

**WALDO COUNTY COMMISSIONERS COURT SESSION
(SPECIAL SESSION)
JUNE 18, 2010**

PRESENT: Commissioners Donald P. Berry, Sr., William D. Shorey and Amy R. Fowler. Also present was County Clerk Barbara Arseneau to take the minutes.

D. Berry called the meeting to order at 10:00 a.m.

PUBLIC SAFETY ANSWERING POINT (PSAP) CONSOLIDATION DISCUSSION:
Present were Communications Director Owen Smith, Stockton Springs Selectmen/Waldo County Budget Committee Member Richard Desmarais, Technology Consultant James Arseneau and, later, Searsport Town Manager James Gillway.

O. Smith referred to the Public Utilities Commissioner Notice of Inquiry (NOI) that was sent out on June 15, 2010. He explained that Belfast Police Chief Jeffrey Trafton is the chairman of the Waldo County Regional Communications Center Board of Directors and he and O. Smith are addressing #17 and #18 of the NOI document. O. Smith said it was his understanding that 13 of the 16 counties have call-sharing agreements with the State Police. As long as these are in place, calls will be transferred, and nothing will change that fact.

O. Smith also referenced all the items listed after question 18 and noted that if all of those situations were taken care of, it would bring the number of PSAPS to 18. He stated his belief that Androscoggin County may go in with Lewiston/Auburn Dispatch. At the MECCA meeting yesterday, they discussed the NOI and addressed drafting a letter in response to it. O. Smith stated that they were “very lucky” to have Washington County Administrator Betsy Fitzgerald to edit the work, as she is a retired English teacher. The Belfast, Lincolnville and Searsport Chiefs of Police will be responding from their viewpoints; fire chiefs will be responding from their viewpoints, etc. O. Smith predicted that they would have some idea in mid-August when they do the “straw-man approach.” He stated his concern has always been that all the PSAPS be on the same playing field in this matter, commenting that the four DPS centers cannot be “sacred cows.” He stated that if this ends up being the case, that only leaves the 13 counties, Portland will not go, so someone else will need to go. “The problems in Augusta could be resolved if they merged Grey with Augusta, in my opinion,” he said, adding, “We’ll see.”

A. Fowler said that she felt that nobody could count on being indispensable at this point.

“All we can do is participate in a positive manner, and then we can complain. If we don’t participate in a positive manner, then we can’t complain,” said O. Smith. “I believe this will be easy to achieve if those four centers are not ‘sacred cows.’ I believe the regional communications centers have strong holds. We are the paper clearing house for the counties. If the County didn’t keep its 72 hour hold, what would the agencies do? We’re going to fight hard to keep what we can keep.”

A. Fowler said that she felt that O. Smith could answer the questions with the most knowledge and that the Commissioners should review, see if they wished to add anything, then “bless it,” and send

it off. She wondered if the Selectmen's Association should be approached for their support, as well. O. Smith thought that was a good suggestion, noting that the EMA Association has sent a letter of support. He continued to express concern that Waldo was still in a precarious situation. "Cumberland County could take everything else in Cumberland County. We don't see Bill Holmes – he doesn't participate in NENA or MECCA, and they did not feel comfortable speaking for him. Also, Ralph Pinkham and Percy Brown kind of agree that they do not think that Bangor PD will lose their PSAP. Chief Cammack has a pretty loud voice as the fire chief. It would be a travesty if Waldo lost the PSAP and Bangor PD kept theirs. Where would be the fairness in that?" he stated.

A letter has been received from PUC Chairman Sharon Reishus, who has resigned. Farmingdale, West Gardiner and Pittston are moving to Lincoln County for PSAP and Dispatching. O. Smith added that the Board of Directors is adamant that if Waldo County loses 9-1-1, it won't give up its communications center.

J. Arseneau brought up a statement that has been made about expenses regarding, in particular, cell phones. He explained that the numbering system in the U.S. is a database, but when a call is placed, there is a query to a database somewhere in the southwest – a lot like an I.P. address. They know who the caller's provider is, the latitude, longitude and then the routing is done. "They say this is expensive, but it really is not that difficult. Fairpoint may not have had all their routing tables in place before the cutover. What Fairpoint ended up with is different than Verizon. The biggest reason is the State dragged their feet on this. You can make those things very directional, even though they make it seem that this is a really big deal to do," he explained.

