

**WALDO COUNTY COMMISSIONERS COURT SESSION
DECEMBER 17, 2014**

PRESENT: Commissioners William D. Shorey (Chairman) Amy R. Fowler and Betty I. Johnson. Also present was County Clerk Barbara Arseneau to take minutes.

Call to Order: Commissioner Shorey called the meeting to order at 9:00 a.m.

TREASURER'S REPORT:

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

TAX ANTICIPATION NOTE BIDS:

Present was Paul Doody with Camden National Bank.

Bid proposals for a \$4,300,000.00 tax anticipation note were received as follows:

1. Damariscotta Bank sent a letter respectfully declining to bid.
2. Bangor Savings Bank: 0.69% interest rate, as needed.
3. Camden National Bank: 0.80% interest rate, as needed.
4. Key Bank: 0.83% interest rate, as needed.

D. Parkman recommended accepting the bid proposal from Bangor Savings Bank.

****A. Fowler moved, B. Johnson seconded to accept the tax anticipation note bid proposal from Bangor Savings Bank with an interest rate of .69%. Unanimous.**

When asked, Paul Doody speculated that it might be as long as two years before the interest rates go up, stating that it is difficult to have a reason to raise the interest rates.

Property Taxes 2014:

D. Parkman reported that taxes were received in the amount of 99.49%. There is a problem in that Frankfort paid late and was charged \$25.79 in interest for being two days late, for a total of \$51.58. The other town he is concerned about is the Town of Belmont, which has not paid. Reminder letters were sent to Belmont before the end of November. D. Parkman has called the Town and was told the payment would be in the next warrant. Their interest charge is \$20.40 per day, which the Town has been notified of. When asked, the tax bill for Belmont is \$106,380.71. Now another \$346.80 has to be added to that bill because it is 17 days overdue. D. Parkman said he will be calling again today to inquire.

D. Parkman read the statutes regarding delinquent taxes (M.R.S.A. Title 36, Chapter 105 Cities and Towns), which states that if the taxes are not paid in 60 days, the treasurer will issue a warrant by means of the Sheriff, demanding payment under distress of personal property of the inhabitants.

K. Trussell said that each town gets three notices, so there is no possibility of not knowing.

County Revenue:

D. Parkman reported at 106%, besides the taxes. He stated this was good, but not especially good.

County Appropriations:

D. Parkman reported that EMA has some lines that are overdrawn but the total budget at this point is only 96% expended. A number of the other departments are similar – specific lines overdrawn, but bottom lines are still in the black. The County budget at this point is 90% expended. There is one more warrant and one more payroll before the end of the month. He commented that this was very, very good and the Commissioners agreed.

W. Shorey stated that substantial things were done to balance the budget this year and it is working out well.

Corrections Revenue:

Not discussed.

Corrections Appropriations:

Not discussed.

Reserve Accounts:

D. Parkman reported that the reserve accounts are in good shape.

****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 November 26, 2014 General Fund Accounts Payable warrant and November 20, 2014 payroll in the amount of \$1,154,108.17. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the November 26, 2014 Capital, Active and Restricted Reserve warrant in the amount of \$18,792.01. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the November 26, 2014 Reentry Accounts Payable warrant and November 20, 2014 payroll in the amount of \$1,051,193.72. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the December 12, 2014 General Fund Accounts Payable warrant and December 4, 2014 payroll in the amount of \$705,210.74. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the December 12, 2014 Capital, Active & Restricted Reserve warrant in the amount of \$57,299.35. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the December 12, 2014 Reentry Accounts Payable warrant and December 4, 2014 payroll in the amount of \$319,678.89. Unanimous.**

CLOSING BOOKS – REGISTRY OF PROBATE:

Present with the Commissioners was Register of Probate Sharon Peavey who reported the following fees for December 2013 through November 2014:

Fees: \$81,111.57
Surcharge: \$2,955.27
ACH Payments to Treasurer: \$119.32
Restitution: \$4,508.09

PROBATE FEES INCREASE:

Courier Publications is increasing its rates substantially and S. Peavey requested authorization to increase the fees for Notices to Creditors and Public Notices by \$10.00 each. Notices to Creditors would now be \$30.00 and Public Notices would be \$35.00.

****A. Fowler moved, B. Johnson seconded to authorize an increase in the fee for Notices to Creditors to \$30.00 and an increase in the fee for Public Notices to \$35.00. Unanimous.**

S. Peavey requested that she be allowed to close the Probate Registry from 12:00 to 1:30 for Christmas lunch for staff on December 22, 2014. The Commissioners granted.

