

**WALDO COUNTY COMMISSIONERS' COURT SESSION
OCTOBER 28, 2008**

PRESENT: Commissioners Donald P. Berry, Sr., Amy R. Fowler and John M. Hyk (Chairman). Also present were Technology Consultant James Arseneau of J & B Diversified Associates, Inc. and County Clerk Barbara Arseneau.

NEW BUSINESS: Review of FY 2009 Budget Requests

TECHNOLOGY PORTION OF COMMISSIONERS BUDGET (1020-7000, 7001, 7002):

Present for this review was Technology Consultant James Arseneau of J & B Diversified Associates, Inc. J. Arseneau referred to material he had submitted to the Commissioners the previous week. Content Filtering is now all lumped together for all departments. Items related to Corrections have been separated appropriately and placed in that budget. EMA has a tent they put up and inmates have been found to store or take things from that location. A camera is recommended for that location. J. Arseneau recommended funding that from the Reserve account and getting it done now rather than wait and budget it. It would be approximately \$1,000.00. Data cards allotted (5) have been used constantly by the officers and are shared between them. Some Patrol Officers will be sending letters, including one who is now a detective and who no longer has access to this, indicating how much they rely on these. One trip per deputy per shift is saved using these cars. Gasoline costs are saved, but J. Arseneau noted that the Sheriff is not reducing that amount from his budget as he is reluctant to shave anything due to unpredictable gas prices. At least, very conservatively, \$11,000.00 is saved. J. Arseneau believed, in reality, there was more saved. The Commissioners supported this request. J. Arseneau submitted a spreadsheet of the cost. At \$2.80 per gallon, there is \$6,000.00 savings, for example. The Commissioners felt that sheet would be important for the Budget Committee to see and instructed J. Arseneau to provide that to the county clerk for the Budget Committee.

J. Arseneau discussed fiber optics and possibly pulling it out of the Reserve. Spillman software has a new release that is Corrections-related only. Some training will need to be done for these officers. Spillman does it for free, as long as leases are kept up and renewed. The County is already one lease behind. J. Arseneau did not know how much that would be. It may be possible to fund during 2008, in which case the cost would be reduced for 2009.

J. Arseneau discussed the software used by Northern Data, which is the Treasurer's accounting system. One of the companies is going bankrupt and Northern Data has notified its customers that they need to make a change in their software. J. Arseneau wondered if this should come from the Reserve Account. J. Hyk did not recommend utilizing that account for this purpose as he was concerned that the reserve account be built up. J. Arseneau understood, but emphasized that this change is absolutely necessary because without it, there will be no working accounting system for the County Treasurers Office. J. Arseneau explained that it has taken a few years to determine and gather all the little items that truly belong in the Technology budget. This is one of those items.

He mentioned that one "straggling area" is the District Attorney's Office, because a letter is usually sent indicating an immediate need for an upgrade, rather than advance notice or planning. A. Fowler said that if this is something that is a must, it should be put in the budget. Things that are not immediate needs should be taken from the Reserve account as needed.

J. Arseneau noted that both Islesboro's and Stockton Springs' law enforcement offices have been requesting for a year to come on board with Spillman, just as Belfast, Searsport and Lincolnville have already done. This will be spread over five years on a lease arrangement. Searsport has been letting Stockton use their office to access it right now, which cannot continue. Letters will be coming from both municipalities making arguments for this need. J. Hyk felt it was very important that these agencies be able to come on board.

J. Arseneau explained that there are five laptops in the Sheriff's Office that were purchased circa 1999 and are exceedingly slow to use. It takes 15 minutes just to start them up. These need to be rugged units that can handle the use they will be put through. Most law enforcement agencies in the State of Maine are the "Tough Books" type.

In the 7002 section of the budget, the telephone maintenance contract has been reduced because a portion of it belongs to Corrections.

Servers used by the Spillman product are expiring in March. To keep these machines under maintenance it will be approximately \$6,000.00, not including the portion belonging to Corrections. Some warranties will expire in June. Some firewalls expire in March of 2009, reduced by the Jail's portion. Other maintenance bi-annual contracts and software will be needed for 2009-11.

