

**WALDO COUNTY COMMISSIONERS COURT SESSION
JANUARY 4, 2017**

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 9:00 a.m.

CHAIRMAN FOR 2017:

****A. Fowler moved, B. Johnson seconded to nominate William D. Shorey as Chairman of the Board of the Waldo County Commissioners of 2017.**

****B. Johnson moved for nominations to cease. Unanimous.**

TREASURER'S REPORT:

Present with the Commissioners was Deputy Treasurer Karen Trussell, who reported the following:

TAX ANTICIPATION NOTE FOR 2017:

****B. Johnson moved, A. Fowler seconded to sign the Tax Anticipation Note for 2017. Unanimous.**

County Checking Account Balance as of December 30, 2016 was \$685,522.20.

Corrections Checking Account Balance as of December 30, 2016 was \$99,149.01.

County Appropriations:

The County budget for 2016 expenditures are not complete because there is one more back-dated warrant to be run for the end of the year. At this point it is 94% expended.

County Revenue:

County revenue received so far has been higher than anticipated. At this point it is \$114.34%. Deeds was \$44,148.44 more than anticipated and Transfer Tax was \$24,576.76 more than anticipated.

Miscellaneous Revenue is higher than expected in 2016 because of the School Resource Officer reimbursement. K. Trussell has added this to the Anticipated Revenue for the 2017 revenue.

Corrections Appropriations:

The Jail budget will have another warrant, but there should be some undesignated funds remaining. At this point it is 98% expended.

Corrections Revenue:

Corrections revenue received is slightly increased because we now are receiving Jail Surcharge that was taken away in 2009, back when this was part of the state. At this point it is 105.88%.

RESERVES: K. Trussell submitted the reserve accounts to the Commissioners for the end of the year.

W. Shorey told the Commissioners that Karen had suggested that \$40,000.00 be reallocated from Unemployment to Severance.

****A. Fowler moved, B. Johnson seconded to reallocate \$40,000.00 from the Unemployment Reserve to the Severance Reserve. Unanimous.**

W. Shorey noted that the Communications Equipment Reserve was in the negative and Karen had recommended moving \$10,000.00 from undesignated funds to that reserve.

****A. Fowler moved, B. Johnson seconded to move \$10,000.00 from undesignated funds to the Communications Equipment Reserve. Unanimous.**

WARRANTS:

K. Trussell explained to the Commissioners that with the change in court sessions from Thursday's to Wednesdays, the warrants schedule will no longer match the Commissioners court sessions so she will need prior approval from A. Fowler and B. Johnson to pay the accounts payable.

****A. Fowler moved, B. Johnson seconded to authorize payment of the December 29, 2016 General Fund Accounts Payable warrant and December 15 and 29, 2016 payrolls in the amount of \$310,440.99. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the December 29, 2016 Capital, Active & Restricted Reserve warrant in the amount of \$69,879.17. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the December 29, 2016 Reentry Accounts Payable warrant and the December 15 and 29, 2016 payrolls in the amount of \$82,996.24. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the December 29, 2016 MCRRC Restricted Reserve warrant in the amount of \$9,759.28. Unanimous.**

K. Trussell reported that \$300,000.00 was sent to Two Bridges this week as part of the inmate boarding contract arrangement.

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

EXECUTIVE SESSION

****B. Johnson moved, B. Johnson seconded to enter Executive Session for discussion of duties and employment as permitted by Title 1 § 405 (6)(A) at 9:27 a.m. Unanimous.**

****A. Fowler moved, B. Johnson seconded to come out of Executive Session Title 1 at 9:55 a.m. Unanimous.**

****A. Fowler moved, B. Johnson seconded for O. Smith or B. Arseneau seek legal counsel to define and interpret the confidentiality laws pertaining to 9-1-1 calls in the past and in the future at the Communications Center. Unanimous.**

O. Smith asked if the Commissioners would permit him to host training for several days at the EMA Conference room for Fire Protocols. Lunch will need to be provided. He felt he could fund that expenditure from the Training line of the Communications Center budget, especially since his own staff would not have to travel. The Commissioners said that was an excellent idea.

