

WALDO COUNTY COMMISSIONERS COURT SESSION
February 13, 2007

PRESENT: Commissioners John M. Hyk (Chairman), Donald P. Berry, Sr. and Amy R. Fowler. Also present was Treasurer David A. Parkman, Deputy Treasurer Karen Trussell, and County Clerk Barbara Arseneau.

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

APPROPRIATION REPORT:

Treasurer D. Parkman reported the following:

1. One payroll is reflected in the report.
2. One boarding invoice from York for December of 2006 in the amount of \$32,000.00 has to be paid on this warrant.
3. D. Parkman commented, "It's too early to say how things are going."

2007 TAX COMMITMENT:

D. Parkman remarked that the tax assessments for eleven towns had actually gone down, as follows: Belfast, Belmont, Burnham, Jackson, Knox, Monroe, Montville, Prospect, Thorndike, Troy and Waldo.

The total Tax Commitment for 2007 is \$6,193,130.00. D. Parkman stated, "We are under this by \$3,177.33." He further explained that the Budget Committee was \$11,000.00 under the L.D. #1 Tax Cap when they came to the Public Meeting, "and then they took another \$70,000.00."

The overlay was increased at the recommendation of D. Parkman, to \$120,000.00. He had spoken with the Auditor and told him that he "didn't want the County going bankrupt on his watch." The Auditor had agreed.

MIL RATE FOR 2007:

The Mil Rate for 2007 is rounded at 1.52 per one thousand. D. Parkman provided a list of rounded mil rates for previous years as follows:

2002 – 1.55
2003 – 1.75
2004 – 1.82
2005 - 1.73
2006 - 1.64
2007 – 1.52

K. Trussell noted that 2007's mil rate is less than 2002's mil rate. The 2007 valuation went up \$462,150,000.00 from 2006. J. Hyk asked if the County was "going backwards."

D. Parkman replied "This overlay is just a finger in the dike. We were only 1% in the black as of the end of 2006."

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

***A. Fowler moved, D. Berry seconded to set the 2007 Mil Rate at .001521508 and raise \$6,189,952.67. Unanimous.**

The Commissioners signed the tax commitment for 2007 and the County Clerk was instructed to send out the Tax Commitment letters to the Towns.

WARRANTS:

D. Parkman read invoice to be paid out of the various Reserve Accounts.

****D. Berry moved, A. Fowler seconded to authorize payment of \$70,057.48 on the January 26, 2007 Regular Warrant. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of \$21,950.04 on the January, 2007 Restricted Reserves. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of \$7,578.35 on the February 13, 2007 Capital and Restricted Reserves. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of \$192,246.79 on the February 13, 2007 Regular Warrant. Unanimous.**

D. Parkman informed the Commissioners that he had "visited Legislation" last week. He went because of two pieces:

- Proposed language that would make County Treasurer's be appointed, not elected positions, and
- The proposed L.D. 214 "Blueprint for Maine."

D. Parkman stated that he spoke against removing the Budget Committee from being final authority on the budgets. He believed that "they are the spokesmen for the people."

J. Hyk quipped, "What are the Commissioners? Chopped liver?"

D. Parkman illustrated his reason by referring to the situation in York County. It was recently discovered that this county had gone from a \$2.8 million in Surplus to a \$257,000.00 deficit in three years. "I don't know how that could happen," he said. "I told the Legislature that Waldo County had been contributing to York through inmate board paid to them." He added that Waldo County was one of the first counties to have a Budget Committee. "Up until the past few years, it has worked well," he stated. J. Hyk commented that he didn't think it was working now. D. Parkman agreed.

D. Berry stated that Representative Barstow is heading this up. He had listened to the hearing over the internet.

D. Parkman mentioned that he was instrumental in drafting L.D. #1139: An Act Allowing For a Procedure for A Town To Secede from a County. He felt that it was important that a process be established that would work for all towns and counties. He was asking Senator Carole Weston to put it before the Legislature. He expressed his hope that the County Commissioners would support it. He briefly explained some of the features of this bill, including the requirement for the seceding town to pay off all its debt along with all

referendum costs, plus there would have to be a 2/3 majority vote from the Town, etc. “If we make the bar high, I think that will be the end of it [a town trying to secede],” he remarked. He added, “It will be interesting to see what Maine Municipal Association thinks of it.”

D. Parkman commented that he felt MACo has been “a complete waste of time.” There was some discussion about the Commissioners Association not acting in unison with MACo and how this has impacted it. It was further noted that some of the MACo meetings seemed to be “unproductive.”

