

**WALDO COUNTY COMMISSIONERS COURT SESSION
NOVEMBER 12, 2008**

PRESENT: Commissioners John M. Hyk (Chairman), Donald P. Berry, Sr. and Amy R. Fowler. Present to take minutes was County Clerk Barbara Arseneau.

CALL TO ORDER:

Commissioner Hyk called the meeting to order at 9:00 a.m.

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

REVENUE:

A. Fowler felt that the Deeds Revenue should not be changed, now that the Commissioners have reduced it, and observed that the Budget Committee had been discussing the idea of changing that figure. She believed it needed to remain at a conservative figure.

APPROPRIATIONS:

Expenditures could be at 83% and thus far, the total budget is expended 76%.

D. Parkman commented on the Commissioners budget being 98% expended. He stated that the Treasurer's budget is standing at 1% expended above what could be for this point in the year. Boarding Costs are still looking good at the Jail. Court Appointments are looking good this year at only \$6,000.00 expended. Probate has brought in \$7,300.00 in Revenue. D. Parkman asked if the Commissioners had any questions regarding the budget. There were none.

D. Parkman read expenditures from the Reserve Accounts, which are included in the warrants.

PROPERTY TAXES UNPAID AT THIS TIME:

- Belfast has paid in part
- Islesboro
- Lincolnville
- Palermo
- Stockton Springs

D. Parkman reported that there is over \$869,800.00 in the bank account. It is his understanding that Palermo's property tax check is in the mail, so once that arrives, he hopes to pay of more of the Tax Anticipation Note.

WARRANTS:

****D. Berry moved, A. Fowler seconded to authorize payment of the October 31, 2008 Capital, Active and Restricted Reserves warrant in the amount of \$14,143.52. Unanimous.**

**** D. Berry, A. Fowler seconded to authorize payment of October 31, 2008 Regular Accounts Payable warrant in the amount of \$81,131.76. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of the November 12, 2008 Capital, Active and Restricted Reserve warrant in the amount of \$16,820.01. Unanimous.**

****D. Berry moved, A. Fowler seconded authorizing payment on the November 12, 2008 Accounts Payable warrant in the amount of \$162,888.21. Unanimous.**

UPDATED TREASURER'S SOFTWARE:

K. Trussell informed the Commissioners that she would need to add a new company register in the Northern Data Software due to Jail consolidation because the Jail's accounting must be separated from the County's side of the accounting. There was discussion of how to fund this expenditure during 2008, as it was unforeseen and unbudgeted. J. Hyk felt it should come from the Treasurer's Department. A. Fowler felt that the State should absorb the cost under the new arrangement. There was also discussion regarding how auditing must be done separately for the Jail and the Self-funded Health Insurance Program.

****A. Fowler, D. Berry moved to purchase the software for the Treasurer's Office to handle the Jail accounting separately under the Treasurer's accounting system. Unanimous.**

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

CLEANING BIDS:

K. Nealley presented cleaning bids as follows:

1. Central Maine Cleaning came in \$30,900.00 per year. When asked if they would sign a two-year contract at that price, they agreed.
2. Mainely Green Cleaning bid at under the \$30,900.00 and therefore was the lowest bidder. K. Nealley stated that a number of departments have not been satisfied with the cleaning. K. Nealley validated those issues and felt it was in the best interest of the County to award the bid proposal to Central Maine Cleaning.

The Library highly recommended the next highest bidder. The only reservation they had is during a vacation of the usual cleaner, wasn't done as well, but that was rectified. This group also is part of a State contract, which is a point to consider for the future.

****D. Berry moved, A. Fowler seconded to approve the contract with Central Maine Cleaning at \$30,900.00 per year for 2009-2010. Unanimous.**

HANDICAP RAMP AT UNIVERSITY OF ME COOPERATIVE EXTENSION:

The ramp is now satisfactorily completed. It was done a few days late, but K. Nealley recommended that the Commissioners waive the post-deadline fee of \$100.00 per day because the work has generally been done in a timely manner. The Commissioners agreed.

