

**WALDO COUNTY COMMISSIONERS COURT SESSION  
AUGUST 30, 2005**

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

**WARRANTS:**

**\*\*G. Boetsch moved, A. Fowler seconded authorizing payment of the August 26, 2005 Active/Restricted Reserve accounts in the amount of \$23,213.54. Unanimous.**

**\*\*G. Boetsch moved, A. Fowler seconded authorizing payment of the August 26, 2005 Regular Warrant in the amount \$269,256.00. Unanimous.**

**FY 2006 SALARY REVIEW:**

Present for this discussion were Sheriff Scott Story, Chief Deputy Robert Keating, Deputy District Attorney Leane Zainea, Register of Deeds Deloris Page, Register of Probate Joanne Crowley, Facilities Manager James Conley, Communications Director Owen Smith and E.M.A. Director Richard Farris.

S. Story asked if he could take care of three brief orders of business prior to the salary review. The Commissioner Hyk allowed this.

1. S. Story submitted the resignation of Jail Administrator Raymond Porter, effective August 13, 2005.
2. S. Story submitted the request to hire Robert Tiner as Jail Administrator to fill this vacancy, effective September 2, 2005. S. Story explained that he lives "a little outside the County," but that is not an issue because he is not being issued a County vehicle. It was noted that Deputy Sheriffs are required to live within Waldo County lines because they are issued a vehicle.
3. S. Story wished to address the salary for the Jail Administrator. The former Administrator, Captain Raymond Porter, was earning over \$43,000.00. S. Story noted that the minimum salary is about \$39,000.00 for this position and stated that when the pay for the former Administrator was "bumped" \$3,000.00, the starting pay had not been addressed. B. Arseneau explained that she was quite sure this had been done. S. Story repeated that he did not think it had been. B. Arseneau requested that she be allowed time to confirm this with the Deputy Treasurer, who was on vacation. S. Story requested that R. Tiner start at the rate Captain Porter had received in 2004, which was \$40,904.34.

**\*\*G. Boetsch moved, A. Fowler seconded hiring Robert Tiner full time as County Jail Administrator at a salary of \$40,904.34 effective September 2, 2005. Unanimous.**

The Commissioners moved on to the discussion of FY 2006 salaries.

S. Story informed the Commissioners that Chief Deputy Robert Keating was requesting an increase in pay for the part time patrol officers. R. Keating presented figures for hourly wages of part time patrol officers in other law enforcement agencies. The City of Belfast recently raised the hourly rate of their part time officers from \$11.07 to \$12.30 per hour for the 100-hour graduates and \$12.95 per hour for certified full time officers. Lincolnville Police Department pays part time officers \$14.20 per hour.

Searsport Police Department recently increased the hourly wage of their part time officers from \$9.27 per hour to \$12.00. B. Keating explained that Waldo County part time officers graduate from the 100-hour course and also graduate from the County's in-house 240-hour Field Training Officer Program. He stated that Waldo County is "not paying near what other nearby law enforcement agencies pay their part time people." J. Hyk commented that he thought that this meeting was to hear from all departments, not just the Sheriff's department. He asked if the Commissioners could come back to this discussion later.

J. Hyk asked L. Zainea to speak. She spoke about the gauge being "the top of the bottom one-third of Maine's counties." After looking at the pay scales with law enforcement departments, and with H.R./Payroll Director Michelle Adams, it was found that the gains in salary stop at the 8-year level and for the clerical people, it seems to start at the 5-year level. She felt that this was not only a pay scale issue, but also a classification issue. Initially the Commissioners were recommending a 3% cost-of-living increase across the board and then the pay scales needed to be addressed.

S. Story explained that he had spent all day trying to figure the pay scale issue out. With the Patrol scales, it would take 6% increase to fix the inequities, a 5% increase for the jail staff – some came up minutely, some not at all. He told the Commissioners that the Department Heads need more time to try to figure this out. G. Boetsch wondered if Winters Associates could help. L. Zainea explained that the weighted average "skews" the process. If it was approached the way the Sheriff and Human Resource Director had tried, the pay scales might be able to be fixed.

