

**WALDO COUNTY COMMISSIONERS COURT SESSION  
APRIL 19, 2017**

**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 Deputy Treasurer Karen Trussell, who reported the following:

Tax Anticipation Note:

On the County side, \$650,000.00 has been borrowed.

On the Jail side, \$1,200,000.00 has been borrowed.

County Appropriations:

The budget is 27% expended and could 29%. Those departments with lines that are a little more expended are due to some payments that have to be made in full at the beginning of the year.

County Revenue for:

The County revenue received is 32.26%.

Corrections Appropriations:

The Corrections budget is 37% expended.

Corrections Revenue:

The Corrections revenue received is 1.66%.

**\*\*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 April 13, 2017 General Fund Accounts Payable Warrant and April 6, 2017 payroll in the amount of \$153,609.79. Unanimous.**

**\*\* B. Johnson moved, A. Fowler seconded to authorize payment of the April 13, 2017 Capital, Active & Restricted Reserve warrant in the amount of \$18,134.36. Unanimous.**

**\*\* B. Johnson moved, A. Fowler seconded to authorize payment of the April 13, 2017 Reentry Accounts Payable warrant and April 6, 2017 payroll in the amount of \$88,095.99. Unanimous.**

**\*\* B. Johnson moved, A. Fowler seconded to authorize payment of the April 13, 2017 MCRRC Restricted Reserve warrant in the amount of \$2,534.79. Unanimous.**

### **EXECUTIVE SESSION:**

**\*\*A. Fowler moved, B. Johnson seconded to go into executive session at 9:08 a.m. for discussion of real property as permitted by M.R.S.A. Title 1§405(6)(C). Unanimous.**

**\*\*B. Johnson moved, B. Johnson seconded to come out of executive session at 9:20 a.m. Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to move \$152,000.00 from Undesignated Funds to the Severance reserve. Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to pay \$201,461.00 from the Severance reserve to start the Waldo County Sheriff's Office Corrections Officers in the Maine Public Employee Retirement System Special Plan 2C effective July 1, 2017. Unanimous.**

### **FACILITIES REPORT:**

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

1. K. Nealley reviewed the savings from the Jail elevator and has learned that the total cost of the solar hot water system and the heat pumps project will be in the \$50,000.00 range. Sun Dog has submitted a contract for the heat pumps in each one of the day rooms. The total for that contract will be about \$18,000.00 after the Efficiency Maine rebates. He has sent Sun Dog copies of the blue prints of the Jail roof so they can review it. He expressed some concern over a chronic leak on the roof that has been there for many years.

**\*\*A. Fowler moved, B. Johnson seconded to sign the heat pump contract with Sun Dog. Unanimous.**

2. The back stairs at the District Courthouse have been temporarily repaired. Ladd Masonry has quoted \$4,100.00 to install granite risers, if the Commissioners wish for a more permanent solution. K. Nealley recommended waiting until the fall to see how the budget was and review things then.

3. There was a rain washout in the pathway leading to the Probate Judge's Chambers. K. Nealley and some of the Reentry residents are resetting the paver tiles.

4. The Old Jailer's House has been cleaned up and debris is ready for the burn pile.

5. The Jail gym equipment that no longer is being used has been sitting in the Barn and K. Nealley wondered what the Commissioners would like to do with it, as there is usually a process for disposition. He wondered about donating it to the free gym that is affiliated with Triad in Unity. There are also old Sheriff's cruiser cages and other equipment related to the Sheriff's Office that no longer can be used. The Commissioners instructed K. Nealley to accept bids from employees for up to 30 days and then to work out selling what he could as scrap metal and donate the rest.

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

Present with the Commissioners was Sheriff Trafton.

W. Shorey told Sheriff Trafton that the Commissioners have voted to set up MainePers Special Plan 2C for the Corrections division effective July 1, 2017. Sheriff Trafton said the Corrections Officers would all be very pleased.

Sheriff Trafton reported:

1. Legislation is being discussed today proposing that the State take over all County Corrections facilities. A. Fowler noted that this was submitted by the Senator Diamond, who drafted the original legislation that consolidated the county jails under State control and did not work out well. J. Trafton said he does not know Senator Thibodeau's position on this and has spoken with Senator Herbig about it. He will be at the legislature this afternoon to try to speak to other senators about this. The Sheriff's Association is overwhelmingly against it and will speak today. Testimony is being prepared and the Sheriffs have been asked for their input. Sheriffs have run the jails since Maine became a state. Many counties are in trouble because they're in a no-win situation. The CAPS won't be raised, the counties can't get enough funding through the county budgets to properly run the jails, and the State will not make it possible for them to get any other funding. J. Trafton said that the bill summary is not specific and nobody knows what the DOC's plan is. He hoped someone would be there today to speak to that.

A. Fowler noted that the State pays what used to be CCA money and now it is rolled over. Counties have had CAPS that are too low and yet the State still dictates such things as how many inmates county jails are allowed to hold in their Corrections facilities. The State controls things it does not fund. A. Fowler noted that in the past, there were some corrections union contracts that were excessive and, unfortunately, some of those negatives were remembered down to this day. There were supposed to be two emergency bills put forth – one that does not force counties to take State inmates, and the other is related to concurrent sentences. There also needs to be a judge in every county.