SUPERIOR COURTHOUSE FURNACE REPORT:

Regarding the letter received from Carpenter Associates regarding Phase 1 Engineering Services, the Commissioners voted as follows:

****A. Fowler moved, D. Berry seconded signing contract with Carpenter Associates for the Phase 1 Engineering Services report. Unanimous.**

K. Nealley informed the Commissioners that State of Maine has two contracts with Webber Oil at 15.5 cents above rack price and C.N. Brown at 7 cents over rack price for #2 heating oil. K. Nealley has been researching the possibility of the County getting on the State contracts.

B. Arseneau stated that K. Nealley had made her aware of State contracts including office supplies, office furniture and a host of other items that the County uses and she intends, once the budget process is over, to get together with the Deputy County Clerk to compare pricing, availability and continuity in order to determine whether this would be the way to go.

D. Berry asked K. Nealley if he had his list prioritized for the buildings, maintenance, etc. in preparation for meeting with the Budget Committee. K. Nealley confirmed that he was fully prepared with a list and information for any questions the Budget Committee may have.

Regarding fuel pricing, the State locked in at \$3.689 for Webber and C.N. Brown \$3.744. When asked, K. Nealley reported that the County of Waldo is locked in at \$3.875. J. Hyk mentioned that he knew of a municipal manager that locked in at over \$4.00 per gallon. A. Fowler agreed that it was worth a try to talk to Thompson's Oil about the current contract.

CORRESPONDENCE:

Reporting Correspondence was County Clerk Barbara Arseneau, with Deputy County Clerk Veronica Stover taking the minutes as follows:

1. B. Arseneau reviewed with the Commissioners a draft letter to William Single of CSH in response to an invoice for annual support service. The purpose of the letter was to remind Mr. Single that the County of Waldo transferred its law enforcement tracking to Spillman software in 2006 and officially terminated any contractual ties with CSH effective January 1, 2008. The letter indicated that the County had already notified CSH that this transfer was taking place back in 2006 and that Mr. Single had assisted the County in doing so. The County Commissioners would pay for any work performed by CSH, at the County's request but the County would not expect to receive any more annual support invoices. The Commissioners approved the draft.
2. Former Cumberland County Commissioner Esther Clements sent an Email message thanking them for the honor of dedicating the 2008 MCCA Annual Convention to her and toasting her. She expressed appreciation for the years of friendship and the opportunities she had in an active role in county governments.
3. In a letter dated September 19, 2007 to the City of Belfast Manager Joseph Slocum from the Commissioners, a sidewalk on Market Street was requested for the safety of employees working in and citizens visiting the Superior Courthouse, as there is no sidewalk at present. A response has never been received. The Commissioners suggested sending another letter stating that it is possible that the first letter may have been lost in the mail, indicating that they are still interested in pursuing this, and asking the City Manager for his thoughts on this important safety issue.
4. B. Arseneau reminded the Commissioners that the Emergency Management Agency Awards Banquet is scheduled on November 25, 2008. All three Commissioners will be in attendance.

5. MCCA Association Manager Becky Morgan sent the County a reimbursement check for \$4,611.80 that Waldo County paid to Point lookout for the security deposit for the 2009 Maine County Commissioners Association Annual Convention that will be held there. A contract will follow shortly.

6. A letter dated November 4, 2008 has been received from Islesboro Town Manager Damaris A. Diffin stating that she had been in contact with Lincolnville Town Administrator David Kinney about the law enforcement department to use/access without any additional County fees being assessed to Lincolnville. Mr. Kinney has spoken very positively about the computer program and the advantages in having access to the program by his law enforcement department. The Islesboro Board of Selectmen are respectfully requesting the same access to the computer program as the Town of Lincolnville currently has. Computer access to the Spillman program would benefit both Islesboro officers as well as the Waldo County Deputy that is sent to the Island during the summer months. She asked that the Commissioners let her know if there is any additional equipment that the Town would need to budget for in anticipation of the County allowing the Town access to the program.

