

**WALDO COUNTY COMMISSIONERS COURT SESSION  
(SPECIAL INFORMATIONAL SESSION)  
PROBATE COURTROOM  
FEBRUARY 5, 2010**

**PRESENT:** Commissioners Donald P. Berry, Sr. (Chairman), Amy R. Fowler and William D. Shorey with County Clerk Barbara Arseneau to take minutes.

Also present were 2010 Budget Committee Members Robert Plausse, Richard Desmarais, James Kenney and James Bennett.

Citizens who were present included Grayson Hartley of Islesboro and Jo Kenney of Unity.

Also present were Waldo County Facilities Manager Keith Nealley and Technology Consultant James Arseneau.

Commissioner Berry opened the court session at 6:30 p.m. and passed out copies of the New Sheriff's Office Funding Concept 01-15-2010 and the Estimated Cost of Building New Sheriff's Office.

D. Berry said the Commissioners met in January and noted that R. Desmarais was present at that session, during which the Commissioners decided they would like to hold an informational session for the Budget Committee to let them know how and why the Commissioners are intending to build the Sheriff's Office in the way they have decided.

D. Berry said he had contacted Commissioner Shorey and asked him to go into the office to see if there was any way there was enough money to fund the building without having to borrow. By the end of the afternoon, Commissioner Shorey said that the \$1,000,000.00 had been found.

D. Berry referred to the Estimated Costs sheet and read down through the expenditures related to going out to referendum. Originally, the Commissioners had "looked at going the loan/grant route." If they had gone that way, borrowing \$800,000.00 would have amounted to approximately \$160,000.00 in interest. He listed the benefits of doing the surveying and site work all at once for the EMA and Sheriff's Office for about \$4,000.00. The City of Belfast needed a site map and that cost around another \$1,000.00.

The savings would be in interest and principal that would not have to be paid by the taxpayers. "We can share one heating system. We can have one technology room," D. Berry listed, as examples of savings. He expressed concern about the current Sheriff's Office and the technology in it at present.

One concept is to build an L-shaped building, with one end for the EMA building, which is covered by grant money. A question posed to FEMA and the grant-related people ended with it being agreed that one building could be built and the costs shared without impacting the EMA grant. "We can have one continuous slab," D. Berry explained.

He referred to the last referendum and that one of the biggest comments that came to the Legislators was, "Why didn't you plan?" He went on to say, "Well, they started planning long before I became

Commissioner and now there are funds available that can be pulled out and we have that \$1,000,000.00 sitting there.” Commissioner Berry added that this project likely will not cost the full \$1,000,000.00. He explained that contractors have already been calling and are looking for work.

A. Fowler said that the Budget Committee and many other people have been invited to go view the Sheriff’s Office. She said she had always supporting building the Sheriff’s Office, whether they built it on the 100-acre property or the Congress St. property near the Jail. She said she had educated herself and that she had always made her view plain, but she agreed with the process and where the building was going to be placed. She confirmed that contractors have been calling and are “hungry for work.”

W. Shorey stated that when he started in January as Commissioner, it just seemed that there was no mission with the Sheriff’s Office. It took a while to define it. He commented that they might not have come to this point if the EMA grant had not been obtained. He felt it helped to clarify where the Sheriff’s Office could go. W. Shorey said that he had hoped there could be a 75/25 loan, but the income in Waldo County was too great, so the best that could be done would have been \$150,000.00. When the Chairman asked him to find the money, he said that it turned out to be the best day of his life. He acknowledged that the Commissioners who came before him did a good job setting things up, but to him, it was one of the few times the “stars lined up” and they could accomplish something without it costing a lot to the taxpayers. He said that now it would be a matter of redirecting funds that would no longer need to be paid for the Communications Center loan toward replenishing the accounts used to fund this new Sheriff’s portion of the building.

Budget Committee Member H. Robert Plausse asked to speak regarding the 100 acres of County land. He stated, “The Federal Government is broke; the State is broke and many towns will be broke. When the people said ‘No’ to the referendum, the Commissioners went out and bought land anyway. The land is not needed. Nobody will be building a jail on that land.” R. Plausse added that he thought the land should be sold and this can go back to rebuilding the undesignated fund. He stated that he didn’t believe the land should be held onto just to say that land is valuable and for only that reason. He suggested that the money from selling the land be used to rebuild the undesignated funds so that other projects could be done in the future. He stated his belief that it would add integrity to the project. He commented that his town knows about the piece of land, weren’t happy when it was purchased, and would be happy to see it sold.

