

**WALDO COUNTY COMMISSIONERS COURT SESSION
AUGUST 5, 2020**

PRESENT: Commissioners William D. Shorey (Chairman), Amy R. Fowler, and Betty I. Johnson. County Clerk Barbara Arseneau took minutes. The court session was conducted via teleconference due to COVID-19 restrictions.

Call to Order: Commissioner Shorey called the court session to order at 9:00 a.m.

FINANCIAL REPORT:

Deputy Treasurer Karen Trussell reported the following:

The County Checkbook balance is \$145,647.05

The Jail Checkbook balance is \$302,914.46.

County Appropriations:

51% of the 2020 budget has been expended and it should be 58% at this time.

County Revenue:

53.86% of the 2020 County revenue has been received.

Corrections Appropriations:

55% of 2020 budget has been expended and should be 58% expended.

Corrections Revenue:

79.27% of the 2020 Corrections revenue has been received.

TAX ANTICIPATION NOTE:

\$2,700,000.00 has been borrowed from the TAN by the County and \$1,800,000.00 by Corrections. \$1,000,000.00 remains.

****B. Johnson moved, A. Fowler seconded to file the Financial Report. Unanimous.**

WARRANTS:

****B. Johnson moved, A. Fowler seconded to authorize payment of the July 31, 2020 General Fund Accounts Payable warrant including the July 23, 2020 payroll in the amount of \$764,524.82. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the July 31, 2020 Capital, Active & Restricted Reserve warrant in the amount of \$13,988.77. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the July 31, 2020 Reentry Accounts Payable warrant including July 23, 2020 payroll in the amount \$109,055.69. Unanimous.**

****B. Johnson moved, A. Fowler seconded to authorize payment of the July 31, 2020 MCRRC Restricted Reserve in the amount of \$20,535.87. Unanimous.**

INFORMATION TECHNOLOGY REPORT:

Present was IT Manager J-sun Bailey who reported that he has been working on the following:

1. The majority of time has been spent on 2021 budgeting, getting quotes for Spillman Server, figuring out what budget lines may be needed in the 2021 IT Technology operating budget, etc.
2. The last steps of the email filtering migration, which was to enable the plug-in for Outlook installed on workstations. He has sent out instructions for the spam filter and how to send encrypted emails.
3. Working with Quality Communications on cabling in the Superior Courthouse.
4. Working on contracts and determining which ones should be kept and which ones may need to be changed.

The Commissioners discussed the 2021 budgeting process for Information Technology, and in particular, line items for Capital Outlay projects that J. Bailey submitted for their review on Monday. The Commissioners discussed the following:

- It was decided not to add any additional budget lines to IT Technology Budget 1035 but to keep it as it is currently set up. J. Bailey will list capital projects, contracts, monthly expenditures, etc. and continue to pay these expenses from the Technology Reserve in 2021.
- Software that is department-specific and whether or not that should be included as part of the Technology budget or the individual department's budget. It would appear that the only department with specific software that is still listed in the Technology budget was Probate's two specific software programs. J. Bailey would evaluate that further.
- MiFi's used by employees who were assigned to work from home should be returned to the IT Manager now that they are no longer being used.
- Regarding the District Attorney's Office, it was unclear which IT costs were paid by the State's budget and which were paid by the County. J. Bailey will research this in more detail.
- The District Attorney's Internet service at the satellite office in the new judicial building costs almost \$370.00 per month, and costs about \$200.00 per month at the main office in the Superior Courthouse. The Commissioners wondered if employees could use MiFi rather than continue to pay for service at the Judicial Center, and whether or not Internet service was required by the State. J. Bailey said he had spoken with VWA Katie Greeley about this and believed the employees are typically not using that office 8 hours a day; just when court is in session. K. Greeley can take her laptop and can connect by phone VPS? J. Bailey said he thought it might work to use two (2) MiFi's, and hook up the printers, but he would need to research this further. He believes the current Internet service may be on a 3-year contract and is trying to find out if it's economical to

buy out of that contract. The phones in the satellite office don't work and he is trying to get that resolved. The Commissioners asked J. Bailey to complete the research and come back with a report. He noted that he is trying to not impact the D.A. staff's job functions, but if there is another cost effective way to do this, that would be good.