****D. Berry moved, A. Fowler seconded to allow the Town of Islesboro access to the Spillman system as they have done with the Town of Lincolnville. Unanimous.**

7. Corrections Officer Kyle Lucas has resigned his position and his last date of work will be the night of November 5, 2008.

****A. Fowler moved, D. Berry seconded to accept with regret the resignation of Corrections Officer Kyle Lucas, with the last date of employment being November 5, 2008. Unanimous.**

8. Karen J. Adams has been elected to work as Part-time Cook at the Waldo County Correctional Center effective October 24, 2008.

****A. Fowler moved, J. Hyk seconded to approve the hire of Karen J. Adams as Part-time Cook at the Waldo County Correctional Center effective October 24, 2008 at \$11.74 per hour. Unanimous.**

9. Facilities Manager Keith Nealley has successfully completed the six-month probationary period for new hires. B. Arseneau, as his supervisor, told the Commissioners that his work performance has been exceptional, particularly considering the short time he has been employed in this position. She requested that he be considered a permanent full-time employee effective October 30, 2008.

****D. Berry moved, A. Fowler seconded to approve Keith Nealley as a permanent full-time Facilities Manager effective October 30, 2008. Unanimous.**

10. The Commissioners noted pay step increases for the following employees:

- Sergeant Robert Walker will reach the eight-year step on November 19, 2008 with a pay increase from \$17.25 to \$17.78 per hour.
- Deputy Glenn Graef will reach the two-year step on November 18, 2008 with a pay increase from \$15.70 to \$15.93 per hour.

11. The following employees received letters of commendation:

- Detective Jason Bosco for excellent investigative work on resolving approximately thirty (30) related residential burglaries in the Waldo County area.
- Deputy Scott Jones for swift response and immediate action taken by diving underwater several times to extract a victim from a vehicle that had rolled into the Country View Golf Course in the Town of Brooks on May 15, 2008.

- Sergeant James Porter who, even though at home and off-duty, responded to a call on March 4, 2008 regarding a vehicle that was reported upside down in Sandy Stream in Unity. He entered the very cold water and released the victim from the vehicle.

The Commissioners praised the remarkable and outstanding efforts of these employees in behalf of the citizens of Waldo County.

12. Mr. Garnett Robinson, President of the Maine Assessment & Appraisal Service, Inc. sent a letter to the Commissioners date October 24, 2008 along with an attached copy of a letter sent to Swanville citizen Kimberly Corley regarding her original 2008 abatement request dated August 28, 2008 for 2008 taxes originally committed July 16, 2008 requesting that she submit either a new abatement application or re-submit her previous application re-dated and initialed so that it is clear that she is pursuing an abatement of the current tax commitment which was signed September 18, 2008 which settled and voided the July 16, 2008 commitment. Mr. Robinson stated that after reviewing the laws regarding abatement procedures and in discussion of the matter with employees at Maine Revenue Services, it is his opinion that it is in the best interest of the Town Assessors, Ms. Corley and any Board or Courts holding future hearings that it be made clear that she is challenging her 2008 taxes committed by the Town Assessors on September 18, 2008 and not the July 16th commitment which was voided by a vote of Swanville residents changing the amount of Municipal spending to reduce the mil rate. He ended by stating that the Commissioners could contact him with any questions.

13. Cynthia Dalton, Co-Chair of the “Belfast – An Old Fashioned Christmas Event” was requesting permission to light the tree in front of the Superior Courthouse on Saturday December 6, 2008. She stated that paperwork has been filed with the City, and the City is “on board.” The Commissioners had already granted authorization, so this was to be relayed to Ms. Dalton.

14. Bernstein Shur is offering a free seminar called “Employers, Get Ready: Change is Coming! (Anticipating and Planning for Major New Workplace Laws in 2009) on November 20, 2008 from 8:30 a.m. to 12:00 p.m.. The Commissioners told B. Arseneau and M. Wadsworth to attend this seminar.