FACILITIES REPORT:

Present with the Commissioners was Keith Nealley who reported the following:

1. Fuel oil: K. Nealley commented that fuel prices, being what they are, he was pleased to report that he was able to obtain a favorable fixed rate by Maritime Energy was \$2.0850 per gallon. Other vendors would not project out that far and Maritime Energy was willing to commit. It was noted that this would be a tremendous cost savings.

****B. Johnson, A. Fowler moved to accept the contract with Maritime Energy from April of 2017 to April of 2018 at \$2.085 per gallon. Unanimous.**

2. The Communications Center Generator was installed last Wednesday and Dig Safe needed to come in so temporarily lines have been laid and barricaded. When it tested, it was very smooth. There were no power fluctuations the way the old one did.

3. Jail Elevator Update: Pine State lost one of its owners in a snowmobile accident. K. Nealley explained that this gentleman was the point of contact for the sale. Last K. Nealley had heard, it would take 12 weeks or so to manufacture parts for the elevator at the Jail so K. Nealley has waited a little before contacting Pine State out of respect for their situation. He will reach out to them soon.

4. Discussion of alternative heat and hot water for the jail. Sun Dog Solar will come and provide a quote. This would provide both heating and cooling. The current heat and air conditioning is miserable and inefficient. D. Rowley, who was now present, asked if the generators would be able to handle that. K. Nealley said that he is in the preliminary stages of this and would look into that.

5. K. Nealley informed the Commissioners that he had managed to not expend \$30,000.00 of the Facilities budget in 2016. The Commissioners commended him for this.

NEW PART-TIME POSITION – EMA DIRECTOR DALE ROWLEY:

Present with the Commissioners was EMA Director Dale Rowley, who submitted a job description for a Part-time Emergency Planner. He mentioned that there are several funding sources, including grant funds. It would be 24 hours per week. Much of the work will be GIS planning. This is needed for mitigation and response planning. Now they can develop a list of every home and address for those in hurricane flooding zones. Many different agencies and departments need this information.

****B. Johnson moved, A. Fowler seconded to accept the job description for the part-time Emergency Management Agency (EMA) Planner. Unanimous.**

A. Fowler asked if there was someone currently in this position. D. Rowley said the County is currently using an outside contractor. The position will be posted and applications reviewed.

D. Rowley presented a pay scale for this position and set it at the same rate as the Temporary Deputy County Clerk at \$16.03 per hour.

****A. Fowler moved, B. Johnson seconded to approve the revised 2017 Part-time Pay Scale with this new position at \$16.03 per hour as presented. Unanimous.**

New Photocopier: D. Rowley mentioned that the five-year contract is expired on the photocopier and EMA would like to go to a network-type photocopier. He presented the contract to the Commissioners for approval and signature.

****B. Johnson moved, A. Fowler seconded to accept the new photocopier contract as presented by D. Rowley. Unanimous.**

SHERIFF'S REPORT & PERSONNEL MATTER:

Present with the Commissioners was Sheriff Jeffrey Trafton. He requested hiring the following employees:

1. Florilla Pelkey as part-time Corrections Officer effective January 5, 2017 at the part-time rate with certification of \$17.39 per hour.

****A. Fowler moved, B. Johnson seconded to hire Florilla Pelkey as part-time Corrections Officer effective January 5, 2017 at the part-time rate with certification of \$17.39 per hour. Unanimous.**

2. Garth Coleman as part-time Corrections Officer effective January 5, 2017 at the part-time rate without certification of \$14.24 per hour.

****A. Fowler moved, B. Johnson seconded to hire Garth Coleman as part-time Corrections Officer effective January 5, 2017 at the part-time rate without certification of \$14.24 per hour. Unanimous.**

3. Part-time Patrol Deputy Christopher West to be promoted to full-time Patrol Deputy effective January 5, 2017 at the starting pay without certification, with a pay raise from \$16.03 to \$19.93 per hour.