J. Hyk agreed that this needed to be done, but wondered if it was impossible during this year. He felt that it was impossible to fix things in government in one year. "We've come a long way since five years ago and I feel we should move forward with addressing the pay scales immediately so that it will be done for next year while it's still fresh in everyone's minds."

G. Boetsch thought that the path the County started with Winters Associates was to find answers, but the Department Heads have show the Commissioners that more is involved.

L. Zainea felt that both the pay scales and classifications needed to be addressed. S. Story agreed to sit down with Winters Associates, but this had already been done once and the results were not what the County was looking for. He was not comfortable doing it again. The employees have been told that the Commissioners would address pay scales this year and it all "fell apart." He did not want to go back to the employees and tell them that this next attempt had failed.

L. Zainea noted that there was no contract with Winters Associates and suggested that Winters Associates provide a specifically detailed outline for what they would be doing. G. Boetsch asked if there was anything to be gained by looking at the Winters Associates study that had already been performed. L. Zainea commented that the weighted averages benefited the employees. S. Story felt that the issue was whether or not to go by the results of the Winters study or to use the standard of "the top of the bottom one-third of all the Maine counties." G. Boetsch didn't want to pay another \$4,500.00 to Winters Associates. He wanted Winters to do what he had stated he'd do in the study, at no extra charge. J. Hyk wondered what direction the Department Heads wanted to go in – meet with Winters Associates or go with another undetermined consultant.

O. Smith felt that the County needed to "hold Winters' feet to the fire." He recommended getting this done by December 31, 2005.

L. Zainea felt that it was imperative that the Commissioners get a written documented contract that spells out in detail what will be performed and accomplished by Winters Associates. J. Hyk instructed B. Arseneau to contact Wilson Hess and have him call J. Hyk to put a letter together. G. Boetsch questioned the appropriateness of W. Hess' involvement. J. Hyk explained that W. Hess was a business professional who had volunteered to assist the County in this matter of classifications and pay scales. (Note: Wilson Hess moved out of Maine shortly after this meeting, so that contact was not made.)

A. Fowler stated that she totally agreed with the department heads regarding the pay scales and classifications. She was relieved to hear that they were willing to let the Commissioners try to fix the pay scales next year.

R. Keating responded that, from the employee's side, there was much appreciation for the decision the Commissioners were making to enroll again with Maine State Retirement System. It was considered an excellent benefit for new eligible employees to be able to enroll.

O. Smith informed the Commissioners that, after reviewing his department's personnel lines, it was the two shift supervisors who were actually underpaid, not the top supervisor and the Communications Director. Therefore, O. Smith requested that the shift leaders receive an additional 7% increase above the 3% standard raise in 2006 and rescinded his earlier request for an additional \$1,000.00 raise for his position as Director.

**\*\*G. Boetsch moved, A. Fowler seconded accepting the recommendation to keep the previous vote from last July meeting, which would mean a 3% increase for all in the Communications Center except that there would be an additional 3% increase for the Communications Center Shift Leaders. Unanimous.**

Treasurer David Parkman stated that it appeared that most positions were falling close to the top of the bottom one third of all Maine counties. He did not feel any additional increases were required for the Treasurer's office staff.

Deputy Register of Probate Sharon Peavey relayed that Probate falls in the same category and requires no additional increases.

L. Zainea informed the Commissioners that this was also the case for the District Attorney's County staff.

**\*\*G. Boetsch moved to increase all part time county employees to \$11.00 per hour. Motion died for lack of a second.**

There was lengthy discussion about how to handle the salaries of the part time employees who work in different departments. O. Smith suggested paying them at the starting wages of the full time employees in the same position. S. Story agreed that this might not be a bad idea and further suggested that this would not ever increase above the rate for a full time employee. He commented that the part time employees were expected to do the same job with the same risks as the full time employees, just at fewer hours. This would be dealt with later during the pay scale and classifications changes for 2007.

