

**WALDO COUNTY COMMISSIONERS COURT SESSION
JULY 7, 2021**

PRESENT: Commissioners Amy R. Fowler (Chairman), William D. Shorey, and Betty I. Johnson. County Clerk Barbara Arseneau took the minutes.

Call to Order: Commissioner Fowler called the court session to order at 9:00 a.m.

FINANCIAL REPORT

Finance Director Karen Trussell reported the following:

The County Checkbook balance is \$37,651.96.

The Jail Checkbook balance is \$7,793.19.

County Appropriations:

46% of the 2021 budget has been expended and it could be 50% at this time.

County Revenue:

61.69% of the 2021 County revenue has been received.

Corrections Appropriations:

40% of 2021 budget has been expended and could be 50% expended.

Corrections Revenue:

2.58% of the 2021 Corrections revenue has been received.

TAX ANTICIPATION NOTE:

\$3,260,000.00 has been borrowed from the TAN; \$1,850,000.00 by the County and \$1,410,000.00 by Corrections, which is \$740,000.00 less than at this time last year.

****B. Johnson move, W. Shorey seconded to file the Financial Report as presented. Unanimous.**

****B. J WARRANTS**

Johnson moved, W. Shorey seconded to authorize payment of the June 30, 2021 General Fund Accounts Payable warrant including the June 24, 2021 payroll in the amount of \$302,887.40. Unanimous.

****B. Johnson moved, W. Shorey seconded to authorize payment of the June 30, 2021 Capital, Active & Restricted Reserve warrant in the amount of \$31,375.75. Unanimous.**

****W. Shorey moved, B. Johnson seconded to authorize payment of the June 30, 2021 MCRRC Accounts Payable warrant including June 24, 2021 payroll in the amount of \$175,167.06. Unanimous.**

****W. Shorey moved, B. Johnson seconded to authorize payment of the June 30, 2021 MCRRC Restricted Reserve in the amount of \$13,699.96. Unanimous.**

American Rescue Plan Act Account Questions: K. Trussell said she would need instructions for handling invoices and checks related to the ARPA funds-related expenditures. The Commissioners said that they will all review and sign off on all ARPA-related invoices. A warrant system will need to be created so that K. Trussell will be able to write checks and have someone review them. Invoices can be scanned for Commissioner Johnson until she is able to come into the office. K. Trussell said that checks needed to be signed and sent for two of the Facilities projects to start.

INFORMATION IT REPORT

Present was IT Director J-sun Bailey who reported that he has done and is doing the following:

1. The Motorola Spillman Conference is Oct. 11-14 in Orlando. He has signed up for this.
2. Finished screens in the control room so they can monitor 9-1-1 calls. He has also done this as well as the VOA's Office, which is view only, so no security issues.
3. Getting quotes on the computers the Commissioners approved purchasing. 10 computers are coming in from the grant EMA received.
4. Phone quotes are still being worked on but are not on the "front burner" right now.
5. Having an audio-visual company come in to give a free quote on installing cameras, T.V.'s, speakers, etc. in the Commissioners courtroom.
6. Setting up cameras and monitors in the Jail/Reentry booking and staff areas. This will put cameras in areas that were of concern.
7. Obtaining a quote for replacing stationary cameras for the Sheriff's Office. The current system is aged and won't be supported by Seacoast, etc. so he is receiving a quote for that. He is also obtaining a quote for the interview rooms. There are two separate systems and this would hopefully link the systems together. He described the cameras and how they would work, with the goal of being as fail safe as possible. Storage for the cameras with WatchGuard will be in the cloud as part of the contract. He, the Sheriff, and Chief Trundy sat through a 45-minute overview. He described how the information can be bundled in the cloud and easily shared as needed with the D.A.'s Office, etc.

