

**WALDO COUNTY COMMISSIONERS COURT SESSION
JANUARY 31, 2006**

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

CAD SYSTEM ECHNOLOGY 2006 DISCUSSION:

Present for this discussion with the Commissioners was Technology Consultant James Arseneau of J&B Diversified Associates.

J. Arseneau informed the Commissioners that the lease paperwork and two resolutions were ready to be signed. One resolution was "A Resolution Regarding a Lease Purchase Agreement for the Purpose of Procuring 'Law Enforcement System (Software/Hardware)." The other was "A Resolution Regarding a Lease Purchase Agreement for the Purpose of Procuring "Network Hardware and Software." Included in the resolutions was wording authorizing signatures by Commissioner John M. Hyk. County Clerk Barbara Arseneau read aloud both resolutions and the Commissioners voted as follows:

****A. Fowler moved, G. Boetsch seconded assigning chairman John M. Hyk to sign and be spokesman for the CAD system leases. Unanimous.**

J. Arseneau reminded the Commissioners that they planned to use the Technology Reserve for some of the expenditures. He informed them that he was able to purchase some of the equipment through his business at a lower cost than the government discount rate. He asked for authorization to purchase the equipment and pass it along at the cheaper rate to the County. The invoices will be provided to show actual costs along with a memo detailing the cost savings. He submitted a memo to that affect. The Commissioners thanked J. Arseneau and instructed him to make those purchases.

J. Arseneau invited the Commissioners to a "kick-off" meeting with Spillman, which will be an all-day event at the Communications Center on February 22, 2006.

WARRANTS AND COMMISSIONERS COURT SESSION MINUTES:

B. Arseneau informed the Commissioners that two votes on warrants during the January 10, 2006 Commissioners Court Session needed to be amended because the warrant amounts had changed. One invoice had been entered twice, and one Deeds records-related invoice needed to be paid from the Surcharge Reserve with permission from the Register of Deeds. The Commissioners approved of and noted the changes as follows:

****G. Boetsch moved, A. Fowler seconded to amend payment of invoices on the December 29, 2005 Active/Restricted Reserves from \$7,533.02 to \$7,765.52. Unanimous.**

****G. Boetsch moved, A. Fowler seconded to amend payment of invoices on the December 30, 2005 regular warrant from \$109,047.51 to \$108,677.38. Unanimous.**

****G. Boetsch moved, A. Fowler seconded accepting the January 10, 2006 Commissioners Court Session Minutes as amended. Unanimous.**

****G. Boetsch moved, A. Fowler seconded paying invoices on the January 27, 2006 Active/Restricted Reserves in the amount of \$4,596.23. Unanimous.**

****G. Boetsch moved, A. Fowler seconded paying invoices from the January 27, 2006 regular warrant in the amount of \$136,814.48. Unanimous.**

CONTRACTS FOR ARCHIVE/GRANT WRITING WORK:

Present for this discussion was Archivist Cheryl Coats of DRG Specialty Services. The Commissioners had started discussion regarding the Jail records situation prior to C. Coats' arrival. B. Arseneau had learned from a previous discussion with C. Coats that it would cost about \$30,000.00 to sort, re-house and develop an indexing system for these records. The Commissioners were also aware that there had been some confusion regarding who could legally handle these records and Sheriff Story had been instructed by Commissioner Hyk to contact the Attorney General's office for an answer. S. Story had also mentioned to B. Arseneau that if the records could not or would not be handled by the archivist, he would take them back up to the Congress Street property from the Superior Courthouse basement and house them there. She told the Commissioners that he had approached EMA Director Dale Rowley about returning them to EMA space, where they had been prior to the Superior Courthouse.

The Commissioners told C. Coats that they did not intend to deal with the Jail records this year, but would let the Sheriff take them back into his department.

The Commissioners reviewed the Records Preservation Contract.

****G. Boetsch moved, A. Fowler seconded accepting the contract with DRG Specialty Services to handle the records preservation project at \$22,050.00. Unanimous.**

The Commissioners reviewed the Grant Writing Contract. There was some discussion and the Commissioners inquired about why their permission would be required prior to DRG writing any grants. C. Coats explained that DRG they would not do anything without authorization. J. Hyk felt that there should, perhaps, be some limit mentioned. There was brief mention of the limit for the Grant Writing budget being set at \$15,000.00 by the Budget Committee.

