payroll Director Michelle Wadsworth.

District Attorney Geoffrey Rushlau proposed revisions to the job descriptions in the District Attorney's Office, including the following:

Administrative Legal Secretary position:

- Some grammatical corrections were made.
- Obtains reports in Superior Court in-custody cases to ensure that attorneys can have complaints done before noon.
- Logs all bail forfeitures received from the Superior Court and District Court; maintains extradition account.
- Prepares and distributes discovery materials to attorneys or pro se defendants for Superior, not District Court files.



- Obtains reports in Superior Court in-custody cases.
- Logs all bail forfeitures received from the Superior Court and District Court; maintains extradition account.
- Responsible for collection and distribution of restitution, including setting up files, collecting payments and payment documentation, disbursement of payments to victim and maintaining restitution account.

Legal Secretary:

- Obtains reports in District Court in-custody cases.
- Assisting Administrative Legal Secretary with restitution including collecting and documenting payments and setting up files.

Victim/Witness Advocate:

- It was noted that this is not always an 8:00 a.m. to 4:30 p.m. schedule, but there will be exceptions to those hours. This not meant to be a totally flexible schedule, but generally 8:00 a.m. to 4:30 p.m. schedule. G. Rushlau noted that it saves the County money when witnesses don't have to come to the court and deputies are notified in advance and this sometimes occurs outside of these hours. The job description will reflect this as a full-time 40-hour week, generally Monday through Friday 8:00 a.m. to 4:30 p.m. with exceptions of witness notification and trial preparation.
- Provides Administrative Legal Secretary with copy of court's restitution order.
- Update victim and witness information in JustWare system.

G. Rushlau said he regretted that the Legal Secretary was on vacation and has not seen this whereas the other staff members have. He said he hoped she would not feel badly that this was done. She was told in staff meetings that these changes were going to be proposed to the County Commissioners, so he hoped she would be ready to take this on and would understand that this was for the efficiency for the office.

**\*\*A. Fowler moved, B. Johnson seconded to approve the changes in the Administrative Legal Secretary, Legal Secretary and Victim/Witness Advocate job descriptions as presented. Unanimous.** The Commissioners signed the job descriptions.

It was acknowledged that the crowded office conditions in the District Attorney's Office need to be addressed as soon as possible and the Commissioners were looking closely at this.

The Commissioners commended G. Rushlau for the excellent job presenting his budget at the Budget Committee.

**WELLNESS BASKETS:**

M. Wadsworth reported that the Wellness Committee wished to present to the Commissioners the concept of wellness baskets in each department, at the recommendation of Commissioner Fowler. The baskets will include seasonal wellness items such as tissues, vitamin C drink supplements, antibacterial wipes, teas, some healthy snacks, etc. The cost can be covered in part by remaining funds from the Safety/Department Head line, as agreed by that group, but there will still be about \$300.00 needed to pay for these baskets.

**\*\*B. Johnson, A. Fowler seconded to take \$300.00 from the Health Insurance fund to cover the remaining costs for the wellness baskets for each department.**

**\*\*A. Fowler moved, W. Shorey seconded to adjourn the meeting at 2:57 p.m. Unanimous.**

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