

**WALDO COUNTY COMMISSIONERS COURT SESSION
JANUARY 11, 2005**

PRESENT: Commissioners John M. Hyk, Charles G. Boetsch and Amy R. Fowler, and County Clerk Barbara L. Arseneau.

2005 CHAIRMAN AND COMMITTEE REPRESENTATIVES:

****G. Boetsch moved, A. Fowler seconded nominating Commissioner John Hyk as chairman of the Commissioners for 2005. Unanimous.**

****G. Boetsch moved, J. Hyk seconded nominating Commissioner Amy Fowler as representative for the Maine County Commissioners Association.**

****G. Boetsch moved, J. Hyk seconded nominating Commissioner Amy Fowler as representative for the Risk Pool Board of Directors. Unanimous.**

Commissioner Greg Boetsch will serve on the Local Emergency Planning Committee, as CLEO (Chief Local Elected Official) on the Coastal Communities Workforce Board, as Waldo County Commissioner Representative of the MACo Committee and Union Negotiations (Bargaining Unit for the Communications Center.) County Clerk Barbara Arseneau will attend the Health Communities Coalition and the Senior Resources Collaboration whenever possible. The Commissioners decided that no one would serve on the Waldo County Domestic Violence Task Force.

FINANCE REPORT – TREASURER DAVID PARKMAN AND DEPUTY TREASURER KAREN WARD:

The 2004-vacation/sick/comp reports were submitted and reviewed.

REVENUES

The 2005 revenues received so far include 18% of the Jail Surcharge. The over-all figure received is 5%.

APPROPRIATIONS

D. Parkman read off the list of expenditures of the restricted reserves.

****G. Boetsch moved, A. Fowler seconded paying \$1,506.22 for the January 11, 2005 restricted reserve expenditures. Unanimous.**

****G. Boetsch moved, A. Fowler seconded paying the January 11, 2005 regular warrant in the amount of \$226,261.05. Unanimous.**

D. Parkman read the invoices to be paid from the 2004 restricted reserves.

****G. Boetsch moved, A. Fowler seconded paying the December 31, 2004 restricted reserve warrant in the amount of \$598.62. Unanimous.**

D. Parkman informed the Commissioners that the 2004 inmate boarding bills are not all in yet from the other county jails. Some faxes are expected before the end of the

meeting. He stated that the budgeted amount of \$300,000.00 for board for 2004 would be overdrawn. Hancock County's boarding invoices would be about \$16,000.00 alone. G. Boetsch asked to hold off on voting until all the bills had been received later that day.

At that point, the unencumbered balance was about \$60,000.00, not including the Jail board bills that hadn't been received yet. D. Parkman told the Commissioners that they would not be able to set a mil rate today even if all the boarding invoices come in because the State valuations are not definite yet. Possible mil rate scenarios were briefly discussed. The Commissioners reviewed the reserves to be funded from surplus. D. Parkman reminded the Commissioners that there was about \$80,000.00 still in the bank from the Community Corrections Reimbursement.

Later in the morning D. Parkman came back in to meet with the Commissioners to inform them that the invoices for boarding out inmates had been received as follows:

- Hancock County - \$5,940.00
 - York County - \$9,180.00
 - York County - \$5,040.00
 - York County - \$3,061.97 (Medical costs)
- TOTAL \$23,221.97

This will mean that the Jail budget bottom line will be \$18,000.00 overdrawn.

****G. Boetsch moved Amy Fowler seconded paying the last 2004 regular warrant in the amount of \$50,428.85. Unanimous.**

At this point, D. Parkman recommended reducing taxation by no more than \$75,000.00. J. Hyk asked for mil rate "scenarios" at \$75,000.00, \$50,000.00 and \$25,000.00 to be prepared before the next meeting so that the commissioners would be able to compare.

