

WALDO COUNTY COMMISSIONERS COURT SESSION
May 8, 2007

PRESENT: Commissioners John M. Hyk (Chairman), Donald P. Berry, Sr. and Amy R. Fowler. Also present was Treasurer David A. Parkman, Deputy Treasurer Karen Trussell, and County Clerk Barbara Arseneau.

TREASURER'S REPORT: Present for this report was Treasurer David Parkman and Deputy Treasurer Karen Trussell.

REVENUE CONTROL REPORT:

34% in revenue has been received at this point in the year. D. Parkman remarked that he would like to see it be higher, although it is "right on track." He mentioned that no EMA reimbursement from the State has been received to date. Usually one reimbursement has been received by now.

APPROPRIATIONS:

D. Parkman explained that the County budget could be about 33% expended at this point in the year and is currently 31% expended. He reported that inmate boarding costs are good and that Probate Court's Appointments are a little high, but it must be kept in mind that Probate brings in restitution money as revenue. He further reported that the Communications Center Part-time expenditure is running "high." B. Arseneau explained that Communications Director Owen Smith had telephoned to inform her that he was aware that this was the case due, in part, to unanticipated military leave and family medical leave for some of the employees. He would be willing to come before the Commissioners and explain further, if they so desired, as there were other factors, too. The Commissioners felt that this explanation was sufficient.

WARRANTS:

Treasurer D. Parkman read expenditures from the Capital and Restricted Reserve Accounts.

ASSET FORFEITURE:

Sheriff Story sent a document requesting approval by the County Commissioners to accept forfeited assets in the amount of \$150.00 that was seized from Matthew A. Sylvester on November 7, 2006.

****D. Berry moved, A. Fowler seconded accepting the forfeited assets received from "The State versus Matthew Sylvester" in the amount of \$150.00. Unanimous.** The County Commissioners signed this document.

ERROR IN DEFERRED COMPENSATION PLAN ACCOUNTS:

B. Arseneau asked if she could speak during the Treasurer's Report because she had a situation to address that required the Treasurer's assistance. She explained that a recent report from the Human Resources/Payroll Director had shown that portions of employee shares of five employees were erroneously removed on or about January 17, 2007 because it had appeared that the County Match had been applied to these employees. It was finally determined that the match had been applied only in one pay period in 2007, rather than the entire previous year. B. Arseneau asked for permission to restore those funds to the Deferred Compensation Plan accounts of these employees from the Undesignated Funds account that the money had gone into in January, in the amount of \$3,000.00.

****D. Berry moved, A. Fowler seconded allowing \$3,000.00 total from the Undesignated Funds to be put back in the Lord, Abbett and Co. accounts of the five employees as requested. Unanimous.**

B. Arseneau and K. Trussell explained that the payroll company was being contacted to try to track these so that this would not occur again in the future. If that was not possible, internal controls would be implemented.

SECESSION LEGISLATION:

D. Parkman reported that he, through Senator Carol Weston, had developed and introduced legislation for a process for any town to secede from the county it is in. He listed some of the main points of that bill and commented that three citizens from Islesboro had attended and supported this bill. The Commissioners commended D. Parkman for his work on this legislation.

RESERVE ACCOUNTS:

D. Parkman read expenditures from the reserve accounts.

****D. Berry moved, A. Fowler seconded authorizing payment of invoices on the April 26, 2007 Capital, Active and Restricted accounts in the amount of \$8,908.70. Unanimous.**

****D. Berry moved, A. Fowler seconded authorizing payment of invoices on the April 26, 2007 regular warrant in the amount of \$87,167.37. Unanimous.**

****D. Berry moved, A. Fowler seconded authorizing payment of invoices on the May 8, 2007 Capital, Active and Restricted Reserves in the amount of \$29,849.92. Unanimous.**

****D. Berry moved, A. Fowler seconded authorizing payment of the invoices on the May 8, 2007 regular warrant in the amount of \$130,019.30. Unanimous.**

****A. Fowler moved, D. Berry seconded to accept the Treasurer's Report as presented. Unanimous.**

DISTRICT COURTHOUSE LEASE:

Present for this discussion was James (Ted) Glessner, Sheriff Scott Story, Facilities Manager Keith Overlock, and Treasurer David Parkman.