HUMAN RESOURCES REPORT

Human Resources Director KelLee Gray reported the following:

1. Dispatcher Holden Doyon will complete five (5) years of employment July 11, 2021 with a pay increase from \$21.50 to \$23.35 per hour, and an additional 24 hours of vacation for a total of 120 hours per year. Noted by the Commissioners.
2. Dispatcher Camilla Cook will reach complete two (2) years of employment July 29, 2021 with a pay increase from \$20.77 to \$21.50 per hour and an additional 16 hours of vacation for a total of 96 hours per year. Noted by the Commissioners.

3. Workers Comp Safety Incentive Program. Through Maine Municipal Association, who the County has Workers Comp with, the County can save up to 10% on the premiums. Just signing the Tier 1 level will save 5% on the premium, which the Commissioners agreed to sign. K. Gray has reviewed Tier 2. The County only needs to do two steps, and has a full year to do this. One step is to do a 3-page check sheet, which K. Nealley is willing to do. The second step is to do a slip and fall safety protocol, which is also free. This will complete Tier 2 at 7.5% savings. Tier 3 has already been done, which is to review all incidents and put them in writing. K. Gray said she already reviews every incident, but just needs to put them in writing, and that will be the final tier for the 15% total savings.

4. Employee Probationary Evaluations: Currently the Commissioners have option to review all the evaluation reports for each employee. This step makes it hard to get the evaluations back to the employees promptly, especially the probationary employees. Since it's optional, she recommended for lower tier employees at probationary level no longer be reviewed by the Commissioners since these are so frequent during the first year. These would be reviewed by the department heads. If the Commissioners ever wish to read them, she would make them available to them. The Commissioners agreed that this was the department heads' responsibility. Those who are supervisors or other higher positions, K. Gray thought should still be sent to the Commissioners for review.

5. Human Resource Information System (HRIS): K. Gray is researching an HRIS program that would allow for all paper files to be on digital format to reduce paper. She has received three bids, and is expecting two more. She asked if the Commissioners would like to review these and she'll forward the other two when they come in, and then there can be discussion later. K. Gray explained the features of one system she was most interested in, including secure data systems, the ability to do all the County's payroll, which would be on their system and be a better system and if the County was already with them, they would charge the same. There would be a scheduling system, and a time and attendance system that would reduce manual entry currently being done, handle recruitment, applications, and employee portals so that employees could look at all their own personnel information and make changes themselves, such as during open enrollment for health insurance. It would be secure, come directly to H.R. and to payroll. There would be monthly fees but because scheduling and training might be pulled out of another budget, this would save money. The system could be used by all departments for all departmental documents, which could be accessed individually by the department as needed. The information can be sorted, filtered, and printed out as an Excel sheet. It will reduce a lot of the manual work being done by H.R. right now, and will reduce duplication in work. She illustrated this with how many times a W-4 form is handled.

6. Human Resources Budget: K. Gray asked if the Commissioners had considered her request to have a separate Human Resources budget. The Commissioners felt it was too short notice for the upcoming budget, but would consider and discuss it at a later date.

ARCHITECT UPDATE

Present was EMA Director Dale Rowley with update on projects being worked on. Lewis and Malm Architects area doing some preliminary concept work. They met at the County garden and looked at the site along with the civil engineer and land development planner. They are looking to hire a surveyor to survey the property. They don't believe there will be a lot of permitting requirements. They have found a company that has several different plans for irrigation systems that look good and

are cost effective. Once the surveys are done they'll bring in the chief technical engineer, who will have borings done to know the soil conditions. They have started developing information for the August report that is required.

A. Fowler said they have written to all four senators for explicit instructions and clarification on what projects can be eligible for ARPA funds and have only heard from, so they are proceeding slowly and carefully at this point.

The first American Rescue Plan Act report is due August 31, 2021. The costs so far will be included. D. Rowley noted that there are all sorts of "strings" and "conditions." The Commissioners requested that D. Rowley send the long Treasury Interim Final Rule on these funds, and asked the county clerk to make a copy for each Commissioner.