CLOSING BOOKS - REGISTRY OF DEEDS:

Present with the Commissioners was Register of Deeds Deloris Page who reported the following fees for December 2013 through November 2014:

Fees: \$306,578.36
Surcharge: \$19,863.00
Interest: \$38.43
Transfer Tax: \$63,877.00

GRAND TOTAL: \$390,356.79

D. Page reported that the amount collected was about \$60,000.00 over last year. Copy fees were lower but recording fees were increased by legislature, so that helped to compensate. She reported being down about 1000 documents; noting that all the registries are down this year.

The Commissioners thanked Deloris Page for her 42 years of service and wished her the best on her retirement.

EXECUTIVE SESSION:

****B. Johnson moved, A. Fowler seconded to enter executive session for protected information as permitted by M.R.S.A. Title 1§405(6)(F) at 9:30 a.m. Unanimous.**

****B. Johnson moved, A. Fowler seconded to come out of Executive Session at 10:24 a.m. Unanimous.**

No action was taken.

2015 HEALTH INSURANCE RENEWAL:

Present with the Commissioners was Malcolm Ulmer, Health Insurance Plan Administrator and Human Resources/Payroll Director Michelle Wadsworth.

M. Ulmer submitted documents for the Commissioners to review, and informed that the past claims year had been an excellent year. The Count is running about 68% of the aggregate amount (or hitting stop loss). Losses are down. M. Ulmer reviewed the plan performance, through the end of September, noting that there were 1,716 claims in this time period. He stated that claims are generally paid within one month. In 2013, 92% of claims were in-network. In 2014, 99% of claims are in-network. He informed the Commissioners that the discount rate for 2015 will be similar, having only decreased from 20% to 18% and has helped with costs.

Open Enrollment 2015: Regarding the SBC form, a new one for 2015 has not been generated by the health insurance company yet. M. Ulmer reported that Meritain had put together a SBC form, which spent about two hours reviewing for accuracy. He reported that some items had changed without authorization, so he has been going back and forth with Meritain to make sure things are accurate.

Possible Revision to Vision Hardware Coverage: M. Ulmer reported that Meritain is working on Plan Document language. With the Affordable Care Act, starting in 2015, there cannot be a limit on vision hardware for participants under age 18 in plans that are not “grandfathered”, which Waldo County’s plan is. If the vision portion remains part of the overall plan package, there is a potential that a child could pick up an unlimited number of glasses any time. To avoid this issue while continuing to provide excellent coverage for participants, the vision provision can be carved out separately. A premium rate would need to be set for vision, but M. Ulmer suggested that it would need to be low (such as \$5.00 to \$7.00 dollars per pay period) and employees would need to elect this coverage. He suggested using the current applicable premiums paid by employees and reducing the medical payment by the amount of the vision coverage so that the total cost paid by employees to have medical and vision coverage would remain the same as the current rates. The employee won’t be paying any more than they are now – it would just need to be a separate election. He recommended, as a trade-off, to increase the hardware benefit from \$100.00 every 24 months for ALL participants to \$100.00 every 12 months, or \$200.00 every 24 months. (Hardware includes frames.) Employees who did not wish, for whatever reason, to elect vision coverage would be charged that amount less on their applicable medical premium. The reason for doing this separation of coverage is to preserve the grandfathered status of the plan while maintaining the benefits to the employees.

Restated Summary Plan Document: M. Ulmer reported that the large plan document (restatement) is currently in draft form. In the course of reviewing the SBC, it was found that the plan document also

needed to be changed. This has been ongoing for the past year and has required a lot of careful review in an effort to make sure it will be correct and accurately reflect the County's plan benefits.

COBRA Rates 2015: M. Ulmer explained that COBRA rates are generated by the actuary Meritain engages. This is a provision for people who have separated from the County and want to continue coverage. COBRA isn't generated until final renewal numbers are generated. There was a breakdown and binding wasn't done, which has held off COBRA rates. Now that binding is finished, the COBRA rates came back and appear to be too low. A new underwriter based it on a combination of expected and actual claims. It will be re-run and likely there will be rates to adopt in a few weeks, which will be retroactive to January 1, 2015. He will get back to the Commissioners once he knows what the COBRA rates will be.

Budgeting/Setting Rates for 2015 and Future Years: M. Ulmer requested that the Commissioners touch base with him before setting premium rates. He acknowledged that they make the final determination of what the premium rates will be. He understood the desire to have the budget as close to how much the plan actually costs but cautioned that if there is a bad claims year, the County would have to tap into funds set aside or would have to increase the operating budget, which is not a comfortable process. All agreed that M. Ulmer would be contacted in July to discuss the budget for the following year before setting a budget for the upcoming year.

2015 Renewal:

Meritain did not increase their costs to process for 2015. Aggregate numbers have been reduced, so it is lower than it was which means people can reach it sooner. This is driving down fixed costs but driving up the fixed claims number. It helps on one side and hurts on the other. The end result isn't that much different.

