

**WALDO COUNTY COMMISSIONERS COURT SESSION
DECEMBER 9, 2008**

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.

CALL TO ORDER:

Chairman Commissioners John Hyk called the session to order at 9:00 a.m.

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

REVENUE:

D. Parkman reported that Revenue has been received at 12% above what was anticipated, but is a little below what was received in 2007.

APPROPRIATIONS:

The total budget could be 91% expended at this point in the year and is currently at 83% expended. "The County is in good shape," D. Parkman reported.

D. Parkman informed the Commissioners that the General Fund checking account contains \$2,228,285.67 as of today. He reported that a little under \$17,000.00 remains in the Jail account at Bangor Savings Bank and asked the Commissioners what they wished to do with those funds. He felt that some of that money should be available in a checking account for the Jail. K. Trussell explained that if no funds were in that account, the County would be using borrowed money immediately in January. The County must keep a minimum of \$10,000.00 in the checking account, and if there is nothing to start the year with, it would all be borrowed funds. A. Fowler expressed concern that the State might try to claim that money if it were in a "Jail" account. J. Hyk felt that the ultimate way to protect that money was to return it to the taxpayers, either by tax reduction or placing the funds in a reserve account to move the Sheriff's Office out of the old Sheriff's house. He stated to the other two Commissioners, "Whatever your pleasure; I'll be happy to endorse it." D. Parkman acknowledged that there had been no money to return to the taxpayers in recent years.

The Commissioners continued discussing the possibility of putting the money in a reserve.

D. Parkman reported that the interest earned on the reserve accounts last month was 3.03%. This month it was 2.35%, which is "kind of a steep drop," he stated. K. Trussell informed the Commissioners that it was 4.86% in January, and in August it dropped from 4.32% to 3.51%. She noted that it was steadily dropping all year. D. Parkman thought they should inquire of Camden National as to what was going on.

PROPERTY TAXES PAID AT THIS TIME:

D. Parkman was pleased to report that all the municipalities have paid the 2008 Property taxes in full.

WARRANTS:

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

****D. Berry moved, A. Fowler seconded to authorize payment of the November 26, 2008 Capital, Active and Restricted Reserves warrant in the amount of \$16,708.93. Unanimous.**

**** D. Berry, A. Fowler seconded to authorize payment of the November 26, 2008 Accounts Payable warrant in the amount of \$1,628,544.42 and the November 26, 2008 Payroll in the amount of \$133,742.76. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of the December 9, 2008 Capital, Active, Restricted Reserve warrant in the amount of \$6,834.93. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of the December 9, 2008 Accounts Payable warrant in the amount of \$330,056.47. Unanimous.**

TAX ANTICIPATION NOTE BIDS:

Present along with the Commissioners, Treasurer and Deputy Treasurer for the bid opening was Cathy Reynolds of Bangor Savings Bank.

Bid Quotes Received:

1. Camden National: For a \$4,300,000.00 line of credit from 1-2-2009 as needed or lump sum through December 31, 2009, the interest rate was quoted at 2.64% based on actual 365 days per year. Pre-payment is without penalty. The County would be responsible for obtaining opinion from Bond Counsel. Other terms were read and explained, including Cash Management with two business checking accounts stipulating a \$10,000.00 minimum target balance in each account. Any collected amount above that would be in a "sweep account." The "sweep account" interest rate would be 1.4%, subject to change.
2. Bangor Savings Bank: For a \$4,300,000.00 line of credit from 1-2-2009 through December 31, 2009 calculated at 365 days per year, the interest rate was quoted at 3.19%. The checking account included unlimited free checks. A minimum balance of \$29,000.00 was required in both accounts. This quote also provided a "Sweep Account," which could include the Jail account, after the loan is no longer needed. Funds would be "swept" overnight, and the money is "liquid" and readily available. The Checking Account interest rate was quoted at 1.04%.
3. TD Bank North: K. Trussell informed the County Commissioners that this bank no longer has a branch located in Belfast. They just moved out to Searsport within the past week or so. The T.A.N. request for bid proposals stipulated that only banks located in the County Seat would be considered for bid proposals. The Commissioners stated that they felt that they should open the bid regardless, since they reserve the right to accept or reject any bid. The Treasurer read the proposal as follows: For a \$4,300,000.00 line of credit from 1-2-2009 through December 31, 2009 as a lump sum, interest was quoted at 2.39%. Interest on an as-needed basis was quoted at 3.09%. D. Parkman reported that the County does not borrow in a lump sum. The quoted required a minimum balance of \$10,000.00 in the checking accounts. The County must obtain an opinion from Bond Counsel. The checking account interest earned was quoted at .9%.