The Commissioners asked T. Glessner if he had reviewed the lease and he explained that he had, and expressed concern over the large increase in the rent. He informed the Commissioners that the Court was appreciative for the space that is currently rented, because in some counties, District Court must share with Probate Court for space. He complimented the Commissioners on Waldo County's Probate Court space. He did mention that there was a need for a second hearing room for District Court, however.

T. Glessner listed the problems with the proposed lease as follows:

1. The lease was already "on the high end to begin with," although he conceded, "We may be paying too low everywhere else."
2. The timing "is not good, for this increase, as we are near the end of the legislative session," he explained. When the State gave the legislation its budget estimates, they used a 3% increase. The County is proposing a 60% increase. T. Glessner stated that he "wasn't saying this was unfair," but it certainly was much higher than anticipated.

J. Hyk acknowledged that the commissioners realized that the rent has been increasing each year, according to the current lease, but the last year or so the rent has not kept up with the expenses. He mentioned Waldo County's current issue with lack of space and explained that the Commissioners had sent the Sheriff looking for space for the Sheriff's Office to rent, but the Sheriff couldn't find space any cheaper than the rate being proposed to the District Court. "We're not trying to give the State a hard time or trying to push you out," J. Hyk assured T. Glessner. "But we're not interested in subsidizing the State, either." He went on to explain that the Commissioners would like the people in the County to build the Sheriff a proper Jail/Sheriff facility and to allow the District Court system to stay in the courthouse until a proper courthouse can be built.

T. Glessner told the Commissioners that he would have to go before the Legislature later that afternoon and he was not confident it would work. "This is \$43,000.00 we're talking about," he emphasized. "If the Legislature says no, we may have to vacate July 1st, or we may have to send cases to other counties." He told the Commissioners that he needed to know if the space was needed for something else or not, and that he needed to know if "we're really talking about July 1st or two years from now."

J. Hyk explained that the Commissioners thought that they were working with the State for the next six years. Turning to Facilities Manager Keith Overlock, he inquired, "What are we paying for fuel oil?"

"\$2.29 a gallon," replied K. Overlock. When asked, Deputy Treasurer Karen Trussell provided the fuel expenditures for the District Courthouse from 2002 through 2006. The Commissioners asked if bids had been received for fuel oil for the next twelve months and K. Overlock reminded them that opening these bids was on today's agenda. The Commissioners decided to open bids right then to see what the County would be paying for the year, starting June 1st.

FUEL OIL BIDS FOR 2007-08:

Sealed bids for fuel oil for June 1, 2007 through May 31, 2008 were received as follows:

1. Thompson's Oil & Propane: Fixed rate of \$2.175. (Almost 12.5 cents lower than the current price.)
2. Community Fuels: Fixed rate of \$2.24 per gallon. (About 4 cents lower than the current price.)
3. Irving Oil: Fixed rate of \$2.53. (About 24 cents higher.)

****A. Fowler moved, D. Berry seconded accepting the bid from Thompson's at \$2.175 per gallon for fuel oil for June 1, 2007 through May 31, 2008. Unanimous.**

J. Hyk commented, "Well, opening the bids did not help our case at all, but we need to put the Sheriff in some proper facility."

K. Overlock wondered about electricity costs in other courts, and this concern was briefly discussed.

D. Berry recommended that T. Glessner approach the Legislature with the figures as presented or come back with numbers he wished to present to the Commissioners.

K. Overlock commented, "The Jail and Sheriff's facilities have outlived their usefulness. Their work has changed and increased. These buildings are no longer appropriate."

T. Glessner told the Commissioners he understood their position, but he also needed them to understand the Court's view and concerns. He stated that was about "comparability" in that Waldo's rent was already

higher than most counties, and that the Court could not absorb the cost – this has to go before the Legislature.

There was brief discussion of a possible future courthouse and other places, as well. J. Hyk said, “Let’s stand this on its head.” You find this building ideal. How long would you feel this is ideal?”

T. Glessner responded, “Well, we really do need a second hearing room.” J. Hyk asked T. Glessner if he would be interested in the entire Commissioners’/Treasurer’s Office three rooms in addition to the Court’s current space. T. Glessner replied, “Possibly. I would have to look at our situation more.” When asked if he would still be going before the Legislature, T. Glessner responded that he would be. He was not counting on getting the additional funds for the rent, but thought he might be able to come back and negotiate. J. Hyk acknowledged that even if the Sheriff’s Office moved into the space, the technology costs associated with this would need to be considered.

