

**WALDO COUNTY COMMISSIONERS COURT SESSION
FEBRUARY 12, 2008**

PRESENT: Commissioners John M. Hyk (Chairman), Donald P. Berry, Sr. and Amy R. Fowler. Also present were Treasurer David 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.

MIL RATE FOR 2008:

D. Parkman reported that because the Budget Committee voted to increase the 2008 County Budget above the LD 1 Cap, with a budget total of \$7,380,590.10, he is recommending that the total 2008 Assessment to the Towns be \$6,785,010.96, noting that the valuation is \$4,421,100.00 and the overlay would be \$147,000.00. D. Parkman stated that the mil rate would be up by less than one penny per \$1,000.00, which would be \$1.53 per \$1,000.00. In 2007 it was \$1.52 per \$1,000.00. The actual number is .001534688.

**** A. Fowler moved, D. Berry seconded to set the 2008 mil rate at .001534688, one penny more than 2007, with the amount to be raised at \$6,785,010.96 with total budget at \$7,380,590.10. Unanimous.**

REVENUE:

D. Parkman reported that the Registry of Deeds has already received almost one-fourth of the anticipated 2008 revenue, which includes December figures. The anticipated revenue should be at 12% at this point in the year and is at 14%.

TREASURER CORRESPONDENCE:

D. Parkman reviewed with the Commissioners a letter sent to Commissioner Hyk by Racquel H. Tibbetts, Assistant Vice President of KeyBank dated January 25, 2008. Ms. Tibbetts thanked the Commissioners for giving KeyBank the opportunity to bid on the County's need for a Tax Anticipation Note as well as a Deposit Account for the County of Waldo. KeyBank presented a rate of 2.92% for the anticipated need of \$4,300,000.00. She went on to express disappointment with the decision of two of the three County Commissioners to accept the rate of 3.07% presented by another financial institution. This rate is a difference of 0.15% on \$4,300,000.00 which equates to an approximate difference of \$5,900.00 over 11 months of borrowing. KeyBank presented a minimum balance requirement of \$75,000.00 for the Deposit Account and noted that, unfortunately, the County's needs are for a minimum balance of \$10,000.00. She expressed that the requirement for keeping a minimum balance of \$10,000.00 in the Deposit Account was not presented clearly in the request for proposal. She further stated that although KeyBank had the option that would meet the County's needs for a \$10,000.00 minimum balance, there was consideration for the need to borrow the additional \$65,000.00 in order to meet their proposal as presented. The cost of borrowing \$65,000.00 over 11 months equates to approximately \$1,740.00. She stated that it is unfortunate that the resulting \$4,160.00 would be charged to the taxpayers of Waldo County, and KeyBank would look forward to the County's request for proposal for 2009.

DISPOSITION OF RECORDS:

K. Trussell informed the Commissioners that the Maine Rules for Disposition of Local Government Records permits disposition of the following records: 2001 invoices, cancelled checks, Tax Anticipation Note, and receipts.

****A. Fowler moved, D. Berry seconded to allow disposal of the appropriate Treasurer's records as requested. Unanimous.**

D. Parkman read expenditures from the Active, Restricted and Capital Reserve Accounts. The County Commissioners voted to pay the following warrants:

****D. Berry moved, A. Fowler seconded to accept the revision of the January 23, 2008 Regular warrant in the amount of \$600.00 for a total of \$291,331.64. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of the January 30, 2008 Regular warrant in the amount of \$39,981.15. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of the January 30, 2008 Restricted Reserve Account warrant in the amount of \$4,226.67. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of the February 12, 2008 Restricted Reserve Account warrant in the amount of \$8,746.44. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of the February 12, 2008 Regular warrant in the amount of \$65,142.34. Unanimous.**

**** A. Fowler moved, D. Berry seconded to accept Treasurer's Report. Unanimous.**

SHERIFF'S REPORT:

Present with the County Commissioners was Sheriff Scott Story, who reported the following:

