

**WALDO COUNTY COMMISSIONERS COURT SESSION
DECEMBER 8, 2016**

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 court session to order at 12:27 p.m.

OLD BUSINESS - EXECUTIVE SESSION:

****A. Fowler moved, B. Johnson seconded to go into Executive Session at 12:27 p.m. for consideration of discipline as permitted by M.R.S.A. Title 1 §405(6)(A). Unanimous.**

****B. Johnson moved, A. Fowler seconded to come out of Executive Session at 12:36 p.m. Unanimous.**

****W. Shorey moved, A. Fowler seconded to overturn the October 14, 2016 employment termination of Katie Dakin, to replace it with a two-week unpaid suspension effective October 15, 2016 through October 28, 2016 and imposed the following conditions in addition to the unpaid suspension:**

- 1. Ms. Dakin must provide letters of apology to each of her three (3) supervisors and to Communications Center Director Owen Smith. Those letters must be received prior to her return to work.**
- 2. Ms. Dakin must re-train on all policies and procedures applicable to the Communications Center, particularly with regard to scheduling of leave and vacation time.**
- 3. Effective upon her return to work, Ms. Dakin must submit all requests for time off to her immediate supervisor(s) and must meet with her supervisor(s) before any such request is approved.**
- 4. Ms. Dakin will be placed on probation for six (6) months, commencing on her first day back to work. If during that period Dakin violates any County or Department policies, protocols, or operating procedures, the County will proceed immediately with termination of her employment.**
- 5. Prior to her return to work, Ms. Dakin must acknowledge these conditions and consequences by returning a signed copy of this Decision to Communications Director Smith. Unanimous.**

TREASURER'S REPORT:

Present with the Commissioners was Deputy Treasurer Karen Trussell. K. Trussell reported that the total 2016 budget looked very good at this point. About 92% will be expended on payroll, with two (2) more remaining and 96% will be expended for accounts payable with one (1) more remaining.

County Checking Account Balance: \$959,403.53.

Corrections Checking Account Balance: \$179,599.89.

K. Trussell reported that the Jail Appropriations will be very close. The last warrant will have to be watched closely so as not to go over budget.

Tax Anticipation Note: This has been completely paid off.

County Appropriations:
The County budget is 89% expended.

County Revenue:
County revenue received is 112.83%.

Corrections Appropriations:
The Jail budget is 96% expended.

Corrections Revenue:
Corrections revenue received is 105.46%.

WARRANTS:

****B. Johnson moved, A. Fowler seconded to authorize payment of the November 30, 2016 General Fund Accounts Payable warrant and November 17, 2016 payroll in the amount of \$1,074,600.29. Unanimous.**

****A. Fowler moved, B. Johnson seconded to authorize payment of the November 30, 2016 Capital & Restricted Reserve warrant in the amount of \$18,439.42. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the November 30, 2016 Reentry Accounts Payable warrant and November 17, 2016 payroll in the amount of \$1,071,076.74. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the November 30, 2016 MCRRC Restricted Reserve warrant in the amount of \$3,590.64. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the December 8, 2016 General Fund Accounts Payable warrant and December 1, 2016 payroll in the amount of \$226,912.10. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the December 8, 2016 Capital & Restricted Reserve warrant in the amount of \$11,146.57. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the December 8, 2016 Reentry Accounts Payable warrant and December 1, 2016 payroll in the amount of \$698,946.92. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the December 8, 2016 MCRRC Restricted Reserve warrant in the amount of \$2,213.54. Unanimous.**

****B. Johnson moved, A. Fowler to revise the amount paid on the November 11, 2016 MCRRC Restricted Reserve warrant to \$3,151.73. Unanimous**

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

TAX ANTICIPATION NOTE BID PROPOSALS:

Present to present proposals were Paul Doody and Lisa Phillips from Camden National Bank and Hazel Young from Bangor Savings Bank. Bid proposals were submitted and received as follows:

For the 2017 Tax Anticipation Note:

1. Bangor Savings: Interest rate of 1.24% as needed and must be accepted by January 12, 2016.
2. Camden National: Interest rate of 1.19% as needed.
3. Key Bank: Interest rate of 1.23% as needed or lump sum.

****B. Johnson moved, A. Fowler seconded to award the bid to Camden National for the Tax Anticipation Note for 2017 at a rate of 1.19% interest. Unanimous.**

For Checking Account and Reserves:

1. Bangor Savings: It was explained that they have a target account that earns money. The County would have to borrow more to keep that target.
2. Camden National: All services are at no cost and at above-market interest rate. There is Community checking for non-profits. 4.5% is earned on all balances held. No minimum balance required and no earnings credit. Funds are collateralized like they are on the reserves. Any ancillary accounts would also earn 4.5%. Online banking and supplies as requested are free of charge.

****A. Fowler moved, B. Johnson seconded to accept the bid proposal from Camden National for the County Reserve Accounts for three years. Unanimous.**

Asset Forfeiture:

K. Trussell reported that the County has received \$2,400.00 because the Waldo County Sheriff's Office made a substantial contribution to the investigation of Randolph West.

****A. Fowler moved, B. Johnson seconded to accept the asset forfeiture in the amount of \$2,400.00. Unanimous.**

CLOSING 2016 BOOKS FOR REGISTRY OF DEEDS:

Register of Deeds Stacy Grant was not able to be present so she had submitted her figures to the Treasurer's Office early and reviewed them with Deputy Treasurer Karen Trussell. K. Trussell reported that the figures match.

Total fees: \$319,148.44

Total surcharge: \$21,144.00

Total Interest: \$53.63 T

Total transfer tax: \$69,576.76.

