

**WALDO COUNTY COMMISSIONERS COURT SESSION  
APRIL 12, 2005**

**PRESENT:** Commissioners John M. Hyk (Chairman), Charles G. Boetsch and Amy R. Fowler. Also present was County Clerk Barbara L. Arseneau.

**TREASURERS REPORT:**

Present for this discussion was Treasurer David A. Parkman and Deputy Treasurer Karen J. Ward.

**REVENUES:**

D. Parkman reported that 24% of the anticipated revenues have been received at this point in the year.

**APPROPRIATIONS:**

The county budget has been approximately 25% expended at this point in the year. The water bill for Superior Courthouse was high this past month do to a break down in the sprinkler system one Sunday in March which allowed a lot of water to flow through before it could be shut down.

**WARRANTS**

**\*\*A. Fowler moved, G. Boetsch seconded authorizing payment of the March 25, 2005 Restricted/Active Reserves in the amount of \$22,663.44. Unanimous.**

**\*\*G. Boetsch moved A. Fowler seconded authorizing payment of the March 25, 2005 regular Warrant in the amount of \$68,593.27. Unanimous.**

**\*\*G. Boetsch moved, A. Fowler seconded authorizing payment of the April 12, 2005 Restricted/Active Reserves in the amount of \$9,769.80. Unanimous.**

**\*\*G. Boetsch moved, A. Fowler seconded authorizing payment of the April 12, 2005 regular Warrant in the amount of \$154,856.83. Unanimous.**

**SECESSION ISSUE**

D. Parkman reported that he had been making appearances at several of the Town meetings this past month. A few of the places he had been well received and allowed to speak at included Belmont and Liberty. This past Saturday he had attended Islesboro's meeting, but they refused to let him speak and also refused to let Representative Barbara Merrill speak either.

J. Hyk commented on a recent article in a local newspaper, which had stated that the Waldo County Commissioners were being disrespectful regarding the Islesboro secession issue. J. Hyk said it must be clearly stated that the Commissioners have met with Islesboro selectmen and the Town Manager and even agreed to meet at the last minute during the March 8, 2005 court session with Representative Merrill and one of the

Islesboro selectmen, but B. Merrill had decided that she couldn't meet after all. J. Hyk instructed B. Arseneau to determine which newspaper this was and notify them of this. D. Parkman submitted copies of the actual Islesboro Secession bill going before the legislature. It has been assigned the number 1431. D. Parkman expressed his concern that the County lobbyist, Robert Howe, was not taking a strong point of view on this matter. Sheriff Story, who had just entered the meeting, explained that R. Howe has to represent the MCCA, which is all the counties. Since both Knox and Waldo are in the MCCA, R. Howe couldn't take a position. D. Parkman added that he has spoken with Senator Weston and asked her to do all she could to prevent this bill from passing.

G. Boetsch reported that all the towns would be represented at the Town of Waldo Community Building on April 14, 2005 at 6:30 p.m. where this proposed legislation will be discussed. D. Parkman informed the Commissioners that he planned to attend that meeting as a Palermo representative and also a County representative.

J. Hyk stated that there would be no regionalization or cooperative efforts between Waldo and Knox as long as Knox continues receptive behavior toward Islesboro's secession from Waldo County and annexation to Knox County.

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

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

Present for this discussion were Sheriff Story, Chief Deputy Robert Keating and Jail Administrator Raymond Porter. Sheriff Story started the report by opening bids for a Corrections van:

#### **CORRECTIONS VAN BID:**

Bids were received from the following vendors:

- Fuller Chevrolet (Rockland) for a total of \$24,145.58.
- Dutch Chevrolet (Belfast) for a total of \$24,145.00 plus \$24.00 title fee.

It was determined that the best value for the County would be to accept the bid from Dutch Chevrolet, as it would cost more to send two deputies to collect the vehicle from Fuller Chevrolet in Rockland than to pay \$24.00 for the title fee at Dutch Chevrolet.

**\*\*G. Boetsch moved, A. Fowler seconded accepting the bid for a Corrections van from Dutch Chevrolet in Belfast at \$24,169.00, including the title fee. Unanimous.**

B. Arseneau was instructed to send letters of notification to both bidders and S. Story would call Dutch to order the van.

J. Hyk asked if Penobscot County was expanding their jail. S. Story replied that it was only in the discussion stage.

S. Story reported that as this is traditionally the "quiet" time of year, he is working on grants, finishing reports, etc.