When asked about what happened to CSH, which was the former company used for the CAD system, J. Arseneau replied that an official letter needs to be sent to CSH saying that the County will not be using or paying for a service contract with them. They sent an invoice to the County, which J. Arseneau called about, reminding them that the County had not renewed. The City of Belfast wanted to add a user, and had paid \$2,000.00 last year for the contract, so that user should be added with no problem because it had been paid by Belfast.

J. Arseneau reminded the Commissioners that yes, there is an increase, but some of these things were requested last year and turned down by the Budget Committee via a substantial cut in the request.

J. Hyk asked how much needed to be placed in the Reserve. J. Arseneau reminded the Commissioners that originally \$65,000.00 was supposed to be put in the reserve each year. Then, the Waldo County Registry of Probate had a system installed along with all the other Probate Registries in the State of Maine and each year \$30,000.00 was supposed to be set aside in a reserve each year to plan for future updates. J. Hyk asked what the recommended funding would be in the Technology Reserve. J. Arseneau replied that it would be the same as last year, which would be \$82,000.00. J. Arseneau briefly reviewed the cycle for upgrading computers to avoid problems and repairs. He commented that the County has managed to avoid VISTA software, and that XP sales have been extended to June of 2009. J. Arseneau briefly reviewed items that are still listed within the individual expenses. J. Arseneau said he would check to see if the District Attorney had included it in his budget.

A. Fowler asked if the EMA Director received any grant funds for the new EMA building and was told no. New England wasn't granted any of those funds.

A. Fowler asked how much the QuickBooks software for Probate was and was told about \$800.00. A. Fowler asked a few other questions related to software and how much was reduced for the Jail's portion.

J. Arseneau explained that some of the figures included a backup, particularly to be used by EMA, and fiber optics between the courthouse buildings.

J. Arseneau asked if he should discuss what has been adjusted for the Corrections Budget and the Commissioners felt that would be important. The new request total for Technology is now \$284,879.00. The Commissioners thanked J. Arseneau for meeting with them.

FACILITIES MANAGEMENT BUDGET (1030):

Present for this review was Facilities Manager Keith Nealley, who started by saying his budget looked a little “bizarre” due to separating Corrections costs out and adding in maintenance for the University of Maine Cooperative Extension. Cleaning cost will change, and that will be provided to the County Clerk before the end of the day. Electricity costs have changed, too, due to a recent contract offer, which is less than the last contract. He felt that it would be worth signing that contract. K. Nealley asked if the Commissioners wanted to review the budget line-by-line, noting that the Personnel line has increased because the Part-time Technician became full-time.

B. Arseneau asked if the Commissioners were aware that this position was the lowest paid in the State of Maine and requested a 5.5% increase rather than leaving it at a 4% increase. There was some discussion between Commissioners Fowler and Hyk regarding other departments already being paid above average and whether this was the time to address this issue or not. A. Fowler explained her concern that in the present economy, other companies were not giving Cost of Living COLA all and the Commissioners had already sent out a memo that the COLA is 4%. K. Nealley stated that he took this job at a lower pay because he felt it would be a good job, there were benefits and was grateful to have a job.

K. Nealley said he had plugged all expenses in exactly where the line items should be so that there would be a true accounting of expenditures, thus allowing a true projection of future expenditures. He explained that he could stand behind these numbers and they are real. He explained that he had “inherited” these numbers and had to work with them, but in a real way.

D. Berry asked what purpose the barn served at the Sheriff’s Office. J. Hyk mentioned that it was used for necessary storage. K. Nealley further explained that if the barn ever comes down, soil abatement needs to be done, which it would be best not to have to address for a while until it could be planned for.

ADA specs were discussed. Many things have been done, but there is more to be done in the County buildings.

ELECTRICITY CONTRACT:

K. Nealley presented the contract for electricity provider (Constellation) for a three-year contract for .9 cents per kilowatt hour.