**\*\*G. Boetsch moved, A. Fowler seconded increasing the hourly wage for part time deputies to \$12.30 per hour until the pay scales are addressed, with a study of all part time employees' salaries being done during the pay scale and classifications project in 2006.** Discussion: O. Smith asked why only the deputies were being addressed and not the other departments, including the Communications Center. J. Hyk warned that he would vote against this because he felt it would be creating an unfair situation because it alienates the other part time employees. A. Fowler agreed that the whole thing was not good. R. Keating asked why it wouldn't be possible to consider O. Smith's recommendation to pay part time employees the starting wage of a full time employee in the same position. A. Fowler responded that it was because some would be receiving a \$3.00 or more increase per hour. J. Hyk thought it was a good idea, but felt that the Budget Committee would object to it. R. Keating and S. Story read some figures of what other agencies were paying their part time deputies and argued that it really needed to be addressed right away.

O. Smith conceded that, if it was making it difficult for the Sheriff's Office to hire people, the deputies' part time wages should probably be addressed now. He then asked if the Commissioners were going to consider hiring a County Administrator next year and wondered if next year would be a "boom" year. J. Hyk responded that this was another problem – the budgets were not going to go down and the Budget Committee had wanted the Commissioners to construct a job description and check out salaries for a County Administrator. The simple facts were, there is no office or parking space for an administrator, and the Commissioners felt this was not the time to introduce a position that required an average salary of \$65-\$75,000.00 per year when so many current employees were underpaid now.

The question of how much the cost of health insurance would be increasing was asked. B. Arseneau explained that all she would be able to get at this point in the year was a "best guess" from the County's employee benefits agent, Paul Barbera. The hard figures would not be in until late November.

S. Story acknowledged that there had been many good points of view expressed around the table.

O. Smith asked if the \$12.30 per hour included the 3% increase or not. He was told that it would not be \$12.30 plus a 3% in 2006. It was \$12.30 now and would remain so for 2006. **Motion passed unanimously.**

J. Hyk expressed his view that "some people, are never happy with the salaries" regardless of what is done to increase them. He expressed his confidence in the plan for the pay scales and classifications adjustments that would soon be addressed.

L. Zainea stated that it has been known for a long time that employees starting out and staying up to five years make proportionately more than those with more longevity and commented that other counties have a more proportionate system.

S. Story pointed out that what was read in the newspapers with the substantial raises had lead some to believe that they were actually going to receive these raises and now this was not going to happen. Now, the Commissioners and department heads had tried to address the pay scales for 2006 and that was not going to happen. He explained that the employees are grateful for the way the Commissioners have been trying to work on the salary situation, but the way it has all happened this year is going to make it hard for the department heads to face the employees within the individual departments and tell them that it has been put off again for another year.

O. Smith thanked the Commissioners for allowing the department heads to be part of the process and felt that they had been “heard.”

A. Fowler said she wanted to make sure everyone knows they are “essential and appreciated and relevant.”

Commissioner Hyk instructed the department heads to create their 2006 budgets based on the current oil and gas prices.

**VISIT FROM DEPARTMENT OF LABOR - MICHAEL LAPLANTE:**

Michael LaPlante, a Public Safety Officer, arrived unannounced and requested time on the County Commissioners’ agenda. The Commissioners agreed to meet with him because M. LaPlante explained that when an unannounced inspection is done, it has to be done right then. M. LaPlante informed the Commissioners that a Union Steward must be allowed to come along on the inspection. The Commissioners informed M. LaPlante that the only department that had a Union was the Communications Center.