O. Smith noted that question #1 is "wide open," adding that the 26 existing PSAPS are working very well. He was not sure there was any public safety advantage in reducing the number. Cumberland County has sent in a statement that they do not believe reduction will accomplish anything of value.

A. Fowler said she did not blame Cumberland County for trying to "squelch" this, and reminded all of the recent events with the County Jails; commenting that Counties waited to see what would happen and it would not be smart to do that again with PSAPS.

D. Berry said that they tried very hard to get it out of the State Police hands. They would have dominated the whole thing in public safety. They wanted it really badly, but Utilities would not buy into that scenario. It really belongs in PUC and not in Public Safety.

O. Smith noted that Mike Thibodeau, a representative on the Energy and Utilities Commission, is running for State Senator and that this is being decided by a "lame duck" Legislature. It can't pass until legislature passes it. MECCA and NENA testify regularly in meetings and sessions. "When DPS Commissioner Ann Jordan stands up to speak, it is almost if trumpets blare and everyone sits up and takes notice, but not in tune with what's going on. You feel the prejudice in favor of the State. County Regional Centers average \$55,000.00 to \$60,000.00 per dispatcher for PSAPS, and DPS averages \$106,000.00 per year per dispatcher for PSAPS. And they can do it better?" he remarked.

J. Arseneau noted Attachment B, explaining that because of cellular telephone calls, all DPS centers in the state are on the upper end because they have not relinquished them. If someone has Verizon Wireless, AT&T or Sprint, they don't get Waldo County - they get Old Town or Augusta DPS PSAPs. These are not directly related to 9-1-1 but get counted. There are centers on here in which the numbers are misleading depending on how the center has been set up and how they use the equipment. He explained that it is important to make notice of this when addressing the issues as commissioners. Unless the actual numbers of what are administrative-related calls versus what are 9-1-1 calls, it would be enlightening to see that the numbers have been inflated. Waldo County might be sitting somewhere quite differently if the actual calls were clarified. Waldo uses 9-1-1-lines strictly for 9-1-1, not for administrative calls.

J. Gillway said he would like to know the facts and wondered if the NOI accurately represented what Waldo has for calls. O. Smith said it was accurate, and did not know why things were different with other call centers, since Waldo County takes its calls off "Magic," the reporting system for the E911 calls. He explained that you can't transfer out of that system because of the way the center is set up. He noted that Waldo County, a year ago, could have transferred some admin lines to the 9-1-1 APU and pumped up the numbers.

J. Gillway wondered how many 9-1-1 hang-up calls there are. He anticipated that higher populated areas likely have more of those. O. Smith said that he could probably find out the count of these "abandoned" calls. J. Gillway thought it would be interesting to see if there was a higher incidence of this in more populated areas, and if this made the numbers more favorable for some counties, this should be taken into account.

R. Desmarais asked if this was "Phase 1". J. Arseneau said he thought that "Next Gen" would be the main push. O. Smith said 5-year contracts are signed and every five years the equipment is upgraded. The next upgrade is due in 2012, but the "talk" is that it likely will be pushed off and the contract extended for one year. It was explained that the "next gen" is not anything like what Waldo County has right now. He listed Onstar and others as "amazing" examples of what can be done with an I.P.-based system. "The capability to send graphic photos of accident scenes via cell phone exists," he explained. O. Smith noted that the State of Alabama is really engaged in "Next Gen," adding that it would be really helpful to show a picture to a hospital of the patient and the wounds, etc. before the patient arrives at the hospital. "There will be a lot of sorting out - how much of this will we want to see and use," he noted.