G. Boetsch asked if the County had signed a contract for 2005. C. Coats answered that there had been a signed contract and B. Arseneau retrieved it for the Commissioners to review. G. Boetsch asked why there was a section in the contract that permitted DRG to refuse to write grants under certain circumstances. C. Coats replied that there might be cases in which it would not be in the County's best interest to pay DRG to submit a grant that the County had no hope of getting, or there may be grants available that required more technical expertise than DRG could handle. G. Boetsch stated that he would sign the contract if that section was stricken from it.

G. Boetsch also inquired about the salary for grant writing. C. Coats explained that most grant writers receive an average of \$100.00 per hour to research and write grants. DRG's rate would be \$30.00 to research and \$50.00 to write grants per hour. J. Hyk commented that this was quite reasonable.

J. Hyk asked G. Boetsch to think of it another way. He asked if it made sense to obligate the County to have DRG committed to writing all the County's grants, even if she wasn't qualified for one of them. He felt that there was no problem here, there had been a good working relationship prior to now and he understood why this section was in the contract.

J. Hyk asked if C. Coats “saw herself working closely with new EMA Director Dale Rowley in the grant writing capacity. She acknowledged that she had not met him yet, but was looking forward to doing so.

****A. Fowler moved, J. Hyk seconded signing the Grant Writing Contract for 2006 with DRG Specialty Services as it was written. Passed by two with G. Boetsch opposed.**

The Commissioners then went on to discuss funding the reserve accounts. After reviewing the suggestions for funding submitted by Deputy Treasurer Karen Ward and County Clerk Barbara Arseneau, as directed at the January 10, 2006 Commissioners Court Session, J. Hyk commented that he had not intended to apply all of the surplus into the capital accounts. He asked C. Coats how much should be funded in the Records Preservation Reserve. C. Coats explained that the grant application she had brought with her today, which was an application for archival shelving for the Archive space, was the last one that the County of Waldo qualifies for at this time, and they do not qualify for a grant to take care of the Jail records.

(Sheriff Scott Story and Chief Deputy Robert Keating entered the room and joined in the discussion.)

There was some discussion about the Jail records being re-housed in acid-free boxes already purchased by C. Coats for that purpose. S. Story further explained that he intended to set those boxes inside plastic totes. The room he might be putting them back into does have flooding, but he was confident that the water would not rise high enough to damage any of the records. When asked, S. Story said he was still waiting for an answer from the Attorney General’s office regarding who can handle the Jail records. G. Boetsch asked if the records would be secure where they were going. S. Story said he was either going to put them back in the EMA room or possibly in the Old Jail, both of which could be locked.

J. Hyk commented that the County had a serious records problem and believed it was a good idea to put some funding into the Records Preservation Reserve. He asked C. Coats for some ideas while she was there. S. Story commented that he understood the realities of the budget cuts and, if he was going to be handling the Jail records himself, he asked if he could use some of the Records Preservation money to fund the purchase of the plastic totes to put the Jail records boxes in for added protection. The Commissioners agreed to this. C. Coats mentioned that there were several Commissioners volumes that also needed to be rebound, which had not been budgeted for 2006. The Records Preservation Reserve could be used for that, as well.

C. Coats took a moment to discuss the problem with “reactive” grant writing rather than “proactive” grant writing. She explained that planning is important because if the department heads know what projects they need to do or upgrades they may need in order to function and informed her of those needs, she could be looking for the appropriate grants and funding for matches could be budgeted ahead of time.

There was some discussion regarding grant matching and how some of the reserve accounts could be used for that, as appropriate. The Commissioners asked B. Arseneau to contact the other counties, particularly Kennebec, Cumberland and York to see how they handled grant matching.

LAW LIBRARY RESTRUCTURING:

C. Coats briefly reviewed discussion from the October Commissioners Court Session about an idea for restructuring the Archive/Law Library shared space so that it was better allocated for both. She had suggested moving the Archive operation to the opposite side, near the Judge’s Chambers, as the attorneys and defendants currently have to walk behind archival desks in order to take books off the shelves. They

also have to walk through the racks of archival records to get to the break room and to the courtroom. If shelving could be purchased through a grant, it would work well to have the archive situated on the opposite side of where it is now. Commissioner Hyk had, during budget time, asked C. Coats to talk to one of the judges to see if having the archive space near the Judge's Chambers would pose a problem. C. Coats spoke with Justice Marden, who stated that it would be no problem at all, and who felt it would be better for the attorneys to have the other space. Later, she posed the same question to Attorney Bill Dawson, with the Bar Association. He also felt that this change would be more comfortable for the attorneys. C. Coats added that access to the break room and courtroom would be better for the attorneys and defendants. Deputy District Attorney Leane Zainea's opinion was also sought, but she declined to comment, stating that she would rather not get involved.