T. Glessner told the Commissioners he would be back in touch with them after he had met with the Legislature.

FACILITIES REPORT:

Present for this report was Facilities Manager Keith Overlock, who reported the following:

1. 40 boxes of court records are sitting in the Superior Courthouse and Court Clerk Terri Curtis would like them disposed of. K. Overlock asked if this was his responsibility and the Commissioners sent someone to see if T. Glessner had left yet, as this was really a question for him. Mr. Glessner was found and returned to the meeting. When the question was posed to him, he explained that there was “a line” between the County’s responsibility and the State’s, and disposing of the State’s records was the responsibility of the State. He stated that he would have a State records person work with Court Clerk Terri Curtis on this matter. It was mentioned that there are other requests of the Facilities Manager at times, such as fixing desks in the Court Clerk’s Office, etc. that may not be his responsibility and T. Glessner said that “if a request is inappropriate, the State will deal with it.” The Commissioners thanked T. Glessner for returning briefly for this inquiry.
3. There is surplus property in the basement of the Superior Courthouse including old desks, chairs and jail beds. K. Overlock asked for permission to dispose of these things and the Commissioners authorized this.
4. Deputy District Attorney Leane Zainea sent a letter requesting that a filing cabinet and table located in the basement of the Superior Courthouse be loaned to the Restorative Justice Project of the Midcoast to utilize at their new office. Facilities Manager Keith Overlock had no objection to this. The Commissioners briefly discussed this and decided that the RJP should be allowed to keep rather than borrow these items.
5. K. Overlock informed the Commissioners that there are “two nice antique stoves” in the basement of the Jail. The Commissioners recommended auctioning these.
6. K. Overlock met with Chris Shrum of Eastern Maine Development Corporation, who said he should be able to apply for and obtain ADA grant funds so that all the handicap ramps can be done properly at a minimal cost to the County. J. Hyk felt that the ramps could not wait. K. Overlock explained that the County could get automatic door openers, which were really necessary for easier handicap access into the

buildings. Awnings over the entrances could be installed and would make it much easier to maintain clear entrances, as well. These door openers and awnings could be installed at all the County building entrances. J. Hyk expressed concern over the condition of the handicap ramp at the University of Maine Cooperative Extension Office in particular as it is utilized by one of the employees there. K. Overlock said he had had a conversation with the people at the University of Maine Cooperative Extension and they had stated that they were willing to wait on the ramp repair if they could get the door opener and awning, as well. The Commissioners then agreed to wait for the grant money, but expressed that this money needed to come through in time to do this for 2008. K. Overlock said that Chris Shrum had told him he had never failed to obtain ADA grants and was confident he could get this one, too. As K. Overlock understood it, it would be about \$100,000.00 total.

7. A letter has been received from Wardwell Contracting thanking the County for allowing them to use a small portion of the County land off Congress Street to store equipment while they facilitate the expansion of Little River Apparel on Little River Drive. Wardwell will be taking photographs before use of the property and will restore the lot when they are finished with the project. Wardwell will also, as discussed with Commissioner Hyk, remediate some ongoing erosion problems that were created years ago and will install gate posts at the entrance if the Commissioners should decide to block access to this area.

8. K. Overlock wondered if someone could look at putting a drainage pipe near the Jail to reduce the continual flooding issues. J. Hyk recommended speaking to Joe Wardwell about that, since they were working in the area anyway.

9. There is excessive heat in the boiler room at the Jail. There are some heat recovery systems that might work in this situation. K. Overlock explained that there is something wrong with the air handler, as well. He is trying to figure it out. J. Hyk asked him why he had not hired someone to look at it. K. Overlock explained that his budget was short, so he had been trying to figure this out himself. J. Hyk instructed K. Overlock to hire a contractor who deals with air handling. K. Overlock agreed that this would be a good idea and would contact a contractor. S. Story spoke up regarding work performed by Thayer Corporation on the boiler in the Jail. This company came in and said that whoever did the work on the boiler before they arrived had done it wrong. Even after Thayer worked on this, it still isn't working. K. Overlock confirmed that this is a problem and he has been trying to figure it out. J. Hyk recommended a contractor from Albion be contacted by K. Overlock.

