

**WALDO COUNTY COMMISSIONERS COURT SESSION
AUGUST 13, 2015**

PRESENT: Commissioners William D. Shorey (Chairman) Amy R. Fowler and Betty I. Johnson. Also present was County Clerk Barbara Arseneau to take minutes.

Call to Order: Commissioner Shorey called the meeting to order at 9:00 a.m.

Also present with the Commissioners was Maine County Commissioners Association Executive Director Rosemary Kulow.

TREASURER'S REPORT:

Present with the Commissioners was Treasurer David Parkman and Deputy Treasurer Karen Trussell. D. Parkman reported the following:

GENERAL ACCOUNT BALANCE:

\$22,197.30

JAIL GENERAL ACCOUNT BALANCE:

\$24,722.00.

TAX ANTICIPATION NOTE:

\$450,000.00 left in TAN.

COUNTY REVENUE:

The County Revenue is at 70.92%. K. Trussell drew the Commissioners' attention to the revenue brought in by both Registries of Deeds and Probate. She commented that Deeds' revenue was the highest for this past month that she had ever seen.

COUNTY BUDGET:

The total expenditure is about 61%. There was discussion about the part-time personnel line in the Sheriff's budget being 154% expended. It was noted that the over-time line was originally thought to cover this, but may not.

CORRECTIONS REVENUE:

The anticipated Jail Revenue is 1.28% received.

CORRECTIONS BUDGET:

The Corrections budget is 15% expended.

CORRECTIONS RESERVES:

Not discussed.

There was brief discussion about the new Jail laws and discussions that have taken place at the MCCA meetings. D. Parkman briefly related a motion he had made at the meeting.

Boarding costs were briefly discussed. Some counties are already charging other counties for boarding costs. A. Fowler addressed Rosemary Kulow and asked if she knew that when the Sheriffs met for their lobster meet, they were going to have an attorney interpret LD 186. She asked if anyone had notified R. Kulow of that interpretation. R. Kulow said that the interpretation would be at the Commissioner level. They hope to ask for the gap of money that didn't become available in the amount of about \$2.5 million and would like to separate Corrections money from the rest. She commended Dave for his motion, but noted it was bantered back and forth. It is hoped that the emergency bill will get the funding approved that was actually designated by the law. The Sheriffs have not shared their attorney's interpretation. She added that Cumberland County has also obtained a legal opinion regarding the new jail law. R. Kulow said originally there was not going to be any Commissioner representative but, ultimately, Commissioner Bill Blodgett did go.

W. Shorey asked R. Kulow if she recalled a list that was sent out with the overall inmates and percentage with each County.

R. Kulow said the question now is who will count the inmates and determine the disbursement. Also, prisoners need to be defined – is it where they were from or where they are detained.

W. Shorey mentioned Waldo County's contract with Two Bridges Jail, stating that Two Bridges is being reimbursed well. He believed the inmates were "tenants in possession". He believed these were Waldo County's clients because Waldo is paying and there was no other way to interpret it. R. Kulow agreed with that. W. Shorey commented that the 72 hour hold was mentioned in that letter. A. Fowler said the law still considers inmates from Waldo County as Waldo County's responsibility. R. Kulow said that that with other counties, it will be a future determination as to whether or not other counties start other contracts.

D. Parkman wondered if the State thought it could break a contract between counties for inmate board. A. Fowler said the law did not address that. There was brief discussion about Somerset billing Penobscot for Penobscot's inmates that are being housed in Somerset. It was noted that Somerset cannot house inmates without reimbursement.

W. Shorey stated that Waldo needed to be sure their inmates were cared for properly and made sure that this would occur.

****B. Johnson moved, A. Fowler seconded to file the Treasurer's Report. Unanimous.**

WARRANTS:

****B. Johnson moved, A. Fowler seconded to authorize payment of the July 28, 2015 General Fund Accounts Payable warrant and July 16 and 30, 2015 payrolls in the amount of \$280,459.45. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the July 28, 2015 Capital and Restricted Reserve warrant in the amount of \$28,511.51. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the July 28, 2015 Reentry Accounts Payable warrant and July 16 and 30, 2015 payrolls in the amount of \$382,956.09. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the July 28, 2015 MCRCC Restricted Reserve warrant in the amount of \$9,698.31. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the August 13, 2015 General Fund Accounts warrant and August 13, 2015 Payroll in the amount of \$191,955.39. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the August 13, 2015 Capital & Restricted Reserve warrant in the amount of \$17,880.49. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the August 13, 2015 Reentry Accounts Payable warrant and August 13, 2015 payroll in the amount of \$50,733.07. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the August 13, 2015 MCRCC Restricted Reserve warrant in the amount of \$4,634.45. Unanimous.**

SHERIFF'S REPORT & NEW HIRE:

Present with the Commissioners was Sheriff Jeffrey Trafton, who submitted the following.