FACILITIES REPORT

Present was Facilities Manager Keith Nealley who presented the following:

1. He has been working with the City of Belfast trying to get permitting for some of the facilities upgrades. Replacing the slate shingles on the Probate and Commissioners/Probate building does not require a permit, so he will schedule that as soon as possible.
2. He is still working on permitting for a new roof on the Communications Center to replace the asphalt with a metal roof. This falls under the purview of the Belfast Downtown Review Committee.
3. He is also required to obtain a permit to put window in the Public Safety Building in the IT office, and is hoping to hear back soon.
4. Boiler projects are moving forward in both the Commissioners/Probate building and Thayer Co. has been at each location to discuss moving old boilers and tanks out and new boilers and tanks in. He is going to talk with Maritime about propane tanks and told the Commissioners he would really like to put the tanks underground as it is safer and more aesthetically pleasing. The City requires fencing around them if they're above ground.
5. He has secured a 20kw generator for the Probate/Commissioners Courthouse. This was in stock and available, so he purchased it. It will have to be fenced and have propane run to it. This will handle the whole building, and it could possibly run for a week at a time. This will mean all the buildings will now be 100% covered for operation when there is a power outage.

REQUEST TO MAKE WALDO COUNTY A SECOND AMENDMENT SANCTUARY COUNTY

Present was Belfast resident Tom Crandall, who submitted copies of documents to the Commissioners. He stated that he has been a Belfast resident for 35 years. He was before them to request their consideration of a Second Amendment Sanctuary Resolution, as was adopted by the Piscataquis County, honoring the U.S. Constitution's 2nd Amendment and the Maine Constitution's Article 1, section 16. He stated that Article 1 Section 16 of the State Constitution is very clear unlike the U.S. Constitution 2nd Amendment which is more open to interpretation. He read the phrase "Every citizen has a right to keep and bear arms and this right shall never be questioned." He stated that in 2015, the

Maine Legislature in a bi-partisan vote did enact public law 2015 chapter 327 known as “Concealed Carry” allow all legally appropriate citizens to carry hand guns concealed without a state “permit”. He said that while some may view such a resolution as symbolic, he viewed it as supportive of its people, its constitutions and its Sheriff. He asked that the Commissioners adopt this or a similar resolution.

A. Fowler thanked Mr. Crandall for his submission and said the Commissioners will give this due consideration. She asked the Commissioners if they had any questions. They did not.

T. Crandall said he asked then Senator Eric Brakey, who had spearheaded the constitutional concealed carry legislation, with why we need a statute when it’s fairly explicit in the constitution, and Senator Brakey replied that nobody has had the money or time to challenge the requirement that people have a concealed carry permit. Statute 2015 Section 327 basically codified the constitution, which he felt was unnecessary, but he felt it did clarify law enforcement responsibilities with regard to the Second Amendment and Article 1 Section 16 stipulations.

The Commissioners said they would be in touch with him, and he thanked them for their time.

DISCUSSION OF BROADBAND

Members of the Southwestern Waldo County Broadband Coalition and the Northport Broadband Coalition were both present and asked if they would all come to the table to discuss this matter. She asked that they try to keep it to one spokesperson per group. A. Fowler he had asked for them to be scheduled at the same time so they could know learn what was going on with each group. She mentioned she found an article about a small county in Pennsylvania who had put broadband together, and shared printed copies with both groups. She also explained that the Commissioners are being very careful about what they will expend the federal funds on.

Wilson Hess from Freedom spoke for the Southwestern Waldo County Broadband and introduced members Bob Kurek, SWCB Chair and Co-founder from Palermo, Vernon LeCount of Montville, Elaine Higgins, Co-founder and from Freedom, Philip Hoekstra of Searsmont, and Andre´ Blanchard. He explained that none of the town officials are here to represent their towns in that capacity. Slides from Connect Maine Public were put on the screen for viewing.