J. Kenney said he had several thoughts. He noted, first of all, that the math didn’t add up on the Estimated Cost of Building New Sheriff’s Office spreadsheet. [The total was later corrected from \$306,000.00 to \$216,000.00.] J. Kenney asked if the County Commissioners had the authority to do this project without being challenged. D. Berry responded that the Commissioners had the authority. J. Kenney asked again if there was a possibility that this could be challenged because he was concerned that this could cost money if it were challenged. Commissioner Berry said that this could not be challenged and emphasized that the Commissioners have followed the statutes and laws. J. Kenney wondered if this project would be for fifty years and inquired about the estimated cost to do this project.

W. Shorey said this question has come up – how cheap can we do this for? He said he was not interested in cheap but for as high a quality as possible in the most efficient way possible. He thought it needed to be more of a seventy-five to one-hundred-year project. “This will have to serve the County for a long, long time,” he stated. “This may be the last venture that this county sees for a good many

years. There may be other discussions about courthouses, etc. another day, but for now it is the Sheriff's Office."

J. Kenney stated he had had a discussion with W. Shorey that a wise man told him that land sitting there does not lose value, but he felt it would in this market, especially. The wise man was his father. He added that if it was certain that the Commissioners had the authority to do this, then that would be one thing because if it was going to be challenged in court, that costs the taxpayers.

W. Shorey said that he had always been a big proponent for selling the land. He would like to see every inch of the property and determine what value it really has. J. Kenney agreed to join him. W. Shorey said, "If you can get by the sentiment that you want to keep land, then that makes what is on paper a very good-looking project because you can transfer funds from the bond that is being paid off on the Communications Center, and can rebuild undesignated funds while building these buildings at the same time." He thanked the Treasurer and the office staff for their assistance in researching funds.

J. Kenney said he was only commenting on the prior comment about selling land. He pointed out the error on the spreadsheet once more.

G. Hartley said that he was "a spectator" and that about five years ago and he recalled that one of the reasons that the land was purchased was because the County was going to be facing courthouse building in the future. "Buying the land and holding it and it is not at a big burden to the taxpayers," he stated. He felt that the County should look very carefully as to what to do with the land and should try to find out what the future plans are for the courthouses. He recognized that there was a real need for that. He added that he was on the Jail Study Committee and they felt that the Sheriff's Office was recognized to be in great need back then. Dealing with the Jail at that time complicated things, and nobody was anxious to move on doing something with the Sheriff's Office at that time.

A. Fowler said she serves on a courthouse committee and that there is no way that there will be any courthouses built in Belfast. Right now they are looking at closing courthouses. Technology and legal rights are being reviewed, too. She agreed that "a piece of earth is a piece of earth and they aren't making any more." She had wondered if the County needed to keep the entire 100 acres. She has looked at the proposed plans and they already look ahead to future growth. "Mr. Arseneau recently pointed out that 25 years down the road and it is no longer the Sheriff's Office and maybe Deeds needs to go in there. If it wasn't for the greatest EMA grant writer in the State of Maine who found this money at the perfect time, we could not also enjoy these savings," she commented.

D. Berry said that this had been a driving force behind the Commissioners' decision, as well. This ability to build on to the EMA building made it really possible to move forward this way.

A. Fowler confirmed that it various loans and grants make it impossible to play in the same field.

W. Shorey took a moment and asked Facilities Manager Keith Nealley how much the State was contributing toward the recent ADA work at the District Courthouse. K. Nealley replied that the State is contributing about \$22,000.00 without the County having to provide funds for these projects at this point. W. Shorey stated his wish to thank K. Nealley publicly for working with the State to get this ADA compliancy taken care of.

D. Berry reported that Robert Plausse, Kathy Littlefield and Bill Sneed are currently serving on the EMA/Sheriff's Office Building Committee.

