

**WALDO COUNTY COMMISSIONERS COURT SESSION  
FEBRUARY 14, 2006**

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

**TREASURER'S REPORT:**

G. Boetsch asked D. Parkman if the town of Palermo had a bill before the legislature and D. Parkman replied that Palermo was seeking revaluation. "We don't even have a store in Palermo," he explained.

**REVENUES:**

D. Parkman stated that things were "right on target" at 14% collected thus far this year.

**APPROPRIATIONS:**

D. Parkman reported the following:

1. 10% has been expended by the end of January.
2. D. Parkman informed the Commissioners that approximately \$150,000.00 had been borrowed from the Tax Anticipation Note last week. He commented that he was able to wait until February this year, which was better than previous years.
3. A. Fowler had asked if there was a contract with the auditor for 2006. D. Parkman explained that the contract with R.H.R. Smith was up at the end of 2005. Another invoice had been received from them, which over-expended the Auditing budget for 2005 because it was for the 2004 audit.
4. **SURPLUS/MIL RATE:** The new auditor has not gathered enough to know what the surplus really is at this point, so the mil rate could not be set at this meeting.
5. The County last year was at 8% and there was not enough surplus in the past. The auditor has explained that this is not a good fiscal practice. D. Parkman reported that it was better this past year. \$475,000.00 has been carried, but it has dropped to the point that now it is at approximately 7%. Part of the drop was increasing contingency to \$100,000.00 for 2004, which had not been physically done and was just now realized. G. Boetsch reminded all that the mil rate was 1.733 last year.

**RESERVE PLANNING 2006:**

The Commissioners decided not to set reserves during this court session, but briefly talked about possible amounts.

**WARRANTS:**

D. Parkman supplied the chart of invoices for the Restricted/Active Reserve account expenditures.

**\*\*G. Boetsch moved, A. Fowler seconded paying invoices on the February 14, 2006 Active/Restricted Reserves in the amount of \$42,203.66. Unanimous.**

**\*\*G. Boetsch moved, A. Fowler seconded paying invoices on the February 14, 2006 regular warrant in the amount of \$167,344.14. Unanimous.**

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

**SHERIFF'S REPORT:**

Present for this discussion was Sheriff Scott Story and Chief Deputy Robert Keating and Jail Administrator Robert Tiner.

G. Boetsch asked S. Story for a better understanding of the function and cost of the Volunteers of America (V.O.A.), which S. Story explained briefly. G. Boetsch asked B. Arseneau to make sure the cleaning invoices were clearer in terms of which was ordinary cleaning and which was time covering for the vacation and sick leave of the Facilities Manager.

**CRUISER BIDS:**

Bids were received from the following for three (3) cruisers for the Sheriff's Office:

1. Darling's Ford, at \$21, 671.00 each, including all fees and title.
2. Dave Gould Ford, at \$21,117.00 plus document fee and title for one, \$21,109.00 plus document fee and title for one and \$21,762 plus document fee and title for one that was in stock, but not to specification.

There was a few minutes of discussion and debate about whether there was a bid received from Kallis Ford in Belfast. None had been received by the County Clerk, and the Sheriff was unaware of any received at the Sheriff's Office. Bids were due and the County Commissioners Office by Monday, February 13 by 4:00 p.m. Since none had arrived, the Commissioners decided that it would not be ethical to wait until later in the meeting, nor would it be appropriate to contact Kallis Ford to see if they had been aware of the bid request and had intended to submit one.

**\*\*G. Boetsch moved, A. Fowler seconded accepting the bid from Darling's Ford in Bangor for three (3) cruisers at \$21,671.00 each.**

(The Sheriff later came back to the meeting and informed the Commissioners that Kallis had mistakenly delivered the bid on Monday before 4:00 to the Sheriff's Office and it had been put with mail to go down to the Commissioners Office, as the staff was unaware that it was time-sensitive material. The Commissioners reiterated, and the Sheriff agreed, that it was an unfortunate set of events, but the bid was not received at the proper place by the deadline, so it could not be considered.)

