

WALDO COUNTY COMMISSIONERS COURT SESSION
JANUARY 17, 2018
REVISED

PRESENT: Commissioners William D. Shorey, 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.

TREASURER'S REPORT:

Present with the Commissioners were Treasurer David Parkman and Deputy Treasurer Karen Trussell, who reported the following:

The County Checkbook current balance is \$774,039.96.

The Jail Checkbook balance is \$100,104.07.

County Appropriations:

97% of the 2017 budget has been expended and it should be 100% at this time. The Benefits budget was overdrawn due to the Workers Comp being higher than expected and MainePERS was overdrawn due to retroactive pay for the Deputies Association Contract. The Communications Budget was overdrawn due to turnover in employees, medical leave, and the resulting over-expenditure in overtime. The Commissioners Budget mileage line (4105) was also overdrawn for 2017.

County Revenue:

113.09% of the 2017 County revenue has been received. The revenue is about 1% compared to the taxes.

Corrections Appropriations:

99% of 2017 budget has been expended and should be 100% expended.

Corrections Revenue:

119.06% of the 2017 Corrections revenue has been received.

The year finished with \$117,237.64 remaining in the County Budget and \$9,365.21 remaining in the Jail Budget.

The TAN for Corrections has been borrowed from due to paying the contract for Two Bridges Jail for Waldo County's inmates. Likely the County TAN will not be borrowed from until February.

The audit will likely start in February.

****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 December 29, 2017 General Fund Accounts Payable warrant in the amount of \$24,599.81. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the December 29, 2017 Reentry Accounts Payable Warrant in the amount of \$2,898.24. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the January 12, 2018 General Fund Accounts Payable Warrant and January 11, 2018 payroll in the amount of \$424,830.92. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the January 12, 2018 Capital, Active & Restricted Reserve warrant in the amount of \$20,302.42. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the January 12, 2018 Reentry Accounts Payable Warrant and January 11, 2018 payroll in the amount of \$356,622.17. Unanimous**

****B. Johnson moved, A. Fowler seconded to authorize payment of the January 12, 2018 MCRRC Restricted Reserve warrant in the amount of \$9,501.00. Unanimous.**

RESTITUTION:

Present for this report was Deputy Treasurer Karen Trussell. She noted that J. Arseneau is still working on installing the program that allows the D.A.'s Office to go after restitution on income taxes.

FACILITIES REPORT:

Present was Facilities Manager Keith Nealley, who reported the following:

1. The new Custodian, who was recently hired, decided that cleaning the County buildings was not what he wanted to do. K. Nealley said he had hoped to work longer with him but there were some things that were not able to be worked out; so Rob ceased work immediately, effective 01-10-2018.

****A. Fowler moved, B. Johnson seconded to accept the resignation of Robert Couturier as Janitor/Custodian effective January 10, 2018. Unanimous.**

K. Nealley reported that he has two strong candidates who have both been in the business for years. The background checks are being run and references are being checked. He hopes to determine which will be the best candidate in the very near future. When the Commissioners asked who was cleaning the buildings now, K. Nealley explained that he was doing it and that the staff in some of the offices are also cooperating with cleaning up around their own areas. B. Johnson asked if the Reentry clients could assist him with cleaning. K. Nealley explained that this is a security issue and that the clients cannot be in the D.A.'s, Sheriff's, or Communications Center's areas. The Commissioners thanked K. Nealley for taking on this extra work.

2. K. Nealley asked to transfer funds from the following Cleaning Lines in the Facilities Budget to Personnel line 1030-3005 as follows: \$7,500.00 from 1030-4628, \$13,000.00 from 1030-4629, \$11,000.00 from 1030-4630, \$2,600.00 from 1030-4631, \$7,100.00 from 1030-4632, and \$3,800.00 from 1030-4633.

****A. Fowler moved, B. Johnson seconded to transfer funds from the following accounts into 1030-3005: \$7,500.00 from 1030-4628, \$13,000.00 from 1030-4629, \$11,000.00 from 1030-4630, \$2,600.00 from 1030-4631, \$7,100.00 from 1030-4632, and \$3,800.00 from 1030-4633. A. Fowler amended her motion to total \$45,000.00, with each of the lines identified as mentioned. Unanimous.**

NEW HIRE – SHERIFF’S REPORT:

Present was Chief Deputy Jason Trundy, who presented the following for approval as a new hire:

The Sheriff recommends hiring Daniel Perez to fill the new full-time position. D. Perez has two years of experience with the Bangor Police Department and has achieved the Special Response Team. There would need to be an \$18,000.00 buyout because D. Perez recently attended the Academy. The Sheriff would like to have D. Perez start on January 28, 2018 as Patrol Deputy at the two-year rate. One of the employees being replaced had been at the five-year pay level, so there should be funding in the budget to handle this Academy expense. The Sheriff’s Office hopes to purchase his fitted bullet-proof vest, as well.

