

KNOX COUNTY COMMISSION

Regular Meeting

Tuesday – October 11, 2011 – 2:00 p.m.

The regular monthly meeting of the Knox County Commission was held on Tuesday, October 11, 2011, at 2:00 p.m., at the county courthouse, 62 Union Street, Rockland, Maine.

Commission members present were: Carol L. Maines, Commissioner District #1, Richard L. Parent, Jr., Commissioner District #2, and Roger A. Moody, Commissioner District #3.

County staff present included: County Administrator Andrew Hart, Administrative Assistant Candice Richards, Airport Manager Jeff Northgraves, Finance Director Kathy Robinson (*arrived at 2:12 p.m.*), Sheriff Donna Dennison, Chief Deputy Tim Carroll. Lynn Talbot (*arrived at 2:16 p.m.*).

Others in attendance: Laurie Bouchard of LBouchard & Associates; Justin Holmes, Executive Director of the Maine Coast Economic Alliance (MCEA); and Owls Head resident Ken Wexler (*arrived at 2:41 p.m.*).

Regular Meeting – Agenda Tuesday – October 11, 2011 – 2:00 p.m.

- I. 2:00 Meeting Called To Order**
- II. 2:01 Public Comment** - Public Comment during other portions of the meeting will only be granted by permission of the chair.
- III. 2:15 Consent Items**
 - 1. Approve Consent Items as Presented:
 - i. Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
 - ii. Minutes of Regular Commission Meeting of August 9, 2011.
 - iii. Minutes of Special Commission Meeting of August 18, 2011.
 - iv. Minutes of Special Commission Meeting of August 22, 2011.
 - v. Minutes of Regular Commission Meeting of September 13, 2011.
 - vi. Monthly Written Departmental Reports.
 - vii. Reserve Withdrawals.
 - viii. Budget Line Transfers.
- IV. 2:20 Action Items**
 - 1. Act to Approve the EMA Resources and Operations Planner Job Description.
 - 2. Act to Approve Including Past Experience to the Compensation Study.
 - 3. Act to Approve Re-Evaluation of Adjusting Salaries Only up to Midpoint.
 - 4. Act to Approve the Job Evaluation & Salary Administration Policy.
 - 5. Act to Re-Consider and Approve 2012 Budget Amounts.
 - 6. Act to Award the Insulation Upgrade Bid.
- V. 3:00 Discussion Items**
 - 1. Discussion of Appointment to the Airport Public Advisory Committee (APAC).
 - 2. Discussion of HR Specialist Position Options.
- VI. 3:15 Other Business**
- VII. 3:20 Executive Session**
 - 1. Convene in Executive Session to discuss a Personnel Matter pursuant to 1 M.R.S.A. §405(6)(A).
- VIII. Adjourn**

I. Meeting Called to Order

Commission Chair Roger Moody called the regular meeting of the Knox County Commission to order at 2:00 p.m.

II. Public Comment

Commissioner Roger Moody asked for public comment. There was none.

III. Consent Items

- 1. Approve Consent Items as Presented:
 - i. Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
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 - vi. Monthly Written Departmental Reports.
 - vii. Reserve Withdrawals.
 - viii. Budget Line Transfers

- A motion was made by Commissioner Richard Parent to approve the consent items as presented. The motion was seconded by Commissioner Carol Maines.

Commissioner Maines asked about seeing in the news about the State Department of Public Safety only wanting there to only be two PSAP’s in Maine but the counties don’t want that. Administrator Hart said that Communications Director Linwood Lothrop was on vacation so he would try to explain. He briefly explained that the State would still have to have the call centers even if they are able to lower the number of PSAP’s in the state. The calls will still get dispatched from the KRCC so it probably won’t affect Knox County that much. Commissioner Moody commented that the main issue the counties have with the State’s plan is that each call would then be handled twice and there’s always a chance of the call being dropped. Sometimes the data doesn’t make it through to the local call center if the call is dropped.

- A vote was taken with all in favor.