R. Porter reported that four corrections officers just graduated. The Commissioners expressed congratulations and commendation to those four officers.

S. Story reported that the County received reimbursement for former Officer Jonah O’Roak’s training expenses, now that he has moved on to another agency.

**2005 MINUTES APPROVED:**

**\*\*G. Boetsch moved, A. Fowler seconded moved to accept Commissioners Court Session minutes from March 8, 2005 and December 30, 2004. Unanimous.**

G. Boetsch inquired about Deeds Surcharge not showing as a revenue and K. Ward explained that it goes into a reserve account by statute and does not show as revenue.

**COMMUNICATIONS CENTER - EXECUTIVE SESSION**

Present for this Executive Session, as scheduled on the agenda, was Communications Director Owen Smith. At his request;

**\*\*A. Fowler moved, G. Boetsch seconded entering Executive Session at 10:07 a.m. for a Personnel Matter according to Title I, Subsection 405. Unanimous.**

**\*\*A. Fowler moved, G. Boetsch seconded exiting Executive Session at 10:10 a.m. Unanimous.**

**\*\*A. Fowler moved, G. Boetsch seconded approving leave of absence for Dispatcher Dennis Bryant for up to one year. Unanimous.**

**NATIONAL TELECOMMUNICATORS WEEK**

O. Smith requested that the Commissioners read and sign a proclamation he had drafted recognizing that April 10th through 16<sup>th</sup> as Public Safety Telecommunicators Week. The Commissioners agreed to read this later in the meeting.

**CORRESPONDENCE**

Present for reviewing correspondence was County Clerk Barbara Arseneau to discuss correspondence and Deputy County Clerk Veronica LaBreck, to take minutes.

1. B. Arseneau informed the Commissioners that the Judges’ Chair in the Superior Courthouse has had the seat reupholstered in leather, as requested, but in spite of the considerable efforts by Art’s Canvas, it could not be well matched with the existing leather on the other sections of the chair. B. Arseneau asked if the rest of the chair should be completed. The Commissioners asked her to come back to them in May with an estimate to complete the chair.

2. B. Arseneau informed the Commissioners that April 24th through 30<sup>th</sup> is Administrative Professionals’ Week and Secretaries’ Day falls on April 27<sup>th</sup>.

3. B. Arseneau related to the Commissioners that another outstanding youth had volunteered their time and was being recognized by the Prudential Spirit of Communities

Award. The Commissioner commended Moxi Palmer of Montville for her efforts expended in a fundraiser for wounded soldiers in Walter Reed hospital and signed a resolution to that effect.

4. B. Arseneau informed the Commissioners that the attorney has reviewed the Personnel Policy and B. Arseneau will meet with her on Thursday of this week to go over the suggested changes. The Commissioners instructed her to move forward with the changes and publish the amended Policy as soon as possible unless there were issues that needed to be brought back before the County Commissioners.

5. B. Arseneau related some items discussed during the most recent Safety/Department Heads meeting. Of primary concern is the lack of court security and there were expressions of dismay that the State has provided a metal detector, but no officer to man it. Concern was expressed that it would probably take an injury or fatality before this issue would be addressed. The Commissioners discussed this matter briefly and it was generally felt that the State is responsible for court security now, the State provided the metal detector and, therefore, the State should be providing the man-power to run this; it is not the County's place to do that. The Commissioners agreed that this is a very important area of concern and would like to see it taken care of properly by the State.

6. Register of Probate Joanne Crowley submitted to the Commissioners a copy of her resignation from the MACo Committee due to lack of time. Commissioner G. Boetsch spoke briefly with J. Crowley later in the morning and she agreed to hold off on resigning until she could discuss the possibility of telephone conferencing with that group, as this would save everyone time in travel, etc.

7. B. Arseneau reported that Workers Comp sent a representative to perform a site survey on all the departments and buildings on April first.

8. Deputy District Attorney Leane Zainea submitted a request for District Attorney Clerical Aide Karen Knox to carry over two remaining days of 2004 vacation leave until the end of April. Due to a heavy court schedule in March, it was difficult for her to take this time before the end of March.

**\*\*A. Fowler moved, G. Boetsch seconded approving the request for D.A. Clerical Aide Karen Knox to carry over two days of 2004 vacation leave until the end of April 2005. Unanimous.**

9. The following pay step increases were noted:

- Effective April 21, 2005, Probate Clerk Judith Nealley will have completed two years of employment and will receive \$12.03 per hour.
- Effective March 23, 2005, Corrections Officer Philicia Kinney reached her two-year step and should receive an increase in pay from \$13.38 to \$13.56 per hour at that time.