****A. Fowler moved, B. Johnson seconded to hire Daniel Perez at the two-year level (\$22.03 per hour) effective January 28, 2018. Unanimous.**

CORRESPONDENCE:

Present to report correspondence was County Clerk Barbara Arseneau, who reported the following:

1. The Commissioners informed B. Arseneau that they are changing the March 15, 2018 Commissioners Court Session to March 14, 2018 start time 9:00 a.m.
2. B. Arseneau presented the 2018 County of Waldo Certificate of Incumbency for the County Commissioners’ review. The Commissioners inspected and confirmed the accuracy of the 2018 County of Waldo Certificate of Incumbency as presented. B. Arseneau will send it to the Secretary of State as required by statute.
3. A letter has been received from the National Guard Bureau, ARNG IED Cleanup & Restoration Branch dated December 8, 2016 informing the Commissioners that this letter was a follow-up to right of entry letter the Commissioners received from the US Army Corps of Engineers and Army National Guard about conducting a Site Inspection for the Non-Department of Defense owned Non-Operation Defense Site (NDNODS) Belfast Range ID# MEHQ-003-R-01 where the Army National Guard once conducted military munitions on what is now the County’s property. Due to a lack of right of entry on an adjacent property, the Maine Army National Guard and the Maine Department of Environmental Protection were unable to gain access to enough land on the NDNODS Belfast Range in an attempt to investigate and identify if there are environmental or human health concerns related to past Army National Guard training activities. In five years, the Army will again try to gain access to the NDNODS Belfast Range for this purpose. If there are any questions, contact Mr. John Haines.

APPROVAL OF MINUTES:

B. Arseneau requested that the Commissioners approve the minutes from the January 3, 2018 Waldo County Commissioners Court Sessions as presented, after brief discussion on why a vote to accept cessation of employment for an employee included that employee's name, and the reason the vote included the COBRA rates for 2018.

**** B. Johnson moved, A. Fowler seconded to approve the minutes from the January 3, 2018 Waldo County Commissioners Court Sessions as presented. Unanimous.**

PUBLIC COMMENT:

Nobody from the public came to speak.

2018 RADIO UPGRADE & SPILLMAN SAA CLASS AT CUMBERLAND REGIONAL COMMUNICATIONS CENTER:

Present for this report was Communications Director Owen Smith.

EXECUTIVE SESSION:

The County Commissioners voted to go into Executive Session and excused the Clerk.

****A. Fowler moved, B. Johnson seconded to enter Executive Session for non-public contract information as permitted by MRSA Title 1 § 405(6)(F) at 9:37 a.m. Unanimous.**

****B. Johnson moved, A. Fowler seconded to come out of Executive Session at 10:03 a.m. Unanimous.**

****A. Fowler moved, B. Johnson seconded to take up to \$5,000.00 from the Commissioners Professional Services line to send two Dispatchers to Spillman SAA Training at Cumberland County. Unanimous.**

****A. Fowler withdrew her motion and B. Johnson withdrew her second to use the Professional Services line for the funds. Unanimous. (See the new motion under Commissioners Miscellaneous Business.)**

COMMISSIONERS MISCELLANEOUS BUSINESS:

1. TRANSFERS FROM UNDESIGNATED FUNDS:

****B. Johnson moved, A. Fowler seconded to transfer Undesignated Funds as follows: \$10,000.00 to the Economic Development reserve, \$20,000.00 to the Severance Assistance reserve, \$100,000.00 to the Radio Upgrades reserve for the Communications Center, and \$275,000.00 to the Technology Reserve for 2018 technology upgrades. Unanimous.**

****B. Johnson moved, A. Fowler seconded to move \$70,000 from the Jail Undesignated Funds to the Future County Technology Reserve. Unanimous.**

****B. Johnson moved, A. Fowler seconded to move \$45,000.00 from Jail Undesignated Funds to County Technology Reserve. Unanimous.**

2. James Belleau, Esquire, is the Maine attorney representing Maine counties in a class action suit. A law firm in New York is suing the drug companies for opioid addiction and counties stand to gain from this for costs related to training and healthcare due to opioid issues in the county.

****A. Fowler moved, B. Johnson seconded to contact James Belleau and inform him that Waldo County is interested in being part of the class action suit for the Government Opioids Cost Recovery Program. Unanimous.**

3. The Judge ruled in favor of the state releasing funds for the Coastal County Work Force groups and B. Johnson asked if Waldo County wished to participate in the law suit and contribute funds for representation. W. Shorey said he was not opposed to doing this but said he doubted that the Governor would release those funds any time soon. B. Johnson said that she believed that he would be forced to release these funds but what happens after that is up in the air. She believed that the Governor appealing it is a form of dragging his feet. If the money can be released, at least the displaced organizations and people will have somewhere to go. There was discussion about where to fund Waldo County's share of the retainer from.

****W.S. moved, A. Fowler seconded to fund \$2,000.00 for Waldo County's portion of Attorney costs related to the Coastal County Workforce from County Planning. Unanimous.**

****W.S. withdrew his motion, and A. Fowler withdrew her second.**

****W.S. moved, B. Johnson seconded to fund both the \$2,000.00 for Coastal County Workforce law suit and the Training for SAA at Cumberland County from County Planning Reserve. Unanimous.**

4. B. Arseneau asked the Commissioners if they wished to have the architectural firm that started the County space use study back in 2011 to continue working on that once the State vacates the District and Superior Court buildings. The Commissioners did not feel this was necessary at this time.

**** B. Johnson moved, A. Fowler seconded to adjourn the court session at 10:47 a.m. Unanimous.**

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