15. The Maine Geo Library has been instructed to take the County off its Emailing list. The Commissioners intend to get what information they need from the Waldo County EMA Director.

16. Sheriff Story sent notice that Waldo County did not receive the BVP Bulletproof Vest Partnership grant this year. The deadline on the website was not correct, and even though the Sheriff brought it to their attention, they would not accept Waldo County’s application.

17. Ms. Jennifer Gunderman-King, District Public Health Liaison – Mid Coast, Maine Department of Health and Human Services sent an inquiry regarding interest in communicating with area partners around the fuel issue and having an informal discussion lead by a facilitator. The Commissioners felt this was being handled well by the Healthy Community Coalition already.

18. The City of Belfast sent a Notice to Property Owners dated October 14, 2008 announcing that a public hearing and the Second Reading of proposed amendments to the City Code of Ordinances, Chapter 80, In-Town Commercial Design Review, and Chapter 102 Zoning would be held on October 21, 2008 starting at 7:00 p.m. This was regarding the In-Town Commercial Design Review Ordinance process and changes in that process to include “Mandatory Participation – Mandatory Compliance” in the core of the

downtown area. The Commissioners reviewed the notice and the attached map and noted that both the Superior and District Courthouses fall into this zone.

19. Joseph A. Califano, Jr. of the National Center on Addiction and Substance Abuse at the Columbia University sent a thank you letter to the County Commissioners for issuing a proclamation designating the fourth Monday in September as *Family Day – A Day to Eat Dinner with Your Children*.

20. After researching MACo dues at the request of the Commissioners, V. Stover had learned that the County does not have to pay dues if it does not wish to be a member. The rates will probably be going up, although that has not been established yet. It had been recommended to V. Stover that the County stay a member for legislative purposes if nothing else.

21. Caremark RX, Inc. has issued a refund check to the County of Waldo in the amount of \$379.75.

22. Human Resources/Payroll Director Michelle Wadsworth told the Commissioners that they needed to vote on non-union pay scales for Communications Center employees at some point.

23. M. Wadsworth also informed the Commissioners that the 2009 Health Insurance rates needed to be revised to indicate “non-union” employees, as the unions were still negotiating at this point.

****D. Berry moved, A. Fowler seconded to accept the revised 2009 Health Insurance rate sheet to reflect that this is for non-union employees. Unanimous.**

PAY SCALES AND INSURANCE RATES FOR 2009:

Present for this discussion was Human Resources/Payroll Director Michelle Wadsworth, who presented the following:

1. Non-union pay scales 2009.

2. Non-union Health Insurance Rates for 2009.

A. Fowler reminded all about the discussion at the request of the Safety-Department Head Association. The request was for employees in good standing who wished to retire but stay on the County’s Health Insurance Plan by paying their full premium. A. Fowler stated that, for the record, she was in favor of this if an employee had successfully completed 8 years of employment.

****D. Berry moved, A. Fowler seconded approving the reduced health insurance rates for non-union employees.**

POVERTY ABATEMENT HEARING DISCUSSION:

J. Hyk explained that he had reviewed the tax and poverty abatement appeal file for a Waldo County Citizen and found it very confusing and difficult. He also reviewed the Poverty Abatement process and legal materials kept at the Commissioners Office. Because there was incomplete information for the Commissioners in the file and because there is limited financial information for the Commissioners to process this properly, the Commissioners instructed B. Arseneau to send the poverty abatement process and forms they had obtained from Maine Municipal Association to the selectmen of the town where this poverty abatement request had come in hopes that it will assist them in the process. A copy of the letter to the selectmen should also be sent to the citizen.

THOMPSON’S OIL – Current Contract:

Present with the County Commissioners was Mr. David Thompson of Thompson's Oil. A. Fowler inquired if there was any way the County could work with Thompson's to reduce the cost. D. Thompson responded that most people don't know the process, and how it works "up the chain." Once a customer accepts a price, Thompson's informs their supplier and then is committed to that price per gallon. He explained that this was Thompson's cost and it wasn't going to change.