1. Letter regarding transferring some firearms to former Sheriff Story as part of a retirement package. The Commissioners signed off on that.
2. An applicant for the position of part-time corrections officer named Scott Harvey, who has the qualifications. He would be hired at \$13.96 per hour effective August 13, 2015.

****A. Fowler moved, B. Johnson seconded to approve the hire of Scott Harvey as part-time corrections officer at \$13.96 per hour effective August 13, 2015. Unanimous.**

COMMUNICATIONS REPORT – “I AM RESPONDING” & MICROWAVE RADIOS:

Present with the Commissioners was Communications Director Owen Smith, who reported the following:

Regarding the “I Am Responding” (IAR) at least six additional agencies want to be involved in this. O. Smith has spoken with Fire Chief Association President Bill Gillespie. The other agencies could be picked up in the second year of the three-year project. Also, two of the six public ambulance services have expressed interest in being included. What needs to be determined is who will pay the fees. Fire is “cut and dried”. Ambulance services are different – they receive more calls per year, which will change the tier level. This request will require a fair amount of research and also to figure out what it would cost to do this.

A. Fowler asked if O. Smith had spoken with other departments who use this. He responded that some haven't utilized it as much as they could. He and B. Gillespie will work with those and try to assist. Those who are using it really like it and it is a great program.

B. Johnson asked how much they pay in. O. Smith said it is about \$730.00 for each fire agency to come on board. It was recommended not to add agencies on any more than twice a year.

2. Microwave Radios: O. Smith informed the Commissioners that the microwave radios are approaching their 10th year of operation. Replacement needs to be done in pairs. O. Smith recommended funding the Communications Equipment Reserve rather than make this a capital expenditure. These are about \$28,000.00 a pair to replace, and there are three pairs. A. Fowler asked if O. Smith had a capital expenditure plan. He said he knew what needed to be replaced but thought it should be planned for in a reserve. Otherwise, he did not. There was brief discussion of how to plan and fund. The Commissioners ultimately agreed it should be planned for and funded from the Equipment Reserve for Communications.

3. 24-hour Chairs: The “24-hour” chairs at the Dispatch Center are about 10 years old, and need to be re-cushioned and recovered. The chairs themselves are fine. It is less expensive to repair them than to purchase new ones. It would be about \$1,500.00 to do. It would cost about \$2,000.00 to replace them.

4. New Hire: O. Smith recommended, after receiving 22 applications and narrowing it down to 5, Brooke Casey of Winterport. She will become the second floater when her training is complete.

****A. Fowler moved, B. Johnson to hire Brooke Casey of Winterport at \$16.17 per hour effective August 18, 2015 to fill the vacant second floater position when her training is complete.**

Unanimous.

5. The new Stockton update: O. Smith it would be “fired up” next week. A new antenna was installed on the tower. It should work fine at the 80’ level. He and Mike Larrivee did a lot of testing from Aborn Hill.

CORRESPONDENCE:

Present to report correspondence was County Clerk Barbara Arseneau as follows:

1. Register of Deeds Stacy Grant sent a memo dated August 6, 2015 to the Commissioners regarding the proposed Veterans Rewards Program as offered by a Fidler Technologies in conjunction with the Maine Registers of Deeds. Upon receiving additional information, it appears that there will be more work required by the Registers of Deeds, including contacting local businesses. Since Fidler Technologies will have a vendor booth at the Maine County Commissioners Association Annual Convention in September, the Registers are requesting that their boards of county commissioners visit the booth and see a demonstration on the Veterans program and ask any questions they may have to determine whether or not they wish for the Registers of Deeds to take on this program.

2. Health Insurance Plan Document Restatement: The Commissioners agreed with Malcolm Ulmer’s recommendations for Items 1, 3 and 4.