D. Parkman recommended awarding the bid to Camden National Bank again for 2009.

****D. Berry moved, A. Fowler seconded to accept the bid proposal from Camden National Bank. Unanimous.**

K. Trussell would contact the County's Bond Counsel to draft paperwork for the T.A.N.

FACILITIES REPORT:

1. Carpenter Associates has been examining the boiler system at the Superior Courthouse. The visits should be concluded soon and a report will follow.
2. K. Nealley stated that he has been giving a lot of thought regarding the air-handling system in the Superior Courthouse and the pros and cons to doing this. There is a company in Bangor, Hallowell International that is making a low-temp heat pump. They are relatively expensive, but will generate heat down to 38%. He will keep an eye on this as a possible alternative.
3. K. Nealley inquired of Commissioner Fowler as to any funds available from the State. A. Fowler apologized for not responding to K. Nealley, but it was only because she did not have any information. She serves on the Courthouse Committee. K. Nealley said that he was identifying issues both within the Jail and the Superior Courthouse. A. Fowler said she would give him information on which county now has a new courthouse and where other funding has gone.
4. **ENERGY CONSERVATION GRANTS:** There is an energy conservation bond arrangement being offered. K. Nealley is doing research on the possibility of obtaining energy conservation project funds through this source.
5. **JANITORIAL SERVICES CONTRACT:** J. Hyk signed the janitorial services contract between Waldo County and Central Maine Cleaning for a two-year agreement at \$2,575.00 per month for the two years.
6. **BUDGET:** K. Nealley commented that he had found the budget committee meeting in which he presented the 2009 Facilities Budget "interesting." Currently there is \$10,000.00 to \$15,000.00 available. One thing he had considered is he was aware that the total county budget was possibly overdrawn this year and could leave it for the "common good." Otherwise, he could use it toward energy conservation. J. Hyk felt that it would be a much better use of the money to take care of facilities matters. Commissioner Berry said that he agreed that energy conservation was an excellent idea, but was against the concept of "spending money just to spend money." K. Nealley explained that investing in bulbs and other fixtures that reduce expenditures on energy was a good idea and would save the County money later. J. Hyk repeated that he was concerned that the Budget Committee had repeatedly reduced the Facilities Budget and did not want maintenance to fall behind. K. Nealley said he would wisely expend some funds on energy-efficient products and keep the Commissioners posted.

K. Nealley requested an Executive Session for a Legal Matter.

****A. Fowler moved, D. Berry seconded to enter Executive Session at 10:01 a.m. for a Legal Matter according to Title 1, subsection 405 (F). Unanimous.**

****D. Berry moved, A. Fowler seconded to come out of Executive Session at 10:12 a.m. Unanimous.**

No action taken.

CLOSING BOOKS FOR 2008:

Registry of Deeds

Present to close the Deeds books for 2008 was Register of Deeds Deloris Page with the following figures confirmed by the Treasurer's Office:

December 2007 – November 2008:

Fees:	\$299,335.59
Surcharge:	\$25,200.00
Interest:	\$675.23
<u>Transfer Tax:</u>	<u>\$74,596.17</u>
TOTAL	\$399,806.99

CLOSING BOOKS:

Registry of Probate

Present to close the Probate books for 2008 was Register of Probate Sharon Peavey with the following figures confirmed by the Treasurer's Office:

December 2007 – November 2008:

Fees:	\$61,147.95
Surcharge:	\$2,585.75
<u>Restitution:</u>	<u>\$7,460.02</u>
TOTAL	\$71,193.72

SAFETY PRIZE:

Recipient: Probate Clerk Wanda Pinkham received the \$100.00 prize for her safety suggestion of repairing the pavement by the handicap entrance since it is so uneven.

HUMAN RESOURCES REPORT:

Present for was Human Resources/Payroll Director Michelle Wadsworth with the following inquiry for the County Commissioners:

HOLIDAY INQUIRY: M. Wadsworth reported that there have been numerous calls regarding whether or not the day after Christmas would be treated as a paid holiday. M. Wadsworth had checked with the Human Resources person at the State of Maine, and the State is not treating it as a paid holiday. She also contacted the City of Belfast and the City Councilors also voted not to treat this as a paid holiday. The Commissioners stated that they would not be allowing any offices to close during this time, either.

CORRESPONDENCE:

1. Waldo County General Hospital Executive Director Mark Biscone sent a letter dated November 20, 2008 inviting the Commissioners to attend a Waldo County Legislative Delegation and County Commissioners meeting being held on Monday, December 15, 2008 in Conference Room A at 8:00 a.m. Breakfast will be served. An R.S.V.P. was requested, so B. Arseneau asked if any of the Commissioners planned to attend. Commissioner Fowler was uncertain but would respond herself. J. Hyk would not be attending. D. Berry said he would plan on attending and would respond himself.

2. STARTING SALARIES: The Commissioners briefly discussed the need to set starting salaries for a number of positions that did not have them. They agreed to table further discussion until the December 30, 2008 Special Commissioners Court Session.