EMA HAZARD ASSESSMENT UPDATE

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

1. Updated the Hazard Identification, Risk Assessment and Consequence Analysis: D. Rowley reviewed this document with the Commissioners via "Screen Sharing".
2. Waldo County has been approved for a public assistance grant from FEMA. The County will be reimbursed for expenses over \$9,000.00 that went toward purchasing Personal Protective Equipment and food. Usually there is a match, the state is covering that, so this will be a 100% reimbursement.
3. There is a government program that purchases food from farmers that normally would have gone to restaurants, and is redistributing it. Maine farmer's produce is being purchased and redistributed throughout the State of Maine. Some has been sent already and distributed, and more will be arriving. Waldo County EMA will arrange for it to be distributed in more places, and will do this as part of an exercise in order to perform that at the same time. The food is not financial-based, so anyone can benefit. W. Shorey noted that the Waldo County Garden has now distributing through the Waldo County Technical Center.

2021 PAY SCALES, NEW MILITARY POLICY:

H.R. Director Nicole Hubbard was absent due to illness, so Finance Director Karen Trussell filled in.

1. 2021 Pay Scales: K. Trussell said she has reviewed the 2021 pay scales carefully and they are calculated correctly at the 1% COLA increase.
****B. Johnson moved, A. Fowler seconded to approve all the 2021 updated pay scales as presented. Unanimous.**
2. Military and Reserve Leave Policy Update: A. Fowler reported that the County needed to add wording to the Military and Reserve Leave Policy that requires that employees provide documentation verifying that they are in the military to be eligible for Military and Reserve Leave.
****A. Fowler moved, B. Johnson seconded to adopt the additional wording to the Military and Reserve Leave policy. Unanimous.**

CORRESPONDENCE:

Present to report correspondence was County Clerk Barbara Arseneau as follows:

1. Communications Director Owen Smith submitted a memo by email for B. Arseneau to share with the Commissioners. The lift at Position 3 needs to be replaced because the model has changed. The quote from Xybix is just under \$10,000.00. The work can be performed by Dispatch Supervisor Mike Larrivee and Facilities Manager Keith Nealley. In addition to this, the State is refreshing 9-1-1 consoles with two larger monitors so O. Smith will need to order rack extenders to accomplish this. He will let the Commissioners know the cost as soon as he receives a quote. Xybix estimates these extenders at

\$3,300.00. If these are ordered at the same time as the lift, crating and shipping charges may be saved at about \$300.00 so he recommended ordering these all at the same time. He recommended funding this from the Communications Reserve. The Commissioners discussed how much funding was in that reserve and acknowledged that they had already voted to add money to that reserve, so there should be sufficient funds.

****B. Johnson moved, A. Fowler seconded to authorize purchasing the lift and the rack extenders and to fund this from Communications Equipment Reserve 0261. Unanimous.**

The Commissioners requested that, in the future, O. Smith send requests and cost estimates to their emails and not only to the County Clerk.

2. Communications Director Owen Smith sent a memo stating that employment has terminated for Myles Chung effective July 27, 2020.

****A. Fowler moved, B. Johnson seconded to accept employment termination for Myles Chung effective July 27, 2020. Unanimous.**

3. Sheriff Jeffrey Trafton sent a memo indicating that Corrections Corporal Walter Wagner has submitted his resignation from the Maine Coastal Regional Reentry Center, effective August 19, 2020. Sheriff Trafton, who was present, stated that he had received this message on August 3, 2020 and it is the first resignation he's received from a Corrections employee in the 9 years he's worked at the Sheriff's Office. He noted that W. Wagner has been a good employee and he's sorry to see him go.

****B. Johnson moved, A. Fowler seconded to accept the resignation of Corrections Corporal Walter Wagner effective August 19, 2020. Unanimous.**

4. The Commissioners noted pay step increases for the following employees:

- Register of Probate Sharon Peavey reached the 12-year pay step on July 1, 2020 with an increase in salary to \$59,649.66 per year. She noted that she has had the pleasure of been employed for the County of Waldo for the past 36 years.
- Probate Clerk Cari Emrich reached the twelve-year pay step on July 28, 2020 with a pay increase to \$20.76 per hour.
- Dispatcher Camilla Cook reached the 1-year pay step on July 29, 2020 with a pay increase from \$19.78 per hour to \$20.46. She also received an increase in vacation of 40 hours, bringing her up to 80 hours per year.

