

WALDO COUNTY COMMISSIONERS COURT SESSION
June 12, 2007

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

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

REVENUE CONTROL REPORT:

42.94% in revenue has been received so far this year.

APPROPRIATIONS:

38% of the 2007 operating budget has been expended at the end of May.

J. Hyk asked if the vehicle fuel line was holding up all right in the Sheriff's budget and was told that only 29% had been expended.

WARRANTS:

Deputy Treasurer K. Trussell read expenditures from the Capital, Active and Restricted Reserve Accounts.

****D. Berry moved, A. Fowler seconded authorizing payment of \$121,280.72 on the May 25, 2007 Regular warrant. Unanimous.**

****D. Berry moved, A. Fowler seconded authorizing payment of \$44,225.32 on the May 25, 2007 Capital, Active and Restricted Reserve Warrant. Unanimous.**

****D. Berry moved, A. Fowler seconded authorizing payment of \$97,199.22 on the June 12, 2007 Capital, Active and Restricted Reserve Warrant. Unanimous.**

****D. Berry moved, A. Fowler seconded authorizing payment of \$184,270.49 on the June 12, 2007 Regular Warrant. Unanimous.**

MILITARY LEAVE LAW AND CORRECTION:

It was reported that an employee who had been out on military leave during 2001 and 2002 was to be reimbursed \$950.37 for Maine State Retirement System contributions. The County just learned that, by law, the County must pay the employee's portion of the Maine State Retirement System Contribution during military leave. The Commissioners authorized this reimbursement to the employee.

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

ASSET FORFEITURE:

Sheriff Story sent a document requesting approval by the County Commissioners to accept a SUNL 150-2A Four Wheel Go Cart that was seized from Daniel T. Tracy on September 15, 2006.

****D. Berry moved, A. Fowler seconded approving the acceptance the go cart as forfeited assets received from Daniel T. Tracy. Unanimous.** The County Commissioners signed this document.

EMERGENCY MANAGEMENT AGENCY REPORT:

Present for this discussion was EMA Director Dale Rowley, who reported the following:

1. The County has already completed compliance for the 2007 NIMS (National Incident Management System) requirements.
2. D. Rowley has been working on the reporting of damages in Waldo County from the two storms that resulted in Presidential Disaster Declarations; one on March 17th and the other on April 16, 2007.
3. D. Rowley was creating a Pet Sheltering Shelter & Team at the Troy Howard Middle School. They even have cages.
4. A Hazardous Materials Support Agreement is being developed with the Central Maine HazMat Team. Waldo is surrounded by four HazMat teams in other counties. He is trying to break Waldo County into quadrants. For example, Ellsworth would cover Searsport, and so forth.
5. A Table top Exercise with SAD 3, 34 & 56 School Superintendents at the WCTC has been completed.
6. A Waldo County Mass Casualty Incident Response Plan is being developed and it has been sent out for review.
7. Pagers have been issued to municipal EMA personnel. Conference calling capability has been tested. Both worked very well during the two storms.
8. D. Rowley is working along with Facilities Manager Keith Overlock and Sheriff Scott Story to obtain a building permit to place a storage building for the EMA trailers on the Congress St. property.
9. Two County EOC tabletop exercises (Hurricane) for each EOC Shift have been conducted.
10. An upcoming Tabletop Exercise with Penobscot-McCrum Foods is being developed and scheduled for August 30th. It has been difficult setting this set up at a mutually convenient time.
11. A Regional Full Scale Field Exercise is scheduled for September 26th through the 29th. The budget for this is about \$50,000.00.
12. 15,000 Waldo County Individual and Family Disaster Preparedness Guides are being distributed.
13. Work has been started on the 2007 HSGP (Homeland Security Grant Program) Applications.
14. The 2006 HSGP funds in the amount of \$79,000.00 are being administered.
15. The State EOC is a fairly elaborate and costly setup. The State is visiting the county EOC's, most of which are "at the opposite end of the spectrum." The State EOC Director has told each county to submit a supplemental request. Waldo County has submitted a HSGP supplemental package to MEMA has been submitted. The request is for \$44,000.00. D. Rowley listed the items in the request, which included a generator for the Jail and EOC. The whole Jail cannot operate on the current one. D. Rowley stated, "I have a constant needs list and whenever an opportunity comes up, I throw these items at it."

16. There was brief discussion about trying to put a generator in the new school at Mt. View. The school has promised to at least provide a hook-up for one.

TAX ABATEMENT HEARING – JUSTINE MARKS (BEMCO) VS TOWN OF BURNHAM:
(There are separate minutes for this hearing.)