****B. Johnson moved, A. Fowler seconded to approve Malcolm Ulmer’s recommendations for Items 1, 3 and 4 for restating the County’s health insurance plan document. Unanimous.**

3. Judge Susan Longley telephoned the County Clerk on August 5, 2015 and asked that she relay that the Judge has spoken with Lieutenant Matthew Curtis regarding emergency plans for the courts located in the District Courthouse. The Judge will be meeting with the Lieutenant and other security officers over cookies and coffee to come up with emergency plans should there be a terror-related or other threatening event in the courthouse, and to arrange for drill practices so that the courts and staff in the building will be prepared and trained for such an event.

3. Support Agreement Between the County of Waldo and the City of Belfast for Resource Staging Area: A support agreement has been presented between the County of Waldo and the City of Belfast to allow an unoccupied section of Runway 10-28 at the Belfast Municipal Airport to be available to the Waldo County Emergency Management Agency for use as a Resource Staging Area for emergency supplies and equipment provided during the response and recovery phases of a nature disaster or major emergency.

4. Sheriff Trafton has announced the promotion of Jason Trundy to Chief Deputy effective August 20, 2015 with a salary of \$69,322.99, having served the County since May 5, 1995.

****B. Johnson moved, A. Fowler seconded to approve the promotion of Jason Trundy to chief Deputy with a salary of \$69,322.99 effective August 20, 2015. Unanimous.**

5. Sheriff Trafton has announced the promotion of Matthew Curtis to Lieutenant effective August 20, 2015 with a pay increase from \$25.01 to \$26.42 per hour.

****A. Fowler moved, B. Johnson seconded to approve the promotion of Matthew Curtis to Lieutenant effective August 20, 2015 with a pay increase from \$25.01 to \$26.42 per hour. Unanimous.**

6. Sheriff Trafton has announced the promotion of Nicholas Oettinger to Sergeant effective August 20, 2015 with a pay increase from \$21.95 to \$24.11 per hour.

****A. Fowler moved, B. Johnson seconded to approve the promotion of Nicholas Oettinger to Sergeant effective August 20, 2015 with a pay increase from \$21.95 to \$24.11 per hour. Unanimous.**

7. Sheriff Trafton has announced that Deputy Jordan Tozier has been selected as the School Resource Officer for RSU #3 effective August 20, 2015 with a pay increase from \$21.95 to \$24.11 per hour.

****B. Johnson moved, A. Fowler seconded to approve Deputy Jordan Tozier as the School Resource Officer for RSU #3 effective August 20, 2015. Unanimous.**

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

- Corrections Officer Chad Corbin has completed 8 years of employment on July 22, 2015 and received a pay increase from \$18.83 to \$19.48 per hour.
- Deputy Daniel Thompson has completed 8 years of employment on August 11, 2015 with a pay increase from \$21.34 to \$21.95 per hour.

9. A revised 2016 pay scale for the Waldo County Commissioners was submitted. The years of service needed to be updated.

10. Belfast Creative Coalition sent a letter to the Commissioners requesting that they be permitted to use their 2016 funding request for \$1,000.00 to assist with conducting a study of Waldo County's creative economy so that true numbers would be known. The Waldo County Commissioners agreed with this use of the funding, noting that it was understood that the \$1,000.00 allocation could be used by Belfast Creative Coalition as it saw fit.

11. The Commissioners were not ready to vote on the 2016 health insurance premium and requested that it be taken up again during their September court session.

APPROVAL OF MINUTES:

****B. Johnson moved, A. Fowler seconded to approve amending the minutes from the June 26, 2015 Waldo County Commissioners Court Session as requested by the County Clerk. Unanimous.**

****A. Fowler moved, B. Johnson seconded to approve the minutes from the July 9, 2015 regular and July 22, 2015 special Commissioners Court Sessions as presented. Unanimous.**

COMMISSIONERS MISCELLANEOUS BUSINESS:

1. W. Shorey brought up the idea of Waldo County creating a float for the 52nd Firefighter's Association Annual Convention Parade. A. Fowler thought the parade was limited to firefighters and firefighting apparatus. W Shorey said he would check on that with Dale Rowley, who is involved with that event.