The Commissioners stated that they understood.

D. Thompson suggested that the Commissioners might choose not to have the tanks filled toward the end of the contract year, because it looks as though the price should be lower next time than it is now. As of the first of March, he reported that Thompson's had delivered 33,000 gallons. He explained that he can't change the price, but the County could probably reduce how much oil is used. He noted that, of course, this is still five months away.

K. Nealley mentioned the State establishing at 15.5 cents with Webber and with C.N. Brown at 7 cents over rack. "This year they got nervous and they locked in at a fixed rate. We didn't know where the market was going to be, so we did the same," he explained to D. Thompson.

D. Thompson said he had a list of the County's use and the actual price. In March, if the County was billed 2.179 if on rack price, the County would have been paying well over \$3.00 per gallon, because that was Thompson's price.

J. Hyk said it made sense to him. A. Fowler said that she understood and that she just felt the Commissioners needed to ask. The Commissioners thanked D. Thompson for meeting with them.

(J. Hyk had to step out of the meeting briefly.)

EMA REPORT:

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

1. The most recent EMA Directors meeting was best attended ever. He jokingly said he suspected that it is because he offered pizza, noting that Waldo EMA bought the ingredients themselves and made the pizza to keep the costs down. Only three towns were not represented.

2. Waldo EMA may have a student from the College of the Atlantic to do some work if grant funding comes through.

3. D. Rowley has applied for eight (8) grants; none of which need a match. The 8 grant applications included: GIS Planner, new EMA Repeater, Credential Card machine, vehicle repeater, shelter supplies, disaster exercise program, Ham radio for Mt View shelter, and a Communications Planner. The Credential Card machine is related to NIMS compliance, shelter kits for the County, including fabric that is rolled out on the floor to protect it from scratches, if setting up cots. He is looking to get a generator for Searsmont Community Center Shelter and body armor for the Sheriff's Office. These require the Commissioner Chairman's signature.

4. D. Rowley is still working with attorneys regarding the tower.

5. D. Rowley inquired about the Commissioners decision regarding the Hazardous Materials Reconnaissance Team Development Plan he had submitted during a previous court session.

****A. Fowler moved, D. Berry moved to sign the Hazardous Materials Reconnaissance Team Development Plan, Updated September 25, 2008. Unanimous.**

GRANT APPLICATION – DISTRICT ATTORNEY’S OFFICE:

Present with the Commissioners was Legal Secretary Carla Rogerson, who informed the Commissioners that she has applied for a grant for ergonomic furniture for the District Attorney’s Office that will require a match of \$1,066.67. The Commissioners commended C. Rogers for her initiative in this matter.

****A. Fowler moved to take the total of \$1,766.67 from Grant Matching Fund to pay for the matching of the D.A. furniture.**

B. Arseneau was instructed to keep a running tally of Reserves being expended, particularly Grant Matching and Severance.

EXECUTIVE SESSION:

****A. Fowler moved, D. Berry seconded to enter into Executive Session at 12:01 p.m. for a personnel matter according to M.R.S.A. Title 1 § 405 D and E. Unanimous.**

****A. Fowler moved, D. Berry seconded coming out of executive session at 12:31 p.m. Unanimous.**
No action was taken.

MINUTES:

B. Arseneau submitted draft minutes from the August 14, 2007 County Commissioners Minutes for review, to be discussed at the December Court Session.

MISCELLANEOUS COMMISSIONERS BUSINESS:

1. A. Fowler stated that she will call Health Insurance Administrator Malcolm Ulmer to further discuss the retiree health insurance matter.

2. D. Berry will contact Dan Bennett from Waldo County General Hospital regarding the network situation.

3. The next Commissioners Court Session will be November 19, 2008.

J. Hyk moved, A. Fowler seconded to adjourn the meeting at 12:44 p.m.

Respectfully submitted by Barbara L. Arseneau
Waldo County Clerk