

**WALDO COUNTY COMMISSIONERS COURT SESSION  
OCTOBER 9, 2007**

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

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

D. Parkman informed the Commissioners that twelve (12) towns have paid their property taxes to date as follows: Burnham, Jackson, Knox, Montville, Northport, Searsmont, Searsport, Swanville, Unity, Waldo, Winterport as well as the Unorganized Territories, which is paid by the State of Maine.

The balance remaining in the checking account after the most recent warrant is paid will be \$272,124.87.

**REVENUE:** Over \$104,000.00 in revenue has been received to date this year. D. Parkman asked that the Commissioners make a decision on Corrections Reimbursement as there is \$217,312.00 in that fund. D. Parkman recommended taking out \$200,000.00. The Commissioners decided not to take this action yet.

**APPROPRIATIONS:** Overall, 70% of the budget has been expended at this point in the year. D. Parkman commented on the Professional Services line in the County Commissioners budget as being "way over" at 78% expended. J. Hyk remarked, "We'll continue to bleed until the end," referring to expenditures related to legal counsel.

J. Hyk inquired as to how much there was in "surplus" (or undesignated funds) and K. Trussell responded that there was about \$82,000.00. He then asked if it was up to the Commissioners to disperse this money and D. Parkman agreed that it was. J. Hyk then asked how Contingency was set and was told that some counties have \$250,000.00 and some have as much as \$500,000.00 set aside for contingency money. He told D. Parkman that before the Commissioners changed anything, he wanted to be sure that no contingency funds would be used to pay the overdraft in Jail Boarding because the Budget Committee had cut the budget request for that line.

D. Parkman explained that the County was up to 13% to 14% in surplus, and stated that everything the Commissioners – and the previous boards of Commissioners – have tried to do to build the surplus has been undone by the Budget Committee. There was brief discussion of concern about the Board budget being overdrawn and how to handle this. The Commissioners asked B. Arseneau to look up statutes regarding Contingency funds.

D. Parkman continued reviewing the appropriations report. He noted that the Jail budget was already 80% expended, the Communications Center budget was 77% expended and while the Registry of Probate budget was 77% expended, he was not concerned because the fees collected from Court Appointments had come in at about \$8,900.00, which balanced out the expenditures in that line. He noted, too, that the Interest budget was expended at \$41,000.00 as of October 4, 2007.

D. Parkman informed the Commissioners that he was being interviewed by VillageSoup News Reporter Jay Davis tomorrow. He then read expenditures from the Reserve accounts.

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

**\*\* D. Berry, A. Fowler seconded to authorize payment of the September 28, 2007 Capital, Active and Restricted Accounts in the amount of \$5,789.19. Unanimous.**

**\*\* D. Berry moved, A. Fowler seconded to authorize payment of the Sept. 28, 2007 Reg. Warrant in the amount of \$253,379.89. Unanimous.**

**\*\* D. Berry moved, A. Fowler seconded to authorize payment of the Oct. 9, 2007 Capital and Restricted accounts in the amount of \$17,880.66. Unanimous.**

**\*\* D. Berry moved, A. Fowler seconded to authorize payment of the October 9, 2007 Regular Warrant in the amount of \$1,481,040.07. Unanimous.**

#### **COMMUNICATIONS CENTER REPORT:**

Present for this report was Communications Director Owen Smith. J. Hyk asked O. Smith which budget tower repairs were funded from. O. Smith replied, "Mostly in my budget."

O. Smith reported that Dispatcher Jenny Kronholm resigned last Sunday.

**\*\* A. Fowler moved, D. Berry seconded to accept with regret the resignation of Jenny Kronholm from the Communications Center effective October 7, 2007. Unanimous.**

To fill that vacancy, O. Smith recommended hiring former part-time Dispatcher Melissa Pooler to work full-time effective October 12, 2009. Since she had been dispatching part-time for 3.5 years, O. Smith requested that she start at the one-year pay step of \$14.49.