****G. Boetsch moved, A. Fowler seconded accepting the Treasurer's Report. Unanimous.**

TAX ANTICIPATION NOTE SIGNING:

D. Parkman, the Commissioners and County Clerk signed all the bank papers for the 2005 Tax Anticipation Note. The actual closing date is Friday, January 14, 2005.

GRANT WRITING – CHERYL COATS, ARCHIVIST:

Archivist Cheryl Coats met with the Commissioners as requested to discuss the possibility of contracting her to do other grant writing besides the historical records grants she has successfully applied for and obtained. G. Boetsch told C. Coats that he had hoped that there were NACo grants available but they had been fruitless so far. G. Boetsch asked B. Arseneau to show C. Coats how to look for the NACo grant information.

C. Coats described the expectations of various grant applications and the need to know exactly what is required. Building and federal grants are far more complicated. J. Hyk acknowledged C. Coats' concerns and agreed that sometimes certain experience is required for someone to be knowledgeable enough to write certain grants.

C. Coats also explained that the Commissioners would have to evaluate whether or not they could afford to accept a grant. They would have know what they were doing before that grant was applied for. G. Boetsch explained that there would still be those department heads who will continue to write their own specific grants, such as the Sheriff's Department, Jail and EMA departments. These should be identified.

The Commissioners asked that C. Coats look at NACo and be the one to focus on grant writing. They requested that she bring back a proposal based on what she finds. They asked her to be pro-active and see if there's anything out there.

J. Hyk said he knew of one county that has a grant writer who receives a fee to look for grants, apply for and manage them.

C. Coats submitted some information to the Commissioners pertaining to the high and low-end wages of grant writers and also submitted paperwork on some of the seminars offered in various places. She described why some grants applied for are successful or not. Planning, the budget and narratives affect whether it is accepted or rejected.

The Commissioners discussed how quickly to start sending C. Coats for training. J. Hyk felt that there was no need for a rush since the Commissioners did not have a definite concept of what they were looking for. J. Hyk asked C. Coats to look at NACo grant information, then come to Department Heads Associations meeting and brainstorm with the department heads about grants they may have tried or not tried to apply for but were aware of.

The Commissioners stated that they needed to figure out how to fund this work. More information has to be gathered. There are no deadlines at this point.

C. Coats informed the Commissioners that she would be doing much of this at home on her computer there, because the Law Library is such a noisy and busy place. She would need to concentrate.

GRAYSON HARTLEY – ADMINISTRATOR DISCUSSION & JAIL COMMITTEE UPDATE:

Present for this discussion with the Commissioners were Grayson Hartley from Islesboro and Sheriff Scott Story. G. Hartley explained that he was meeting with the County Commissioners in order to emphasize his statements and the Budget Committee's vote at the second-to-last budget meeting for the County Commissioners to look into the position of County Administrator. He stated that someone is needed to oversee a six million dollar budget. He explained that the Budget Committee could not look at the budget as a whole until the last budget meeting of each year. Priorities need to be set. He felt it was a matter of the Commissioners not having time as part time employees to deal with it. G. Hartley stated that the department heads have to spend a lot of time managing budgets. An administrator could take up the slack. He felt that this is the opportune time to look into that. There are no big projects this year. He thought that an administrator could look

at legislation and regionalization of county services seems to be a priority. Someone needs to know how this will affect Waldo County. With the Governor's "tax relief plan" it looks like a lot of subsidies will be taken away from the Towns. The County needs someone to stay on top of that.

J. Hyk said that the larger counties have had administrators and managers for a long time. Some of the smaller counties are starting to do the same thing.

S. Story said he could see that having an administrator could bring some benefits to the county. Perhaps this person could help with grants and grant writing, fiscal management, etc. However, he could not see this person taking over the departments' budget preparation or micro managing departments. The role would have to be clearly defined and well thought out. The success or failure of this position would depend on the actual role.

G. Hartley agreed that all these would need to be established. He wouldn't recommend that position taking over the departments, but would assist them so they don't become "isolated" and not understand how all departments operate together.