Of the renewal options submitted to the Commissioners, M. Ulmer recommended Option #1, which will drive maximum costs down.

****B. Johnson moved, A. Fowler seconded to renew with Option 1 on the renewal option sheet for 2015. Unanimous.**

****B. Johnson moved, A. Fowler seconded to create a separate vision election from the current health insurance renewal and to change the vision hardware benefit from \$100.00 every 24 months to \$100.00 every 12-months for all participants, effective January 1, 2015.**

A notice will need to be sent out to employees explaining the purpose of the separate vision election and that it will not cost them more, plus it will increase the benefit to \$100.00 every 12 months, and extend the enrollment period. A new enrollment form with this separate election will be needed.

MUTUAL AID AGREEMENT WITH KNOX COUNTY SHERIFF'S OFFICE:

Present with the Commissioners was Chief Deputy Jeffrey Trafton, who submitted to the Commissioners a mutual aid agreement between Waldo County and Knox County Sheriff's Offices. This is a continuation of creating mutual aid agreements with surrounding counties. The Commissioners signed this.

RESERVE ACCOUNTS:

K. Trussell met the Commissioners at the request of Commissioner Shorey. W. Shorey spoke with the Commissioners about the Reserve Account targets, noting that these target levels had been established years ago and need to be updated. He had asked K. Trussell to bring in a list of recommendations for changes in the target levels as follows:

Waldo County Capital Reserves:

Courthouses: \$100,000.00.

Sheriff: \$75,000.00.

Probate/Deeds/District Attorney: \$30,000.00.

Facilities/All Other: \$100,000.00.

Emergency Shelter: \$25,000.00.

Vehicle: Emergency Replacement: \$25,000.00.

Technology: \$300,000.00.

Communications Equipment Improvements: \$50,000.00.

Waldo County Active Capital Reserves:

County Planning: \$25,000.00.

Employment Security: \$150,000.00.

Equipment Services: \$15,000.00.

Severance/Assistance: \$150,000.00.

B. Johnson and A. Fowler asked if they could have time to review this and not make any decisions until a later date.

W. Shorey also reminded the Commissioners that they needed to move \$20,000.00 from undesignated funds to the Vehicle Emergency Replacement Reserve.

****B. Johnson moved, A. Fowler seconded to move \$20,000.00 from undesignated funds to the Vehicle Emergency Replacement Reserve. Unanimous.**

LD 1 TAX CAP:

K. Trussell reported that the Towns of Liberty and Palermo had still not provided Tax Cap information as of this date.

SIGNING GENERAL GOVERNMENT UNION AGREEMENT:

****B. Johnson moved, A. Fowler seconded that the Commissioners ratify the General Union Contract for 2015-2017. Unanimous.**

Present to sign the contract with the Commissioners were General Government Union members Julie Howard and Judy Nealley along with Union Representative Sylvia Perry.

SAFETY/DEPARTMENT HEAD SAFETY PRIZES 2014:

The 2014 Safety prize in the amount of \$100.00 was split in half and awarded to Julie Howard and Gary Daigle for their suggestions. J. Howard, representing the entire staff at the Registry of Deeds, provided the staff's suggestion to a counter built in the Deeds Registry to separate their desks from the general public. At times the public sits at their desks, which creates difficulty. G. Daigle's suggestion

was to install lighting at the far right side of the Public Safety Building because many people use that entrance after hours, it often has ice buildup in the winter and it is very difficult to see where to walk.

EXECUTIVE SESSION:

W. Shorey asked for an Executive Session for brief discussion of non-public information by M.R.S.A. Title 1§405(6)(F).

****B. Johnson moved, A. Fowler seconded to enter executive session for a non-public matter as permitted by M.R.S.A. Title 1§405(6)(F) at 11:42 a.m. Unanimous.**

****B. Johnson moved, A. Fowler seconded to come out of executive session at 11:44 a.m. Unanimous.** No action was taken.

REPLACING SUPERIOR COURTHOUSE DOOR:

K. Nealley presented a quote for repairs to the wooden door, which is rotting on the bottom and not securing well. He had proposed to replace it with an ADA-compliant door opener, which will make it handicap-accessible.

Bid proposals were received as follows:

1. Dirigo Glass in the amount of \$5,213.

2. American Glass in the amount of \$6,800.00.

****A. Fowler moved, B. Johnson seconded to use funds from Courthouses Reserve to replace the wooden door at superior Court lower level with an ADA-compliant door. Unanimous.**

CORRESPONDENCE:

Present to review correspondence with the County Commissioners was County Clerk Barbara Arseneau as follows:

1. MCCA is requesting all counties to submit names of their representatives to the Association and the Board of Directors for the Risk Pool.