S. Story reported the following to the Commissioners:

1. Regarding 2005 Asset Forfeiture, no federal funds had been received. The Sheriff required the signature of the Commissioner Chairman confirming this fact.

**\*\*A. Fowler moved, G. Boetsch seconded sending the report that \$0.00 had been received in Federal Asset Forfeiture. Unanimous.**

2. UNITY FIREHOUSE PROPOSED SHERIFF'S SUBSTATION: S. Story brought a tentative figure submitted by the Town of Unity for cost associated with the proposed space for a Sheriff's substation for deputies to use as a clerical and reporting base. The Town had figured that it would be about \$270.00 for a

20-year payback on the square footage for this proposed space for the deputies. S. Story revealed that he had calculated the cost to be about \$50.00 per day for deputies to travel back to the Belfast office. He felt that “this place would easily pay for itself.” He acknowledged that this was all still in the preliminary-discussion stage. The proposed space is 251 square feet at \$114.00 per square foot, which would be \$29,000.00, plus with electric, etc., that would be about \$11.00 per day. S. Story stated that it would “wind up being \$60,000.00 when all is said and done.”

3. S. Story briefly summarized a report from the Corrections Advisory Committee (CAAC). There was brief discussion of sharing services including use of the V.O.A. There was brief discussion about “tele-services and efficient use of the Community Corrections fund. S. Story explained that they wished to examine the state and federal subsidizing of the counties. Regionalization is being looked into more closely. Statewide transportation is being looked into.

4. S. Story requested that the Commissioners go into the scheduled executive session.

**\*\*A. Fowler moved, G. Boetsch seconded entering Executive Session according to Title 1, § 405, Section F at 9:50 a.m. Unanimous.**

**\*\*A. Fowler moved, G. Boetsch seconded exiting Executive Session at 10:01 a.m. Unanimous.**

The Commissioners thanked Sheriff Story for his report.

#### **WEST CHASE ROAD PETITION HEARING:**

(The County Commissioners held a hearing at 10:00 a.m. as requested by Plaintiffs Albert and Debra Ludden of Jackson. Minutes for this hearing are separate.)

#### **EMERGENCY MANAGEMENT AGENCY REPORT:**

Present with the Commissioners for this session was E.M.A. Director Dale Rowley who reported the following:

1. National Incident Management System (NIMS) training is necessary for all Emergency Operating Committee staff, Sheriff’s deputies, Dispatch, Clerks, and Commissioners. NIMS training is scheduled for April 22, 2006 at 8:00 to 11:00 a.m. The ICS training in the afternoon is not required for the County Clerk and the Commissioners. D. Rowley would send more information.
2. **GENERATORS:** D. Rowley reported that he had found that there was no electrical hook-up and no generator for Troy Howard Middle School, which is to serve as a shelter on an as-needed basis during times of local disaster or crisis. The Commissioners were shocked to hear this, as they had been under the impression that the hook-up was in place and a contract in place to rent a generator whenever it was needed. D. Rowley had learned that there was an agreement in 2002 that THMS would maintain the hook-up. It was never installed. A 150-kilowatt generator is required. D. Rowley hand contacted the generator people and it would be \$720.00 per month just to retain one. When D. Rowley looked into obtaining one from the National Guard, they could only commit to a “first-come, first-serve” arrangement. D. Rowley checked on the generator that the County had sent to Searsport for use in the school there and found further reason for concern. The school that is being built has the wrong amperage for that generator. The generator requires some work, as well, and D. Rowley had discovered that a proposal was sent to a company named Mansfield to repair it and Mansfield had forwarded this proposal to the

E.M.A, which sent it to the state. The state put money in LEPC, a check was sent last February and yet only 10% of the work has been completed at this point. The Commissioners asked for options. D. Rowley suggested the following:

- Take the 150 Kilowatt generator back from Searsport and use at the T.H.M.S.
- Get another generator with a smaller size kilowatt for Searsport. J. Hyk said he'd need the right size and he would call someone about this.
- D. Rowley suggested getting all necessary people together to resolve the issue of where the generator for T.H.M.S. should come from and how to hook it up.
- It will be about \$5,000.00 to do the hook-up at T.H.M.S. J. Hyk suggested using contingency to fund it. B. Arseneau recalled that there was reserve account for Emergency Shelters. A quick review revealed over \$6,700.00 was in that reserve.
- D. Rowley showed the contract on the generators and it was with Central Maine Diesel.