****A. Fowler moved, B. Johnson seconded to go into executive session at 10:18 a.m. for consideration of assignments and duties 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 10:19 a.m. Unanimous.**

****A. Fowler moved, B. Johnson seconded to promote part-time Patrol Deputy Christopher West to full-time effective January 5, 2017 at the starting pay without certification, with a pay increase from \$16.03 to \$19.93 per hour. Unanimous.**

4. Part-time Corrections Officer Timothy Parker to be promoted to full-time Corrections Officer effective January 5, 2017 at the 2-year step with a pay increase from \$17.78 to \$18.25 per hour.

****A. Fowler moved, B. Johnson seconded to promote part-time Corrections Officer Timothy Parker to full-time effective January 5, 2017 at the 2-year step with a pay increase from \$17.78 to \$18.25 per hour. Unanimous.**

EXECUTIVE SESSION:

****A. Fowler moved, B. Johnson seconded to enter Executive Session at 10:30 a.m. for discussion of use of real property as permitted by M.R.S.A. Title 1§405 (6)(C). Unanimous.**

****A. Fowler moved, B. Johnson seconded to come out of Executive Session at 11:40 a.m. Unanimous.** No action was taken.

TECHNOLOGY REPORT:

Present with the Commissioners was Technology Consultant James Arseneau with the following:

1. There were two contracts for the Commissioners to consider. J. Arseneau explained that GWI is used for Internet service at the Superior Courthouse. For a little more cost, they can gain 20x20 service. He reminded the Commissioners that the County had switched to Lincolnville Communications at the District Court building and would recommend switching to Lincolnville Communications at the Superior Courthouse, as well. Time Warner is used at Sheriff and Jail. J. Arseneau recommended to switch Lincolnville Communications to be the backup there.

****A. Fowler moved, B. Johnson seconded to contract with Lincolnville Telephone Communications for the Superior Courthouse and as back up for the Law Enforcement complex. Unanimous.**

2. Firewalls have been replaced at Communications Center and Superior and District Courthouse. If connectivity is lost, the firewalls will move to backup Internet connection. Furthermore, if the fiber goes down between the buildings, the firewalls will build a connection via the Internet for backup. Changes to Waldo Remote was also part of that project. J. Arseneau was pleased to report that it cost less than expected. It was anticipated to be about \$60,000.00 and it ended up costing about \$56,000.00.

3. J. Arseneau has migrated the old 2003 Exchange server to a 2010 Exchange server. He requested if the remaining funds from the firewall/Waldo Remote project could be used to move to support a project to move the 2010 Exchange server to a 2013 server and hire Green Pages to install this. The cost would be about \$6,217.00. This server should last about 10 years. There was brief discussion about how the funding in the Technology Reserve was holding up. W. Shorey said that the goal is to do half of an upgrade in 2020 and the second half in 2021 to avoid the cost of leases.

****A. Fowler moved, B. Johnson seconded to hire GreenPages to install the 2013 server as requested. Unanimous.**

4. J. Arseneau mentioned that he is still finding that the Department Heads are not always communicating projects that they anticipate doing that involve the Technology Budget, and there are expenditures that should be included in the Technology budget preparation. The Commissioners acknowledged this and considered that a reminder should go out from the Commissioners Office each year before budget preparation. They thanked J. Arseneau for meeting with them.

EXECUTIVE SESSION:

W. Shorey called for an executive session to discuss ongoing Deputies Association negotiations.

****A. Fowler moved, B. Johnson seconded to go into Executive Session at 12:04 p.m. for discussion of ongoing negotiations for the Deputies Association as permitted by M.R.S.A. Title 1 405 (6)(D).**

****B. Johnson moved, A. Fowler seconded to come out of Executive Session at 12:10 p.m. Unanimous.** No action was taken.

COMMISSIONERS COMMITTEES 2017:

The Commissioners reviewed committees and organizations that they serve on made the following updates:

1. B. Johnson is serving as Commissioner Representative on Aging Well in Waldo County.
2. W. Shorey is serving as Director on the Eastern Maine Development Corporation Board of Directors.
3. A. Fowler is serving as Commissioner Representative on NACo for the State of Maine.