****D. Berry moved, A. Fowler seconded to sign the Constellation Electricity Contract at .9 cents per kilowatt hour. Unanimous.**

****D. Berry moved, A. Fowler seconded to amend the 1030 budget by reducing the electricity costs by 20% and the cleaning by approximately \$8,000.00. **A. Fowler rescinded her second. Motion died.**

ADVERTISING AND PROMOTION (1080-4718) – Time and Tide RC & D:

Present for this review was Ron DesRosiers and Vance Wells, Time & Tide Counsel Member, who explained he had moved to Lincolnville about five years ago. The 2009 to 2014 Area Plan was submitted to the Commissioners. V. Wells explained his experience and background with Time & Tide.

Waldo County has been requested to allocate \$3,853.50. The staff is paid by the USDA, and is limited in what they can ask, but V. Wells said he himself was not. R. Desrosiers is the present coordinator, and is very active and productive for this area. Time and Tide acts as a catalyst between organizations to get projects completed.

A Home Weatherization Day notice for Saturday October 25th, was submitted as an example of assistance offered to the County citizens.

R. Desrosiers directed the Commissioners to page 18, noting that Time & Tide serves six counties. He reminded them that he met with them on June 3, 2008 and heard what they felt the needs of Waldo County were and recalled that D. Berry had mentioned paying for food, medication and fuel. R. Desrosiers gave that some thought and went to speak with the Barn Raisers, thought purchasing should be done on a local level for this and local store owners and others came, met, and demonstrations were held on how to weatherize homes and \$1,000.00 was the goal for fundraiser. The actual amount raised was \$1,700.00 within the County, and \$600.00 worth of materials was donated. 40 volunteers spent about six hours each weatherizing homes. Averaging \$12.00 per hour, that was \$2,880.00 in volunteer hours. Matt's hardware gave everything at cost. A professor and an energy auditor provided training. Freedom Fire Department was involved. Since this was a community effort, a fire chief was asked to discuss safe heating techniques including pellet stoves and woodstoves. Many people like to do things themselves. This was a two-prong approach with action and education being offered to the public. Short-term goals include getting people through the winter. 20 homes have been done so far. Rather than a "band-aid" approach, long-term goals are being looked at in an effort to shape future energy needs rather than "letting it happen to us." Some people are looking at wind as an energy source. There is a lot of interest in community ownership. If the community embraces such a project, it goes better. If the public owns stock in it, it often works well. This sort of thing needs to be explored.

The Commissioners stated that they felt that the work performed by Time & Tide was important.

****A. Fowler moved, D. Berry seconded accepting the budget request of Time & Tide RC & D as requested at \$3,853.50. Unanimous.**

A. Fowler revisited last year's budget process regarding Time & Tide's request and explained that the County Commissioners supported this, but the Budget Committee did not. The Commissioners offered to include all the information that Time & Tide had submitted in the budget request to the Budget Committee. J. Hyk encouraged them to include a letter that listed all things that had been accomplished.

ADVERTISING AND PROMOTION (1080-4716) – Eastern Maine Development Corporation:

Connected by telephone conference was Christopher Shrum. J. Hyk asked C. Shrum what he had in mind. C. Shrum stated that the EMDC has been funded by the Maine Counties. The request was largely funded due to the desire to see off-setting the County budget. He recognized that it was his fault for not being able to produce this. However, there has been a lot of success in Waldo County as a region. Athena Health was brought in; Alan Hinsey has been involved. \$20,000.00 had been given by Knox County, \$15,000.00 by the City of Belfast and some in Knox to create a more efficient service offered and gain to both Counties. Alan was largely involved in Athena Health. Searsport is currently being assisted to develop a tele-pharmacy and

hub pharmacy linking to WCGH. The money will be help invest in WCGH and will continue to support the hospital effort. EMDC made over \$4 million in loans in Waldo County businesses and has created over 20 jobs.

J. Hyk asked if it was fair to ask who the money was loaned to. C. Shrum said he would have to defer that question to another EMDC agent. He explained that EMDC was working with Prospect and helped them secure planning funds for a food factory and preservation of a school house, and working with Stockton Springs on developing affordable housing, rehabilitation of houses, including over 300 houses in the last three years. Eight clients in Waldo County have been awarded money.

C. Shrum said he would be happy to go on, if the Commissioners would like. He said he thought he would be more successful in acquiring monies to offset county budget, but all the other areas reviewed show that EMDC is certainly an asset in assisting Waldo County. The Commissioners thanked C. Shrum for speaking with them.