J. Hyk instructed B. Arseneau to include fuel for the generators when she requested bid proposals for fuel oil.

3. D. Rowley told the Commissioners that the E.M.A. had to send \$7,023.79 back to the state in 2003 because it hadn't been used by Waldo County. 2004 funds have to have been expended by May 1, 2006 and D. Rowley did not intend to send any of it back.
4. D. Rowley submitted a list of goals and accomplishments. He complimented EMA Administrative Assistant Olga Rumney and commented that she was working out well.
5. The E.M.A. Department was reaching to, especially, the towns that have historically never been in attendance at emergency meetings in the past.
6. Minutes and lists from recent meetings were submitted to the Commissioners.
7. There was discussion of insurance coverage for the Decon (Decontamination) Strike Team. D. Rowley reported that 45 showed up in Searsport.
8. D. Rowley is cutting unnecessary expenses and using the money for necessary things.
9. There was brief discussion of grants for generators possibly being available for the generators situation.

The Commissioners thanked D. Rowley for his excellent work and progress.

#### **FACILITIES REPORT:**

Present with the Commissioners was Keith Overlock, who reported the following:

1. He changed a motor on the furnace at the Superior Courthouse. Most of the problems are with the people who keep turning the heat up too high.
2. Things were going well and he was enjoying the work.

3. Heartwood Millworks Company will fabricate the rail for the superior Courthouse from wood, probably poplar, with a good finish. Time and materials will be capped at \$4,000.00 and the contractor would charge less if possible.
4. K. Overlock had looked at the finish on the woodwork at the Superior Courthouse and had determined that it was a painted finish designed to look like wood grain. R. Fenney has expressed approval in refinishing it, as it is damaged and scratched in numerous places.
5. The Sheriff's roof lost quite a few shingles during the January windstorm. So far it is not leaking. K. Overlock would wait until warmer weather to look into repairing it.
6. J. Hyk expressed his view that the County was either going to rent space for the Sheriff's Office or build a new one. He recommended selling the current Sheriff's building with the Old Jail. He felt that the County could not keep hanging onto the Sheriff's building and not fix the roof. He added, "If we have to, we can tear it down ourselves."
7. Architect Robert Fenney has been consulted regarding the Sheriff's Office and he does not feel that it would be income property. He has suggested putting the Sheriff over the Police Department in Belfast. He thought that it would be good for technology needs, etc.
8. The old Robertson School was suggested as possible space for the Sheriff's Office. Technology costs would need to be considered and it would have to be understood that they would be there for a while.
9. K. Overlock is working with R. Fenney on bidding for a boiler, new concrete floor, and ventilation for the District Courthouse. This summer, either the floor or ceiling would need to be torn out to put a furnace pipe in.
10. Regarding ADA issues with the Superior Courthouse lobby, the state has their own facility person and there has been discussion of options for the workstation/counters situation. It is possible that it may all be done by the state.
11. K. Overlock was planning for all the records currently in the Superior Courthouse basement lobby to be put into plastic totes and put behind locked doors in order to meet requirements.
12. R. Fenney is assisting K. Overlock in looking into the access issue with the District Courthouse front entrance.
13. R. Fenney is also working on the access issue at the University of Maine Cooperative Extension.
14. Outlets are being installed for a dehumidifier in the Superior Courthouse basement. One room will be archival records space and one will be the District Attorney's records space. J. Hyk suggested one large dehumidifier to cover both.