5. Update on Tax Abatement Appeal Application – Peace Ridge Sanctuary v. Town of Brooks: B. Arseneau reported receiving a letter dated July 16, 2020 from Attorney Olga Goldberg of Pierce Atwood, LLP, representing Peace Ridge Sanctuary. The letter stated that on May 20, 2020 Peace Ridge Sanctuary filed an application for assessment review with the Waldo County Commissioners pursuant to 36 M.R.S. §844, which requires the County Commissioners to give written notice of their decision within 60 days of the date the application is filed and, and unless the applicant agrees in writing to further, the application is deemed denied after 60 days. The letter explained that the Sanctuary and the Town of Brooks are parties to a lawsuit currently pending at the Waldo County Superior Court, and that the central issue is the same: whether the Sanctuary qualifies for the benevolent and charitable exemption from property tax under 36 M.R.S. §652(1)(A). This dispute relates to the 2016 to 2018 property tax years, and also relates to the 2019 property tax year. To enable a more efficient resolution to this dispute and to conserve the Commissioners' time and the parties' resources, the Sanctuary agrees in writing to extend

and delay the 60-day deemed denial deadline to 30 days after the final resolution of the lawsuit, including any appeals to the Law Court. The Commissioners discussed this briefly. Commissioner Fowler expressed that she didn't understand how the Commissioners could even hear the case since Peace Ridge Sanctuary had not paid the taxes for the property they were requesting abatement on, as outlined in MSRA Title 36 & 844, 4. The Commissioners noted receipt of the letter.

APPROVAL OF MINUTES:

1. Amendment to minutes from the July 1, 2020 Waldo County Commissioners Court Session: Register of Probate Sharon Peavey requested that an amendment be made to her portion of the minutes for July 1, 2020. In June 2019, 21 dockets were opened and in June 2020, 25 were opened. The number 7,800 was incorrect.

****B. Johnson moved, A. Fowler seconded to approve the July 1, 2020 minutes with that amendment. Unanimous.**

2. Minutes from the July 15, 2020 Waldo County Commissioners Court Session:

****B. Johnson moved, A. Fowler seconded to approve the minutes from the July 15, 2020 as read. Unanimous.**

SHERIFF'S REPORT, KNOX BOARDING AGREEMENT:

Present was Sheriff Jeffrey Trafton.

1. The Sheriff confirmed that Corrections Corporal Walter Wagner submitted his resignation, effective August 19, 2020.

2. Knox Boarding Agreement: The Commissioners had reviewed this previously, but the Sheriff will resend it to them electronically. It just needs the Commissioner Chairman's signature.

3. The Sheriff will be requesting a new Community Liaison position and new deputy position in the 2021 budget.

4. There are still funds available in the Capital Outlay line of the Sheriff's 2020 Budget. The Sheriff asked if it would be good to purchase another vehicle now since that funding is available. Vehicles are always needed. Last year there were 27 vehicles in the fleet, and the Sheriff's Office has been purchasing four per year, which is barely covering the need. In light of the possible financial situation ahead, he wished to ask the Commissioners' approval for this purchase.

The Commissioners asked questions about the new Community Liaison position and J. Trafton explained the following:

- A vehicle would be rotated out of the fleet for this position.
- One liaison is already working, is funded through grant funds, and is very busy. The second position would be paid from the Sheriff's budget.
- A few examples of cases this position works on were shared. These are cases that occur every day that really aren't law enforcement/criminal issues but need to be addressed.

- This program is not connected in any way with the matter of defunding the police, was funded before that came up, these programs have been around for a while, and were being discussed 20 years ago. He didn't want the commissioners to think he was pandering to that philosophy.
- The Commissioners asked for statistics regarding the cases the liaison has had. J. Trafton said he would provide that, and stated that the Waldo County Sheriff's Office is cutting edge and leading in this area, which he is proud of. No other county doing this.
- The referral process for the liaison assignments was explained.

W. Shorey said he wished to address the original question, which was whether or not the Sheriff should purchase a vehicle with the unused 2020 funds. The Commissioners agreed it made sense.

****A. Fowler moved, B. Johnson seconded for the Sheriff to look at the possibility of purchasing a vehicle as requested. Unanimous.**

Other answers to questions:

- The MDEA position has been posted but not yet filled.
- Maine Pretrial serves both Knox and Waldo County inmates, but under two separate contracts.
- Sizes are still being obtained so the new Deputies' uniforms have not been ordered yet.