C. Coats informed the Commissioners that the current set up for the archival space is definitely not OSHA compliant and does not meet A.D.A. regulations.

The Commissioners agreed that if the grant goes through for the archival shelving, the details could be worked out with the appropriate people and they would ask Facilities Manager Keith Overlock to assist.

SHERIFF'S REPORT:

Present for this discussion was Sheriff Scott Story and Chief Deputy Robert Keating. S. Story reported the following to the Commissioners:

1. The grant for laptops in the cruisers is going through. S. Story had checked with the Treasurer's Office and learned that there is enough funding in Asset Forfeitures for matching this grant.
2. S. Story has spoken with Curtiss Pulitzer of Pulitzer/Bogard (architectural firm) and Curtiss will be speaking with Arthur Thompson of S.M.R.T. (architectural firm in Portland, ME) regarding when would be a good time to meet with the County Commissioners to discuss answers to the questions raised by the Jail Research Committee's recent report. S. Story emphasized that this did not have to occur immediately and asked Curtiss to tie it in with another visit to the State of Maine, in order to keep costs down.
3. S. Story briefly reviewed the history behind the current situation with the Jail Corporals. A while back, the Sergeant position was eliminated to try a system with just four Corporals. After reviewing this and giving new Jail Administrator Robert Tiner enough time to see how it was working, both Sheriff Story and Captain Tiner agree that it is time to back to a three-Corporal, one-Sergeant arrangement. S. Story has advertised for the Sergeant position. He explained that an entry-level Sergeant will be higher pay, but not substantially and starting the person a bit later in the year should compensate for much of that difference.
4. S. Story asked the Commissioners to consider a title change for the Transport Supervisor. This position is paid the same as a Corporal's position, but does not have "Corporal" as part of the title. This would create a structure of three Corrections Corporals, one Sergeant and one Corporal Transport Officer.
****A. Fowler moved, G. Boetsch seconded to elevate the Transport Supervisor to Corporal Transport Officer. Unanimous.**
5. S. Story reported that an error had been found regarding benefits for one of his officers who had served in the military recently. S. Story informed the Commissioners that those benefits would be restored, as the law required. The Commissioners noted this.

6. S. Story stated that he was “very pleased” with the work being performed by the Facilities Manager and that it was going very well.
7. There was brief discussion of laws surrounding possible alternatives to serving Jail time. S. Story commented that he would have to look at the best way to deal with this.
8. Chief Deputy Keating reported that Waldo County was at “record numbers” with inmate boarding. There were 443 inmate days in January, which amounts to \$44,300.00 in boarding costs. When asked, R. Keating informed the Commissioners that there were 33 in the Jail today, 20 boarded and 1 out with the Volunteers of America (VOA).
9. S. Story informed the Commissioners that he has been exploring modular buildings for a Sheriff’s Office. He is waiting to hear suggestions after the Jail Research Committee, Pulitzer/Bogard and S.M.R.T. meet with the Commissioners. He felt it was a waste to put any money into the current Sheriff’s Office. When asked about recent damage to the Sheriff’s Office building during the high winds on January 18th, S. Story told the Commissioners that several roof shingles had blown off and landed on some vehicles, part of the porch and blown away and an attic window had blown out and had to be boarded up.
10. S. Story reported that the Unity Fire Department is building a new firehouse and there has been discussion of a substation for a County Deputy to use being included in the structure. S. Story said there had not been detailed discussion about the County’s contribution to this. It was his thought that the County would cover any telephone or computer expense. He told the Commissioners he would keep the discussion open.
11. R. Keating asked if anyone had approached the National Guard about using them for clearing the County’s 100-acre property during a two-week period. He mentioned that the Guard often looks for projects like that. C. Coats, who was still in the office, came into the discussion long enough to say that she has seen grants for infrastructure and hoped to investigate these further.