2. A. Fowler asked for an Executive Session to discuss a potential contract.

**\*\*A. Fowler moved, B. Johnson seconded to enter executive session to discuss a potential contract as permitted by M.R.S.A. Title 1 §401(6)(C) at 9:52 a.m. Unanimous.**

**\*\*B. Johnson moved, A. Fowler seconded to come out of executive session at 10:21 a.m. Unanimous.**

No action was taken.

#### **EXECUTIVE SESSION:**

**\*\*A. Fowler moved, B. Johnson seconded to enter executive session at 10:45 a.m. for discussion of protected health insurance information as permitted by M.R.S.A. Title 1§405(6)(F). Unanimous.**

**\*\*A. Fowler moved, B. Johnson seconded to come out of executive session at 12:04. Unanimous.**

The Commissioners signed updated renewal documents related to the Health Insurance Plan.

#### **CORRESPONDENCE:**

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

1. Unity College Tax Abatement Appeal Application: On April 6, 2017 the Commissioners Office received an Appeal of Decision of Board of Assessors on Application for Abatement of Property Taxes from Unity Collage President Dr. Peter Khoury. The abatement request was for McKay Farm & Research Station at 54 Greenhouse Road in Thorndike, Maine in the amount of \$125,168.00, which was a 100% abatement request. Included with the application was a copy of a written decision from the Town of Thorndike Assessors denying Unity College's application for property tax exempt status, dated January 18, 2017. B. Arseneau stated that she had spoken with Unity College's Executive Assistant to find out when Unity College received the decision of the Town of Thorndike, as the only date on that letter was the date of the decision, which was January 18, 2017. After researching their records, the Executive Director stated that they could not find the envelope and could not be certain of when the decision was received by the College. B. Arseneau also contacted the Town of Thorndike and Thorndike Town Clerk Doreen Berry reported that in the Town's records, the written decision was sent to the college on January 19, 2017 by certified mail and the Town Office received a signed receipt on January 24, 2017. This would mean that at the latest, the College would have had to submit an appeal to the County Commissioners by March 24, 2017 to be within the 60 days permitted by statute. After reviewing the documents, the County Commissioners voted as follows:

**\*\*A. Fowler moved, B. Johnson seconded to deny holding a hearing for the Unity College Real Property Tax Abatement Application because the application was not submitted to the Board of County Commissioners within the 60 days as stipulated in 36 M.R.S.A. 844(1). Unanimous.**

2. The Commissioners had agreed to change the service provider for the Superior Courthouse form GWI to Lincolnville Telephone for fiber connection of 20Meg down and 20 Meg up for about \$30.00 more several months ago. This service was installed and is running fine so GWI service was cancelled. In addition, Technology Consultant James Arseneau was able to get GWI to agree to a connection that was twice as fast as before for the same price for the District Attorney network connection to the State, which the District Attorney folks have been very happy about. GWI also reduced the backup Internet connection at the Law Enforcement Complex to \$320.00 from \$400.00. GWI is willing to offer both contracts effective now, even though the Law Enforcement contract does not end until August of 2017. All that is required at this point is an official vote of the Board of Commissioners.

**\*\*B. Johnson moved, A. Fowler seconded to approve the contract with Lincolnville Telephone for fiber connection at the Superior Courthouse, to approve the contract with GWI increasing fiber connection for the District Attorney's Office, and to approve the GWI contract reducing the cost of backup Internet connection at the Law Enforcement Complex as presented. Unanimous.**

3. Sheriff Trafton submitted a letter notifying the Commissioners that employment for Jacob Powers terminated April 11, 2017.

**\*\*B. Johnson moved, A. Fowler seconded to accept termination of employment for Jacob Powers effective April 11, 2017. Unanimous.**

4. A volunteer has requested that the County Commissioners add a few links related to smoking cessation to the County of Waldo Official Website. The County Commissioners declined this request

but asked that the volunteer be contacted to send information to Commissioner Johnson for the Waldo County Wellness Committee.

5. B. Arseneau reminded the Commissioners that the City of Belfast Planning Board is meeting at 6:30 p.m. tonight for a public hearing regarding the draft contract rezoning agreement submitted by the property owner for redevelopment of the former Crosby School. Commissioner Johnson plans to attend.

**APPROVAL OF MINUTES:**

B. Arseneau requested that the Commissioners approve the minutes from the April 5, 2017 Waldo County Commissioners Court Session as presented.

**\*\*B. Johnson moved, W. Shorey seconded to approve the minutes from the April 5, 2017 Waldo County Commissioners Court Session. Unanimous.**

**COMMISSIONERS MISCELLANEOUS BUSINESS:**

None.

**NEXT COMMISSIONERS COURT SESSION SCHEDULE:**

The next regular Commissioners Court session is scheduled for MONDAY May 1, 2017 at 9:00 a.m. in the County Commissioners Conference Room.

**\*\*B. Johnson moved, W. Shorey seconded to adjourn the court session at 12:10 p.m. Unanimous.**

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