

**WALDO COUNTY COMMISSIONERS COURT SESSION
AUGUST 26, 2008
(SPECIAL SESSION)**

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.

WARRANT CORRECTIONS

Deputy Treasurer Karen Trussell explained that she had inadvertently supplied incorrect warrant amounts during the last Commissioners Court Session for the July 31, 2008 and June 10, 2008 Regular Warrants and provided the correct amounts for the record. She noted that the correct amounts had been paid on those warrants, however.

****D. Berry moved, A. Fowler seconded to authorize payment of the July 31, 2008 warrant in the amount of \$436,593.54. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of the June 10, 2008 warrant in the amount of \$195,285.22. Unanimous.**

HEALTH INSURANCE PREP FOR 2009 BUDGET

Present for this discussion was Deputy Treasurer Karen Trussell and HR/Payroll Director Michelle Wadsworth.

M. Wadsworth explained the method in which the total amount was figured. She took the 2006 rate and adding 7% to it, the grand total monthly payment that the County has to come up with would be \$78,616.75. This would keep the figure at \$944,000.00. This also includes five (5) additional employees.

J. Hyk asked how much money was in the health insurance plan account at this point. K. Trussell reported that at the end of July, it was \$274,664.84. The monthly payments have been different because payments started late in March and unanticipated employees came on board. It is difficult to find an average at this point.

After discussion of how this is currently working, the Commissioners requested projections for next year. The Commissioners thought it would work to reduce the amount, but no lower than \$939,900.00, especially if all employees are contributing some to the premium, without impacting the program. It was acknowledged that this number is actually a moving target depending on how union contracts end up, etc. The Commissioners wanted to make sure there was sufficient funding in the health insurance account to handle any unknowns or a bad credit year.

The Commissioners discussed how to handle contributions of non-union employees toward health insurance premiums.

****D. Berry, moved, A. Fowler seconded for all non-contracted employees to pay 5% of the cost of applicable premium for single, family, adult/child, adult/spouse coverage effective January 1, 2009 for 2009.** Discussion: the Commissioners discussed who this would apply to.

****D. Berry moved to withdraw his motion.**

****D. Berry moved, A. Fowler seconded for all non-union employees to contribute 5% of the applicable premium, single, family, adult/child, and adult/spouse coverage effective January 1, 2009 for 2009. Unanimous.**

The Commissioners instructed that a memo be sent to employees notifying them of this change.

FACILITIES REPORT

Present for this report was Facilities Manager Keith Nealley and Architect Robert Fenney. K. Nealley reported the following:

1. SAFETYWORKS! came through and did a site review of the County buildings. K. Nealley reported that there were no “big items,” but there were some electrical and signage issues. The Commissioners instructed K. Nealley to fund the necessary work to correct these issues via the Jail/Sheriff Reserve account (0156).
2. HANDICAP RAMP: Architect R. Fenney had a contract and presented it for the Commissioners to sign, which they did, pending insurance paperwork that had not been received yet.
3. FACILITIES MAINTENANCE TRACKING SOFTWARE: K. Nealley reported that Technology Consultant James Arseneau has done a lot of research on this. The system K. Nealley had looked into could be tailored to suit the County’s needs. It is an on-line based system. The company maintains it, upgrades it, etc.. The information entered into it belongs to the County; then K. Nealley can pull it out and put in on a disc that would allow transfer to another system. The initial cost of approximately \$1400.00 will initially come out of County Planning but will later be budgeted in the Facilities Budget. Other departments will have limited access to it to check on work orders pertaining to their departments.
4. FULL-TIME HIRE – FACILITIES TECHNICIAN: K. Nealley requested that part-time Facilities Technician Gary Daigle be hired at full-time hours. K. Nealley noted that G. Daigle works 32 hours a week now and would like to see him go to full-time. He explained that this could be done for basically the same amount of money, as some of the benefits would not be required. He noted that G. Daigle “gets along with everybody, doesn’t get involved in the politics; does his job, etc. K. Nealley explained that he already had money budgeted for two part-timers. He had tried running ads for another part-time Technician but reported that the responses were not quite what had been hoped. “It is hard to offer someone a 20-hour a week position and the County has this ‘gem,’ and he would just be given a few more hours,” K. Nealley stated. There was discussion of the starting rate being \$12.60 and then at \$13.00 at six months in Class III. The Commissioners suggested that G. Daigle be hired at the one-year level, since he has already been here over one year in the part-time capacity.
****D. Berry moved, A. Fowler accepted hiring Part-time Facilities Technician Gary Daigle as Full-time Technician, effective September 1, 2008 at the one-year level of \$13.43 per hour. Unanimous.**
5. K. Nealley reported that he has been able to utilize the inmates so much that he did not need the second part-time position. J. Hyk instructed K. Nealley to be certain that all work done on the buildings is by construction-licensed professionals. K. Nealley said he did, and also used inmates as possible.