EXECUTIVE SESSION – PERSONNEL MATTER:

Present with the Commissioners for this matter was Communications Director Owen Smith.

****A. Fowler moved, G. Boetsch seconded to enter Executive Session for a Personnel Matter as allowed by M.R.S.A. Title 1, 405 § Section F at 10:30 A.M. Unanimous.**

****A. Fowler moved, G. Boetsch seconded exiting Executive Session at 10:37 A.M. Unanimous.**

O. Smith informed the Commissioners that full-time Dispatcher Monique Brown has resigned but has requested to be included on the part-time roster.

****A. Fowler moved, G. Boetsch seconded accepting with regret the resignation of Monique Brown as full-time Dispatcher, effective January 13, 2006, with the understanding that she will continue part-time. Unanimous.**

O. Smith recommended the full-time hire of current part-time Dispatchers Katie Jewell and Jenny Kronholm, effective February 1, 2006. He also recommended hiring Rory McLaughlin as part-time Dispatcher at a rate of \$10.98 per hour.

****A. Fowler moved, G. Boetsch seconded accepting the full-time hire of Katie Jewell and Jenny Kronholm as full-time Dispatchers effective February 1, 2006 at a of \$13.15 per hour. Unanimous.**

****A. Fowler moved, G. Boetsch seconded hiring Rory McLaughlin as part-time Dispatcher effective January 27, 2006 at \$10.98 per hour. Unanimous.**

CORRESPONDENCE:

Present with the Commissioners was County Clerk Barbara Arseneau along with Deputy County Clerk Veronica Spear to take minutes. The Correspondence to the Commissioners was as follows:

1. B. Arseneau informed the Commissioners that the annual MCCA Convention Planning was starting up and the first meeting was scheduled on February 8, 2006 at 1:30 in Augusta. As president of the Maine Association of County Clerks, Administrators and Managers, she was obligated to attend and participate in these planning sessions. The Commissioners asked if any of the other Department Heads had to attend and B. Arseneau said she did not know who was serving as president of their associations, but had already sent an Email regarding this to the Department Heads. The Commissioners instructed her to make sure new EMA Director Dale Rowley was aware of this.
2. National County Government Week is April 23-27, 2006. The Department Heads are already aware of this and will be coming up with ideas for promoting awareness of the services and benefits offered by the County.
3. B. Arseneau requested that the Commissioners allow her to focus on completing the Waldo County Personnel Policy by the end of February so that the Commissioners could vote on the changes and start distributing it in March. She requested that time be allotted on the agenda for February 14, 2006 in order for the Commissioners to review and decide on suggested changes that they may not have decided on at this point. Most of the changes have already been either reviewed or discussed. The Commissioners encouraged B. Arseneau to meet this goal.
4. Corrections Officer Hillary Szteliga will reach the two-year step on February 8, 2006 and her hourly wage increase from \$13.78 to \$13.97 per hour. The Commissioners noted this.
5. B. Arseneau congratulated Commissioner Amy Fowler for being voted to serve as Secretary/Treasurer for the MCCA Risk Pool for 2006.
6. B. Arseneau noted that the cap for liability insurance was set at a 25% increase for 2006. The County had budgeted for 33%, as recommended, so there would be cost savings on that line item. The County's coverage was invoiced at \$95,411.00.
7. The County's policy contribution for Workers Compensation through Maine Municipal Association will be \$59,308.00 for 2006. This does not include the Workers Comp Audit, which will be performed soon.
8. B. Arseneau informed the Commissioners that she had completed and sent the certificate of incumbency for them, the Treasurer and herself, as outlined by the Maine Revised Statutes Annotated.
9. Jayne Crosby Giles of Camden National Bank and Belfast Mayor Michael Hurley had sent written requests for letters of appreciation for the Hutchinson Center to be sent to both the University of Maine in Orono and to Bank of America (formerly MBNA). B. Arseneau had contacted the Commissioners last week

for authorization to draft these letters and Commissioner Hyk had assisted with wording them. These were hand delivered to Camden National Bank on Friday of last week. Both Ms. Giles and Mayor Hurley sent Emails expressing their thanks to the Commissioners for their efforts in this regard.

10. B. Arseneau informed the Commissioners that the new Rules for Disposition of Local Government Records had been released in October. She submitted copies of page 7 of this publication, which states, "State law requires each local government to have a fireproof safe or vault to protect permanently valuable records. Recent fires in several towns provide a reminder about the perils of not protecting critical records." She further read text from 5 M.R.S.A. § 95-B. pertaining to local government records, which detailed the requirements for a fireproof vault.