**\*\* D. Berry moved, A. Fowler seconded to hire former part-time Dispatcher Melissa Pooler at the one-year step of \$14.49 per hour, due to the amount of time she had already worked as a dispatcher.** Discussion: J. Hyk asked for clarification that this was not the base wage, but the first year level and was told that this was correct. **Unanimous.**

#### **EMA REPORT:**

Present for was EMA Director Dale Rowley, who reported the following:

- There has been a Presidential Disaster Declared for the St. Patrick's Day storm.
- Overview of the recent Regional Disaster Training Exercise: D. Rowley noted that the most difficult part was when the State and Federal folks came into the exercise; there was a little confusion about who was in charge of exercise. Saturday was EMA's charge and all went well. D. Rowley said they found out that they didn't keep track of which family member went on which ambulance service to which facility. Families started calling and there was some disorganization. This was important to learn and will be addressed in the future.
- About \$240,000.00 in EMA grant funding has been received to date.
- Reserve Accounts: D. Rowley inquired about a reserve account he had heard might have been set up by the County Commissioners and wondered if the Commissioners intended for Waldo County to

have its own HAZMAT Team. J. Hyk explained that this reserve might be started in case the County ever did want a team of its own. He was not sure if the Commissioners were ready to commit to that yet or not.

- D. Rowley said that he was already working on a “Go Team” and might be able to get monitor equipment for this. He wondered if the Commissioners were going to hold off on this reserve account. J. Hyk asked if he disagreed and D. Rowley said he did not.
- D. Parkman wondered if there should be an account called “Shelter.” The reserve accounts were reviewed again briefly.
- Generators: D. Rowley informed the Commissioners that the County will have two (2) generators, but these will not require match funds.
- D. Rowley invited the Commissioners to attend the Second Annual EMA Awards Banquet on November 27<sup>th</sup> at 7:00 p.m.
- D. Rowley expressed interest and some concern in the matter of the State taking over the County Jail. “We [EMA] are in that building, so we need to be kept aware of meeting dates and times. The Commissioners asked B. Arseneau to forward information she received about these meetings to D. Rowley.
- D. Rowley commented that Waldo County’s EMA was in better shape than many, even though the facilities are not ideal with flooding that occurs when inmates stuff sheets and other items in the toilets and overflow a cell above the EMA space.

A. Fowler inquired about the Tower Grant. D. Rowley said he had been discussing this with Comm. Center Director Owen Smith, who is gathering figures from vendors. The Commissioners asked B. Arseneau to follow up on this with O. Smith. She was also instructed to send a list of the new Budget Committee members to all Waldo County departments and agencies, as well as to send out an agenda for the Budget Committee meeting that was coming up.

There was brief discussion of Jail budget. D. Rowley said that he would have a fabric structure to cover the various EMA trailers, etc. He said he had mentioned two (2) water incidents coming out of muffler. Hopefully, if the trailers were covered with fabric, it may help avoid this again in the future.

### **TECHNOLOGY REPORT:**

The Technology Report was presented by Technology consultant James Arseneau as follows:

- All the new PC’s have been installed except for the District Attorney’s Office, which is scheduled to take place the 2<sup>nd</sup> week in November at the request of Deputy District Attorney Leane Zainea.
- The plan is to pass off the older units to the municipalities and ask for a nominal amount (\$200.00 to \$300.00) per machine, including the software. The rest can be auctioned in sealed bids. He told the Commissioners that some employees were interested in purchasing some, especially the laptops and a few of the municipalities have also inquired about the availability of the laptops.

**\*\*J. Hyk moved, A. Fowler seconded to offer these computers to the municipalities by requesting a sealed bid with a minimum amount specified. If there are any left, the employees may bid on them. Unanimous.**

- J. Arseneau was able to obtain for the County a five-year rate for a two-year contract with GWI for Internet service. The Commissioners were pleased to hear this.

**\*\*D. Berry moved, A. Fowler seconded to approve the two-year contract proposal with GWI. Unanimous.**

- Motorola phones are a premium cost above the Razor cell phones. There is no contract with the Razors; you only have to purchase a specialty phone and the Razors are free.
- J. Arseneau has been performing some testing with Verizon for cell phones with the deputies. There was brief discussion of government rates for bulk ordering of computers.