6. **ELECTRICITY PROVIDER:** K. Nealley reported that the County is currently paying 13.5cents per minute of kilowatt-hour. Since the last offer in July, rates for electricity with Maine Power Options have continued to drop. K. Nealley asked if the Commissioners wanted to consider a contract for the reduced rates with Maine Power Options. Architect Robert Fenney, who was now present, explained that this group was sort of a “co-op” and had hoped that, as a group, they would have some leverage with pricing. January 1, 2009, the current contract expires. The Commissioners reviewed the possible rate and expressed their desire to lock in at the lowest rate offered for 48 months. They asked K. Nealley to research this more and come back to them at the September 9, 2008 Commissioners Court Session.

SUPERIOR COURTHOUSE FURNACE DISCUSSION:

K. Nealley and R. Fenney reported that Jeff Landweir of Carpenter Associates came in and looked at the Superior Courthouse Furnace previously. R. Fenney said he had called Mike at ABM Mechanical and reported that this man does a lot of large mechanical systems, including at Waldo County General Hospital. It was reported that both men had stated that, given where we are in the heating season, it would be impossible to do a new system this year short of closing the Superior Courthouse for two months. It would take approximately twelve (12) weeks to do this properly. The recommendation is to try to make the buildings as heat-efficient as possible in the meantime, for a few thousand dollars. K. Nealley anticipated that this expenditure could likely be compensated in fuel cost savings just this winter. K. Nealley was hoping not to replace with “still-behind-the-times technology.” He had read about a condensing boiler that is 97% efficient, stating that it may not be the choice for the County. The point is that these systems are being improved so much that they pay for themselves. K. Nealley also wondered if it was worth looking at the complete system, including the air conditioning, and doing this as a complete job. R. Fenney explained that Mike said costs are going up “crazily” and that any quotes six months ago would require an additional 20% added on now. J. Hyk wondered about purchasing the equipment now, and installing it later. R. Fenney said that the County should look long and hard at what its delivery system is. There are old cast iron radiators in some areas of the building and some baseboard units. Mike at ABM Mechanical laid out a range of different ways to approach this. It is traditional to hire a person to design the whole thing. A second option is to do that, but interview contractors and reduce the bidder list down to just the contractors that you feel have the capability, have a good track record, etc. There may only be three to four bidders to choose from to submit bid proposals. The third option is to hire someone to figure out parameters for the system, but then give that to a design/build company and bid for such a company to come up with a system. Another option is a “pure-design” system, which does not allow comparing “apples-to-apples.” R. Fenney suggested that the Commissioners would need to get someone on board in the fall, so that, come January/February, they can get someone to say, “This is the job; this is the price.” K. Nealley added that this puts the County early in the schedule for the work to be done that year. R. Fenney stated that the County would not be able to get anybody to do design work until later in the fall because companies are so busy right now.

The Commissioners asked for a recommendation. R. Fenney said he would need to research this further. “If you do ‘design/build,’ you need to get three or four contractors that you would be thrilled with no matter which one was chosen. You would need to probably hire an engineer to review all proposals. References on these companies would be essential,” he stated. The Commissioners said that they were glad to understand the process. J. Hyk felt that this was the time to start the process. K. Nealley said that preliminary stuff, such as an asbestos check, needs to be done. Someone has been

contacted to do this. An inspector has been contacted to look at the chimneys, etc. R. Fenney explained that enough preliminary engineering could be done for components such as the chimney. Then it would not have to be put into the whole package. He further explained that he would not be doing a lot; mostly 20 hours of work over the next six months. K. Nealley would be doing some legwork and the engineer would be doing some legwork. R. Fenney explained that if things are planned, there would be a fair amount of disruption, but it can be worked into schedules that would be known well in advance to the departments in the Superior Courthouse.