WEST CHASE ROAD PETITION:

The County Commissioners briefly reviewed case law provided by an attorney from Bernstein/Shur. The attorney had stated that the Commissioners must hold a hearing, because the petition submitted by Albert and Debra Ludden of Jackson met all the statutory requirements for a hearing. The attorney also had stated that the hearing had to focus on the future, rather than the past, and to balance the needs of the individuals to those of the entire Town.

The Commissioners instructed B. Arseneau to find out if there was a specific process for the road petition hearing, or if it was handled the same way tax abatements. The further instructed her to set the hearing for 10:00 a.m. on February 14, 2006.

MISCELLANEOUS COMMISSIONERS' REPORTS:

1. POSSIBLE SPACE IN SUPERIOR COURTHOUSE: G. Boetsch alerted the Commissioners to the fact that the three unfinished, empty rooms he had been researching for possible records storage were reviewed by Architect Robert Fenney and Facilities Manager Keith Overlock and were found to be unsuitable for that purpose. The rooms could be used as storage for A.C. units and other minor things. It was noted that there was sufficient heat loss discovered leading from the courtroom level up to these rooms. G. Boetsch had also contacted the Belfast Fire Chief for consultation regarding fire regulations and structural capabilities. He planned to then look at this space with the Archivist to see if it would be suitable space for some of the County Records that are seldom accessed. He did not mean to leave anyone out of this research; he was simply taking it one step at a time. The Commissioners agreed that G. Boetsch should continue to explore this possible space with the architect.

2. R. Fenney also viewed the Superior Courthouse basement and thought that this section of the building could be dehumidified for records management purposes. Now that the Sheriff's records may be removed, it may be that only the room containing District Attorney's records may require dehumidifying.

The Commissioners instructed the County Clerk to contact Architect Robert Fenney and ask if he would be willing to deal with the heat loss situation in the upper Superior Courthouse level and look in to dehumidifying the section of the basement where the D.A.'s records were kept.

JAIL RESEARCH COMMITTEE:

The Commissioners instructed B. Arseneau to see that all Jail Research Committee members receive a copy of the Jail Report from the early 1990's. J. Hyk stated that, in his opinion, the building of the Jail/Sheriff facility has to include a proper facility for records. The Commissioners acknowledged the seriousness of the records situation in Waldo County.

RESERVE PLANNING 2006:

The Commissioners reviewed the list of recommended application of surplus in order to bring them closer to the targeted amounts. The following recommendations were made, but no formal action was taken:

- Courthouses - Add \$10,000.00
- Facilities All Other - Add \$5,000.00
- Emergency Shelter - Add \$3,000.00
- Technology - Add \$51,000.00
- Communications Equipment -Add \$25,000.00
- County Planning -Add \$40,000.00
- Employment Security -Add \$3,000.00 (Change target amount to \$20,000.00)
- Equipment Services -Add \$5,000.00 (Change target amount to \$15,000.00)
- Severance -Add \$16,000.00
- Records Preservation -Add \$10,000.00

FUTURE COMMISSIONERS COURT SESSIONS:

The Waldo County Commissioners Court Session established the following dates for Commissioners Court Sessions:

- ❖ **February 14, 2006**
- ❖ **February 28, 2006**
- ❖ **March 21, 2006** – the third Tuesday because Commissioner Hyk is scheduled for surgery on the second Tuesday
- ❖ **April 4, 2006** – the first Tuesday because Commissioner Fowler cannot be present on the second Tuesday

B. Arseneau was instructed to schedule the following items on the agenda for February 14, 2006:

- Setting the Mil Rate
- A road petition hearing for Albert and Debra Ludden vs. the Town of Jackson at 10:00 a.m.
- Surplus and reserve funding will be discussed and decided
- The revisions in progress with the Personnel Policy for review and discussion

B. Arseneau was instructed to schedule the following for the February 28, 2006 agenda:

- Any updates regarding the Jail Research project
- Finalization of the Personnel Policy revisions

****G. Boetsch moved, A. Fowler seconded adjourning the meeting at 12:00 p.m. Unanimous.**

Respectfully submitted by Barbara L. Arseneau
Waldo County Clerk