CORRESPONDENCE:

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

1. The Internal Revenue Service has issued the new 2017 optional standard mileage rate to be 53.5 cents per mile for business miles driven, effective January 1, 2017.
****A. Fowler moved, B. Johnson seconded to adopt the IRS 2017 mileage rate of \$53.5 cents per mile. Unanimous.**
2. The City of Belfast Intown Design Review Committee sent a “Notice to Abutter” regarding a proposal to install a solar panel at the property under contract at 96 Church Street, which is currently owned by the National Theatre Workshop for the Handicapped.
3. Maine Municipal Association sent notice of the 2017 MMA Associate Member Dues and Service Program. The dues remain at \$600.00 for 2017.
4. Communications Center Director Owen Smith sent two documents to the County Commissioners. The first had been emailed to the Commissioners and was a report of an odor resulting from malfunction, swelling and leaking of one of the large 5,000 battery backup units that started on December 19, 2016, was identified on December 20th and removed from the building. During that time, the building was vented and there was no danger to the employees, even though the odor was unpleasant.

The second document was a letter of commendation regarding Keith Nealley’s role in resolving this problem. Keith was called to the center to help investigate the odor, took steps to ventilate the room and notified the Director, who was out of town on vacation. Keith, Dale Rowley, the Haz Mat team, Belfast Fire Chief James Richard, Searsmont Fire Chief James Ames and Searsport EMA Director Bud Rivers brought in various devices which “sniffed” the air to determine what the odor was or was not. Keith called Technology Consultant James Arseneau and all the obvious sources were checked out. Throughout the investigative process, Keith made a barrier to keep the odor in the room, windows remained open in the Director’s office and two fans were used to exhaust the odor out of the

room. The following day, O. Smith returned and they contacted "FERC", OIT and the AC provider to check out their battery backup units. J. Arseneau recommended that the large 5,000 batter backup units be disassembled, which Dispatch Supervisor Mike Larrivee did. The source turned out to be one of the banks of batteries, which had swollen and split slightly. Mike and Keith removed the bank of batteries and took them to the recycle building. Director Smith wished to highly compliment Keith Nealley for his diligence and help in solving the problem, noting that he could not have asked for anymore assistance in solving this problem.

The Commissioners expressed their commendation for Keith Nealley's hard work and diligence in resolving this problem.

5. B. Arseneau reported the following items had broken and needed to be disposed of and replaced:

- The breakroom Keurig Coffee maker is regularly not brewing, even after being cleaned.
- The small office humidifier died and just dumps the water out.

****A. Fowler moved, B. Johnson seconded to dispose of the malfunctioning Keurig Coffee Maker and the humidifier, and to replace both. Unanimous.**

6. B. Arseneau asked the Commissioners for authorization to close the Commissioners and Treasurer's Offices for at least two days in January for year-end work. The Commissioners agreed and asked that there be notification sent in advance of the two days.

APPROVAL OF MINUTES:

B. Arseneau reported that because of the holidays, illness in the office, an unusual amount of personnel issues and negotiations prep, she was not able to finish transcribing the minutes from the December 8, 2016 Waldo County Commissioners Court Session and stated that they would be finished before the next court session.

B. Arseneau had noticed an error in the minutes from the April 28, 2016 minutes of the Tax Abatement Hearing Petition no. 370, Reconvened Session of Debra Paul vs. Town of Liberty. Barbara Arseneau, Autumn Birt, Adam Paul, Melinda Steeves and Carrie Peavey were listed as present but were not.

****A. Fowler moved, B. Johnson seconded to accept corrected minutes for Debra Paul vs. Town of Liberty Reconvened Session on April 28, 2016 as noted above. Unanimous.**

COMMISSIONERS MISCELLANEOUS BUSINESS:

None.

NEXT COMMISSIONERS COURT SESSION:

The next regular Commissioners Court Session will be Wednesday, January 18, 2017.

****B. Johnson moved, A. Fowler seconded to adjourn the court session at 12:35 p.m. Unanimous.**

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