2. The chairlift/elevator project at the Superior Courthouse has become a more complex project. It requires an engineer and EMA Director Dale Rowley has engineering qualifications to perform this function. The Commissioners briefly discussed this and in compensation for additional work above the usual EMA functions, voted as follows:

****A. Fowler moved, B. Johnson seconded to pay Dale Rowley \$2,500.00 from the Severance Reserve Account with funds that should be moved to that account from the Courthouse Reserve. Unanimous.**

3. B. Johnson reported that they had the general assembly of MCEDD going in with MCOG. B. Johnson was elected as Secretary so she is on both the Executive Board and Board of Directors. She believed that the budget requested amount coming before the Waldo County Commissioners will likely be \$4,000.00, which has not been awarded the past few years. She herself felt merging with MCOG is a good move and if the County cannot come up with the money, perhaps the Commissioners could reach out to the Towns who are part of this, which include Searsmont, Belmont, Lincolnville and Northport? She acknowledged that two of those towns are small. She has said she is willing to be on the Board for the Coastal County Workforce (WIA). Currently this district wasn't in the running for that, but will be in the future.

4. B. Johnson reported that the recent request to use \$1,000.00 that has been awarded the past two years in the County Budget for Belfast Creative Coalition for a study of local arts and farm businesses was something she supported. The other commissioners also support this and will put it in the budget again for 2016.

5. B. Johnson thanked W. Shorey for sending her a report on the Waldo County Garden Project so that she can share this with Healthy Waldo County.

6. W. Shorey shared a few positive and humorous stories related to delivering produce to various food cupboards, etc. Typical deliveries are 8 boxes at a time, so they are not overloaded. They customize the loads to the needs of the entities. He anticipates distributing 300 boxes each of squash and potatoes. B. Johnson asked if any recipes had come in for squash and zucchini. He noted that some of the larger zucchini have been cut in two and stuffed with parmesan cheese, etc.

7. W. Shorey reported that Ned Lightener recently made a video of the Waldo County Garden and it turned out really well. It is available on a CD. It was noted that Chief Deputy Scott Story has been working in the Garden a few times a week.

POSSIBLE OVERTIME REGULATION CHANGE – DEPARTMENT OF LABOR:

Human Resources/Payroll Director Michelle Wadsworth met with the Commissioners to discuss proposed changes in overtime regulations that are being discussed by the Department of Labor. Looking to change from \$455.00 to \$970.00. This would effect a number of employees in Waldo County, if this were passed. She wanted to make the Commissioners aware that this is now in the comment period and more will be known in the fall.

W. Shorey expressed his disappointment with this because there are so many people who are underpaid at the minimum wage level and wondered why the focus was on the higher paid people. People earning the current minimum wage cannot make ends meet. M. Wadsworth explained that there are people in management positions who are earning only \$23,000.00 per year but acknowledged that the proposed change is drastic rather than a gradual increase.

The Commissioners thanked M. Wadsworth for the information.

COMMENTS FROM ROSEMARY:

Brief discussion about the concerns that the distributions for the first quarter of the year have not been sent. They are working on it, but she does not know when this will happen. Can follow up with the Commissioner and try to find out when that might happen. Legislation called for more than \$14 million to go to the counties and only \$12.5 did. A. Fowler said one of the largest problems was allowing the Corrections money (CCA funds) to be lumped with these funds. R. Kulow agreed, noting that when this was discussed, it was promised that this combining of funds would not affect the total, but that is not what occurred.

MCCA Annual Convention is coming up September 9-11, 2015 and she hoped all the Waldo County Commissioners could attend. All responded that they have registered and will be there.

****A. Fowler moved, B. Johnson seconded to recess at 10:45 a.m. until the Budget Caucus at 11:30 a.m. Unanimous.**

****W. Shorey moved, B. Johnson seconded to reconvene the court session at 11:25 a.m. Unanimous.**

2016 WALDO COUNTY BUDGET COMMITTEE CAUCUS AND LUNCHEON:

Present with the County Commissioners were Peter Curley of Stockton Springs, Richard Desmarais of Searsport.

County Clerk Barbara Arseneau reported that the following 2016 Budget Committee vacancies had been filled:

District 1 vacancy left by Fred Rollins of Islesboro has been filled by Gabriel Pendleton.

District 3 vacancy left by Clem Blakney of Unity will be filled by Penny Sampson.

NOMINATIONS:

District 1: Commissioner Johnson stated that a letter has been received from Lincolnville Town Manager David Kinney indicating that Arthur Durity would like to serve again on the Budget Committee. As nobody was present from District 1, no nominations were received.

