

**WALDO COUNTY COMMISSIONERS COURT SESSION
MARCH 11, 2014**

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

COUNTY REVENUE

D. Parkman reported revenue received at 19% which is 3% above what is anticipated at this time of year. K. Trussell reported that the Registries of Probate and Deeds revenue have been included, which is why it is a little higher than anticipated.

COUNTY APPROPRIATIONS

D. Parkman said that the budget could be at 16% expended at this point in the year and is 17% expended.

RESERVE ACCOUNTS

D. Parkman reported a grand total of \$784,000.00 currently in the reserve accounts but there will be some expenditures for technology coming up soon. W. Shorey estimated that there may be about \$20,000.00 left in Technology Reserve once the upgrades are finished.

D. Parkman estimated that after known expenditures, there will be approximately \$600,000.00 remaining in the reserve accounts. He recommended continuing to build up the reserves each year. The Commissioners agreed.

W. Shorey informed the board that Emergency Management Agency Director Dale Rowley has requested some funding be moved from Undesignated Funds to two reserve accounts. The Commissioners also wanted to move \$6,000.00 from Undesignated Funds to the Sheriff Facility Reserve.

****B. Johnson moved, A. Fowler seconded to move the following amounts from Undesignated funds: \$2,000.00 to the EMA/Disaster Recovery reserve, \$2,000.00 to Emergency Shelter reserve and \$6,000.00 to the Sheriff Facility reserve. Unanimous.**

There was brief discussion on the Severance/Assistance Reserve and the need to add funds to this account each year until it meets the amount recommended by the auditor.

DELINQUENT TAX RATE:

D. Parkman told the Commissioners that the statutes state that the rate of interest that can be applied to delinquent taxes is up to 7% but the Commissioners should also vote to set the rate.

****B. Johnson moved, A. Fowler seconded to set the delinquent tax rate at 7% for 2014. Unanimous.**

****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 28, 2014 General Funds Account Payable and February 13 and 27, 2014 Payrolls warrant in the amount of \$373,238.22. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the February 28, 2014 Restricted Reserve warrant in the amount of \$12,826.50. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the February 28, 2014 Reentry Accounts Payable Warrant and February 13 and 27, 2014 Payrolls warrant in the amount of \$140,990.67. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the March 11, 2014 General Fund Accounts Payable warrant in the amount of \$128,081.78. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the March 11, 2014 Capital, Active & Restricted Reserve warrant in the amount of \$117,823.39. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the March 11, 2014 Reentry Accounts Payable warrant in the amount of \$55,624.19. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the March 11, 2014 MCRRRC Restricted Reserve warrant in the amount of \$1,345.00. Unanimous.**

SHERIFF'S REPORT:

Present with the Commissioners were Sheriff Scott Story and Chief Deputy Jeffrey Trafton.

1. S. Story reported that he has been budgeting every year for Watchguard video/audio cameras in the cruisers, which has been very important and have worked out well in saving on potential lawsuits. Originally these cameras were purchased with grant funds. Some are now failing and breaking down. Last year there was some funding left in the budget so they were able to purchase a few replacements, as repairing those costs almost as much as purchasing new ones. The Martel cameras are smaller units. The Sheriff's Office purchased one and has had a good experience with this. They are also less expensive. The Sheriff has worked with IT Consultant Jim Arseneau for funding to obtain a server so the cameras can be downloaded on them. Three cameras have broken down. There is no money in the budget, so he asked if it would be possible to use money from the Detail account for this purpose since money is earned in that account through Civil Service fees, etc. He requested permission to purchase four cameras (as another camera has audio failure). It would be about \$3,000.00 each plus \$100.00

****B. Johnson moved, A. Fowler seconded to move \$6,000.00 from Undesignated funds to the Detail account. Unanimous.**

2. The Sheriff told the Commissioners that he went to Augusta yesterday regarding the Jail situation. There are a number of great ideas but if these are not funded, it won't amount to anything. He and Two Bridges Regional Jail Correctional Administrator Mark Westrum have both stated that. Commissioner Fowler is also monitoring this situation very closely and both she and the Sheriff correspond frequently together and are on the same page regarding the issues.

3. The Commissioners spoke with Sheriff Story regarding their plan to hold a luncheon for the legislative delegation in order to discuss the Jail system issues and the good work of the Reentry Center. After brief discussion with the Sheriff, it was decided that the luncheon would be held on April 23, 2014 from 12:00 to 2:00 p.m. at the Reentry Center.