J. Hyk said that one way an administrator could be of benefit is that each day there are multiple times a day that complex personnel questions come to the County Clerk, who sometimes has to contact the Commissioner chairman and/or other two commissioners and all are trying to figure out how to deal with these things instead of getting their work done. If the administrator role was established correctly, it could be a beneficial role.

S. Story said that this person would address global issues. He added that he was not intending to offend the commissioners or any department heads. He spoke of how the Sheriff's position requires certain qualifications, but there are no qualifications for county commissioners. Having an administrator could alleviate the issues created by the inevitable changes in the County Commissioners. He acknowledged, however, the many hours the Commissioners have put into various committees and projects.

D. Parkman talked about qualifications for Treasurers and legislators. "Elected people are elected," he argued. He wondered if elected people would want to answer to an administrator. S. Story, as an elected person, felt that if the role was laid out and developed properly, they would.

G. Hartley felt that someone was needed who would be able to keep in tune with or on top of the changes that are bound to happen.

J. Hyk asked if G. Hartley, with a register of county numbers, would be willing to do the research on a county administrator. G. Hartley agreed to do this and stated that he would talk with other county commissioners and administrators and would try to obtain their job descriptions. S. Story said he knew there were statutes pertaining to this position. J. Hyk recommended that G. Hartley work along with B. Arseneau and S. Story to research the administrator position.

JAIL COMMITTEE UPDATE

G. Hartley named the people serving on this committee as being Kathy Littlefield of Waldo, Scott Story as Sheriff, Bruce Brierley of Searsmont, Representative Denise Lindahl, Belfast City Manager Terry St. Peter, Ben Lufkin, Wade Knowlton of Liberty, Dick Snyder of Northport, Phil Crosby of Belfast, Gene Ellis of Stockton Springs and himself. G. Hartley said this group could use more representatives and publicity at some point. So far, they have met with Legislators and discussed what they would like to see taken to the Legislature. They have requested that a State Bond Issue be introduced. It would operate like a school account. The County could borrow and pay the principle (not interest.) Carol Weston will introduce this legislation, which could benefit all counties. G. Hartley felt it was a great way to deal with the property tax issue and build court facilities. In the near future, the Jail Committee will do the following:

- Visit Knox and York jails to see how these were built.
- Look into H.U.D. funding.
- Possibly deal with the Sheriff's building separately from the Jail, as they need to do something about that soon.

G. Hartley stated that:

- The Jail Committee invites a County Commissioner to meet with the Jail Committee.
- The Committee has "gone around on some issues," but clarified some matters.
- The Committee has decided NOT to use the current Jail facilities in the future.

Scott Story stated that this committee has arrived at many of the same conclusions as the architectural firm Pulitzer/Bogard study had produced. The Committee has agreed that the purchased property might as well be used. A schedule of progress needs to be determined. The possibility of regionalization also needs to be looked at.

G. Hartley commented that when he has spoken with local people, unless taxes can be reduced somehow, this new jail is going to be "a hard sell."

The Commissioners related that there have been some discussions with other counties about studying a regionalized facility, but Knox didn't want to put money toward this study even though they were willing to discuss possible regionalization and the amount Penobscot could contribute was not enough, along with Waldo County, to do such a study.

D. Parkman thought that revenue sharing is still an issue. S. Story stated that he didn't see anything that diminishes funds from the State making it through legislation.

S. Story said that what needed to be studied is:

1. Regionalization of Service
2. The State trying to do what it can to reduce costs.
3. Look at one administration (D.O.C., etc.)

He added that regionalization that could apply to counties could also apply in towns.

G. Hartley suggested that there are ways to maintain individuality. He stated that he would be willing to set meetings on a day and time that was convenient for a commissioner to attend. They have been meeting on Tuesdays at 1:00 p.m.