1. Annual Asset Forfeiture Report for 2007: S. Story stated that he had worked with Treasurer's Office on this and the numbers matched. The Commissioners signed this report.
2. CORPORAL POSITION: S. Story said he wished to request a fourth Corporal position. He noted that three Jail Administrators ago, he went to one sergeant and three Corporals. He now needs to reinstate that fourth Corporal position. He estimated that the net cost increase will be \$1,600.00, which should be made up in attrition.
**** D. Berry moved, A. Fowler seconded to approve the fourth Corporal position.** Discussion: J. Hyk asked if it would show a change in position or a new body on next year's budget. S. Story replied that it would show a change in position. J. Hyk inquired as to why the Sheriff was changing back to this fourth Corporal position. S. Story explained that he had given up a Corporal position so that the department could have a sergeant's position, which at that time made sense. The Sergeant was on the day shift and at that time the department did not need a Corporal. Now, the way the shifts are sometimes there is no Corporal or Sergeant on a shift and a Corrections Supervisor is being used. The reason for the change is if the Sergeant is off duty, it leaves a "hole." With a fourth Corporal, there is coverage for each shift. **Passed Unanimously.**
3. S. Story recommended promoting Corrections Officer Christopher Loureiro to the rank of Corporal with a pay increase from \$16.37 per hour to \$17.16, effective February 17, 2008.

**** A. Fowler moved, D. Berry seconded to approve the promotion of Corrections Officer Christopher Loureiro to the Corporal position with a pay increase from \$16.37 to \$17.16 per hour effective February 17, 2008. Unanimous.**

4. S. Story briefly reported on the Jail/State/County Consolidation discussions. He informed the Commissioners that he would be going back on Friday for negotiations.

5. Boarding out inmates has been lower than expected, but it will soon go up because of Grand Jury. A. Fowler thanked S. Story for his commitment and dedication and expressed great appreciation for the work he has done. She noted that running the Jail could be left up to Sheriff Story and that his name is brought up frequently, and it is always good. The Jail has a great staff that the Sheriff is able to spend so much time in Augusta. S. Story thanked the Commissioners for their support.

FACILITIES REPORT

Facilities Manager Keith Overlock presented the following report:

1. Lighting is being worked on in the Superior Courthouse and will be more efficient. The candle power there is a 6, whereas in the District Courthouse, it is 35. There was additional brief discussion regarding lighting in Superior Courtroom and heating issues. J. Hyk asked if there was a fan and then instructed K. Overlock to have this looked at by the expert.

2. K. Overlock inquired of the Commissioners if he should do boiler project in the Superior Courthouse. He informed the Commissioners that Jeff Landmeyer did the design for District Courthouse boiler system. He noted that some contractors prefer to design a system themselves and bid that way. J. Hyk asked what architect R. Fenney had said. K. Overlock responded that R. Fenney had recommended J. Landmeyer. The Commissioners instructed K. Overlock to contact Mr. Landmeyer regarding the Superior Courthouse boiler.

3. K. Overlock reported that he would like to have the District Court rooms painted and is obtaining proposals. He would like to schedule the painting for a week in April when there's no court in session. This project would include the hallway going upstairs.

4. Sheriff's Records Storage: K. Overlock reported that the Sheriff is "really hurting for space" for his records storage. J. Hyk asked why these couldn't be sent to a storage facility in Bangor, similar to records for the Registry of Deeds. K. Overlock explained that the Sheriff's Office needs to be able to access these records. A. Fowler inquired about where the records were being kept currently and K. Overlock informed her that they are in the Superior Court basement.

5. Seacoast Security will price out the fire alarm system proposals for 2009 for the District Courthouse, as there is no sprinkler system in that building. The Superior Courthouse has a sprinkler system and is already tied in to Seacoast Security for an alarm.

6. Jail Maintenance: The Commissioners discussed the matter of Jail maintenance and noted that that regardless of what happens with the proposed State/County Jail consolidation proposal, this building still needs to be maintained. K. Overlock described heating issues there. The heating bill is \$24,000.00. J. Hyk instructed K. Overlock to also have the heating expert look at the whole ventilation/heating system at the Jail.

7. K. Overlock reported having spent a lot of money on salt this year and noted that the plowing has also been frequent. He anticipated that this budget line would be overdrawn.

[BREAK]

CORRESPONDENCE:

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

1. According to the Rules for Disposition of Local Government Records produced by the Secretary of State Maine State Archives, tax abatement appeal records do not need to be retained beyond six years, other than the minutes are kept in the Commissioners Court volumes permanently. B. Arseneau also informed the Commissioners that supporting material for annual budget preparation also does needs to be retained only six years. The final budget is retained permanently. B. Arseneau requested authorization to start disposition of those records that met the criteria for disposition.