4. There was brief discussion of the Reentry Center and criticism that it holds more State inmates than County inmates. S. Story explained that the minute they leave the State prison and do anything wrong, they immediately become County inmates again. He stated that 30% of the County inmates sitting in Two Bridges Regional Jail are repeat offenders who left the State prison and are now back in the County system. A. Fowler said she reminds people that the Counties did not ask for this consolidation system. At the end of the day, the whole purpose is to end recidivism and there are only a few facilities doing that. S. Story felt it would become critical once budgets have been received. He, the Chief Deputy, the Corrections Administrator and Commissioner Fowler are preparing and will be ready when the time comes to defend the value of the Reentry Center.

AERIAL IMAGERY REPORT:

Present with the Commissioners were Emergency Management Agency Director Dale Rowley and Joseph Young with Maine Library of Geographic Information to discuss with the Commissioners the opportunity for the County of Waldo to participate in the Orthoimagery program.

J. Young provided an update on the Maine Library of Geographic Information and submitted a brochure. The original plan was to do the mid-coast region during 2012-13. Funding would come from Federal, State and County divided in thirds. The federal part has been difficult. J. Young stated that they would not be able to do the full amount so they will be doing Hancock County and the lower part of Penobscot County. J. Young didn't know what the schedule is for 2015. Penobscot County has committed to a three-year plan. An MOA (memorandum of understanding) has been produced and is set up so that Waldo County could participate in 2015 or 2016 depending on matching funds. Maine Library of Geographic Information is obligated to do this but it probably cannot be accomplished in five years unless the funding becomes available. Over the next few months, J. Young will be meeting with each of the counties to determine who is "in" and who is "out". He reported that Aroostook and Piscataquis have not exhibited a lot of interest, Franklin started putting money in their budget and he was not sure

about Oxford. York and Cumberland have been done. Hancock will be done and all the lower section of Penobscot County. Commitment has been received from State agencies for \$115,000.00 per year in matching funds through 2015. Waldo County could do this with about \$60 to \$70,000.00. It was noted that it is more difficult to fund the counties that have a lot of Unorganized Territories. J. Young mentioned that there has been some discussion of reimbursement to the counties with UT's but he needs to check to see if he is interpreting that correctly.

W. Shorey said that the County of Waldo was very interested when they first heard that the County may need to match only about \$20,000.00. J. Young said it is still the same amount (\$20,167.00) at this point. J. Young recommended that the Commissioners review the documents, make a decision, and if interested in participating, sign and return to him as soon as possible. This would put the County on the 2015-2016 rotation. The Commissioners agreed to review the documents and stated that they would be interested and will be back in touch with Mr. Young soon.

When asked why other counties seem to not be on board with this, J. Young explained that sequestration and budget cuts have affected decisions of the counties regarding whether or not to have this aerial work done. He noted that this program has saved the towns hundreds of thousands of dollars if they had tried to do this on their own individually.

The Commissioners thanked J. Young for coming in and meeting with them.

EMA REPORT:

EMA Director Dale Rowley told the Commissioners that he would like to establish an Employee Preparedness Program to help employees be prepared to deal with an emergency so that they can perform their work functions, knowing that their families were safe and cared for as well. It is something that he has encouraged the local EMA directors to do and would like to do the same with the County employees. The Commissioner thought this would be an excellent idea.

TECHNOLOGY UPDATE:

Present with the Commissioners was Technology Consultant James Arseneau, who reported the following:

1. All computer equipment was ordered from Hewlett Packard in December and has been "trickling in". There were some disputes about orders but he has the original paperwork and this should be resolved.
2. Each department has different needs. J. Arseneau won't need to reload software on each machine but can "clone" them, which is faster.
3. Three pieces of equipment arrived damaged and he has been going back and forth with the company about this. He recommended not paying entire amount until the equipment has been received properly. W. Shorey asked if his estimate was correct that there may be approximately \$20,000.00 left over after this upgrade was completed and was told yes. J.

Arseneau explained that there was some money leftover from last year's budget so some of the software was purchased from those funds. The licenses have been already purchased, as well.

4. Windows 7 upgrade: The servers the County has now will not support email if the computers are installed first. If the servers go in first, it will be supported. For this reason, J. Arseneau recommended installing the new servers first as it will be less disruptive for the employees. He explained that this project has all taken longer than anticipated, but when all is in place by the end of the year, the County will actually be up-to-date with everyone else. In 2008 the upgrade was still a few years behind everyone else because that was what the County could afford. He noted that the Sheriff's Office has to convert various documents they receive because the senders' versions are newer. J. Arseneau asked the Commissioners for permission to change the servers first and then work on each individual work station for the reasons he had explained. The Commissioners agreed that this would make the most sense.