EXECUTIVE SESSION:

****A. Fowler moved, D. Berry seconded entering Executive Session at 10:25 a.m. as allowed by Title 1, § 405 E. for a legal matter. Unanimous.**

****A. Fowler moved, D. Berry seconded exiting Executive Session at 10:50 a.m. Unanimous.**

PERSONNEL POLICY UPDATES:

Present for this review were Communications Director Owen Smith, Human Resources/Payroll Director Michelle Wadsworth and County Clerk Barbara Arseneau. B. Arseneau listed the updates to the Personnel Policy, which included clarification of the pay period, particularly in terms of law enforcement employees, and clarified overtime compensation for law enforcement employees. It also clarified use of and reporting sick leave, as well as Family Medical Leave Act leaves.

Communications Director Owen Smith requested that the probationary period for new hires working as County Dispatchers be extended to one year rather than being six months. He explained that there are too many requirements and so much training, such as mandatory EMD training, that six months is not enough time to measure a dispatcher's competency.

****A. Fowler moved, D. Berry seconded accepting these changes in the Personnel Policy as recommended. Unanimous.**

O. Smith told the Commissioners that he was going to strongly encourage the Board of Directors to fund over time pay in the 2008 budget as is really needed, based on actual hours. "The reality is that the hours need to be covered," he explained.

STARTING SALARIES FOR SOME DEPARTMENTS:

Present for this discussion was H.R./Payroll Director Michelle Wadsworth. The Commissioners stated that they had not had an opportunity to review these figures and asked that this be added to the July Court Session agenda.

DEFERRED COMPENSATION PLAN DISCUSSION:

As requested by the Commissioners, B. Arseneau and M. Wadsworth had been interviewing providers of Deferred Compensation 457 plans. The current 457 plan was established in 1999 and there had been numerous complaints from employees over the years that there were limited choices and the returns on their contributions were not measuring up to their expectations. The Commissioners had asked B. Arseneau to look into this during 2007. Four providers and their plans were interviewed. After speaking with Commissioner Hyk, B. Arseneau had also located a consultant who specializes in assisting businesses and particularly government entities in choosing a deferred compensation plan and/or vendor for their employees. While B. Arseneau and M. Wadsworth had performed a survey with all the other Maine Counties and had learned that one of the most commonly used vendors was one of the providers they were most impressed with, both were not sure if they should recommend one for the County, particularly if the Commissioners wished for a consultant to help with that decision. The estimated cost to hire a consultant

would be about \$1,750.00. After deciding that they did not feel it was necessary to hire a consultant, the County Commissioners asked B. Arseneau and M. Wadsworth to tell them who other counties used and who they felt would be best for Waldo County. Both recommended ICMA-RC and reminded the Commissioners that when an attorney had assisted with restating the current plan the previous year, he also had recommended ICMA-RC if the County ever changed in the future.

MISCELLANEOUS COMMISSIONERS' REPORTS:

1. J. Hyk reported that Architect Dennis Jud had contacted him to explain that SMRT had run \$500.00 over the contracted \$5,000.00. If the Jail Research Committee needs them to do some small things, that is fine. If it starts to be "real money," Dennis will contact the Commissioners first.

2. D. Berry reported that he met with the Department of Labor. He also reported that the documentation for the Healthy Communities Coalition was finished. Bucksport was unwilling to budge on the issue of using County lines to designate service areas. Waldo County feels that the County lines make all towns in the County are under its jurisdiction, so it is possible it may go to mediation.

APPROVAL OF MINUTES:

****D. Berry moved, A. Fowler seconded accepting the grammatical corrections to the April 4, 2006 and April 10, 2007 County Commissioners Court Session Minutes and also accepted the minutes from the June 13, 2006, July 11, 2006 and May 8, 2007 County Commissioners Court Sessions. Unanimous.**

CORRESPONDENCE:

Reporting correspondence to the Commissioners was County Clerk Barbara L. Arseneau with Deputy County Clerk Veronica Stover present to take notes for the minutes. The following was reported:

1. **DISTRICT COURTHOUSE LEASE:** State Court Administrator Ted Glessner sent a letter to the County Commissioners indicating that the updated draft with the counter offer of a 10% increase the first year and 4% increase the remaining five years of the six year lease between the County and the Administrative Office of the Court was still beyond what the State was willing to pay and offered to pay 4% the first year and all subsequent years. The County Commissioners agreed to accept this proposal and instructed B. Arseneau to communicate this to Mr. Glessner.

2. Monroe citizen Randi Gallagher has telephoned the Commissioners Office seeking assistance because she stated she had sent payment for overdue property taxes but the Town had felt there was an error and would not accept the checks. R. Gallagher also sent copies of written communications between the Selectmen and herself. Commissioner Fowler requested copies be made for her review and she would look into this matter.

2. The Commissioners received a request for a tax abatement hearing for Sandra and David Baker vs. Town of Troy. The Commissioners agreed to schedule this.

3. Communications Director Owen Smith has recommended hiring Tina Eder as part-time dispatcher at \$11.40 per hour for undetermined hours effective May 31, 2007.