M. LaPlante explained how the inspection would be handled. He would visit each facility, make notes and then would send written notice of any violations to the Commissioners within the next two to three weeks. The County would be given the opportunity to fix any problem within two months to avoid penalties. The Commissioners office has fifteen (15) working days to respond and can request a hearing on items that the County disputes. He mentioned that this rarely yields positive results, however. He submitted an informational pamphlet to the Commissioners. He further explained that the County could apply for extensions on specific items if necessary and legitimate, but should not wait until the last minute to ask. M. LaPlante said he would meet with the Facilities Manager and the County Clerk to go over more details later. The Commissioners thanked Mr. LaPlante.

**EXECUTIVE SESSION – UNION NEGOTIATIONS:**

**\*\*G. Boetsch moved, A. Fowler seconded entering Executive Session as authorized by Title 30-A, § 405 in order to discuss Union negotiations. Unanimous.**

**\*\*A. Fowler moved, G. Boetsch seconded exiting Executive Session at 11:36 a.m. Unanimous.**

**FACILITIES MANAGER JAMES CONLEY – FACILITIES REPORT:**

**DISTRICT COURTHOUSE CHIMNEY:**

J. Conley reported that Zack Gilbert would be assisting with the District Courthouse chimney work that was required in order for the County to be in compliance with current code. It had been determined that the chimney was lined all the way up except for the last foot from the top. The thickness and width dimensions are already in compliance. A small amount of thickness will need to be removed from the wall of the chimney in order to line it. J. Hyk instructed J. Conley to obtain written approval by architect Robert Fenney of Monroe. J. Conley also reported that the boiler contract, per R. Fenney, will be put off until next year because there is no time to do it in 2005 as originally planned. The issues with the chimney and ventilation had slowed the process down until it was too late to address the matter because it is almost heating season. J. Conley was instructed to call the bidders to let them know it was

being put off until next year. A. Fowler asked that Deputy County Clerk Veronica LaBreck to please write letters, as well, so they would have written notification. J. Conley agreed.

J. Hyk recommended budgeting \$5,000.00 in Capital Outlay portion of the new Facilities budget in order to address boiler replacement. He added, however, that it might be paid from the Courthouse Repairs reserve, if there was not enough funding through the Facilities operating budget.

#### SUPERIOR COURTHOUSE RAILING FOR GRANITE STAIRWAY:

J. Conley reported that Heartwood Millworks provided a recommendation in keeping with the historical aspect of the Superior Courthouse. He suggested a simple wood railing, similar to what is there. Roughly, this would cost approximately \$4,000.00. A brass railing would be about \$5,800.00. The Commissioners opted for the wood railing, which should be budgeted for next year (2006.)

#### THERMOSTATIC CONTROL VALVES:

J. Hyk asked J. Conley to have architect Robert Fenney review the recent paperwork regarding the brand and cost of thermostatic control valves for the heaters in Superior Courthouse. If this work could not be squeezed out of the 4600 budget line, the Commissioners may have to fund it from the Capital Courthouses Reserve and then reallocate that money in next year's budget. The Commissioners authorized carrying out this work as soon as possible in 2005.

#### Maine Power Options Contract:

J. Conley had taken the paperwork over to the City of Belfast and also to Waldo County General Hospital, as he felt that they might be able to offer guidance and explanation on this. He learned that it is for non-profit organizations. He also went to Central Maine Power and a person who wished to remain anonymous had told him it was a good way of getting a decent rate, but in order for it to work out well, it takes enough people to be involved. J. Conley recommended signing the contract with Constellation New Energy Maine Power Options, which would allow them to pursue the best value in electrical service for the County.

**\*\*A. Fowler moved, G. Boetsch seconded signing the contract with Constellation New Energy Maine Power Options Maine Energy Purchasers Consortium. Unanimous.**

J. Conley listed the repairs that need to be done on the various County buildings and will need to be budgeted for in 2006.

#### CORRESPONDENCE

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

1. Grant writer/Archivist Cheryl Coats submitted the 2005 Homeland Security Grant application for the Commissioners to sign. It was noted that this grant application was being submitted over one month late and nobody knew if it would be considered or not. The amount of money the County was requesting to finish the microwave build-out was \$160,000.00.