J. Hyk asked if the controls could be dealt with. Some odd and impractical things have been found to exist and need addressing. Some things are simple fixes and others will need to be reviewed by a professional to try to make the building as efficient as possible this heating season.

K. Nealley inquired about where the funding would best come from, noting that it appeared that capital line item money that would have been used on lighting could be converted toward creating more efficiency in the Superior Courthouse. Otherwise, County Planning funds will be used for engineering portion of the planning.

TECHNOLOGY CONSULTING BIDS:

One bid was received. This proposal was submitted by J&B Diversified Associates, Inc. in the amount of \$75.00 per hour, with time-and one-half for after regular hours and double time-and-one half on Sundays.

****D. Berry moved, A. Fowler seconded accepting the bid proposal as submitted by J&B Diversified Associates, Inc. Unanimous.**

TECHNOLOGY REPORT:

Present for this report was Technology Consultant James Arseneau of J&B Diversified Associates.

1. POSSIBLE CORRECTIONS EXPANSION TO EMA SPACE: J. Arseneau reported that Sergeant Robert Walker approached him about the possibility of taking over the current EMA space for Corrections in the future. The data room is currently in the EMA space. R. Walker asked how much it would cost to re-route that data to another space in the building. J. Arseneau reported that it would be difficult to do this, as this area was chosen prior to this and not with the view to move it in the future. R. Walker suggested walling it off with a three-foot space. J. Arseneau said this would make maintenance “a nightmare” in such a small space, noting that this space was picked for data because it was the most obscure space. J. Hyk asked why nobody had approached the Commissioners about restructuring the Jail. He asked if J. Arseneau had racked up time on this and J. Arseneau replied that it was only a conversation and was not “on the clock.” He added that there are numerous technology conversations that occur that are “not on the clock” and are not charged for.

2. FIBER OPTIC INSTALLATION: J. Arseneau reported that all exterior fiber work has been done, but the recent bad weather had slowed progress. Once that is done, the inside equipment will be purchased.

3. 2009 BUDGET PLANNING: While putting together the budget for the upcoming year, J. Arseneau explained that in years past, a lot of detail has been provided in the budget and wondered if

all that was necessary in the 2009 budget. D. Berry recommended a simple budget. If anyone had any questions, J. Arseneau could explain it at the budget meetings.

4. DATA CARDS – SHERIFF’S PATROL: J. Arseneau commented that the data cards have been working really well for the Patrol Division. Additional cards are recommended.

5. SPILLMAN TRAINING: J. Arseneau explained that each year the Spillman software (used by Law Enforcement, Corrections and Communications) is upgraded. The upgrades are available to each customer, with maintenance (which Waldo has), free of charge. In 2008 a major Jail upgrade was released with the other improvements. In order to facilitate adequate training, it will take several trips by Spillman trainers to come out and train the jail personnel on the new software and its improvements as well as training for all agencies using the software. The training will cover each of the Corrections teams in a way that will minimize over-time costs. Training will also improve the skills of the personnel who received the initial training during 2006 and those employees who have been hired since.

6. Labeling of rooms in buildings pertaining to software for law enforcement is being done. Inventory is needed for devices and locations.

7. RECORDING DEVICE FOR COMMISSIONERS AND BUDGET SESSIONS: J. Arseneau noted that Commissioner Berry had suggested a different type of recorder than the current tape recorder/transcribing unit. He informed the Commissioners that there is a digital recorder out on the market. A company sells a unit that has auxiliary microphones. This would cost about \$800.00 to \$1,900.00. Memory cards would need to be purchased and the recordings would be saved on those and then played back to transcribe the data. The Commissioners felt that it was important to purchase this now. J. Arseneau explained that units could be tried before deciding on one. There are three different systems that would be worth looking at. The Commissioners agreed to move forward on this.

8. NDS ACCOUNTING SOFTWARE UPGRADES: J. Arseneau reported that the Northern Data Systems accounting software for the Treasurer’s Office needs to be upgraded. One of the groups used by NDS has gone bankrupt and now they need to go to a Microsoft format. The Commissioners said to add it to the Technology budget.