The Commissioners discussed whether to include EMDC's request in the budget or not. A. Fowler said she would be the first to say she was not in favor of budgeting the \$5,000.00 for EMDC. She commented that since Knox had funded them and it was benefitting Waldo County, this was good.

****D. Berry moved, A. Fowler seconded amending the request to \$3,000.00. Unanimous.**

TREASURER'S BUDGET (1025):

Present for this discussion was Treasurer David Parkman. D. Parkman said that when he put the budget together, he had originally asked for 6.9% for his Deputy Treasurer. In an effort to, over the years, bring the salary to the top of the bottom third, and since he heard that the Commissioners were voting to increase the County Clerk, Deputy County Clerk and Human Resources/Payroll Director salaries by 8%, he is asking for 8% for this as well. There was brief discussion about the salary being increased some for 2008 beyond the 3% COLA. A. Fowler said she felt that the Deputy Treasurer and all the other staff in the Commissioners Office were worth he increase, but she stood by the memo that the Commissioners sent out indicating a 4% COLA for all non-union employees. She was impressed that the Treasurer was willing to fight for this salary increase, but she felt she could not do more for the Commissioners Office and staff as they were not worth more than anyone else. She included the Facilities Manager in that, as well. She said she had asked more people questions about their income and insurance costs, she felt she could not support these increases for County employees. She referenced an earlier comment by Commissioner Hyk that "these are government positions." She stated that this is why government is in such a mess, "because they stopped asking questions."

J. Hyk said he had concerns about abandoning the only yard-stick that the Commissioners have been using, which was the top-of-the-bottom third. He acknowledged that law enforcement positions have received increases in recent years, supervisors in Dispatch have received increases, etc. He did not feel that those positions that still continue to fall below the top-of-the-bottom-third should be ignored. Some positions, such as Communications, have been highest paid or now are about second or third highest. He felt that it was not right for some positions to be well above the top of the bottom third. The Dispatchers received that initial increase because things were decided during the acquisition of the Belfast Dispatch, and also by union negotiations.

A. Fowler noticed the animosity between departments when increases are given. She referenced recent years in which other departments resented increases given to certain Commissioners' staff positions. She

referenced 2008 when the Deputy Treasurer received an increase above the COLA and how she was ostracized in the press and by other county employees.

J. Hyk reminded everyone that when the union negotiations started, everything was very high – gasoline, etc. Things have changed – the economy is now very unclear.

D. Parkman restated that \$35,490.00 was 8%, which was what he was asking for. He did not want this salary to slip behind.

A. Fowler stated that the Sheriff has argued over the years that if the employees aren't paid a certain amount, they will go find work elsewhere. She did not believe that this might be the case, anymore.

D. Parkman explained he knew what a challenge it had been to get the County Clerk's salary up from being the lowest paid in the State of Maine. It had been shot down a few times before it gradually started to increase. He just didn't want the Deputy Treasurer's pay to keep slipping backwards.

J. Hyk said when he first came to this county, it was impossible to get an answer on finances. Now that K. Trussell is in the office, answers are immediate. A. Fowler commented that she is worth her weight in gold. She acknowledged that while she felt it was important to not slip backwards, she didn't think it would be if it was left at 4%.

J. Hyk asked if that is what was going to be told to the Dispatchers, to the Patrol, to the Corrections Supervisors and the Support Staff? A. Fowler responded that she is not the one negotiating. J. Hyk said eventually a decision would have to be made when the Commissioners either ratified or did not ratify contracts that were not 4%. There was discussion about what approach to take with non-union employees and whether other units will form or not. It was generally agreed that it is difficult to know how to keep everyone happy.

D. Parkman asked if the Commissioners were going to continue to ask 8% for the three Commissioners staff members. They replied that they did not know and that they were trying to figure that out.

D. Berry stated that the Commissioners staff are not "simply secretaries," but are the Commissioners' executive staff. He explained that this is where the difference is, noting that even in school budgets, this applies. He emphasized fairness and explained that other local business spend money where they need to spend it for such positions, and illustrated with a local construction business with a Human Resources position being advertised at over \$40,000.00. He commented that the County has the same position, dealing with personnel issues, health care issues, etc. and if a business created that brand-new position for that amount, the County does the same. He felt that the executive staff could not be compared with other positions because they carry out the executive business of the County Commissioners.