- Effective March 20, 2005, Corrections Officer Christopher Louriero reached his twelve-year step and should receive a change in pay from \$14.52 to \$14.86 per hour at that time.
- Effective March 6, 2005, Corrections Officer Benjamin Drouin reached his six-month step and should receive an increase in pay from \$12.70 to \$12.87 per hour at that time.
- Effective March 6, 2005, Corrections Officer Brandon Smith will reached his two-year step and should receive an increase in pay from \$13.38 to \$13.56 per hour.
- Effective April 27, 2005, Corrections Officer David Cole will reach his two-year step and should receive an increase in pay from \$13.38 to \$13.56 per hour.
- Effective April 14, 2005 Deputy Treasurer Karen Ward would reach her two-year pay step and should receive an increase in pay to \$15.93 per hour.
- Effective April 12, 2005, Human Resources/Payroll Director Michelle Adams has successfully completed her six-months probationary period and the recommendation is to continue her full-time employment with all appropriate benefits and a pay step increase to \$14.97 per hour.

**\*\*G. Boetsch moved, A. Fowler seconded approving the successful completion of the six-months probationary period for Human Resources/Payroll Director Michelle Adams, with the appropriate pay increase to \$14.97 per hour. Unanimous.**

10. Archivist Cheryl Coats will be attending her first Grant Seminar in Nashville, Tennessee and will be gone April 26 through May 3. The seminar is the 28<sup>th</sup> and 29<sup>th</sup> of April, but she will also incorporate some vacation time afterward. Due to a family emergency, she will also be taking some vacation time from April 6-13, 2005.

11. B. Arseneau reported that Kevin Maroney would be replacing former Edward Jones representative Jan Laux. He has already come to the office to introduce himself.

12. Attorney Ed Feibel has been working on the deferred comp plan document issued by Lord, Abbett and Co. for the County to sign, indemnifying Lord, Abbett and company from any issues involving the Waldo County Deferred Comp Plan. Attorney Feibel sent a letter to the commissioners suggesting two options of either simply signing the document, as the risk of exposure was so minimal, or not signing it and running the risk of not receiving an updated document as laws change in the future. He strongly suggested looking at other companies for deferred comp plans. After brief discussion, the Commissioners instructed B. Arseneau to sign it, send it back and then start looking at other companies with the assistance of Attorney Feibel. She was also instructed to put Ken Winters of Winters Associates in contact with Ed Feibel so that they would be aware of one another's efforts in this regard, since they somewhat overlap.

13. Elizabeth Hieronymus, representing a group of citizens who are establishing "Belfast – An Old Fashioned Christmas," contacted the Commissioners Office to ask if they could string lights and hang ribbons on the large tree that is on the Superior

Courthouse property. It was uncertain as to how the electricity for the lights would be obtained, but CMP has already agreed to string the lights for them. The tree would be lit on December 9th at 6:00 p.m. and caroling will occur on certain blocked-off streets. The group also may wish to ask if the lights could remain on the tree year round. B. Arseneau explained that this group intends to meet with the City Councilors first to obtain authorization for various permits and then they would need to speak with the Commissioners. The Commissioners asked for arrangements to be made for the group to meet with the Commissioners to discuss this face to face.

14. Belfast Trails members James (“Skip”) Pendleton and Murray Carpenter sent a letter to the County Commissioners explaining that their organization was seeking permission from the Commissioners to extend the trail that currently runs from the water district office on Route 1 to the property recently purchased by the County, which abuts the water district property. The trail would run adjacent to the Little River. The trail would be part of the “emerald necklace” or greenway that will eventually allow Belfast residents to walk most of the way around the city, through the woods and along the fields. The representative offered to meet with the Commissioners and show a map with more detail.

The Commissioners instructed B. Arseneau to put this organization in touch with Dennis Jud of SMRT and to make sure that it would not interfere with County needs, as the County’s needs would pre-empt the needs of this group. It would also not be allowed to create erosion issues, nor would they have prescriptive rights. This group would have to be responsible for proper maintenance of the trail. The Commissioners gave permission for the group to start the process and then come before them with a proposal.

15. B. Arseneau requested, on behalf of the department heads, that County credit cards be issued to each department head, as have already been done in the case of the Sheriff and the Commissioners Office, for necessary purchases that cannot be done via accounts payable by check. After brief discussion, the County Commissioners authorized County credit cards to be issued to the various department heads.