9. CELL PHONE REPORT: J. Arseneau reported that the County cell phones have now been switched to U.S. Cellular service and are working well.

10. SALE OF OLDER COMPUTERS: The remaining computers that have not been sold will be auctioned off soon.

DISTRICT COURT RENT/LEASE UPDATE:

D. Parkman reported that the rent should have increased by \$200.10 each month since July 1st, but that increase has not been paid by the State. At this point \$400.20 is owed. The lease has still not been signed and returned to the County.

CORRESPONDENCE

Reporting correspondence to the Commissioners was County Clerk Barbara L. Arseneau who as follows:

1. A complaint has been received from Swanville Citizen Wesley Bucklin dated August 7, 2008 regarding his concern over the way the Town of Swanville handles property taxes, etc. W. Bucklin requested that the Commissioners investigate the matter. The Commissioners acknowledged that they did not have authority to do this, and instructed the County Clerk to send a response to Mr. Bucklin to that effect and then to forward a copy of that letter to the Attorney General's Office.
2. The Commissioners received documents and a letter dated August 4, 2008 from Swanville citizen David Staples with a packet of information related to an abatement appeal case of another citizen, whose name was not revealed in the minutes due to protected information included in the packet. Mr. Staples stated that he was sending this as a "concerned citizen of the United States, the State of Maine and a taxpayer in the Town of Swanville," for the purpose of the Commissioners investigation of the Town of Swanville's actions. He expressed that he "couldn't stand by and let this go unnoticed." The Commissioners directed the Clerk to respond the same way to Mr. Staples; that this was not within their authority to become involved in that aspect and that the County Commissioners would forward this information to the Attorney General's office.
3. Swanville citizen Kimberly Corley has sent correspondence requesting additional assistance from the County Commissioners. A. Fowler reported that she recently spoke with K. Corley by telephone and A. Fowler told her the Commissioners have been continuing to research K. Corley's allegation that the Town of Swanville has refused to pay the full abatement amount of \$1,500.00 as ordered during the tax abatement appeal hearing on October 9, 2007. The Commissioners discussed the matter briefly and decided to inform Ms. Corley that they were also forwarding her documents to the Attorney General's office.
4. E-MAIL MISUSE AND INSTRUCTION FOR PROPER USE: The Commissioners instructed the County Clerk to send out a memo cautioning against e-mail misuse to all County employees and agencies using the County's E-mail.
5. A memo regarding 2009 Technology budget planning memo has already been sent to all County departments and agencies.
6. B. Arseneau informed the Commissioners that the 2009 Jail budget will be late. B. Arseneau, S. Story, K. Nealley and K. Trussell will be attending a Jail Budget seminar tomorrow in Augusta, and will be better able to put this budget together, as it will now include portions of the Employee Benefits budget, components that used to be in the Commissioners budget, as well as parts of the Facilities budget. The Employee Benefits budget will also be late because it is driven by salaries, which are not able to be budgeted without knowing the COLA for 2009.
7. The Commissioners signed the updated pay scale for part-time employees, which now reflect the current part-time Victim-Witness Advocate (special circumstances only) rate of \$11.00 per hour and the Temporary Deputy County Clerk rate of \$12.90 per hour.
8. Register of Probate Sharon Peavey sent a letter dated August 18, 2008 as a follow-up to her meeting with the Commissioners on August 12, 2008 in which she appointed Probate Clerk Judith Nealley as Deputy Register of Probate at the Class IV level of \$14.96 per hour. This was to be effective August 18, 2008.

****D. Berry moved, A. Fowler seconded to approve the appointment of Judith Nealley from Probate Clerk to Deputy Register of Probate effective August 18, 2008 at the five-year level of Class IV, or \$14.96 per hour. Unanimous.**

COMMISSIONERS MISCELLANEOUS BUSINESS

There was brief discussion of Commissioners Hyk and Fowler campaigning for Commissioner terms 2009 through 2012.

EXECUTIVE SESSION

The County Commissioners did not need to enter into executive session during this session.

The next Commissioners Court Session will be September 9, 2008, unless any special sessions need to be called prior to that.

****A. Fowler moved, D. Berry seconded adjourning the meeting at 11:40 a.m. Unanimous.**

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