R. Desmarais said in 1980, the set up was "Med radios." The original plan was that a patient could be in transit in an ambulance from Maine to California and not ever be out of medical contact. It didn't require crystals to maintain contact. It would go to the control center, which would patch the vehicle through the dispatch centers and they would tell the medical vehicle which channels or frequencies they could get through on. He acknowledged it was complicated, but once people learned how to use it, it worked. They were told that it would be used across the country. The Dispatch centers were funded by State money. It went from three towns in Connecticut to thirteen towns.

O. Smith reiterated, "We're engaged - we're not going to be silent. If we're on a level playing field, O.K."

D. Berry reminded all that legislation would have to be brought forward that would need to be dealt with. "You can rest assured that some piece of legislation will come in that says, 'We need this,' he stated.

W. Shorey commented that this was the reverse of the "not in my backyard philosophy – everyone wants it in their backyard."

O. Smith noted that, as the crow flies, there is only 4 to 500 feet between Belfast PD and the County Dispatch Center.

D. Berry said that the logical thing was to have one and not two dispatch centers in Waldo County. He noted that some of the "veterans" are prepared to go and testify, including he himself.

O. Smith said that the list was reviewed, in Cumberland County, as an example; there are centers with fewer calls than Waldo Regional. After additional discussion, it was agreed that there needs to be an accounting for the numbers and how they were generated.

O. Smith said that his position is that he is concerned about his center. "If the organizations want to carve it up, that's one thing," he said. He did not feel that it was the Center's obligation to "carve things up." He felt that if there is going to be any chance that it will be in danger of that, he believed this was the "time to raise a ruckus" because other centers could and should be absorbed first. O. Smith commented that he felt bad for the dispatchers and supervisors at Augusta DPS as he felt that they are "beaten to death."

J. Arseneau, in looking at the land lines in Gray, noted that the wireless is being put in that mix, as well. Most are wireless and it is simply because these have not been released yet. "It puts them in a good spot to be up at the top of the list, whereas the reality is that if the numbers were being counted fairly, they would not be so high up on the list," he explained.

The Commissioners thanked all for meeting with them to discuss this very important topic.

FACILITIES REPORT:

Present for this report was Facilities Manager Keith Nealley, along with Communications Director Owen Smith, with the following information:

1. K. Nealley informed the Commissioners that he and O. Smith wanted to explain about the 15KW generator for the Aborn Hill Tower site, which is putting out 5000 now. CMD had come in to perform a load test. The heating and air conditioning units draw a lot more power than before. D. Berry said that Dale Rowley had already discussed this with the Commissioners. A new automatic transfer switch would have to be installed, and run a direct cable from the transfer switch to the new building. Right now, several connections. The total cost would be \$7,670.00, minus the EMA's amount of \$3,558.00 which would leave \$4,112.00 needed from the Communications Center Tower budget line. O. Smith explained that the tower budget line looks pretty good right now at 37% expended, but they will need \$4,200.00 for this purpose. If it doesn't

get funded from this, it will need to be funded from a reserve. He explained that CMD did a “real-world” test.

K. Nealley explained that if there was a power outage or “brownout”, the equipment could get damaged. The Commissioners agreed that the equipment needed to be purchased. O. Smith informed the Commissioners that radio maintenance has been “a disaster” this year. He cautioned that even though things are fine in the Tower Site budget line right now, he would not want to sit in front of the Commissioners in November after this purchase and have to tell them that line would be overdrawn. He explained to the Commissioners that his personnel lines “have been looking really good, but this will be coming to an end with some medical leaves that are coming up.” He explained that he is trying to use part-timers as much as possible while adhering to the union contract, which gives overtime to full-time employees first. He explained that comp time cannot be predicted with any certainty, adding that some entities have gotten away from comp time for this reason.

W. Shorey asked if there was an automatic switch, and if that were the case, something is likely to burn up if there was some sort of power failure. He acknowledged that this needed to be addressed with proper equipment.

O. Smith said that there is always a wind blowing up there and there seem to be a number of power outages year-round. The generator was not putting out a steady stream, which messed up the microwave. Now there are filters in place to deal with that, but the proper generator is now needed.