Slides:

1. The latest visual of Connect Maine, running from Bangor to York County and west to the New Hampshire border. A green color runs through Augusta, Lewiston, and Portland. To the right of that, anything in blue is the latest updated broadband with the highest speed of 100 x 100 megabits. Until 6 months ago broadband was defined as 25 megabits per second with 3 up and e down. On this map it was shown as yellow. The two areas in red are “donut holes” and they are both in Waldo County.
2. The map showing in “yellow” shows Freedom, Montville, Palermo, Liberty, and Searsmont. The map also shows Northport, which is due east. There is some blue in Northport thanks to a recent buildout. Some is in Belfast, some is in Northport, and some in Lincolnville. Unity telephone is building a buildout of their own so that area is also in blue. The areas in green are 50 megabytes down and 10 up - much more than most towns get around here. In the SWCBC five towns, it is shown in yellow and orange. That is under the current broadband standards of 25/3. The areas in red have

under 10 megabits to nothing. These are donut holes. Up in Frankfort, Monroe and Prospect are also in read, they are not here to speak about that group but hope they will also speak up.

This past year, it has become very evident that this is an economic and community development issue. Their funds focus on general infrastructure and they believe that broadband falls in that general infrastructure piece. It is similar to 80 to 90 years ago, when electricity was a new utility. For places that are underserved or unserved, this is a once in a lifetime opportunity to get this utility to everyone. He turned over the floor to Bob Kurek and asked that any questions be routed to Mr. Kurek.

B. Kurek reported that since they first met with the Commissioners on April 21st much had been done. They are a non-profit, partnering with KVCOG, Connect Maine, the Island Institute, and with Metro Software. The volunteers have been working hard for about a year for the unserved and underserved. They just added Searsmont and now represent 20% of the towns in Waldo County. They are looking to form as a utility, so that they can take some of the ARPA money from the towns, put it together, get a feasibility study going, and as a utility, own assets and manage the finances. Right now they would have to ask each Town to sign a contract individually. The goals are affordable high speed broadband to all. The people who are working with them on this are very interested in making sure everyone in their communities is served. He noted:

Broadband Allows:

1. Economic opportunities for people
2. Increases home values - hard to sell homes without internet
3. May help summer residents stay longer
4. Mental health – skyping and FaceTime to stay connected with family members
5. Keep pace with the changing workforce. The Pandemic has caused the workplace to change.
6. Ability to participate more collaboratively
7. Apply for jobs online
8. Get out of a marginalized situation for choosing to live in a beautiful location

The process will be expensive. The area is rural, less densely populated and is not a moneymaker for for-profit corporation because it takes much longer for a return on their investment. As a non-profit utility is the path that the towns allow them to choose, they can have assets and have a longer period to pay down debt.

Vern LeCount of Montville acknowledged that Montville has terrible internet. He listed some history, including some HUD grants were written to improve the sewer system, so he is familiar with how public utilities can help communities. He noted that agricultural businesses in western Waldo County cannot succeed without broadband because they can't sell their wares online. It's also hard to sell land and houses that don't have broadband. There were 11 children on his road that couldn't get education during the pandemic. People couldn't register for COVID vaccinations. Families sit in cars in front of town offices to use their internet. This hurts the tax base and increases the cost of social services. It is hard on citizens not to have access to remote medical information and services that come through broadband, especially the aging population. Western Waldo is an unserved area and should receive funds. They'd like to see a guarantee to make sure all citizens have broadband. He recommended that the County partner with the towns for a countywide utility. This would allow the money to stay in the community. This is being done by counties in Vermont.

A. Fowler asked for someone to send her the information on those counties in Vermont. She then asked the Northport Broadband Coalition to speak next.

Northport Broadband Coalition:

Anne Frenning Kossuth thanked the Commissioners for the opportunity to make a presentation today. She had sent a letter outlining their points to Commissioners and sent it to B. Arseneau.