### **FACILITIES REPORT:**

Present for the Facilities Report was Keith Overlock, as follows:

- K. Overlock briefly reviewed prices for F.W. Webb for a new heating system in Superior Courthouse.
- K. Overlock will be building good covers for the air conditioning units for winter. He will also build storm windows on the Anteroom windows because there is so much heat loss and waste heat out of those AC units and windows.
- K. Overlock notified the Commissioners that the Facilities budget may be a little overdrawn by year end.

### **CORRESPONDENCE:**

The County Commissioners' correspondence was presented by County Clerk Barbara Arseneau, with Deputy County Clerk Veronica Stover taking minutes, as follows:

1. A. Fowler asked V. Stover to serve on the 2008 MCCA Planning Committee.
2. Maine State Retirement has changed its name to MainePers (Maine Public Employee Retirement System.) Furthermore, the County has been notified that any retiree from the County who received a COLA in September of 2006 (which was 4%) will receive an additional, retroactive COLA for .3%. The increase is because the actual COLA for 2006 was 4.3%. MainePers is under a statute that does not permit them to pay more than 4% for a COLA without legislative approval. They did receive the approval/funding for the PLD retirees and are not processing the additional benefits.
3. Some of the Jail Research Committee members were very unhappy to hear that the County's State/County proposal is not being pushed forward even after the Sheriff and Commissioners Fowler have explained why they believe it is ill-advised at this time. It was noted that there were only two months left on the Jail inmate variance and Sheriff Story has requested a two-month extension of the existing 32 inmate capacity as the Jail is presently "in a crisis with our boarding numbers far exceeding our 2007 budgeted amount." In an Email message dated September 24, 2007, Grayson Hartley of the

Committee stated that plans are currently underway to hold a Waldo County Selectmen's Association meeting early in November and there should be more detailed information from Augusta on the Governor's plan to take over the county jails; and the prospects of Waldo County's proposal being accepted. B. Arseneau informed the Commissioners that State Court Administrator (James) Ted Glessner had sent a memorandum to the County Commissioners dated September 17, 2007 regarding the facilities proposal. In that memo he stated that he had received the proposal to the State of Maine for the creation of a Waldo County and State Government Center in the City of Belfast. He said, "This collaborative approach to addressing the needs of the citizens of Waldo County in a comprehensive way has a great deal of merit." He went on to explain that he had the opportunity to discuss with the Commissioners "the needs of the Judicial Branch in Waldo County where court facilities do not adequately meet current needs." He said that after evaluating the needs of the Judicial Branch in Waldo County, they would welcome the opportunity to participate in future discussions about how those needs might be addressed. He added that support from the Governor would be needed and that other branches of State Government should be involved in discussions about this. He finished the correspondence by indicating that the State would look forward to hearing more about this initiative. The Commissioners instructed B. Arseneau to send a copy of Mr. Glessner's memo to all serving on the Jail Research Committee.

4. District Courthouse Lease: B. Arseneau had heard no more regarding the status of the District Courthouse lease that expired July of 2007 and was sent to Ted Glessner for renewal.
5. Register of Probate Joanne Crowley sent a letter to the County Commissioners informing them that at the suggestion of Judge of Probate Susan Longley, on October 2, 2007 at 9:00 a.m. a Federal Bureau of Investigation agent will be conducting an audit in the Probate Registry in connection with the above. The audit is for the purpose of evaluating compliance with appropriate laws, policies and regulations which pertain to the use dissemination and security of criminal history information.
6. Paul Barbera of Cross Insurance sent word that the bids for the County's health insurance have started to arrive from competitors and they "look good," according to him. He also informed the Commissioners that AETNA is promising to send Cross their entire renewal approach, at an approximate increase of 10 to 20%. Maria Doyle of the local AETNA Office thinks that it will be a very favorable renewal.
- J. Hyk briefly discussed how to handle discussions of the medical insurance at Budget meetings this year. Discussing health insurance options; the Commissioners felt that they could not seriously consider Options A, B or C, or the Budget Committee's idea presented in the summer. They wished to wait for Malcolm Ulmer of MCCA regarding self insuring.
7. Per letter received from Sheriff Scott Story dated September 20, 2007, Deputy Frank Connolly is no longer employed at the Waldo County Sheriff's Office effective September 20, 2007.  
**\*\* D. Berry moved to accept Mr. Connolly's resignation; A. Fowler seconded. Unanimous.**
8. Sheriff Story also notified the Commissioners by letter that effective September 21, 2007 Corrections Officer Jennifer Stilkey will complete the Corrections Certification at the Maine Criminal Justice Academy on that date and will receive a pay increase from \$13.91 per hour to \$14.30. The Commissioners noted this.