****W. Shorey moved, A. Fowler seconded to approve \$4,112.00 from Tower sites and \$3,558.00 from EMA line. Unanimous.**

2. K. Nealley informed the Commissioners that Glacial Energy has been calling weekly to inquire about what the Commissioners have decided regarding their offer during a previous Commissioners Court session. He knew that the Treasurer was opposed to the electronic payments. The County is currently under a contract for the larger users, but not for the smaller users.

W. Shorey said that in Searsport Water District, they were in one of the worst case scenarios, and ended up saving over \$100.00 per month in the worst case scenario. He believed money could be saved. A. Fowler agreed that she was in favor of any efficiency that could be obtained.

When asked his viewpoint, K. Nealley felt that if money could be saved on the smaller demands, this was a good thing. When the contract would run out on the larger users, they could look at this too. The Commissioners noted that business is changing to be more-and-more paperless, and the County likely needed to get in the same mode. The Commissioners asked K. Trussell to sit in on the discussion and inquired of her what the problems were with automatic payments. K. Trussell explained that one concern is that it would be another company having access to the County’s account. Currently only payroll does this. She explained that these types of transactions require separate warrants, recalling that when the County had the deferred compensation with Lord, Abbett & Co., it had to be done that way then. B. Arseneau asked if the electronic payments could

all be on the same warrant. K. Trussell explained that she would not recommend putting it on the same warrant with payroll – this would need to be separate.

****W. Shorey moved, A. Fowler seconded to start utilizing an electronic payment warrant, since this is how business is being conducted in this century, and signing up with Glacial Energy for the smaller demands; revisiting the larger demands once the current contract has expired. Unanimous.**

Keith Nealley said he would speak with Glacial Energy. The Commissioners agreed to speak with the Treasurer.

3. K. Nealley reported that in order to make changes in the Superior Courthouse, it would require covering the asbestos tile in the Grand Jury Room – likely with carpeting. There was some question of where to put the Clerk of Courts and her staff, and one idea was to consider placing them the Law Library. He noted that the entire law library is not large enough to house both the staff and the current records storage. There currently isn't enough room for storage now, so the Court has to rent space for the rest of the records. In July the State the Regional Court Administrator and Jeff Henthorne will be discussing expansion for the courts. K. Nealley felt that this might be the right time to discuss the County's needs for the District Attorney's Office staff.

W. Shorey noted that the State is responsible for the District Court space and the County is responsible for the Superior Court Space and wondered how that would work out. K. Nealley thought that if there might be an addition built onto the District Courthouse; for example, courtroom space above a one-level parking space. As far as the finances are concerned, he was not sure how that funding would work. He noted that the State folks have been great to work with on recent ADA compliance work that has been accomplished on the District Courthouse and felt that a conversation with them would be very worthwhile. W. Shorey felt that the Stimulus funds have pretty well run their course, but encouraged K. Nealley to keep the dialogue open with them because perhaps some sort of mutually beneficial arrangement could be made. K. Nealley said he was more than willing to do that.

Meanwhile, K. Nealley stated that he did not know how to proceed further with the D.A.'s office space and security issues. D. Berry asked how the Grand Jury Room space compared with the current D.A.'s Office. K. Nealley checked the figures and replied that there was about 1300 more feet of space with the Grand Jury Room. The Commissioners reminded him that they wished to consider the space currently used by the State Police, as well. K. Nealley told the Commissioners that he had diagrams of the current space and would share them with them.

4. K. Nealley asked for a letter enforcing the pick-up times of 8:30 a.m. and 3:00 p.m. for the courier service he and the Facilities Technician provide to the County. At times, items are not ready for pick-up and he and G. Daigle are asked to wait. He recognized that the Commissioners had not intended for the system to work that way and would appreciate their support in this matter. The Commissioners agreed to send a letter to the departments strictly enforcing the pick-up times.

4. K. Nealley will be on vacation from July 4 – 9, 2010.

HEALTH INSURANCE WORKSHOP – POSTPONED:

The Commissioners decided to postpone the health insurance workshop as the Human Resources/Payroll Director was ill and could not attend the session. It will be rescheduled at a later date.

****A. Fowler moved, W. Shorey seconded to adjourn the meeting at 11:24 a.m. Unanimous.**

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