

**WALDO COUNTY COMMISSIONERS COURT SESSION**  
**JANUARY 27, 2009**  
**(SPECIAL SESSION)**

**PRESENT:** Commissioners Donald P. Berry, Sr. (Chairman), Amy R. Fowler and William D. Shorey. Also present was EMA Director Dale Rowley and County Clerk Barbara L. Arseneau to take minutes.

**EMA REPORT:**

Present for this report were EMA Director Dale Rowley and Technology Consultant James Arseneau. D. Rowley reported that the County had received funds from seven grants, which included money for the following:

- Part-time Communications Planner
- GIS Planner to do all maps for County and Towns
- Exercise money
- Vehicle Repeater
- Mobile Repeater
- Identification and Credentialing Machine
- Another Exercise
- Incident Command Repeater

\$71,000 was brought into the County and \$110,021.00 for a foam trailer for the Town of Searsport.

D. Rowley stated that he had “an Ethanol issue.” It was originally thought that only Troy and Unity would be affected, but now Ethanol will be traveling through Searsport, Stockton, Winterport and Frankfort and Prospect, which impacts the firefighters and EMA Directors on the municipal levels. Searsport Fire Chief Jim Dittmeyer will see to it that additional training will take place, and a Haz-mat awareness course has been added for training.

**ABORN HILL TOWER PROJECT**

Dale Rowley informed the Commissioners that he is ready to send out bid proposals for the design/supply/build services to replace the Aborn Hill Radio Communications Tower in the Town of Knox, Maine. He submitted to the Commissioners a copy of the notice to bidders and a copy of the request for proposals; then gave an overview of the timeline for this project. The advertisements for bid proposals have gone into this week’s newspapers and Internet news. Requests have been sent to companies in Maine, Vermont, Massachusetts and New Hampshire to bring a design/builder on board. There are not many engineers in the area. This will be a design/build project, which requires a technical package and a design package and requires having someone “who knows what they are doing.” There will be five members to serve as a Review Committee to review the bid packages: D. Rowley, Communications Director Owen Smith, Facilities Manager Keith Nealley, Sheriff Story and County Clerk Barbara Arseneau. D. Rowley explained that the Committee will first “rack-and-stack” the bid proposals by technical review, and then determine which will fit the costs. No County fund matching is necessary. The only investment will be time and labor on the part of the County employees on the Review Committee. On all the other Homeland Security packages, D. Rowley has usually managed it through the State EMA checking account. It has not had to go through the County warrant. Since this is a \$240,000.00 project, D. Rowley inquired about the Commissioners wishes for handling the money. He did not know how much over-sight the Commissioners wanted to be involved in. The Commissioners felt that this large a project should be funneled through the County Treasurer’s Office, and a reserve would be established for this purpose. D. Rowley agreed and while

he felt he could certainly handle the process as he has in the past, he would feel better having this go through the County accounts rather than the EMA funding account.

The package has already gone out to four contractors who specialize in towers. Firms in Vermont, Kentucky and New Hampshire have requested the packages. The attorney who reviewed the grant request also recommended that bid requests not just be sent to the local newspapers. The specs and designs will have to be developed by the same person who may be doing the actual work. The Maine firm the County has used is very reputable. This firm, however, had expressed concern that if they provided the specs, they would not be permitted to bid, but D. Rowley assured them that they could keep the estimates general and they would be allowed to bid on detailed specifications later. The site plan is already done, and since the County owns the Registry of Deeds, there would be no additional cost for any research there. D. Rowley, when asked about cost, stated that this is the best time for the County to be doing a project in view of the economy. He thought bid prices would be very competitive. W. Shorey asked if a good system existed to review the contractors to be certain that these were qualified. D. Rowley explained the process he has used in the past, including review by attorneys, etc., to ensure all was correct. He felt that for a \$240,000.00 project, it is worth spending a few thousand to make sure things are correct, and added that nobody looks out for the owner but the owner. He noted that Facilities Manager Keith Nealley has dealt with some contracts before and that he, himself, is a certified engineer, but would still prefer "another set of eyes" to review the design and building specs, etc.

D. Rowley emphasized the importance of this project, as the current tower is in very poor shape. He explained that the mountain chain is like a "spine" and the tower sits on top of that spine and transmits on either side of that range. Increasing the tower height while keeping it under 200 feet means that there will be much better coverage and reduction of "shadows," without needing lights and other equipment required for towers 200 feet and over.

Technology Consultant James Arseneau submitted to the Commissioners a copy of a letter from Robert P. McAleer, Director of the U.S. Department of Homeland Security notifying him that the County's grant application could not be funded at this time. J. Arseneau confirmed that five other counties received more Homeland Security Grant Program funding than what was requested by Waldo County, and yet Waldo County received nothing. He stated that in the application, Waldo County had asked that if the whole request could not be funded, to consider a request for at least inclusion of the Towns of Islesboro and Stockton Springs in accessing the CAD system. Both D. Rowley and J. Arseneau said they would be meeting with the State to find out how they could improve their package requests in the future.

J. Arseneau stated that two rounds of Homeland Security Grants ago, the State had an interest in the tower and the most recent round, the engine for the foam suppression of ether. Other counties are adding things that Waldo didn't even dare to ask for and are receiving funds. D. Rowley said that this past year, there were two opportunities to apply for grant funding, and that was for the interoperability grant. He has heard rumors that this may be offered again, so Waldo will apply for CAD service for Islesboro and Stockton Springs under that auspice, if possible.

There is rumor that there is \$14 million for everybody to compete for. 75% comes from the federal government and the County must match 25%. Part of the problem is whether the State of Maine will even be allocated funds to apply for.