FACILITIES MANAGEMENT REPORT:

Present for this discussion was Facilities Manager Keith Overlock, who reported:

1. The District Courthouse boilers are not functioning. One is doing all the work and the other is not kicking in as it is supposed to. This is being addressed.
2. K. Overlock recommended the hire of part-time Facilities Technician Gary Daigle. He came with many abilities and was the best qualified for the position. Out of twelve applicants, six were interviewed. ****A. Fowler moved, D. Berry seconded the hire of Gary Daigle as part-time Facilities Technician, effective February 6, 2007 at \$11.40 per hour. Unanimous.**
3. Archive Renovation Update: The inmates have assisted where appropriate, there was more damage to the floor under the shelves than anticipated and the courtroom needs to be emptied of the archive boxes before court starts back up. He anticipated things would run smoothly.
4. The District Attorney’s Office needs more space for their records. J. Hyk instructed B. Arseneau to consult with Regional Court Administrator Ted Glessner, explain that the County is trying to improve the situation with the District Attorney’s Office and inquire of him as to which statute, in his opinion, tells the Commissioners what the County is supposed to do for the District Attorney’s Office. K. Overlock stated that they can’t get Superior Court to remove records from the courthouse that are headed to the State Archive. For now, he has asked that older records be moved to the back shelves and the newer ones up front until something can be done.
5. K. Overlock had looked into possible use for the unused courtyard space at the District Courthouse. He had hoped that there might be some way to put a roof over it and expand the Commissioners’ Office, but did not think this was feasible. J. Hyk agreed that this would not work.
6. K. Overlock has been reviewing the District Courthouse lease in preparation for when it ends on June 30, 2007. While he felt some things should be changed, others could not be. The Commissioners agreed to look at this more closely prior to the end of the lease, anticipating that the District Court Office will wish to exercise their option to lease again for another six years.
7. K. Overlock read of a brief list of work that had been done at the Jail recently.
8. The valve situation on the heating system at Superior Courthouse will be reviewed by the end of the week.

J. Hyk asked K. Overlock to figure out how to deal with the lead paint in the Old Jail. K. Overlock responded that he would look into it.

CRUISER BIDS:

Present with the County Commissioners were Sheriff Scott Story and Lt. Bryant White.

Bids for a total of three (3) new law enforcement cruisers were received from the following dealerships:

1. Rowe, Auburn: Ford Crown Victoria - \$21,641.95 ea. or \$64,925.85 for three (3), including full tanks of gas in all.
2. Thornton Brothers, Millinocket: Chrysler Charger - \$22,800.00 w/extended warranty
3. Casco Bay Ford, Yarmouth: Crown Victoria - \$21,494.00 ea., or \$64,482.00 for three. For 100,000 mile warranty, add \$1,450.00. No deductible.
4. Quirk Auto Body, Augusta: Ford Interceptor, with extended warranty - \$23,275.00 ea.
5. Rowe Hyundai: Ford Crown Victoria - \$22,195.00, adding \$1,715 for extended warranty.
6. Bodwell Chrysler Dodge, Brunswick: Dodge Charger, \$20,995.00 ea., with 6 year or 60,000 mile warranty for \$950.00 or a 5-year, 75,000 mile warranty at \$1,200.00.
7. Bessey Motors, South Paris: Dodge Charger - \$22,025.00, with a 6-year or 60,000 mile warranty at \$1,100.00 or a 5-year or 75,000 mile warranty at \$1,350.00.
8. Bangor Chrysler Dodge: Dodge Charger - \$21,369.00 ea., with a 6-year or 60,000 mile warranty for \$1,000.00, or a 5-year or 75,000 mile warranty for \$1,250.00.
9. Quirk, Augusta: Ford Crown Victoria - \$21,659.00 ea., with a 100,000 warranty of \$1,600.00.

S. Story noted that he had asked for and received bids for both Dodge Chargers and Crown Victorias. He felt it would be good to consider trying a Dodge Charger with the Crown Victorias as he knew of some of his counterparts who saw some savings with the Chargers. He explained to the Commissioners that one thing to consider is that cages and lights from the Crown Victorias cannot be retrofitted on the Chargers. J. Hyk commented that he would "have a hard time" with a Chrysler not having retrofitting capability. He felt that this should have been thought of ahead of time and was not sure it would be fair to the bidders, as the Dodge Dealers would have to come in at a lower price to compensate for the new cages and lights. B. White explained that he had to figure the extra cost factor in, and he had already considered this. S. Story suggested that they might sell the unused Crown Victoria Cages and lights and make a little money. He mentioned that he had not thought the lights would be a problem.

All reviewed the warranties that came with the various vehicles. B. White commented that one was an improper bid, as the required specs were not completely met.

The bids were carefully reviewed and it was determined that the two lowest bids were as follows:

- Bodwell for the Dodge vehicle
- Casco Bay for the Ford vehicle

After brief discussion, the Commissioners felt it was worth investigating a Chrysler cruiser to see if there were any advantages to it.