10. K. Overlock had continued researching a new boiler system for the Superior Courthouse and had been told that it would save about 30 to 40% in fuel costs. The Commissioners asked him to obtain estimates for the system itself. K. Overlock explained that this would be a nine-year payback. He also expressed concern about peaks in electricity usage and costs. He would like to record the peaks and see if there is a way to reduce the costs.

11. K. Overlock explained how much his personal vehicle is being used hauling trash, oil, recycling, etc. between the County buildings and the Transfer station, etc. He wished to ask for double the mileage rate since using his vehicle is wearing it out, is becoming soiled and he can't even keep one of the bench seats in it because he has to carry so many things for the County. He believed he was averaging \$30.00 at least per week in costs. S. Story asked if he could make a recommendation and was told he might. He recommended that a stipend be put in place rather than just charging this to the Facilities mileage budget line. S. Story felt that this would be better received and understood by the Budget Committee in the future. The

Commissioners were in favor of this recommendation and asked K. Overlock to figure out the stipend instead. He returned with a recommendation of \$33.00 per week, or \$1,600.00 per year total.

****D. Berry moved, A. Fowler seconded to approve \$33.00 per week as a vehicle stipend, or \$1,600.00 per year. Unanimous.**

STARTING SALARIES FOR SOME DEPARTMENTS:

Present for this discussion was H.R./Payroll Director Michelle Wadsworth who, as directed previously by the County Commissioners, had researched with the assistance of Deputy County Clerk Veronica Stover the starting salaries for several positions that Waldo County had not established starting salaries for, including the positions of Deputy County Clerk, Deputy Treasurer, Human Resources (and County Administrator at the request of A. Fowler.) M. Wadsworth submitted a spreadsheet with the other fifteen counties' starting salaries for these positions for comparison. The Commissioners decided to look closely at these comparisons and decisions would be made at a later date.

MISCELLANEOUS COMMISSIONERS' REPORTS & APPROVAL OF MINUTES:

1. D. Berry reported that he had joined the Healthy Communities Coalition. B. Arseneau had brought him up to speed and there is one issue that needs addressing. The Towns of Prospect, Frankfort and Stockton Springs have been part of the Bucksport coalition in Hancock County. The State is changing its approach to funding these coalitions by putting them all under one "umbrella," and the Waldo County Healthy Communities Coalition is involved in a RFP process that calls for defining the boundaries of these coalitions. The Commissioners all felt that the afore-mentioned three towns should be served by the Waldo County Healthy Coalition rather than the Hancock one, as County lines would be the most logical dividing points between coalitions. D. Berry mentioned that there would be a conference telephone call with the Bucksport Coalition tomorrow with the goal of telling them that these three towns should be served by Waldo County. J. Hyk explained that before there was a clinic in the nearby Town of Brooks, residents in those three towns tended to be connected to Bucksport because there are no clinics, churches, businesses or schools in Prospect. Those residents generally go to Bucksport for these services.

2. D. Berry reported that he has been elected as one of the Corporators of Eastern Maine Health Corporation. He commented that this group "has good things going on." The group is planning another building for genetics in the Bangor, similar to Jackson Labs.

3. During their recent Town meeting, Montville citizens voted to discontinue two roads. One of the Selectmen has quit. The Town Clerk has expressed concern over possible legal issues involved and that errors may be taking place. The Commissioners agreed that this was a matter for MMA, and not for the Commissioners.

CORRESPONDENCE:

Reporting correspondence to the Commissioners was County Clerk Barbara L. Arseneau with Deputy County Clerk Veronica Stover present to take notes for the minutes. The following was reported:

1. B. Arseneau informed the County Commissioners that due to the full Commissioners court schedule for May, she had scheduled the tax abatement appeal of Justine Marks vs. Town of Burnham for the June 12, 2007 Commissioners Court Session.

2. Communications Director Owen Smith sent notice that Part-time Dispatcher Lacey Johnson has resigned, effective April 28, 2007, to enter into the military. O. Smith commended her as a “valuable asset” who “will be missed.”

****D. Berry moved, A. Fowler seconded accepting with regret the resignation of Lacey Johnson, effective April 28, 2007. Unanimous.**

3. Detective Jason Bosco has been promoted to Detective at the Waldo County Sheriff’s Office effective April 15, 2007. His pay increased from \$16.55 to \$18.27 per hour. The County Commissioners noted this promotion.