Reserve Withdrawals:

Airport Projects	461608-14640	\$107.68
Building	200008-12655	\$893.75
Dispatch Miscellaneous Equipment	561800-12625	\$26,497.48
Energy Efficiency Conservation Block Grant	300008-10046	\$41,670.00
Legal Expense	200008-12650	\$10,531.50
Resignation Benefits	200008-12670	\$1,164.00
Unemployment Compensation	200008-12610	\$78.00
	Total	\$80,942.41

2011 Budget Line Transfers:

FROM:			TO:		
AIRPORT					
Health Insurance	416003-53910	\$2,331	Overtime	416003-53800	\$2,331
Audit	416004-54052	\$550	Advertising	416004-54510	\$150
Meals	416004-54110	\$150	Dues & Registration	416004-54515	\$100
Lodging	416004-54115	\$650	Postage	416004-54520	\$200
Pagers	416004-54320	\$95	Electricity	416004-54555	\$2,450
Water	416004-54565	\$2,000	Equipment Rental	416004-54570	\$500
Radio Repairs	416004-54580	\$25	Gas	416004-54650	\$2,700
Cleaning	416004-54591	\$2,100			
Heating Repairs	416004-54610	\$200			
Plumbing Repairs	416004-54615	\$30			
Hangar Electricity	416004-54750	\$300			
COMMUNICATIONS					
Dispatcher	518003-53812	\$22,000	Tolls, other	518004-54120	\$100
Training	518004-54545	\$100	Radio Repairs	518004-54580	\$22,000
DEEDS					
Dues & Registration	009004-54515	\$45	Equipment Repairs	009004-54575	\$145
Medical Exams	009004-54550	\$100			
DISTRICT ATTORNEY					
Drug Analysis	003004-54025	\$415	Transcripts	003004-54080	\$415
EMA					
Gas	002004-54650	\$135	Overtime	002003-53800	\$135
EXECUTIVE					
Human Resources	004003-53040	\$40,000	Consultant	004004-54015	\$20,690
			Labor Relations	004004-54050	\$6,000
			Legal	004004-54055	\$13,310
FINANCE					
Auto Mileage	005004-54105	\$200	Office Supplies	005005-55335	\$300
Meals	005004-54110	\$210	Computer Supplies	005005-55385	\$530
Lodging	005004-54115	\$420			
SHERIFF					
Workers Compensation	011003-53920	\$12,000	Overtime	011003-53800	\$12,000
Computer Supplies	011005-55385	\$556	Office Supplies	011005-55335	\$500
			Statutes	011005-55510	\$56
Total:		\$84,612	Total:		\$84,612

IV. Action Items**1. Act to Approve the EMA Resources and Operations Planner Job Description.**

The job description is for a temporary, part-time, grant funded position that will continue until the grant funds are expired. The person filling this role up until now was a contractor. He would become a part-time employee of the County with limited benefits, and probably working under 20 hours per week. The plan is to have the person currently filling that function to continue doing it. The reason behind having this position go from contracting to a County employee is to meet the Federal Labor Standards.

- A motion was made by Commissioner Richard Parent to approve the EMA Resources and Operations Planner Job Description as presented. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

2. Act to Approve Including Past Experience to the Compensation Study.

Ms. Bouchard explained that, previously, the Commission approved counting prior experience, but at the time there was no discussion about how to count it. She recommended that prior experience of up to 16 years be counted at 50% (which would be *up to* 8 years of experience in the 16-step plan). The Commission could, however, hire at a higher step if necessary to attract the right candidate. That would be the exception vs. the rule. The HR person (once hired) would evaluate the prospective employee's past experience and make a recommendation to the department manager and County Administrator, who would make the final determination. If a current employee feels s/he did not receive accurate credit for past experience, s/he will have a one time opportunity to appeal the decision between now and January 1, 2012

Commissioner Moody asked about the possibility of giving different percentages for past history based on the level of responsibility of the position, and what pay grade they'd been in at their previous employment. Ms. Bouchard said that, while that makes some sense, it would greatly complicate the process and there would be even greater differences of opinion, so she would not recommend it.