****D. Berry moved, A. Fowler seconded accepting Bodwell's bid at \$20,995.00 per cruiser, which includes the warranty at \$1,450.00. Unanimous.**

JAIL REPORT:

S. Story reported that Ralph Nichols of the Department of Corrections will be visiting today to review the situation at the Waldo County Jail and to give the Sheriff definitive answers regarding the Jail Variance in 2007.

JAIL RESEARCH COMMITTEE MEETING:

S. Story reported that there will be a meeting tonight and the committee needed to know what the County's options are regarding the future of the variance, possible staff reduction, possibly keeping the variance, possibly minimizing boarding, and possibly building a jail. The Commissioners asked B. Arseneau to prepare a folder with the letter from Penobscot County that stated they were not willing to fund a regionalization study with Waldo and Knox Counties.

J. Hyk stated that he was not taking anything seriously until the Commissioners know what funding is going to be available. He met with former County Commissioner Jethro Pease and Waldo County Selectmen's Association President/Jail Research Committee Member Katharine Littlefield recently. If money is not set aside, nothing could really be accomplished.

D. Parkman, who was also present for this discussion, reminded all that the County came into 2007 "only 1% in the black with \$67,000.00."

FAIR LABOR STANDARDS STATUS CHANGE:

Present for this discussion was Human Resources/Payroll Director Michelle Wadsworth, who informed the County Commissioners that because Facilities Manager Keith Overlock now supervises an employee and does more planning and administrative work, his FLSA status will be changing to "Exempt."

STARTING WAGES FOR EMPLOYEES:

M. Wadsworth informed the Commissioners that there was no starting salary established for the following positions on the current pay scale: Deputy County Clerk, Deputy County Treasurer, Human Resources/Payroll Director and Facilities Manager. The Commissioners asked M. Wadsworth to consult with other counties and recommend these starting salaries in keeping with Waldo County's goal of being "top of the bottom one-third" as compared with the other counties.

CORRESPONDENCE:

Present for this report was County Clerk Barbara L. Arseneau who reported the following:

1. The Facilities Technician job description was completed and ready for the Commissioners to sign, which they did.
2. B. Arseneau inquired as to the correct place to fund a recent test of an officer for "fitness for duty." As this has not been done in recent years, no particular budget line was prepared for this. The Commissioners agreed that this should come out of the Sheriff's budget from the line of his choice, and that for the County's 2008 budget, each department should plan for this possible expenditure because this could occur in any of the departments. It was thought that a line item entitled "Professional Services" be established for this purpose. B. Arseneau was to explain this to the Department Heads during 2008 budget planning.

3. The decrees for the Tax Abatement Hearings held for Shepherd vs. Town of Burnham, Grignon vs. Town of Burnham and Howe vs. Town of Brooks were completed and ready for signing. The Commissioners noted one error, which was corrected and then the decrees were signed.
4. A Road Petition was received from Kip and Linda Bennett of South Brooks Road in the Town of Brooks. The Commissioners reviewed the petition and decided to take no action on it because it was directed to the Town of Brooks instead of the County, it included one illegal signature, there was no date on it, and the request being made by the petitioner was unclear. B. Arseneau was instructed to send a letter to the Petitioner explaining why no action was taken.
5. B. Arseneau briefly reviewed the discussion from the first Health Insurance Study Committee Meeting on February 6, 2007. She and A. Fowler informed the other Commissioners that the committee decided that each department should be represented, so additional members will be added. A schedule of meetings was developed through the end of June, meeting every other Thursday.
6. A letter from Vic Reinfelds, Economic Development Director of the Kennebec Valley Council of Governments was sent to the County Commissioners, asking for support from the communities and counties that they serve via a motion indicating that they support KVCOG's annual request for continued funding from the EDA (Economic Development Administration.)
****A. Fowler moved, D. Berry seconded sending a letter indicating the County Commissioners' support of KVCOG's annual request for continued funding from the EDA. Unanimous.**
7. B. Arseneau asked the Commissioners to review the letter she had drafted from them to Commissioner of Transportation David Cole requesting that Waldo and Hancock Counties be allowed to each receive one of the two flag poles that are attached to the now unused Waldo-Hancock Bridge for the sake of preserving the bridge's history in each of the counties it was named for. The Commissioners approved the letter and signed it. A copy would be sent to Governor Baldacci, Belfast Mayor Michael Hurley, Ellsworth Mayor Gary M. Fortier and the Board of Hancock County Commissioners.
8. State of Maine Facilities Manager Norman R. Ness, Jr. sent a letter thanking Waldo County Facilities Manager Keith Overlock for sending an estimate for completing the flooring work in the shared Law Library/Archive Space in the Waldo County Superior Courthouse. He confirmed that the Maine Judicial Branch will contribute half of the cost of completing the work in that shared space. Once the County has a final cost for the project, he requested that K. Overlock send him the invoice and they would process payment.
9. B. Arseneau presented the job description for the Waldo County Facilities Technician position, which is currently part-time. The Commissioners reviewed and signed the job description.
10. The Commissioners noted the following pay step increases:
 - Effective February 20, 2007, Corrections Officer Jennifer Stilkey reached the six-month step and the pay would increase from \$13.59 to \$13.76 per hour.
 - Effective February 16, 2007 Corrections Officer Greg Mackay became certified at the Maine Criminal Justice Academy and the pay would increase from \$13.76 per hour to \$14.11.
 - Effective December 22, 2006 Corrections Officer Paul Sweetland completed Basic Corrections Class at the Maine Criminal Justice Academy and the pay retroactive to that date should reflect an increase from \$13.91 per hour to \$14.30.