#### **POSSIBLE RETIREMENT PLANS**

As requested by the Commissioners, B. Arseneau had learned that the retirement plan for the City of Belfast was a 214 agreement. The Commissioners asked her to conduct a survey with the other counties on retirement plans, including health insurance coverage for each county.

#### **NATIONAL COUNTY GOVERNMENT WEEK**

The Waldo County Commissioners signed and then Commissioner Boetsch read a proclamation acknowledging that National County Government Week is April 10 through 16, 2005. Four County employees were honored for their outstanding service and received certificates of appreciation. The honored employees were Communications Center Dispatcher Christopher Shedyak, who had just returned from serving in the 133<sup>rd</sup> Engineering Division in Iraq, Detective Bryant White, Facilities Manager James Conley and Deputy Treasurer Karen Ward.

The Commissioners also signed and read a proclamation recognizing April 10 – 16, 2005 as National Telecommunicators Week and acknowledged the important life-saving work that these men and women perform in their daily functions.

As part of National County Government Week, an open house in each department would run from 12:00 p.m. to 3:00 p.m. this afternoon, as announced in the local newspapers and internet news.

## **FACILITIES REPORT**

Present for this discussion was James Conley, Facilities Manager, who reported the following:

1. A new fire compressor for the sprinkler system in the Superior Courthouse has been purchased. If the old one fails, the new one will kick in.
2. J. Conley inquired about installation of the two air conditioning units that have been purchased for the Law Library in the Superior Courthouse. It was determined that these would be temporarily installed for the season and removed in the fall each year.
3. The Jury room on the top floor needs a different table, as the current one is far too small for 12 people to sit at. The Commissioners suggested looking at Surplus for a larger table.
4. J. Conley reported that the concrete floor in the District Courthouse boiler room has two sections cut out of it for water to fill and be pumped out. He felt that redoing the floor with the correct pitch so that water would run out the drain at the far end would solve the issue of water build-up and requested that he be authorized to have the concrete repaired prior to installing the new boiler system this spring/summer. The Commissioners authorized the repair.
5. The Energy Conservation Report has been received. Commissioner Boetsch said he would review it before any decisions were made.
6. The Jail furnace is repaired for the moment, but there are other “big ticket” items coming up. There was brief discussion of the recent furnace issue in which the company charged more than they had estimated without consulting either J. Conley or S. Story and it had caused some problems due to lack of available funds. J. Hyk requested that this \$5,200.00 expenditure be funded from the Jail Capital Reserve.
7. There are plumbing issues in the Jail that need attention. J. Conley planned to meet with the Sheriff later today about this.
8. New air conditioning is needed at the Jail to keep the electrical components in the control room cool, plus the air exchange needs to be addressed. J. Hyk agreed that the County should not have a building that is unsafe and unhealthy.

9. Whitecap Builders had still not arrived to complete the A.D.A. work in the courthouses that was supposed to have been done in October of 2004. Checks had already been cut with 2004 funds and were being held until the work was completed. J. Conley asked if he should hire someone else to finish this, because numerous times he had been told that they would be starting by a certain date, the date would come and go and the work continued to remain unfinished. J. Hyk said that he would speak with Whitecap Builders himself.

10. There was brief discussion about the need to structure the building maintenance budgets differently for 2006. It is very difficult for J. Conley to perform the necessary work on the buildings when he doesn't know what there really is in the budget and can't set up a program for maintenance when another department head is in control of the maintenance lines of their individual budgets. It was agreed that a better arrangement needed to be established for the next fiscal year.

#### **MISCELLANEOUS BUSINESS & COMMISSIONERS REPORTS:**

A. Fowler reported the following:

- At the last M.C.C.A. meeting, various legislation was discussed including Deeds Transfer tax cap and the attempt to keep more than the current 10% for the Counties. L.D. 1 amendments were also discussed. Sheriff Scott Story had spoken regarding this issue.
- Strip search court cases were briefly discussed.

The Commissioners briefly updated each other on various projects and committees.

B. Arseneau was instructed to make sure that John Hyk received copies of the MCCA Board of Directors and Risk Pool minutes.

**The next Waldo County Commissioners Court Session will be May 10, 2005 at 9:00 a.m.**

**\*\*G. Boetsch moved, A. Fowler seconded adjourning the meeting at 12:30 p.m. Unanimous.**

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