**** D. Berry moved, A. Fowler seconded to dispose of these records as permitted by the Rules of Disposition. Unanimous.**

2. Dale Rowley sent recommendations for some changes/updates regarding the Waldo County Regional Communications Center By-laws. After briefly reviewing these recommendations, the Commissioners decided to take no action at this time, and instructed the County Clerk to schedule time to discuss these matters with the Communications Director, EMA Director and Sheriff during the regularly scheduled March Commissioners Court Session.

3. D. Rowley also has submitted the 2008 Strategic Plan for the County EMA program. The Commissioners noted that he was extremely good at developing documents such as this. Chairman John Hyk signed the Plan.

4. Town of Knox citizen Edward Wancus, Jr. has requested a tax abatement appeal with the County Commissioners regarding his property located on a discontinued road between Rt. 137 and Old County Road in Knox, Maine. After a brief review of the materials sent by Mr. Wancus, the County Commissioners agreed to hold a hearing and instructed the County Clerk to schedule this. A. Fowler asked for copies of the material and stated that she would make some inquiries with Dave Ledew at the State.

5. Committees Served on and Responsibilities Handled by Commissioners: B. Arseneau submitted the revised list of committees and responsibilities and the Commissioners instructed her to add Commissioner Fowler as serving on the "Courthouse Closing Committee."

6. B. Arseneau informed the Commissioners that the First Quarter Dues invoice from Eastern Maine Development Corporation was received February 5, 2008. Question was raised regarding this should be paid from a reserve and Commissioner Hyk stated firmly, "No. J. Hyk: We did not sign a contract with them – we had a verbal agreement and they have broken it." The Commissioners instructed B. Arseneau to hold that invoice and not pay it yet. She asked if she should contact EMDC to let them know it would not be paid yet and was authorized to do so.

7. National County Government Week is April 6 through 12, 2008. B. Arseneau asked if the Commissioners wished to do anything to promote this. A. Fowler responded, "Whatever is free."

8. NEW HIRES: The Commissioners voted to authorize hiring the following employees:
- Nicholas Tomah as part-time Corrections Officer at \$11.74 per hour effective February 11, 2008.
 - Dennis J. Remillard as part-time Corrections Officer at \$11.74 per hour effective February 11, 2008
 - Charles Ball as part-time Corrections Officer at \$11.74 per hour effective February 5, 2008
 - Daniel Fitzpatrick as part-time Corrections Officer at \$11.74 per hour effective February 5, 2008.

**** A. Fowler moved, D. Berry seconded to approve hiring all new employees listed as requested. Unanimous.**

9. PROMOTION: Communications Director Owen Smith has recommended the promotion of Dispatcher Colette Narofsky from part-time to full-time at \$13.95 per hour effective February 3, 2008, noting that she will serve a six-month probationary period.

**** A. Fowler moved, D. Berry seconded to approve the promotion of Colette Narofsky to full-time Dispatcher at \$13.95 per hour effective February 3, 2008. Unanimous.**

10. The Commissioners noted the following employees' step and wage increases:

- Deputy Scott Jones reaches the five-year step with a wage increase from \$15.93 to \$16.55 per hour effective March 1, 2008.
- Corrections Corporal Christopher Albert reaches the eight-year step with a wage increase from \$16.35 to \$16.79 per hour effective February 13, 2008
- Corrections Officer Laurel Kragh reaches the eight-year step with a wage increase from \$15.50 to \$16.00 per hour effective February 13, 2008
- Deputy Daniel Thompson reached the six-month step with a wage increase from \$15.27 to \$15.48 per hour effective February 11, 2008.

**** A. Fowler moved, D. Berry seconded to note and accept these step increases. Unanimous.**

11. A letter was received by Treasurer David Parkman from Constance Clements, Administrative Assistant with the University of Maine Cooperative Extension dated February 4, 2008 explaining that the Extension did not spend its entire 2007 budget allotment and enclosed a check in the amount of \$529.05. The Commissioners expressed their pleasure and appreciation.