11. The Commissioners were informed that Corrections Officer Paul Sweetland resigned his position at the Waldo County Correctional Facility effective February 10, 2007.

****A. Fowler moved, D. Berry seconded accepting with regret the resignation of Corrections Officer Paul Sweetland, effective February 10, 2007. Unanimous.**

12. The Commissioners were informed that part-time Patrol Deputy Richard Benedict resigned his position as part-time Patrol Deputy with the Waldo County Sheriff's Office effective January 1, 2007.

****A. Fowler moved, D. Berry seconded accepting with regret the resignation of Patrol Deputy Richard Benedict effective January 1, 2007. Unanimous.**

13. Detective Gregory Stearns resigned his position effective January 23, 2007. He requested that he be allowed to remain with the Sheriff's Office on a part-time basis.

****A. Fowler moved, D. Berry seconded accepting with regret the resignation of Full-Time Detective Gregory Stearns, effective January 23, 2007 and acknowledged that he will remain as a part-time employee. Unanimous.**

14. An invitation to a Jail meeting was sent from Waldo County Selectmen's Association President Katharine Littlefield to the County Commissioners. The meeting will be held at the Waldo Town Hall on February 27, 2007 at 6:30 p.m.

15. Register of Probate Joanne Crowley invited the Waldo County Commissioners to come over to the Registry and meet the couple from the Genealogical Society who are doing microfilming work there. She provided the hours that they are usually in the office.

16. The final report dated January 15, 2007 from DRG Specialty Services under the 2006 contract was received. The Commissioners and Department Heads had all received copies.

17. National County Government Week is April 22-28, 2007. When asked by the County Clerk if the Commissioners wished for Waldo County to do anything to participate, the Commissioners said no.

18. B. Arseneau asked the County Commissioners to "critique" a letter she and Deputy Treasurer Karen Trussell planned to send to the Municipalities in Waldo County, commending and thanking them for all participating in submitting their property growth factors to the County. B. Arseneau stated that, to her knowledge, Waldo was the first County to receive 100% participation from the municipalities. The Commissioners expressed their commendation and gratitude to all the Towns for their hard work and cooperation, and agreed that this letter of thanks should be sent.

19. EMA Director Dale Rowley submitted a Repayment Agreement dated January 15, 2007 between electrician Ray Mansfield and the County of Waldo for materials purchased by the County to be reimbursed by him. Terms therein met with the approval of the Waldo County Commissioners.

APPROVAL OF MINUTES:

**** A. Fowler moved, D. Berry seconded approving the minutes from the January 9, 2007 Waldo County Commissioners Court Session. Unanimous.**

MISCELLANEOUS COMMISSIONERS' REPORTS:

There were no reports.

NEXT COMMISSIONERS' SESSION:

The next Commissioners Court Session will be March 13, 2007.

****D. Berry moved, J. Hyk seconded adjourning the meeting at 11:27 a.m. Unanimous.**

****A. Fowler moved, D. Berry seconded opening the meeting again at 11:37 a.m. Unanimous.**

TOWN OF BROOKS TAX ISSUES:

The County Commissioners briefly discussed their concerns regarding the property tax system in the Town of Brooks, which had been brought to their attention during a tax abatement hearing held on February 6, 2007. The Commissioners decided to send a letter expressing these concerns. J. Hyk felt the Commissioners should word this letter carefully. D. Berry stated that Brooks needs an equitable system of valuation. "We are simply suggesting that they look at an equitable system," he explained.

A. Fowler commented that the Brooks Selectmen had stated that they had appropriated funds to have their system worked on, but had met with some resistance from the town. She felt the town should move forward with this and do it.

The Commissioners instructed B. Arseneau to draft a letter with D. Berry, fax it to J. Hyk, Email it to A. Fowler and once approved, send it to the Town of Brooks Selectmen.

****D. Berry moved, A. Fowler seconded adjourning the meeting at 11:53 a.m. Unanimous.**

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