9. Sheriff Story notified the Commissioners that effective September 21, 2007 Corrections Officer Seth Curra will complete the Corrections Certification at the Maine Criminal Justice Academy on September 21, 2007 and will also reach the one-year pay step on October 1, 2007, so his pay will change on October 1, 2007 from \$14.11 per hour to \$14.30.
10. The Commissioners received a letter dated September 26, 2007 from Town of Palermo Assessor Chairman Lee Jackson informing them of his “disagreement, disappointment and dissatisfaction with the recent decision of the Waldo County Commissioners on September 18, 2007. On that date, he claimed that “the Waldo County Commissioners refused to honor a prior commitment to the Palermo Board of Assessors. This commitment was related to achieving equity of tax assessments for property owners in the Town of Palermo. In 2006 Palermo assessors were assured by the County Commissioners that they would have two years, 2007 and 2008, to achieve equity.” He referred to the tax abatement hearing in which the Commissioners adjusted their assessment of one property brought before them by a Palermo property owner. He accused the Commissioners of neither listening to the Assessors’ explanation for that assessment and said that the Commissioners did not listen to the Assessors’ explanations for that assessment or treat the Assessors with dignity and respect due elected officials. He further stated that the plaintiff in the matter did not attend a special meeting that the Palermo Board of Assessors had scheduled for him and, rather, went directly to the County Commissioners. He did, however, thank Commissioner Fowler for “her understanding of what Palermo Assessors were trying to accomplish” and stated that she honored her commitment that the Town of Palermo would have two years (2007 and 2008) to achieve equity of tax assessments for the property owners of Palermo.
11. Deputy District Attorney Leane Zainea sent a letter to the Commissioners asking for authorization to dispose of two printers, one fax and a typewriter that they no longer use or to offer them to outside agencies or individuals who might want them. The Commissioners wished to have these items go out to bid and that these be included with the offer to the towns for old computers. L. Zainea should speak with Technology Consultant Jim Arseneau regarding this matter.
12. Elizabeth Hieronymus, Chair of the Belfast – An Old Fashioned Christmas – respectfully requested permission from the Waldo County Commissioners to light the tree at the Superior Courthouse on Saturday December 1, 2007, as they have done the previous two years. The Commissioners granted that authorization.
13. An ICMA-Deferred Compensation meeting will be held soon. According to ICMA representative Mark Gosselin, October 21-27 is Retirement Week.
14. The Maine Public Health Association’s 23<sup>rd</sup> Annual Meeting will take place on October 28, 2007 at the Augusta Civic Center. If anyone is interested in attending, they must sign up by October 12, 2007.
15. Attorney Linda McGill sent information from Attorney Robert Crawford regarding the Duke Simoneau tax abatement case. There were other options than remanding the case to consider.
16. There was brief discussion among the Commissioners regarding the previous tax abatement Kim Corley between the Commissioners.

**MINUTES APPROVED:**

**\*\*A. Fowler moved, D. Berry seconded accepting the revised minutes from the tax abatement hearing of Clifford Bennett and the Town of Brooks as written. Unanimous.**

**\*\* A. Fowler moved, D. Berry seconded to accept the minutes from the Belfast Moosehead Railroad tax abatement hearing. Unanimous.**

B. Arseneau was instructed to send to the Belfast Moosehead Lake Railroad Preservation Society the information recently received about tax abatement hearings from Preti/Flaherty, Attorneys at Law.

B. Arseneau was instructed to look very closely at requests for tax abatements to make sure the Commissioners know what they are asking.

The next County Commissioners Hearing will be held on November 6, 2007.

**\*\* D. Berry moved, A. Fowler seconded to adjourn meeting at 11:56 a.m. Unanimous.**

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