The Commissioners instructed B. Arseneau to contact Jail Committee member Bruce Brierley for Jail Committee minutes.

The Commissioners chose Commissioner Amy Fowler to attend the Jail Committee meetings. Either Commissioner Hyk or Boetsch will fill in as needed.

ASSETS FORFEITURE FUNDS – 2005

S. Story requested that the Commissioners authorize him to accept federal asset forfeiture funds received during fiscal year 2005.

****G. Boetsch moved, A. Fowler seconded approval of acceptance of federal asset forfeiture funds for fiscal year 2005.**

Discussion: S. Story asked that approval of an accounting for form FY 2004 be added to that motion.

****G. Boetsch moved, A. Fowler seconded amending the original motion and asked for it to include the wording, "...and approve the accounting form for fiscal year 2004." Unanimous.**

CORRESPONDENCE:

1. B. Arseneau informed the Commissioners that she had researched Poverty Abatement Hearings and had learned that these definitely are heard by the County Commissioners, if denied by the Town and meet criteria for a hearing, and that these are held in Executive Session because personal finances and other confidential material will be produced and discussed. Proof of either a disability or illness and any financial assistance must be produced. If there is additional property other than the main residential property, the person cannot be forced or compelled to sell that property in order to pay for and reduce their taxes, however, the abatement may be denied because the means is there to meet the tax burden. The Commissioners instructed B. Arseneau to schedule a poverty abatement hearing for the individual who had requested it, as it appeared that the criteria had been met for a hearing.

2. Richard Philbrook, town of Knox resident, has requested a tax abatement hearing on his property. He has requested that the hearing be put off until the spring. The Commissioners agreed to this.

3. Waldo Selectmen's Association member Kathy Littlefield called to invite the Commissioners to attend their next meeting on January 13, 2005 at 6:30 p.m. at the Waldo Town office. Maine Municipal Association will be attending in order to discuss the Tax Reform package.

4. Central Maine Power sent notification that they will be conducting routine tree work on or near public rights-of-way during the next twelve months.
5. Deputy Treasurer Karen Ward discovered an error in E.M.A. Director Richard Farris' vacation time. He was supposed to have been receiving 160 hours of vacation for the past five years. B. Arseneau requested that R. Farris be allowed to use the additional 40 hours from 2004 before the end of March 2005. The Commissioners authorized this.
6. Veronica LaBreck has reached her one-year pay step increase on January 1, 2005. She will now be at the rate of \$13.13 per hour. The Commissioners noted this.
7. Dispatcher Monique Brown has successfully completed her six-months probationary period on January 11, 2005. She will be earning \$13.19 per hour. The Commissioners noted this.
8. Dispatcher Keith Overlock will reach his eighth-year pay step on January 19, 2005 and will be earning \$16.02 per hour. The Commissioners noted this.
9. Deputy Jonah O'Roak has submitted his resignation, effective January 20, 2005. He will be taking a position with the State Police.
****G. Boetsch moved, A. Fowler seconded accepting Deputy O'Roak's resignation. Unanimous.**
10. B. Arseneau informed the Commissioners that she had been voted to serve as President of the Maine Association of County Clerks, Administrators and Managers for 2005 and 2006. As such, she also needs to serve on the MCCA Convention Planning Committee, so there will be meetings she will need to attend outside the office.
11. Due to amount of year-end and first-of-the-year work, B. Arseneau asked to extend using the remaining hours of her 2004 vacation time until the end of February. The County Commissioners granted permission.
12. The formative session of the MACo Committee will be held on Friday, January 14, 2005, 10:00 a.m. at the Holiday Inn in Waterville. Commissioner Greg Boetsch, Probate Register Joanne Crowley and Communications Director Owen Smith are serving on this committee and plan on attending. B. Arseneau was to register all for lunch.
13. B. Arseneau read from the December 8, 2004 Risk Pool minutes and all briefly discussed the Reinsurance Renewal for 2005. The deductible will go up to \$1000.00 per incident and a 20% cap has been established.
14. Penobscot County Administrator Bill Collins sent word that the Law Court has changed the hearing for Penobscot County vs. City of Bangor from January 13th to January 12th at 9:00 a.m. at the Cumberland County Superior Court.