****W. Shorey moved, B. Johnson seconded to re-elect A. Fowler to serve as the Waldo County representative for the Maine County Commissioners Association and also to serve on the Board of Directors for the MCCA Risk Pool.**

2. Human Resources/Payroll Director Michelle Wadsworth sent for the Commissioners' signatures 2015 pay scales for the Waldo County Commissioners, Communications Director, District Attorney's Office Prosecutorial/Assistant/Supervisor, Emergency Management Agency, Waldo County Elected Officials, Facilities Management, Deputy Treasurer, Chief Deputy Sheriff, Sheriff's Patrol Lieutenant, and Part-time non-union/nonexempt.

3. B. Arseneau submitted changes to the County of Waldo 125 Cafeteria Plan as recommended by legal counsel.

****B. Johnson moved, A. Fowler seconded to accept the changes in the County of Waldo 125 Cafeteria Plan as recommended by legal counsel. Unanimous.**

4. The Federal Government has changed its mileage reimbursement rate to 57.5 cents per mile. ****B. Johnson moved, A. Fowler seconded to accept the County of Waldo mileage reimbursement rate to 57.5 cents effective January 1, 2015. Unanimous.**

5. B. Arseneau handed out copies to each Commissioner of Tax Abatement Appeal Petition #367, a hearing for which was scheduled for January 8, 2015. Commissioner Fowler noted that there appeared to be two errors on the application; the address of the property being appealed was listed as the applicant's residence whereas the Town's denial listed it as a different address, and the amount of abatement requested also appeared to be erroneous. The Commissioners decided to postpone the hearing until the application could be corrected and resent to them. They also instructed the Clerk to add to the application that the petitioner should provide a copy of the tax bill for the year in which abatement was being requested. The Commissioners instructed the clerk to contact the petitioner and the Town Assessors to notify them that the hearing was postponed and the reasons for doing so.

(Commissioner Fowler needed to leave the court session early to attend another important meeting.)

6. The Commissioners noted pay step increases for the following employees:

- Dispatcher Gabrielle Rossignol, with a pay increase from \$15.85 to \$16.39 per hour for completing six months of employment on December 10, 2014.
- Corrections Corporal Matthew Hall, with a pay increase from \$20.43 to \$21.08 per hour for completing twelve years of employment on December 1, 2014.
- Patrol Deputy Darrin Moody, with a pay increase from \$20.15 to \$20.92 per hour for completing five years of employment on December 13, 2014.

7. Sheriff-elect Jeffrey Trafton submitted to the Commissioners a copy of a thank you letter from an individual commending Detective Merl Reed for going out of his way to check on a property that had been broken into two years earlier. Detective Reed had seen a car leaving the property, which is usually closed for the winter. It turned out to be a tenant that was allowed onto the site to put trash in a dumpster, but the owners were very pleased and impressed that Detective Reed contacting them about it. The Commissioners also commended Detective Reed for his diligence.

MISCELLANEOUS COMMISSIONERS BUSINESS:

1. B. Johnson reported that MCEDD completed its strategic plan and will present it to the Board of Directors in January. MCEDD also held a conference in Knox County. B. Johnson said she would like to see if they will hold something similar in Waldo County. She felt there were a number of businesses in Belfast that are not being assisted. She understands that Belfast has an Economic Director, but she felt that some of the smaller businesses needed some more assistance. There is a cost for the staff to do that, but it is hoped that this can be done within the staff's work time. She would like to see the smaller towns get recognized.

2. B. Johnson reported that the Belfast Creative Coalition will be holding an event in January that she will be attending. Belfast Creative Coalition has been obtaining grants and also has expressed appreciation for the funds the County has provided to their organization.

MINUTES APPROVED:

The Commissioners voted to approve the following minutes:

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****W. Shorey moved, B. Johnson seconded to approve the minutes from the September 25, 2014 Road Petition Hearing of Debra Paul vs. Town of Liberty and the November 13, 2014 Road Petition Hearing of Debra Paul vs. Town of Liberty.**

Commissioners stated that they had not had the opportunity to review the minutes from the regular Commissioners Court Session Minutes on November 13, 2014 due to their recent submission, so they would hold off on approving those until their next court session.

NEXT COMMISSIONERS COURT SESSION:

The Commissioners cancelled the special court session tentatively scheduled for December 29, 2014. The next Commissioners Court session is a special session scheduled on January 6, 2015 starting at 1:00 p.m. The regular monthly Commissioners Court Session will be held January 8, 2015 starting at 9:00 a.m.

****W. Shorey moved, B. Johnson seconded to adjourn the court session at 12:05 p.m. Unanimous.**

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