4. The following employees have been recommended for hire as part-time Corrections Officers, each at \$11.40 per hour:

- January Hapworth, effective April 23, 2007 for undetermined hours.

****D. Berry moved, A. Fowler seconded accepting the part-time hire of January Hapworth effective April 23, 2007. Unanimous.**

- Ian Howard, effective April 23, 2007 for undetermined hours.

****D. Berry moved, A. Fowler seconded accepting the part-time hire of Ian Howard effective April 23, 2007. Unanimous.**

- Ruben J. Page, effective April 23, 2007 for undetermined hours.

****D. Berry moved, A. Fowler seconded accepting the part-time hire of Ruben J. Page effective April 23, 2007. Unanimous.**

- Bruce Ray Rust, effective April 23, 2007 for undetermined hours.

****D. Berry moved, A. Fowler seconded accepting the part-time hire of Bruce Ray Rust effective April 23, 2007. Unanimous.**

5. Pay step increases were read for the following employees:

- Dispatcher Misty Lewis reached her 8th year pay step on May 1 2007 from \$16.29 to \$17.00 per hour.
- Detective Jason Trundy will reach his 12-year pay step on May 15, 2007, from \$18.79 to \$19.20 per hour.
- Deputy Glenn Graef will reach his sic-month pay step on May 18, 2007, from \$14.92 to \$15.12 per hour.

The County Commissioners noted these pay step increases.

6. It was noted that Eric W. Harvey was hired as part-time Sheriff’s Officer on January 21, 1999. He was employed full-time on March 14, 1999 and resigned from the full-time status on September 1, 1999, however he has and will continue to maintain his part-time status since that date.

7. AETNA Healthcare is working on providing in the near future, at no cost to the County and with no administrative involvement for County staff, an “Aetna Healthy Living Visa credit card” for Aetna’s medical, pharmacy and behavioral health members. This card is “a tool for payment of out-of-pocket medical expenses as well as everyday purchases and offers a variety of features including a rewards program to promote physical and financial health.” B. Arseneau had contacted Commissioner Chairman John Hyk about this because if the County did not wish to allow this, notification had to be given to AETNA by April 30, 2007. Commissioner Hyk had felt there was no reason to deny employees this opportunity. The other Commissioners were in agreement.

8. The State of Maine GeoLibrary Board is looking for a representative of county government to serve as a member. According to the notice, "GIS technology has many potential uses for county government, including law enforcement and emergency management." If anyone is interested in this appointment or wants more information, they are to contact MCCA Executive Director Robert Howe. The Commissioners instructed B. Arseneau to send this request to both the Communications Director and the EMA Director.

9. L.D. 1614 An Act to Transfer All Registry of Deeds and Probate Functions to the Secretary of State and Courts was briefly discussed. MCCA Director Robert Howe's opinion was that it was unlikely this would get past the partisan vote, as there are no Democrat sponsors.

10. The regular MCCA Meeting is scheduled tomorrow at 11 Columbia St. in Augusta.

11. Jail Study Committee Chairman Grayson Hartley sent a summary of recent work done by the committee. Presently arrangements are being made to hold a joint meeting of the Waldo and Knox Jail study committees with the goals of "identifying the jail facility situations in both counties, and to ascertain what degree of regionalization can be developed to resolve the jail situations." This is the initial meeting and it is hoped that other meetings will follow. The Waldo Jail Study Committee has set a deadline of October 31, 2007 to complete its study with a full report to the County Commissioners and Budget Committee in the fall prior to county budget review. B. Arseneau explained that she had contacted G. Hartley to inform him that budget review for the Commissioners starts in early September and to keep that timetable in mind. G. Hartley stated that the Jail Study Committee was not looking to request funds, but to merely bring a report.

12. A. Fowler noted that there were a few grammatical errors in the April 4, 2006 April 10, 2007 minutes that she would like to see corrected before the minutes would be approved at the next meeting.

NEXT COMMISSIONERS' SESSION:

- The next Commissioners Court Session will be June 12, 2007.
- B. Arseneau is to schedule a tax abatement hearing for Justine Marks vs. Town of Burnham.

****A. Fowler moved, D. Berry seconded adjourning the meeting at 11:28 a.m. Unanimous.**

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