There was brief discussion of how the future of the Jail impacts the EMA office. If the Jail were to close, EMA could not fund running the whole building. There is the grant that is a 50-50% match, and D. Rowley might apply for this, which would be about \$360,000.00 to create a new EMA building on the 45 Congress

Street site where the Jail garden sits now. When asked, D. Rowley said that the Sheriff is aware of this. "I'll buy him some vegetables, if need be," D. Rowley joked.

J. Arseneau informed the Commissioners that there is a grant through the State that the County will be applying for to obtain laptops. Since the Commissioners had approved the paperwork for Islesboro and Stockton to come on board with the Spillman CAD system, J. Arseneau will get that going. He had hoped that there would be another grant opportunity, but there has not been, so as directed by the Commissioners, this will get started.

#### **EXECUTIVE SESSION**

**\*\*A. Fowler moved, W. Shorey seconded to enter Executive Session for a legal/personnel matter at 9:29 a.m. according to Title 1 § 401 (D). Unanimous.**

**\*\*A. Fowler moved, W. Shorey seconded coming out of Executive Session at 10:06 a.m. Unanimous.**

Regarding an application for grievance by the Support Staff Unit for reimbursement of premiums deducted from January 8 and January 22, 2009 pay checks, the Commissioners voted as follows:

**\*\*D. Berry moved, A. Fowler seconded that the application for grievance by the Support Staff Unit be denied by the County Commissioners. Since it is the obligation of the County to provide health insurance as of January 1, 2009, the County paid in December the entire premium for the January insurance coverage. The health insurance payments deducted from the January 8, 2009 employee paychecks were to reimburse the County for the employees' 5% premium fee for January, and secondly, the health insurance payments deducted in the January 22, 2009 paychecks was for February's health insurance coverage. This payment system is, and has been, the past practice in the County with respect to the health insurance payments. Unanimous.**

The Commissioners instructed the County Clerk to send a letter from the Commissioners to the Support Staff Unit notifying them of this decision.

#### **EXECUTIVE SESSION**

**\*\*A. Fowler moved, W. Shorey seconded to enter Executive Session for a legal/personnel matter according to Title 1 § 401 (D) at 10:09 a.m. Unanimous.**

**\*\*A. Fowler moved, W. Shorey seconded exiting Executive Session at 10:25 a.m. Unanimous.**

**\*\*A. Fowler moved, W. Shorey seconded to send a memo from the Commissioners to all departments advising them as to use of the Commissioners break room and clarifying the status of the food, supplies and files that are in that room. This is not a public break area and the Commissioners would appreciate not needing to lock the door. It is requested that all departments assist in notifying the public of this. Unanimous.**

#### **CORRESPONDENCE**

Reporting correspondence to the Commissioners was County Clerk Barbara L. Arseneau with Deputy County Clerk Veronica Stover taking notes as follows:

1. District Courthouse Lease: There was discussion on the most recent letter sent by Ted Glessner with a Memorandum of Understanding indicating almost the same request for changes as was requested back in July. B. Arseneau reminded the Commissioners that those changes had been made in the lease document and sent back to the State to sign. The Commissioners instructed B.

Arseneau to speak with State Court Administrator Ted Glessner to ascertain what the differences were in this most recent communication from the State.

2. The Commissioners authorized a letter to be sent to Administrative Assistant to the Sheriff Brenda Dakin answering her inquiry about the wages for her position.
3. A Swanville citizen sent a letter dated January 16, 2009 and received by the County on January 22, 2009, stating that the materials and copy of the letter from the County's attorney addressed to the County Commissioners had been received. The citizen was requesting, once again, an appeal regarding "many requests to the Town of Swanville as well as the Commissioners Office concerning property tax abatement for the years 2007 and 2008 because of poverty or infirmity. The citizen wished for the taxes to be waived for those years and also requested property tax abatement because of over-valuation by the Town of Swanville for 2007 and 2008 taxes as well. The citizen stated that the Town of Swanville refuses to reply to those requests. The citizen expressed displeasure with the Commissioners for sending the matter back to the Town of Swanville and stated that the most recent request for abatement to the Town of Swanville on September 30, 2008 had still not elicited a response. The citizen was, therefore, requesting again a hearing before the Board of County Commissioners. The Commissioners instructed B. Arseneau to send a letter to Swanville Town Office to determine if they have responded to this most recent request or not.
4. A letter dated January 16, 2009, received by the County on January 21, 2009 was sent to the Commissioners by Swanville Citizen Kimberly Corley. Ms. Corley informed the Commissioners that the Town of Swanville was in contempt of their order. She stated that she had filed another appeal for abatement with the Town of Swanville over six months ago and she claimed that the Town of Swanville "is ignoring it just like last time." She accused Commissioner Fowler of sending her "on a wild goose chase...trying to get outside agencies in our State to take over the Commissioners responsibilities." The Commissioners noted that Ms. Corley had never responded directly to Commissioner Fowler's letter dated September 19, 2008 in which it was noted that Swanville had shown proof that they had issued an abatement check to Ms. Corley. The Commissioners instructed B. Arseneau to send a letter to Town of Swanville asking for information to determine if they have followed the decree back in 2007.
5. Commissioner William Shorey asked that a letter be sent to members of the Support Staff Unit from Commissioner Shorey inviting them to sit down together in an "informal meeting" to have some discussions that will hopefully be fruitful for all.

#### **MISCELLANEOUS COMMISSIONERS BUSINESS**

The Commissioners had no additional business.

#### **NEXT COURT SESSION:**

The next regularly scheduled Commissioners Court Session will be February 10, 2009.

**\*\*A. Fowler moved, W. Shorey seconded to adjourn the meeting at 11:15 a.m.**

Respectfully submitted by *Barbara L. Arseneau*

Waldo County Clerk