J. Bennett said he agreed that the Sheriff needs a new office; however, he felt that \$1,000,000.00 was too high. He also asked if the Commissioners had complied with the Surplus statutes at 30-A 922 and 924. D. Berry held up copies of those statutes and stated that these statutes had been complied with and the auditor had confirmed this as well.

W. Shorey said that he understood J. Bennett's comment about \$1,000,000.00 and expressed his view that the project may come in under that amount. He felt that the time was here to do this project and the funds were available.

J. Bennett stated that he had "done the LD 1 thing for the group." "They will be \$50,000.00 in the hole even if they don't do anything." He said that the people doing the assessing are going out of business. He commented that all towns are in trouble because they have lost revenue sharing, and he has heard that other funds will be taken away. He felt that the money should be given back to the towns.

W. Shorey said that he felt that this was a worthy comment on Mr. Bennett's part and whether the land was sold or not, this would be a one-year thing, a golden opportunity to address a very deficient building. "I ran for District 2 to look out for not just District 2, but all taxpayers," he stated.

R. Plausse said that he did not disagree with anything that had been said so far, but that "these are not normal times." Among other things he listed, he explained that his town has had to sell assets they never intended to. He felt that any time the County had an opportunity to do something to help, he thought they should.

J. Bennett said he had voted against purchasing the land. He commented that during the last Budget Committee Meeting after the Public Hearing that year, he "originally had Grayson on his side, but then Grayson let him down." He said, "The people had spoken and the Commissioners bought the land anyway."

A. Fowler said that she wondered if all the land should be sold but rather a portion. In terms of the court housing situation, she noted, "It cost over \$10,000.00 just to replace the railing in the Superior Courthouse because it is a historical building. I would love nothing more than to get a more efficient structure, as this is not."

R. Plausse stated that the Commissioners should be careful to respect the taxpayers of the County.

J. Kenney said that they funded a building at about \$810,000.00 in Unity. They signed the contract for around \$600,000.00. They were careful not to allow more than absolutely necessary change-orders to occur. He added, "You have to be careful of low bidders, too."

W. Shorey said he was very familiar with the way things could go with contracting. He related a recent bid that came in too low in Searsport. He sent the bidder back to review figures and it turned out that they had accidentally left out a component. It would have ended up two to three times more expensive if they weren't being careful about the bids.

A. Fowler said that this was the time, in the infant stages, to get the planning right.

W. Shorey explained that the County has hired a company that has a long resume of projects and jobs they've done very well. They have an excellent reputation as one of the best in the State of Maine. He added that EMA Director Dale Rowley is serving as Clerk of the Works and this is a savings of \$50,000.00.

J. Bennett asked if all this money came out of the accounts and something unforeseen happens, what the County would do.

D. Berry stated that the cruisers are insured, there are still funds in technology for any issues there, the Future Sheriff's Building reserve account would be done and would not need to be replenished. As for the County Planning reserve account, the County would be in that phase right now. The Future Land and Buildings reserve is also for this purpose. The other reserves would not be used for this purpose, so there will money still left in those reserve accounts.

A. Fowler said that she would locate the written sheet with the breakdown of the reserves and what they could be used for anyone who would like to review that.

K. Nealley commented that with the Jail now off the County's plate and being the "State's problem," this has relieved a lot of pressure with the care of that building.

W. Shorey said he believes the long answer is that "the County could probably take a hit at about \$100,000.00 and still survive." "We're kind of doing business in our 'skivvies' but we don't have them fully off yet," he commented.

The Commissioners thanked everyone for coming.

There was brief discussion of an LD that York County has put out. York County wants to take the money they receive for boarding inmates and do whatever they wish with it. D. Berry said he doubted that this would go anywhere.

D. Berry explained that the Jail has to be operated by the County and is still owned by the County but the State has all the authority.

Back to the Sheriff's Office, D. Berry said that he cannot believe that the office is still permitted to run. D. Berry remembered reading that Former Sheriff John Ford had informed the Commissioners that the building had electrical problems but could not take care of them right now because there was water in the basement. D. Berry said that it was shocking what was still in the basement of that building. K. Nealley added that there is no ground wire in that building at this point.

**The Commissioners adjourned the meeting unanimously at 7:25 p.m. Unanimous.**

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