**\*\*A. Fowler moved, G. Boetsch seconded authorizing the submittal of the late Homeland Security Grant application. Unanimous.**

J. Hyk said he would like to meet at a later time with EMA Director Rick Farris to find out why the Homeland Security Grant application was late.

2. B. Arseneau read Jail Administrator Raymond Porter's letter of resignation to the County Commissioners. The Commissioners signed a card to be sent to Raymond Porter expressing their gratitude for years of excellent service along with their best wishes.
3. Benefits Agent Paul Barbera from Cross Insurance had telephoned B. Arseneau to see if the commissioner wished to meet with him.
4. The following employees were to receive pay step increases:
  - Corrections Officer Carlene Thornton will receive an increase from \$13.19 to \$13.38 per hour for your one-year step on August 22, 2005
  - Victim Witness Advocate Deborah McAllian will receive her six-month pay step increase from \$12.72 to \$13.07 per hour affective September 7, 2005
  - County Clerk Barbara Arseneau will receive a 7-year level pay step increase, according to the schedule for appointed personnel, on August 31, 2005 bringing the total salary to the budgeted \$35,842.40 by the end of the year.
5. B. Arseneau requested permission to change the stipend amount for the Facilities Manager so that he would receive the full \$200.00 amount due half-way through the year, as it must be paid through payroll and taxes removed from it. The Commissioners allowed this amount, based on the precedent set on the Sheriff's monthly vehicle lease amount, which was increased so that the Sheriff would net the full proper amount.  
**\*\*G. Boetsch moved, A. Fowler seconded approving the mileage stipend for Facilities Manager James Conley in the amount that would allow for the net to be the \$200.00 for half-way through the year. Unanimous.**
6. Grayson Hartley wrote to the Commissioners requesting that the Jail Research Committee be allowed to meet and present their report to the Commissioners at 9:30 a.m. on September 13, 2005. The Commissioners agreed.
7. Coastal Access sent a letter to the Commissioners thanking them for supporting their effort to apply for a federal Early Learning Opportunities Act grant. They were "cautiously optimistic" about the new proposal and would let the Commissioners know if they were successful in receiving it.
8. B. Arseneau inquired if any of the Commissioners wished to budget for and attend the NACo conference in 2006. None felt that this was necessary or remotely affordable.
9. Notification has been received that the annual Corrections Reimbursement check had arrived in the amount of \$154,302.70.00.
10. At the recommendation of Consultant James Arseneau, the Waldo County Commissioners signed on with Verizon as the County's local and out-of-state long distance telephone service provider. Switching from AT & T would save the County nearly 50%.  
**\*\*A. Fowler moved, G. Boetsch seconded accepting the Verizon contract. Unanimous.**
12. The Justice Assistance Grant that had been applied for has been awarded to the County in the amount of \$10,915.00.

13. The Sheriff's Office requested permission to terminate an agreement for professional financial services with Justice Benefits, Inc. that had been signed May 23, 2000.

**\*\*A. Fowler moved, G. Boetsch seconded signing a letter to Kaelen A. Loftis to terminate the County's obligation. Unanimous.**

14. G. Boetsch signed off on the State Claims Commission review of eminent domain of the Sail Inn Restaurant, owned by Paul and Robert Dyer.

15. PROCLAMATION: The County Commissioners signed a proclamation of Waldo County's support and declaration "Family Day – A Day to Eat Dinner With Your Children," as recommended by U.S. President Bush.

16. A courtesy telephone call to the County had been received from Mary Lee Hanley notifying the County that the Maine Maritime Pipeline would now impact the Town of Monroe.

**The next Waldo County Commissioners Court Session will be September 13, 2005.**

**\*\*G. Boetsch moved, A. Fowler seconded adjourning the meeting at 12:35 p.m. Unanimous.**

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