District 2:

****P. Curley nominated Richard Desmarais to serve on the 2016 Budget Committee.**

Nominations closed.

District 3:

Former Budget Committee Member James Bennett's term has expired. Since nobody was present from District 3 to nominate a committee member, no nominations were received.

W. Shorey provided a brief financial report on the current County Budget, noting that the finances were in good shape. He explained that the situation with the Jail is good for Waldo County, as the County has a contracted arrangement with Two Bridges Jail.

There is some interest in the 100 acre property that the County is trying to sell. If it is sold, it would likely be no higher than \$275,000.00. R. Desmarais stated that this would be more than anticipated. A. Fowler agreed, noting that the County will not be able to sell this property for what it paid for it. R. Desmarais asked if the potentially interested party's purchase would return that parcel to the tax rolls and the answer was yes.

W. Shorey also spoke about a possible sale of several acres of the newly acquired garden property in Swanville that is not needed by the County for the garden. He mentioned that with the recent expansion of the garden, the anticipated harvest should be in excess of 50,000 lbs. He explained that having beehives on the property has resulted in excellent pollination.

W. Shorey spoke about the defunct chairlift at the Superior Courthouse. This has required an engineer and planning to replace the current one, which is irreparable and a completely different system must be devised. Amy Fowler mentioned that the state has agreed to pay half the bill related to the work at both the courthouses and this has worked out to be mutually beneficial. The County has not increased the District Court rent in recent years, and the State has worked with the county.

Brownfields Grant Update: Re-use ideas include a County Archive, elderly housing, etc.

The Reentry Center is running well and may eventually be expanded in the future.

B. Johnson reported that the County is running well without increasing taxes due to planning and being progressive.

A. Fowler said that with Communications, there will be in the near future a capital planning list and funding will be put into a reserve for that purpose to keep up with equipment planning and maintenance.

W. Shorey spoke about the repeater that is being activated to work in conjunction with the Aborn Hill Tower and take care of some recent "shadow" issues since discontinuing the lease with Mt. Ephraim Tower.

W. Shorey said the County has been about \$100,000.00 under the LD 1 CAP. It won't be quite as much in 2016, but should not raise taxes.

R. Desmarais asked about the potential change in costs with the Jail now that it has been returned to the County. A. Fowler said that as of now, the budget is still \$2.8 million. While all the other counties have been scrambling and there has been chaos, Waldo County looked and planned ahead and contracted with Two Bridges Jail so that the costs will be known. It is a secure contract with Two Bridges, which has been excellent in working with Waldo County. Now the Commissioners are looking at the Reentry Center to see if revenue could be generated. Hopefully this will eventually offset boarding inmates at Two Bridges.

W. Shorey said that during the time of contract negotiations with Two Bridges, the discussion at the State level was \$108.00 per day per inmate. Negotiating went on in good faith regardless and resulted in an excellent contract.

A. Fowler said the argument now is between sending and receiving jails. Some do not have the money to take inmates that they cannot be paid for. Some jails have had to start refusing inmates. Waldo is not facing this issue because of the contract with Two Bridges. Other counties are having a very bad time of it.

There was brief discussion of needing a judge for each county. It takes a long time before people go before a judge and they sit in jail a lot longer than necessary. For this reason, MCRCC is implementing excellent programs to try and rehabilitate and train people so that they are able to get out sooner but also with less likelihood of recidivism.

D. Parkman mentioned that NACo reported that this is a problem in 2/3rds of the nation's jails.

W. Shorey stated that video arraignments were also negotiated into the contract. This also saves a lot of money. A. Fowler noted that the judicial system does not like video arraignments, and some counties refuse to work with it.

W. Shorey reported that the Reentry receives a lot of calls from attorneys, etc. looking to move their inmates into the Reentry Center to try to get them rehabilitated and returned to society. You can't have a "jail-minded" staff but have mentors for each resident so that they have a better chance to return to society as able to work and live within the communities.

NEXT COMMISSIONERS COURT SESSION:

The next Commissioners Court Session is a regular session scheduled EARLIER THAN USUAL IN THE MONTH for TUESDAY, September 8, 2015 in the Waldo County Commissioners Conference Room.

****A. Fowler moved, B. Johnson seconded to adjourn the court session at 12:03 p.m. for the Budget Committee luncheon. Unanimous.**

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