B. Johnson asked what the drawback would be to get the servers done first. J. Arseneau said that the departments, particularly the Sheriff's Office, have been anxious to get the new computers because of this two-step process to convert documents they receive. It would mean a delay in setting up the computers while the servers were installed first, but less vendor time will be required, which is more time and cost efficient. The Commissioners understood that the employees are anxious for the new machines but believed it made sense to put the servers in first so email will be functioning at the same time.

J. Arseneau further explained that the goal is to "touch" each machine once rather than twice to be more efficient. Some may have to be worked on twice depending on the whether or not there are any "work-arounds". A. Fowler said that if some of the machines required being "touched" twice, it was necessary and understandable.

W. Shorey said he understood the need for the Commissioners to support this arrangement. J. Arseneau said he has always told the employees that the most efficient thing should be done but did not want the Commissioners to hear a lot of complaints from employees without knowing the background so that the Commissioners would not bear the brunt of the complaints. B. Johnson said she would hate to see departments struggling and having unnecessary issues with emails since this is such an important daily function. The Commissioners gave authorization to upgrade the servers first and to work twice on some machines as needed.

There was brief discussion about BOC documents that require some conversion. J. Arseneau explained that Google recently changed the Postini filter to another filter in February. Because of this, the system is now training itself to figure out what is junk mail and what is not. This has delayed some messages. This also explains why there has been more junk mail lately. With the BOC, for example, a "SpamArrest" document was recently sent out. This is an authentication program and once it has been set up and the receiver has been verified, future mail from them should come through fine. Meanwhile, J. Arseneau said if any email comes asking for passwords, these messages should be forwarded to him to make sure they are not spam.

5. J. Arseneau reminded the Commissioners that the Spillman server was upgraded in August of last year. Once the Spillman software is installed, this will complete that project.

6. A. Fowler inquired about the Jail budget and the Video Arraignment line, as she didn't believe the County used this. J. Arseneau said he believed that line had been removed from the most recent budget proposal. He would send a report to A. Fowler.

EXECUTIVE SESSION:

****B. Johnson moved, A. Fowler seconded to go into Executive Session at 10:33 a.m. for discussion of confidential Health Insurance Information as permitted by M.R.S.A. Title 1§405(6)(F).**

****A. Fowler moved, B. Johnson seconded to come out of Executive Session at 10:36 a.m. Unanimous.**

****B. Johnson moved, A. Fowler seconded to add a \$500.00 coverage limit for claims involving non-emergent use of the Emergency Room without physician referral to the 2013 health insurance coverage language. Unanimous.**

CORRESPONDENCE:

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

1. With the alternating schedule for submissions for the MCCA monthly newsletter, Waldo can make a submission by March 20th for the April newsletter. B. Arseneau asked the Commissioners if they wished for her to submit anything. The Commissioners instructed B. Arseneau to collaborate with Sheriff Story to submit an article about the Maine Coastal Regional Reentry Center and how well it is doing.

2. Attorney Steve Gerlach with Bernstein Shur has sent an update on the Affordable Care Act. Some aspects have been delayed until 2016, some requirements have been reduced but the reporting requirements under the Employer mandate have not been delayed and will take effect in 2015. The County Clerk and Human Resources/Payroll Director will use the additional time to develop and tweak County compliance strategies with the assistance of Attorney Gerlach.

3. B. Arseneau asked Commissioner Johnson if she wished to speak about a request made for the County to sign a resolve. B. Johnson informed the Commissioners that Patrick Walsh with Broadreach Family & Community Services, whom she knows through the Healthy Waldo County organization, had asked if the County Commissioners would consider signing a Resolve Concerning April 2014, Child Abuse Prevention Month. The Board reviewed the resolve and voted as follows:

****B. Johnson moved, A. Fowler seconded to sign the Resolve Concerning April 2014, Child Abuse Prevention Month. Unanimous.**

4. An invitation has been received from the District Attorney's Office to a luncheon from 11:00 a.m to 1:00 p.m. on March 14, 2014 to "celebrate with and say goodbye to Deputy District Attorney Eric Walker, who is leaving to accept a judicial position.

5. B. Arseneau asked if the Commissioners would hold their monthly Commissioner's Workshop. The Commissioners opted to cancel their March 25, 2014 Workshop.

6. B. Arseneau reminded the Board that they have moved their April court session to Wednesday, April 16, 2014 because of vacations, etc.