D. Parkman clarified what he was requesting so that there was no confusion. D. Berry stated that if someone complains about the salaries of the executive staff, it would be inappropriate and disciplinary action might ensue, if needed. D. Parkman asked that the Commissioners consider his Deputy Treasurer as their executive staff. They agreed that this was the case. D. Parkman said he was not trying to make waves, but just wanted equitable treatment for that position, and explained that he appreciated the words the Commissioners had all said and knew where they were coming from.

J. Hyk said his primary concern was that he did not want to continue operating without the staff that he had and wanted to make sure that they were properly compensated so that they would continue to take care of the Commissioners business.

A. Fowler wanted to know what would happen if budgets were cut a large amount by the Budget Committee. D. Parkman said that perhaps the Commissioners could come back a month after the budget has been set and request more. A. Fowler thought that it might result in layoffs.

As a side note, D. Parkman informed the Commissioners that he had heard that the Town of Raymond wished to secede from Cumberland County to Oxford County. He had called the Cumberland County Manager and informed him that there is legislation to follow regarding this. D. Parkman thanked the Commissioners for listening.

D. Berry and J. Hyk acknowledged that even a stipend offered to the executive staff would not cover all the hours they have, and will continue to put in, on union matters. They further acknowledged that with three additional units on top of the already existing unit, the workload will permanently increase.

**** A. Fowler moved, D. Berry seconded entering into Executive Session at 12:13 p.m. for a Personnel Matter according to MRSA Title § 405 (D.) Unanimous.**

****A. Fowler moved, D. Berry seconded coming out of Executive Session at 12:38 p.m. Unanimous.**

****D. Berry, A. Fowler to reconsider COLA increases for the executive office staff. Unanimous.**

****D. Berry moved, A. Fowler seconded setting the COLA increase for the Commissioners executive office staff at 6.9%. Unanimous.**

****A. Fowler moved, D. Berry seconded approving the Commissioners Budget at \$567,599.00. Unanimous.**

****A. Fowler moved, D. Berry seconded setting the Professional Services line to \$89,000.00. Unanimous.**

****A. Fowler, D. Berry moved to amend the previous motion to approve the County Commissioners Budget at \$612,456.00. Unanimous.**

****D. Berry moved, A. Fowler seconded accepting the EMA Budget as presented. Unanimous.**

****D. Berry moved, A. Fowler seconded Interest as Presented. Unanimous.**

****D. Berry moved, A. Fowler seconded accepting Debt Service as presented. Unanimous.**

****D. Berry moved, A. Fowler seconded accepting the Audit budget as presented. Unanimous.**

****A. Fowler, moved, D. Berry seconded to accept the Reserves budget in the amount of \$192,000.00. Unanimous.**

****A. Fowler moved, D. Berry seconded to accept the Projected Revenue as amended. Unanimous.**

CORRESPONDENCE:

Reporting Correspondence was County Clerk Barbara Arseneau with Deputy County Clerk Veronica Stover recording the minutes.

1. After brief discussion of the inevitable overdraft of the Professional Services budget, the Commissioners instructed B. Arseneau to contact the attorney and have them hold all additional invoices until January 1, 2009.
2. The Commissioners instructed B. Arseneau to address a letter to Budget Committee indicating that the Committee please be advised that the 2009 budget before them is tentative. Personnel figures may change as appropriate once union contracts are ratified, if that occurs before December 31st.

EXECUTIVE SESSION – Personnel Matter:

D. Berry asked that the Commissioners enter into executive session for a personnel matter.

****A. Fowler moved, D. Berry seconded to enter Executive Session at 11:25 a.m. for a Personnel Matter according to Title 1, § 405 D. Unanimous.**

****D. Berry moved, A. Fowler seconded coming out of executive session at 11:57a.m. Unanimous.**

****D. Berry moved, J. Hyk seconded adjourning the meeting at 11:58 a.m. Unanimous.**

Respectfully submitted by _____ -
Waldo County Clerk