3. Sagadahoc County Administrator Pamela Corrigan sent communication informing all the Clerks, Administrators and Managers that one of the local State Representatives has agreed to sponsor two bills for Sagadahoc. For now, the bills will just be placeholder bills. The first bill will be pursued in the event that the Board of Corrections does not support a joint effort to correct the capped amounts set out in the Jail Consolidation Legislation (Sagadahoc needs its cap increased by about \$224,000.00) and a second bill, also a placeholder, to be fine-tuned in the event that the Counties receive the final word that (or have solid reasons to believe that) the State is not going to fund State prisoner boarding costs; fund necessary increases in costs that exceed the growth factor; and/or will not be able to fund the 1.5 million for transitional costs. P. Corrigan explained that the second of the two bills is simply a safety net in case Sagadahoc and (other counties) feels that the State has definitely defaulted on most, or all, of the promises made to get Counties to “buy into” and support the Consolidation law. P. Corrigan was asking for input on what others believed should be enacted/repealed in the event that the Consolidation effort failed. B. Arseneau informed the Commissioners that Treasurer David Parkman had seen this communication and added that the view of the County Treasurers at this time is that they have “no confidence that the State will hold up on their side of the law.” The Commissioner discussed this briefly and agreed that repealing might be the way to go, but wished first to get the opinion of Sheriff Story.

4. PRESCRIPTION DRUG DISCOUNT CARDS START-UP: B. Arseneau informed the Commissioners that the Press Release had been sent out yesterday announcing the launching of the discount card program to help Waldo County citizens cope with the high price of prescription drugs. The release included details of the program as follows: The card is free and available under a program sponsored by the National Association of Counties (NACo) that offers average savings of 22% off the retail price of commonly prescribed drugs. The cards may be used by all County residents, regardless of age, income or existing health coverage, and are accepted at three County pharmacies. A national network of more than 59,000 participating retail pharmacies also honors the discount card.

B. Arseneau said that there had also been news report on Channel 2, VillageSoup put out word on their site and generally there was a lot of enthusiasm for this program. Many people have expressed appreciation for it and many offers have come in to serve as distribution points for the cards.

5. The Commissioners noted that Deputy Benjamin Seekins will reach the sixteen-year step on December 13, 2008 with a pay increase from \$18.94 to \$19.24 per hour.

6. Communications Director Owen Smith submitted the letter of resignation he had received from part-time Dispatcher Rory McLaughlin, effective January 1, 2009.

****A. Fowler moved, D. Berry seconded to accept with regret the resignation of part-time Dispatcher Rory McLaughlin effective January 1, 2009. Unanimous.**

7. Grant researcher/writer Cheryl Coats with DRG Specialty Services, Inc. submitted a report for November research and attached information about a program for leaking tanks through the State of Maine, in case the County needed to look into that. She further reported that there is no money being offered for records management for the Jail and District Attorney’s records. She suggested that the County might consider scheduling one month’s worth of work each year to do this as a “phase project” over several years.

8. The Maine County Commissioners Association Nominating Committee has requested nominations for an appointed county official to serve on the Intergovernmental Advisory Commission.

9. B. Arseneau had already forwarded the following information to the County Commissioners: On December 5, 2008, Knox County announced it will be holding a short open house for its two out-going commissioners - A. Mason Johnson, Jr. and Lawrence Nash on December 9, 2009 in the County Administration Office in the basement of the courthouse in Rockland. It will start at about 11:30 a.m.; possibly sooner.

10. Bernstein Shur has sent a free notice regarding new FMLA (Family Medical Leave Act) regulations, which will go into effect January 16, 2009. The changes primarily focus on Military personnel and their families but there were also additional changes and clarifications on a series of items.

11. A letter dated December 1, 2008 was received from Stockton Springs Town Manager Joseph Hayes with the Town of Stockton Springs' request for free access to the Spillman System law enforcement computer program that is currently enjoyed by the Town of Lincolnville. The Commissioners instructed B. Arseneau to make copies of this letter for the 2009 Budget Committee.

12. B. Arseneau requested that the Commissioners/Treasurer's Office be closed on a Thursday and Friday in January, and possibly a Thursday and Friday in February for year-end and year-beginning work. The Commissioners approved this request and asked for the dates to be sent to them and for advance notification to be sent out to Waldo County Departments, the public, etc.

13. The IRS has announced the 2009 standard mileage reimbursement rate will be .55 cents. (For 2008, it was .585 cents.)

****D. Berry moved, A. Fowler seconded to set the County of Waldo's mileage reimbursement rate for 2009 at .55 cents. Unanimous.** The Commissioners instructed that a memo be sent out to that effect.

14. B. Arseneau shared the results of a recent survey sponsored by the U.S. Census Bureau and the Centers for Disease Control and Prevention. This survey reported that the County of Waldo has approximately 33,085 residents under the age of 65 who do not have health insurance coverage.

EXECUTIVE SESSION:

****D. Berry moved, A. Fowler seconded to enter Executive Session at 11:15 a.m. according to Title 1 subsection 405 (6) (D) for a legal/personnel matter related to discussion of ongoing labor contracts, proposals and meetings. Unanimous.**

****D. Berry moved, A. Fowler seconded coming out of Executive Session at 12:36 p.m. Unanimous.**
No action was taken.

NEXT COURT SESSION:

The Commissioners may possibly meet December 30, 2008 if needed to tie up any loose ends for the end of the year.

****A. Fowler moved, D. Berry seconded to adjourn the session at 12:37 p.m. Unanimous.**

Respectfully submitted by Barbara L. Arseneau
Waldo County Clerk