COUNTY COMMISSIONERS MISCELLANEOUS BUSINESS:

1. W. Shorey recommended that the Commissioners sign the agreement with the Maine Library of Geographic Information to have orthoimagery performed for the County of Waldo. ****B. Johnson moved, A. Fowler seconded to sign the Memorandum of Agreement Between Waldo County and Maine Library of Geographic Information Regarding Collection of Orthoimagery. Unanimous.**

2. B. Johnson said she met with the County Clerk to discuss what can be done to promote education on county information to school students. Human Resources/Payroll Director Michelle Wadsworth called a contact at the Ames school and learned from the principal that the lower grades (2nd and 3rd) are studying county government now and do each spring. B. Johnson also spoke with her grandson and he is willing to create a video interviewing each of the County departments and each will give an overview of their services to the community. Based on the key words of each department, activity books will be developed for lower grades and middle school age with such things as word searches, word scrambles, scenarios, cross-word puzzles, question and answer, etc. The Commissioners thought this was a great idea and that the video presentation should be kept to no more than 20-30 minutes so that it will hold the attention of the students. Costs associated with developing this educational program will be paid with funds from the Professional Services line.

3. B. Johnson stated that the EMA Director is also planning an informational meeting with the Local EMA Directors because it was apparent that many were not aware of what the County offered for assistance during the recent Ice Storm.

4. B. Johnson informed the Commissioners that she opted not to go to a technology course she had considered attending in Portland because she did not believe it offered the information she was looking for and was not worth the cost to attend.

5. There was brief discussion of legislative districts and some changes in those districts. The Commissioners requested that the Clerk research what those changes are.

MINUTES APPROVED:

****B. Johnson moved, A. Fowler Shorey seconded to approve the minutes from the February 24, 2014 Waldo County Commissioners Court Sessions. Unanimous.**

COMMUNICATIONS CENTER BUDGET DISCUSSION:

Present with the Commissioners was Communications Director Owen Smith, who stated that he was touching base with the Commissioners regarding his overtime budget. It is running well ahead of where it should be, largely due to holidays being bunched together and because there has been 420 hours of sick leave this year which creates overtime. He does everything he can to

control overtime, but the sick leave certainly played a large part in this. The flu has gone through the center, along with other illnesses. The floater has covered as much of the shifts as possible, and the second floater is being trained, so O. Smith said he is hoping this will level out. He is having some employees take comp time, and the employees are being very cooperative with trying to keep the overtime as low as possible.

EXECUTIVE SESSION:

****B. Johnson moved, A. Fowler seconded to go into Executive Session for legal matter related to duties of the Communications Center as Permitted by M.R.S.A. Title 1§405(6)(A) at 11:20 a.m. Unanimous.**

****B. Johnson moved, A. Fowler seconded to come out of Executive Session at 11:48 a.m. Unanimous.**

****B. Johnson moved, A. Fowler seconded that Waldo County Regional Communications Center will no longer have a wrecker rotation program effective April 1, 2014. There will be one set of cards listing currently known wrecker companies provided to each law enforcement agency with the understanding that the County is not endorsing or liable for these companies; nor will the County maintain this list in the future. Unanimous.**

DISCUSSION OF NEW HIRE – DISTRICT ATTORNEY’S OFFICE:

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

The Commissioners congratulated Eric Walker for his recent nomination as Judge.

G. Rushlau submitted a letter recommending hiring Dean Jackson as Prosecutorial Assistant/Supervisor in the District Attorney’s office at the five-year level of \$47,055.11 effective March 31, 2014. Mr. Jackson has twenty-five years experience with the Maine State Police, a portion of which he has served as Detective. There are more than sufficient funds in the District Attorney’s budget to cover this. The 2015 budget request for this position will need to be increased accordingly.

****B. Johnson moved, A. Fowler seconded hiring Dean Jackson as Prosecutorial Assistant/Supervisor in the District Attorney’s Office at the five-year level of \$47,055.11 effective March 31, 2014. Unanimous.**

G. Rushlau briefly explained the current circumstances in the office with E. Walker leaving the Deputy District Attorney position. The position has to stay vacant for the next three months to allow for the accrued vacation pay (some of which has been forfeited by E. Walker) in order to stay within the state’s budget. A person needs to be willing to move to Waldo County to work. If the right candidate is found, however, if it is a lateral transfer, there won’t need to be a three-month break without another prosecutor. It is unlikely that there will be another Deputy in the foreseeable future, so there will probably be another Assistant Attorney. There will be one assigned senior prosecutor.

****B. Johnson moved, A. Fowler seconded to go into Executive Session at 12:05 p.m. Unanimous.**

****B. Johnson moved, A. Fowler seconded to exit Executive Session at 12:25 p.m. Unanimous.**

****B. Johnson moved, A. Fowler seconded to promote Eric Harvey as Part-time VWA for 20 hours per week at \$15.25 per hour effective March 31, 2014. Unanimous.**

****A. Fowler moved, W. Shorey seconded to adjourn the meeting at 12:32 p.m. Unanimous.**

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