15. The County has been re-enrolled with Maine Municipal Association for workers compensation. B. Arseneau informed the Commissioners that the amount quoted in the fall was 15 to 18% above 2004's amount. To be on the safe side, the 18% was rounded up and the actual amount has come in higher than the 18% because there were some payroll increases and experience modification factor increases and the expected loss ratios used by the National Council of Compensation Insurance (NCCI) to calculate the "mods" were revised. This resulted in an increase in the contribution amounts for most members, not just Waldo County.

16. Maine Municipal Association's *Legislative Bulletin* is now offered by hard-copy mail, e-mail or both. Since it is 0.75 cents per issue, B. Arseneau suggested that this be received by e-mail at no cost. The Commissioners agreed.

17. B. Arseneau explained that the Deputy Treasurer, County Clerk and Deputy County Clerk job descriptions required a few minor adjustments now that there is a full-time Human Resources/Payroll Director. The job descriptions had been updated and the minor changes were written in red attached to the corrected descriptions. The Commissioners signed these updated job descriptions.

18. The Maine Sheriff's Association Annual Meeting agenda and registration for January 20, 2005 were briefly reviewed. No Waldo County Commissioners plan to attend.

FACILITIES MANAGEMENT DISCUSSION – JAMES CONLEY, FACILITIES MANAGER:

J. Conley informed the Commissioners that he has been researching energy efficiency as requested by Commissioner Hyk. Central Maine Power will send someone to look at the buildings and check on the efficiency of the lighting on Thursday, January 13, 2005. J. Conley explained that Commissioner Hyk had met with him and figures were reviewed pertaining to fuel and electricity usage. J. Hyk commented that the County has never had a conservation program or an environmental program. He had invited Architect Robert Fenney to meet today, but he was apparently unable to attend because he was not present. J. Hyk mentioned that the lighting fixtures might need to be switched out.

J. Conley referred to the 2005 Project lists for each of the Courthouses. He briefly reviewed the schedule of ADA work being done. Accounts payable checks from 2004 funds have been processed but are being held until the work is completed.

J. Conley briefly reviewed maintenance work that had been done in the Superior Courthouse in the Judge's chambers. The entire room, including the radiator, has been painted and new carpeting installed at the request of one of the judges in colors of her choice. He mentioned that only six items remained from the 2004 list to complete.

J. Hyk stated that he would like to see a program of disposal of items such as mercury bulbs, etc. be created along with a plan for recycling and energy conservation. He also

suggested that grant writing be implemented for as many things as possible. He added, "Setting up a program will be the first step of a long trip."

The meeting adjourned at 11:43 a.m. for lunch until 1:00 p.m.

The Commissioners opened the meeting again at 1:00 p.m. to hold a tax abatement hearing for James and Melissa Northup vs. Town of Frankfort. Minutes for that hearing are recorded separately from this meeting.

DISCUSSION OF PROMOTIONS AND CLASSIFICATIONS:

Due to recent changes in personnel, the Commissioners heard the inquiries of the County Clerk, Deputy Treasurer and Human Resources Director regarding how to handle original dates of hire (full time) and subsequent changes in position. The Personnel Policy was not detailed about which date is used for pay step increases – the date of hire or the date promoted to a different position. After much thought, Commissioner Hyk devised a system of calculation as follows:

$$\text{Year hired} + \text{Current Classification} = \text{Salary}$$

Therefore, the original date of hire, as a full-time employee will hold, even if classification and/or the starting wage is at a higher level due to previous experience.

****G. Boetsch moved, J. Hyk seconded adjourning the meeting at 2:48 p.m.**

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