12. B. Arseneau shared recent communications with Regional Court Administrator Ted Glessner. On January 25, 2008, B. Arseneau sent an email to T. Glessner regarding the unsigned lease renewal between the District Court and the County of Waldo and asking him to let the Commissioners know which format is required so that the lease can be signed. T. Glessner replied on January 27, 2008 that he would get back to B. Arseneau as soon as possible. Meanwhile, an email was sent by MCCA Director Robert Howe on February 4, 2008 indicating that during a recent meeting with the Joint Standing Committees on Appropriations and Financial Affairs and the Judiciary regarding the dire circumstances of the current State budget, Chief Justice Saufley was asked to inform the Committees if any courthouse may be closed. The Chief will reconvene the Infrastructure Advisory Group as soon as possible and at a single meeting, the group will discuss the possibility possible closure of courts due to budget constraints. B. Arseneau had spoken with the Commissioners about this correspondence and had been instructed to send an email to T. Glessner, which she did on February 6, 2008, expressing the Commissioners' concern about this matter, particularly since the County still has no signed lease with the District Court. T. Glessner responded by via

email the same day stating that “the lack of lease does not effect in any way the discussion indicated below.”

13. B. Arseneau read from letters: Squaw Island/Squaw Head – Board responsible for name change; case for three changes – letters of change. Questions and comments? Please let me know by next meeting on March 13th. No response from Commissioners.

14. The Commissioners received a letter from Deputy District Attorney Leane Zainea requesting authorization to dispose of a typewriter in their office that no longer works, preferably before the week of February 11, 2008 as it is in the Grand Jury room and Grand Jury is scheduled to start that week.

**** D. Berry moved, A. Fowler seconded to authorize the Facilities Manager to remove and dispose of the typewriter as requested. Unanimous.**

15. Communications Director Owen Smith sent an Email notifying the Commissioners that on February 7, 2008, a woman by the name of Kathy Webber representing a Rural Wireless Company had stopped by his office to express interest in putting cell phone reflectors on the County’s tower behind the Jail. He told her that he doubted this could be done as the tower is maxed out at this point. He advised against doing so. Ms. Webber then asked if O. Smith thought the County would entertain Rural Wireless Company putting up a taller and larger tower next to the existing one, which the County could have space on. He told her that if the Commissioners were interested in doing that and leasing or giving it to the County for free, there might be interest, but the County would not give up ownership of the tower or land. Ms. Webber seemed to think that there might be an interest in doing the project under those circumstances. She went on to say that the company would take care of all permits and notifications and the cost of the tower. O. Smith noted that the county would also have to obtain a cost estimate on removing the current tower after a new one was erected and the County equipment moved onto it. She asked him how to take this subject to the Commissioners and he advised her to call the office. He ended the communication by informing the Commissioners that the current tower was found from the FCC database as one of a few in this area of Coastal Maine. Their aim is to provide cost effective wireless internet service to all of Maine and Waldo County was the first step in this area. The Commissioners instructed B. Arseneau to contact O. Smith, tell him they are interested, and to ask him to keep them informed.

16. Dale Rowley sent a DVD copy of the recent exercise.

17. A copy of a letter sent to Dr. Robert Marvinney, State Geologist and Director of the Maine Department of Conservation by the United States Board on Geographic names was sent to the Commissioners. The letter indicated that this would acknowledge receipt of the two letters submitted recently to the U.S. Board on Geographic Names regarding the renaming of three geographic features in Maine, one of which was Squaw Head and Squaw Point in Waldo County. The recommendation was to rename these Defence Head and Defence Point, respectively. This was a request for letters of support for this name change. After brief discussion, the Waldo County Commissioners decided not to send a response.

COMMISSIONERS BUSINESS & REPORTS:

POSSIBLE COURTHOUSE CLOSINGS: Commissioner Fowler gave a brief report on possible closings of the following courthouses:

- Millinocket
- Rumford
- York (1 courthouse)

- Presque Isle
- Waterville

She stated that she has proposed numerous questions – none of which had been thought out. Some counties with multiple courthouses were chosen to lose one courthouse.

EXECUTIVE SESSION:

**** A. Fowler moved, D. Berry seconded to enter Executive Session according to MRSA Title 1 § 405 for a legal matter at 11:11 a.m. Unanimous.**

**** D. Berry moved, A. Fowler seconded to exit Executive Session at 11:58 a.m. Unanimous.**

****A. Fowler moved, D. Berry seconded to adjourn the Commissioners Court Session at 11:59 a.m. Unanimous.**

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