****A. Fowler moved, B. Johnson seconded to approve closing the books for the Registry of Deeds for 2016. Unanimous.**

K. Trussell reported that Deeds made a fair amount of revenue this year.

CLOSING 2016 BOOKS FOR REGISTRY OF PROBATE:

Present with the Commissioners was Register of Probate Sharon Peavey and Deputy Treasurer Karen Trussell.

S. Peavey reported an increase from last year

Total Fees: \$87,326.07

Total Surcharge: \$2908.74

Total Restitution: \$1,864.02

Grand Total: \$92,098.

****A. Fowler moved, B. Johnson seconded to approve closing the books for the Registry of Probate. Unanimous.**

ICON CONTRACT:

S. Peavey requested that the Commissioners sign a new contract with ICON contract, which all the Probate Registries use. The fees will remain the same.

****A. Fowler moved, B. Johnson seconded to have the chairman sign the contract. Unanimous.**

S. Peavey reported that they have gone with the cloud, which has been a learning curve.

FAIR LABOR LAW CHANGES UPDATE:

County Clerk Barbara Arseneau explained that because the FLSA law has been postponed, the vote passed by the Commissioners in August 11, 2016 to change the Facilities Director, Human Resources/Payroll Director and Deputy County Clerk positions from Fair labor Standards Exempt to Non-Exempt effective December 1, 2016 needed to be rescinded.

****A. Fowler moved, B. Johnson seconded to rescind the motion from August 11, 2016 and to reinstate the Facilities Director, Human Resources/Payroll Director and Deputy County Clerk positions to Fair Labor Standards Exempt. Unanimous.**

EXECUTIVE SESSION:

****B. Johnson moved, A. Fowler seconded to go into executive session to meet with legal counsel regarding negotiations for the Deputies Association as permitted by M.R.S.A. Title 1 § 405 (6) (D). No action was taken.**

CORRESPONDENCE:

Present to report correspondence was County Clerk Barbara Arseneau as follows:

1. Communications Director Owen Smith sent a memo dated November 28, 2016 informing the Commissioners that employment ceased for Dispatch Trainee Ann Dunkerley on November 23, 2016.

****A. Fowler moved, B. Johnson seconded to accept cessation of employment for Dispatch Trainee Ann Dunkerley effective November 23, 2016. Unanimous.**

2. The Commissioners briefly reviewed the latest Project Status Summary Report and invoice from Ransom Consulting Engineers and Scientists related to the Brownfields Grant Project for the Old Jail, Jailer's House and Barn.

3. It was noted that Thomas Ballard has remained a part-time officer for the Waldo County Sheriff's Office and has not been serving in any capacity as a resource officer at any of the local schools.

APPROVAL OF MINUTES:

B. Arseneau requested that the Commissioners approve the minutes from the November 22, 2016 regular and November 22, 2016 Special afternoon Waldo County Commissioners Court Sessions as presented.

****B. Johnson moved, A. Fowler seconded to approve the minutes from the November 22, 2016 regular and November 22, 2016 Special afternoon Waldo County Commissioners Court Session as presented. Unanimous.**

COMMISSIONERS COURT SESSION CHANGES:

1. W. Shorey brought up the need to discuss changing the days of the Waldo County Commissioners Court Sessions, starting in 2017. He is now serving on the Board of Directors for Eastern Maine Development Corporation and that will conflict with the current schedule of Thursday Commissioners Court Sessions. After reviewing their schedules, the Commissioners voted as follows:

****A. Fowler moved, B. Johnson seconded to hold their Commissioners Court Sessions the first and third Wednesday of each month effective January, 2017.**

2. ****W. Shorey moved, B. Johnson seconded to cancel the December 22, 2016 Court Session due to the holiday and lack of items for the agenda. Unanimous.**

3. The Commissioners briefly discussed other dates that may need to change due to various vacations or other obligations. There may be only one Court Session in April. This will be announced at a later time when it has been scheduled.

COMMISSIONERS MISCELLANEOUS BUSINESS:

Commissioners Fowler and Johnson briefly discussed the 2017 Maine County Commissioners Annual Convention. Due to the expense, Waldo cannot host it at Point Lookout as originally planned. There are other locations being looked at. The Commissioners expressed disappointment that Waldo County could not host in 2017.

SHERIFF'S OFFICE PERSONNEL CHANGES:

Present with the Commissioners were Sheriff Jeffrey Trafton and Chief Deputy Jason Trundy. The Sheriff presented the following changes in Personnel:

1. Deputy Merl Reed has been promoted from Patrol Deputy to Corporal effective December 9, 2016, with an increase in pay from \$23.50 to \$24.50 per hour.

****A. Fowler moved, B. Johnson seconded to approve the promotion of Merl Reed from Patrol Deputy to Patrol Corporal with an increase in pay from \$23.50 to \$24.50 per hour effective December 9, 2106. Unanimous.**

2. Jonathan Shaw would like to come back to full-time employment. Sheriff Trafton requested that he be allowed to return with his previous time served.

****B. Johnson moved, A. Fowler seconded to approve rehiring Jonathan Shaw as full-time Patrol Deputy at the one year pay step of \$20.36 per hour effective December 11, 2016. Unanimous.**

EXECUTIVE SESSION:

B. Johnson, A. Fowler entered executive session at 1:55 p.m. Union Negotiations.

W. Shorey moved, B. Johnson seconded to come out of Executive Session at 2:27 p.m. Unanimous.

No action taken.

NEXT COMMISSIONERS COURT SESSION:

The next regular Commissioners Court Session is scheduled for January 4, 2017 starting at 9:00 a.m. in the Waldo County Commissioners Conference Room.

****A. Fowler moved, B. Johnson seconded to adjourn the court session at 2:45 p.m. Unanimous.**

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