1. B. Arseneau asked the Commissioners if they intended for items that had changed in the Union Contract for 2006-2008 that would also be changed in the Personnel Policy to take affect for all employees on January 1, 2006.

**\*\*A. Fowler moved, G. Boetsch seconded for the changes in the Union Contract that were to be mirrored in the Personnel Policy to take affect retroactively to January 1, 2006.**

2. B. Arseneau inquired about temporary employees and benefits. The attorney had explained that it was not good practice to keep a temporary employee working full-time hours for months on end with no benefits. She recommended either 3 months or 6 months. The Commissioners thought that it should be immediately, just as with a regular full-time employees and asked B. Arseneau to get her opinion on that.

3. B. Arseneau inquired about whether the policy should reflect that part-time employees should be evaluated along with full-time employees. The Commissioners agreed that this should be the case.

4. B. Arseneau was to inquire about probationary periods for part-time people.

5. B. Arseneau discussed the concept of crediting all sick, vacation, and personal leave at the beginning of the year each year, and also at the date of hire for new employees, for tracking purposes. The probationary period would still apply in terms of no vacation leave being used prior to the end of six months, and no sick leave to be used prior to the end of three months. An employee who used more time than would have been accrued would have that deducted from their final paycheck if they left employment with the County prior to the end of the year.

#### **MINUTES APPROVED:**

**\*\*G. Boetsch moved, A. Fowler seconded approving the minutes from the January 31, 2006 with the amendment that Miscellaneous would be only under "Possible space in Superior Courthouse." Unanimous.**

#### **CORRESPONDENCE:**

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

1. Next Monday, February 20, 2006 is President's day and the office will be closed.

2. Maritime Energy submitted and update on the "Maritimes" Phase IV Project.

3. Archivist Cheryl Coats informed the Commissioners that she had emptied the last documents from the old metal drawers in the Superior Courthouse basement and the shelving unit should probably be discarded as it is in poor condition. The Commissioners told B. Arseneau to have the Facilities Manager remove it from the building. C. Coats also submitted a list of old Commissioners and other records to be discarded.

**\*\*A. Fowler moved, G. Boetsch seconded disposing of those recommended records for the list dated 1-1-06 through 2-13-06. Unanimous.**

4. The Commissioners decided to keep the extra copies of the financial condition of Waldo County booklets for various years that had been found.

5. York County Commissioner Lucien A. Dutremble passed away February 7, 2006. The Waldo County office had sent a sympathy card.
6. A memo was received indicating that Transportation Supervisor Michael Dudley had been promoted to the rank of Corporal. This promotion does not carry a step raise because he is already paid at that level, but was a well-deserved promotion in rank
7. Lorraine Farmer has successfully completed her six-month probationary period and will receive a pay step increase from \$13.15 to \$13.59 per hour. The Commissioners noted this step increase.
8. Corrections Officer Elmer Sweetland will receive a two-year pay step increase from \$13.78 to \$13.97 per hour effective February 24, 2006. The Commissioners note this.
9. A memo from B. Arseneau to Grayson Hartley of the Jail Research Committee dated February 9, 2006 was read to the Commissioners. It indicated that the Commissioners are willing to assist the Committee in resuming the work it started this past year and offered to set up a meeting with Architects Curtiss Pulitzer of Pulitzer/Bogard and Arthur Thompson and Dennis Jud of SMRT. B. Arseneau informed the Commissioners that G. Hartley had responded that he felt the Committee needed to meet on their own sometime in April first to determine if they wished to keep meeting and moving forward.

#### **MISCELLANEOUS COMMISSIONERS' REPORTS:**

The Commissioners did not have any particular business or reports at this time.

#### **FUTURE COMMISSIONERS COURT SESSIONS:**

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

- ❖ **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

#### **NEXT MEETING'S AGENDA:**

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

- Setting the Mil Rate
- Surplus and reserve funding will be discussed
- Revisions in the Personnel Policy for review and discussion

**\*\*G. Boetsch moved, A. Fowler seconded adjourning the meeting at 12:27 p.m. Unanimous.**

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