****D. Berry moved, J. Hyk seconded hiring Tina Eder as part-time dispatcher at \$11.40 per hour effective May 31, 2007. Unanimous.**

4. Former Detective and current part-time patrol officer Gregory Stearns has resigned his part-time status effective June 7, 2007.
****D. Berry moved, A. Fowler seconded accepting with regret the resignation of Gregory Stearns from part-time employment with the County effective June 7, 2007. Unanimous.**
5. Corrections Corporal Monica Brown has resigned her position as full-time Corrections Officer effective June 8, 2007.
****A. Fowler moved, D. Berry seconded accepting with regret the resignation of Corporal Monica Brown effective June 8, 2007. Unanimous.**
6. Part-time Corrections Transport Officer Jennifer Brickey is no longer working for the Waldo County Sheriff's Office.
****A. Fowler moved, D. Berry seconded to accept this cessation of employment. Unanimous.**
7. Part-time Corrections Officer Matthew Hopkins is no longer working for the Waldo County Sheriff's Office.
****A. Fowler moved, D. Berry seconded to accept this cessation of employment. Unanimous.**
8. Part-time Corrections Officer Jeffrey Hunter is no longer working for the Waldo County Sheriff's Office.
****A. Fowler moved, D. Berry seconded to accept this cessation of employment. Unanimous.**
9. Part-time Corrections Officer Derryl McPherson is no longer working for the Waldo County Sheriff's Office.
****A. Fowler moved, D. Berry seconded to accept this cessation of employment. Unanimous.**
10. Part-time Cook Sally Scott is no longer working for the Waldo County Sheriff's Office
****A. Fowler moved, D. Berry seconded to accept this cessation of employment. Unanimous.**
11. The Commissioners noted pay step increases for the following employees:
 - Corrections Officer Gregory Mackay has reached the one-year step and his pay will increase from \$14.11 to \$14.30 per hour effective June 11, 2007.
 - Head Cook Linda Paul will reach complete the sixteen-year step and will receive an increase in pay from \$15.07 to \$15.27 per hour, effective June 17, 2007.
 - Probate Clerk Wanda Pinkham will have completed the two-year step and will receive and increase in pay to \$12.86 per hour effective June 20, 2007.
12. Corrections Officer Christopher Albert has been recommended for promotion of Shift Supervisor with the Title of Corporal, to fill the vacancy left by Officer Monica Brown, at \$16.35 per hour, effective July 22, 2007.
****A. Fowler moved, D. Berry seconded approving the promotion of Christopher Albert for promotion as Shift Supervisor with the Title of Corporal, filling the vacancy left by Monica Brown, at \$16.35 per hour, effective July 22, 2007. Unanimous.**
13. Due to inconsistencies in departmental personnel lines, Advantage Payroll has informed the Human Resources/Payroll Director that there have been recurring difficulties in processing the County's payroll. In order to remediate these problems, all departments have received a memo instructing them to code their

payrolls in the following manner for the 2008 Budget: Use their departmental four digit number followed by the number 3000 to code full time employee payroll, 3100 for part time employee payroll and 3001 for Overtime. The departments that will be affected by this change are EMA, District Attorney, County Commissioners, Treasurer, Facilities (part time), Deeds, and Probate.

14. In May, a small group of students took a field trip to the Commissioners Office to learn about County Government. The students each sent thank you notes. B. Arseneau shared those with the County Commissioners and informed them that this had been such an enjoyable group.

15. The MCCA Risk Pool meeting location has changed to Kennebec County Government Center at 125 State Street in Augusta.

17. TAX ABATEMENT HEARING REQUEST: David and Sandra Baker, who have property in the Town of Troy, have requested abatement for taxes from 2006 forward in the amount of \$28,350.00. The Commissioners agreed to schedule an abatement hearing during July, if possible.

18. As requested a while back, B. Arseneau had found statutes pertaining to acceptance of donations to the County. The statutes she had been able to locate dealt specifically with donations to municipalities, but a survey of other counties revealed that at least one Maine County refers to these statutes for County Donations. She recommended that if a donation were ever offered to Waldo County, legal counsel should likely be obtained before accepting it.

REHIRING PAST EMPLOYEES:

In order to create a consistent policy for rehiring employees, a survey was performed and information gathered from other counties. The Commissioners decided that the rehiring policy would be as follows: An employee who left County employment in good standing may be re-hired. An employee re-hired for the same position within six months of leaving employment may be hired back "as they were when they left."

NEXT COMMISSIONERS' SESSION:

The next Commissioners Court Session will be June 25, 2007 and the following is to be scheduled:

- Belfast District Court lease discussion with State Court Administrator James T. Glessner as early in the morning as is feasible.
- Revisit the starting salaries at either the next court session or the July session.

****A. Fowler moved, D. Berry seconded adjourning the meeting at 12:27 p.m. Unanimous.**

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