She agreed with what the SWCBC has said, and also mentioned that it is also a social justice issue. She agreed that broadband is like a utility at this point, and it is wrong to deny citizens this essential tool. What makes Northport different from the “donut hole” and from SWCBC is they are on the coast, rural, and will partner with Midcoast Internet to the south, started by Camden and Rockport but it splits across two counties. Northport Coalition has been working since January every week an average of 2 hours each meeting just for Northport issues alone. One of the reputable service providers took Bayside, and some of the better configured parts of the town but that leaves other parts of Northport at a loss. The goal is to bring safe, affordable broadband to Northport and they would only need help for 55% of the unserved domiciles. They are only asking for fairness and an appropriate proportion of the funds so that every citizen in every town would be able to get what they need.

A. Fowler asked if both groups were getting any ideas being in the room together. She asked SWCBC is a 501-3 and was told they were not; they are in the process of forming a utility. This would give them the ability to act as an organization to represent their five towns, and others could be added.

B. Johnson explained that Lincolnville had started with another coalition, and already has some fiber optic, but it isn't town-owned and Lincolnville has been thinking about doing that. It appeared to her that SWCBC wants to be a corporation, but not necessarily a 501-c3.

B. Kurek explained that that being a corporation would act as a separate entity. If they can do it for an affordable price with the money they get. If they can't, the alternative is to obtain as much funding as possible through grants and subsidize huge corporations and give it to them, because as a municipal utility, the utility would own the infrastructure and hire businesses (ISP's) to run the internet part.

There was discussion of how the 26 towns in Waldo County are different, and funding could be a problem since it is by population. There was also discussion about what SWCBC would do with the funds, and whether or not the County would be interested in becoming part of the utility. The utility, once up and running, can create revenue stream by payment per household, which would pay for any costs or bonds that may need to be paid off. Once costs are met, it's up to the utility what to do with the revenue. The SWCBC is not working alone, and has guidance and assistance with these kinds of decisions.

A. Kossuth reported that Northport had decided to go with Midcoast coalition. They are with an internet provider that covers much of the town, but there are other areas that have none or very little internet access. If there was a count-wide utility, Northport might be interested.

WBCB is using a mapping software that may save money when go into a feasibility study because they've already done some legwork. It is unknown how much it will cost to do this per mile, and how to provide the right standard to people. These things would be covered in the feasibility study.

A feasibility study needs to be done. There are so many funds available, but the coalitions need to be organized and ready to take advantage of these funding opportunities. It was mentioned that there can be possibilities of "stacking funds". If a certain criteria is met, sometimes it's possible to move forward to another source.

A. Fowler requested the information regarding the Vermont counties. She asked that all sign in and provide their information so they can be reached. She mentioned she was really impressed at how SWCBC getting it together. The Northport Coalition mentioned they had started back in January.

SWCBC stated that they can't reach our goals without some of the ARPA funding. Because of that, they requested to be in the loop as the Commissioners discussed and made decisions to make sure we are involved.

Freedom and Liberty's documents will be sent to the Commissioners, as well.

The Commissioners said they will be holding some workshops again, and while not all could come at the same time, there could be some communication and discussion. The Commissioners thanked them for what they were doing for their communities, and for regionalizing with other towns.

SHERIFF'S REPORT: (not on agenda)

Present was Sheriff Jeffrey Trafton to report recent developments.

1. Regarding Corrections' assisting Knox with staffing while the HVAC system is being installed at Knox Jail, and in helping Two Bridges open beds so that Knox's inmates, which include Waldo County inmates, can be transferred there temporarily.

There was a meeting yesterday, and Two Bridges has tentatively agreed to open up a pod of 72 beds, but they need help staffing it. They need 5 officers to operate this pod. Knox will send two staff, and Waldo will send one officer per shift, so one during the day and one at night. Not all the beds are needed, so Penobscot County will fill up the rest of the beds in that pod with some of their inmates. Corrections Administrator Ray Porter will meet tomorrow to go over the logistics, and Monday they will talk with Jail Authority. This is to handle this short-term difficult situation, but the plan is for all to meet again to discuss some long-term ideas for regional collaboration.