FACILITIES REPORT:

Present was Facilities Manager Keith Nealley, who reported the following:

1. Contaminated Records Move to New Storage: Yesterday the contaminated records were removed from the Old Jail. Of the 534 boxes, 242 were identified for destruction per the State's retention schedule. Those are in a dumpster that is scheduled to go to PERC and be burned, not buried, at an additional charge. Chief Jason Trundy and he went through each box and 292 were moved to the storage unit out at the Garden. Eastern Mold Remediation cleaned the mold and interior in the Old Jail, and instructed K. Nealley to bring in a dehumidifier. The County can start moving new records in. K. Nealley noted that back in 2018, the Commissioners voted to spend \$12,000 for electricity and a heat pump in that space. When discussing how to fund this, both the Facilities, All other and 2040 Records Preservation budget were reviewed. K. Nealley mentioned that a rack or storage system for the files will be needed, and will talk with the County Clerk to see how much metal shelving would cost, and will get quotes for the heat pump and electricity. There may be a rebate from Maine Energy. W. Shorey asked if the contaminated records in the storage building at the garden could be sealed so that the remaining space could be used for other storage. K. Nealley will look into that. The Commissioners thanked K. Nealley for a job very well done.

2. Law Library: All the shelves are up in the Probate Conference room that will house the Law Library books. About 1/3 have been moved. Some Reentry folks will be assisting with the remainder, so it should be done in the next few weeks. This space is working out well.

2. Discussion of Mail Delivery and Locked Doors at Superior Courthouse: K. Nealley explained that the main entrance doors remain locked during the day out of concern for the public using the same bathroom as employees. This has resulted in the Post Office requesting that Deeds and the D.A.'s Offices either coming to the Post Office to collect their mail, or installing an outdoor mailbox. A commercial grade mailbox would be approximately \$700.00 to mount to the building, and would have four (4) slots – one for outgoing mail, and three for each of those agencies to access with keys. After discussion about the

safety measures taken to protect the employees in their individual offices, the Commissioners decided that for the safety of the employees, they would allow the doors to remain locked and for a mailbox to be installed outside of the Superior Courthouse. It was noted that Deeds has a P.O. Box that has been about \$300.00 per year and that possibly this may no longer be needed.

****B. Johnson moved, A. Fowler seconded to install a mailbox outside on the Superior Courthouse building with funds from the Courthouses Reserve. Unanimous.**

COMMISSIONERS MISCELLANEOUS BUSINESS:

1. Commissioner Shorey requested an executive session to discuss medical matters.

****B. Johnson moved, A. Fowler seconded to go into executive session at 10:44 a.m. for discussion of medical information as permitted by MRSA Title 1§01(6)(F) Unanimous.**

****A. Fowler moved, B. Johnson seconded that, in the event an employee seeks medical attention who has similar or common symptoms of COVID, that the employee be tested for COVID and show a negative result before returning for work. Unanimous.**

2021 BUDGET CAUCUS:

Present were Lincolnville Selectman Josh Gerritsen, Stockton Springs Selectman Melissa Moody, Palermo Selectman Bob Kurek, and Unity Selectman Penny Sampson.

Budget Committee Nominations were as follows:

District 3:

****P. Sampson nominated Palermo Selectman Bob Kurek for the ballot for a three-year term of Waldo County Budget Committee for District 3.**

Bob Kurek accepted and seconded. Nominations ceased for that position.

District 1:

****J. Gerritsen nominated Islesboro Selectman Gabriel Pendleton for the ballot to serve a three-year term on the Waldo County Budget Committee for District 1.**

Nominations ceased.

District 2:

Melissa Moody said she was elected by her board to replace the unexpired term for Peter Curley.

There was brief discussion regarding the vacancy left by Freedom Selectman Brian Jones, who is no longer selectman. The Commissioners instructed B. Arseneau to send a letter to the Town of Freedom asking if they will be filling that vacancy with another selectman.

Ballots will be sent to the boards of selectmen for return August 31, 2020.

****A. Fowler moved, B. Johnson seconded to adjourn the court session at 11:35 a.m. Unanimous.**

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

Barbara L. Arseneau