

**WALDO COUNTY COMMISSIONERS COURT SESSION
JULY 24, 2012**

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

Call to Order: Commissioner Shorey called the court session to order at 8:00 a.m.

SHERIFF'S REPORT:

Present with the Commissioners was Sheriff Story, who discussed the following:

VOA CONTRACT RENEWAL:

S. Story submitted the new VOA Contract that was put together by Cheryl Gallant and himself for renewal. The fee is the only thing that is different. It has been reduced because he is utilizing the Correctional Administrator more now. The total for renewal is \$517,777.00 and the costs have been separated. The base contract is \$471,977.00. S. Story said he pulled out mentoring services at \$35,000.00 and Family Mediation at \$10,800.00, to be paid as services are provided. He also has instituted penalties if certain services are not fulfilled by certain time tables by VOA.

****A. Fowler moved, B. Johnson seconded to approve the new VOA contract in the amount of \$517,777.00. Unanimous.**

EXECUTIVE SESSION:

****A. Fowler moved, B. Johnson seconded to enter executive session for discussion of health insurance information as permitted by M.R.S.A. Title 1 405 – 6(F) at 8:14 a.m. Unanimous.**

****A. Fowler moved, B. Johnson seconded to come out of Executive Session at 8:31 a.m. Unanimous.** No action was taken.

RECONSIDERATION OF JULY 10, 2012 VOTE RE: TAX ABATEMENT APPEAL:

****B. Johnson moved, W. Shorey seconded to rescind the approval of the Commissioners' motion made during the July 10, 2012 Commissioners Court Session not to hear the appeal of the decision of the Town of Knox Board of Assessors on application for abatement of property taxes as requested by Deborah Penney. Passed by two with one abstention (Commissioner Fowler).**

W. Shorey stated that after reading all the material that has come in, he believed there was some confusion among the parties regarding the partial abatement that was awarded by the Town and apparently accepted by Ms. Penney.

B. Johnson said she believed that Ms. Penney accepted the abatement in the amount of \$129.73 and interest in the amount of \$2.88 because she did not return the money to the Town, so in accepting that she was accepting the decision. B. Johnson wondered what Ms. Penney was disagreeing with and appealing at this point. She referenced the most recent appeal form that was filled out and dated July 6, 2012 and stated that she was not sure what amount Ms. Penney was requesting for abatement. She felt that if Ms. Penney does not agree with the valuation of \$16,600.00, she should go back to the Town and appeal that. If the Town denies this, she can then come before the County Commissioners.

She also noted that the tax bill showed a homestead exemption but Ms. Penney's second application included a date of July 6, 2012, which was different than the date of the original appeal request that came by letter (June 3, 2012). B. Johnson also stated that if Ms. Penney was reapplying for the original abatement request, since the Town of Knox granted partial abatement on April 24, 2012, the date to appeal this would have already gone by on June 24, 2012. The most recent form does not say she went before the Town to request the full abatement. B. Johnson explained that she had seen the information and email that came to the Commissioners on June 8, 2012 from Ms. Penney and that is why she had voted as she did on July 10, 2012 to inform the plaintiff that she was not eligible for an appeal hearing with the Board of County Commissioners.

W. Shorey felt that because of the confusion, and because of the document showing a homestead property tax exemption on a trailer that looked as though it could not be lived in, he felt that the Commissioners should give the benefit of the doubt and have both parties come before the Board of Commissioners.

A. Fowler agreed with B. Johnson about the dates and also the fact that the plaintiff appeared to have accepted the abatement by accepting the money. She said she did, however, question the homestead exemption and how the Town came up with the \$10,000.00 exemption. A. Fowler offered to contact the assessors, since this is in her district, to see if the Town would work this out on their own, but W. Shorey and B. Johnson stated that the prudent thing would be to follow the statutes and either hold a formal hearing or not hold a formal hearing.

There was brief discussion on whether or not Ms. Penney owned the land the trailer sits on. The Commissioners discussed the general confusion in all the paperwork and ultimately agreed to hold a hearing to listen to both parties. The Commissioners then made the following motion:

****B. Johnson moved, A. Fowler seconded to hold a hearing to listen to Deborah Penney's appeal of the decision of the Town of Knox Board of Assessors on application for abatement of property taxes and for the county clerk to ask Ms. Penney if she would be willing, in writing, to delay the tax abatement appeal hearing until the August 14, 2012 Commissioners Court Session. Unanimous.**

The Commissioners instructed the clerk to explain to Ms. Penney that if Ms. Penney was not willing to delay the hearing, it would have to be held before August 5, 2012 to meet the 60-day requirement according to the Maine statutes.

CORRESPONDENCE:

1. B. Arseneau submitted the proposed budget and Commissioners Court schedule for the upcoming fall season. After reviewing it, the Commissioners added a few things and instructed the clerk to revise it.

****B. Johnson moved, W. Shorey seconded to adjourn the court session at 8:59 a.m. Unanimous.**

Respectfully submitted by Barbara L. Arseneau
Waldo County Clerk