J. Trafton proposed to take the following to the union, as they need to work with them, as well. Since Knox will be paying more to their officers who work temporarily at Two Bridges, he would like to do the same for Waldo employees who work down there. He recommended that some of the Federal funds that have been sent to counties for this type of purpose. It will only be for those who are working at Knox County. It would be \$5.00 per hour more. He noted that in addition to this matter, Knox has now expanded the stipend to include Patrol and Civil Deputies in order to stop losing people and to keep them.

2. 29-year veteran employee Richard Roberts has resigned. They have a replacement already Bo Seekins, a certified 3-year Corrections Officer from Penobscot who lives in Searsport would like to work at Waldo. He asked that he be confirmed as hired effective today. He will have the paperwork sent down to the office this afternoon.

3. A. Fowler asked if New Hope for Women has been moved to the upstairs near Probate. J. Trafton said that New Hope for Women is currently in the gym. He told the Commissioners that he had already made them aware that they would be moving, so when the space is available upstairs, let him know. He will work with Facilities Manager Keith Nealley to get this going. He asked which room it would be. It used to be 3 small conference rooms so now it is one larger room. The Commissioners recommended doing this move as soon as possible. They will not be charged rent, but will need to pay for their own internet, etc.

COMMISSIONERS MISCELLANEOUS BUSINESS

1. Communications Director New Hire Offer: After brief discussion about the proposed package for hiring a new Communications Director, and whether or not a vote was required, the Commissioners voted as follows.

****B. Johnson moved, W. Shorey seconded that the Human Resources Director reach out to the top candidate for the Communications Center Director position with the proposed package. Unanimous.**

CORRESPONDENCE

Present was County Clerk Barbara Arseneau who reported the following:

1. B. Arseneau briefly reviewed sub account line changes, which were primarily “housekeeping” matters. Commissioner Shorey had asked to review them. They decided it didn’t require review.

2. The Commissioners decided to hold the 2022 Budget Caucus on August 4, 2021 followed by a light lunch and brief year-to-date overview with the current Budget Committee.

3. B. Arseneau asked if the Commissioners could set the 2022 COLA increase for the non-union employees. W. Shorey recommended a 2% increase.

****W. Shorey moved, B. Johnson seconded to set the 2022 COLA increase for non-union employees at 2%. Unanimous.**

4. B. Arseneau asked if the Commissioners were planning any changes in the benefits lines for the budget, including health insurance premium, deferred compensation plan match, and dental insurance. The Commissioners said they did not intend to make any changes at this point.

5. B. Arseneau noted that Communications Director Owen Smith had been asked to remain as director longer than the previously voted June 30, 2021 date.

****B. Johnson moved, W. Shorey seconded for current Communications Director Owen Smith to stay on as director until the new director is seated in that position. Unanimous.**

APPROVAL OF MINUTES

B. Arseneau requested that the Commissioners approve the minutes from the May 19, 2021 and June 2, 2021 Waldo County Commissioners Court Sessions, and the June 16, 2021 Deliberation minutes from Tina Maccarone vs. Thorndike Pet. #377 tax abatement appeal hearing as presented.

****W. Shorey move, and B. Johnson seconded to approve the minutes from the May 19, 2021, June 2, 2022 Commissioners Court Session minutes and June 16, 2021 Deliberation Minutes from Tina Maccarone vs. Thorndike Pet. #377 tax abatement appeal hearing as presented. Unanimous.**

B. Johnson recommended coming up with a “consent agenda” that would include such things as the minutes that could all be approved in one motion.

****B. Johnson moved, W. Shorey seconded to adjourn the court session at 10:51 a.m. Unanimous.**

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