Commissioner Maines asked if past experience, or lack thereof, could possibly work against some applicants who might not have as much past experience as others. She asked if the County would be tempted to take the applicant with less experience. Administrator Hart explained that during the interview process the County picks the best over-all qualified candidate and that the decision is not made based solely on just past experience; it's decided based on the applicant's resume, job application, and how well they impress the interview panel. Sometimes it's the person with more experience, but occasionally it's someone with less experience that maybe made an over-all better impression than other applicants. It depends on the position and what the County is looking for. Commissioner Parent commented that past experience is only one reason to hire somebody; you also look at credentials, education, etc.

- A consensus was taken, as noted by Commissioner Moody, to approve including past experience at 50%.

3. Act to Approve Re-Evaluation of Adjusting Salaries Only up to Mid-Point.

Ms. Bouchard explained that the earlier recommendation was to adjust employees using prior experience and current experience up to the midpoint of the range; employees whose salaries fell above midpoint after the COLA increases would not receive adjustments, even if they were not on the proper step. However, after Finance and Administration looked at past experience of current employees and talked with department managers, the recommendation now is to not limit the opportunity for adjustment to just those below midpoint, but to include any employee not on the right step. It won't be all employees that need an adjustment after the COLA is applied. Those employees at or above the maximum will not get the full COLA adjustment. No one will be getting less pay than what they are making already. Current employees will be asked for information showing all relevant prior experience. Employees will have two weeks to turn in the information, and then the Administration will need a week to ten days to do the calculation. At that point the County will have the numbers of what it will cost to adjust the employees' salaries. It is unlikely there there will be enough money to do all of the adjustments; whatever money available after the COLA increases and the adjustments to minimum would be used to make adjustments on a percentage basis (for example, perhaps each employee eligible for an adjustment would get 50% of the adjustment). It was suggested that the Commission could stay with the \$303,579 (Additional Option #4 on the spreadsheet) approved at the last meeting.

- A motion was made by Commissioner Richard Parent to approve action items 2 (approve including past experience at 50%), 3 (approve adjusting salaries for not only those below midpoint but also those employees who are currently not on the right step) and 4 (approve the Job Evaluation & Salary Administration Policy as presented). The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

4. Act to Approve the Job Evaluation & Salary Administration Policy.

Action items 2, 3, and 4 were all handled under item 3's discussion and vote.

5. Act to Re-Consider and Approve 2012 Budget Amounts.

Administrator Hart explained that there were several budget topics that needed to run by the Commission.

Maine Coast Economic Alliance (MCEA – formerly KWRED) grant request

Commissioner Moody said that he didn't realize that Administrator Hart had reduced MCEA's request in the 2012 budget draft. He asked if the actual amount that the organization had requested should be put back in and let it go through the budget review process with the Budget Committee. Administrator Hart explained that he had cut MCEA back because he needed to make some cuts in the budget to reduce the overall budget and felt some cuts needed to be made to all the program grants' budgets.

Time & Tide grant request

Commissioner Moody explained that Time & Tide's funding request was not handed in by the deadline. He asked if it was fair to accept the request when the other agencies handed theirs in on time. Administrator Hart commented that the letter that the County sends out to agencies informing them of the deadline does not say that if a request isn't handed in on time it wouldn't be considered, but he felt that a deadline is a deadline and that it's not fair to the agencies that handed their request in on time. He said that he had asked the Chair of the Budget Committee for her opinion and she felt that the County should still put Time & Tide's request in the budget to be reviewed during the budget process. Administrator Hart stated that he had put zero in the budget under his own recommendation column with a note that the reason was because the request was not submitted timely.

Commissioner Parent commented that Time & Tide's staff had been cut back so the agency had a legitimate reason for not knowing about the deadline. Administrator Hart suggested that next year his office could do certified mail to ensure that the information is received by all agencies, but he felt that it was not the County's responsibility to be chasing the agencies down when the time frame for the process is pretty much the same every year. He added that he also felt it was a bit odd that Time & Tide got their request into another county but not to Knox.

- A motion was made by Commissioner Richard Parent to reconsider amounts for time and tide and KWRED (\$3,650 for Time and Tide RC&D, and \$45,000 for MCEA/KWRED). The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

Building Maintenance Capital

Administrator Hart explained that the Commission had previously voted to pay for the courthouse chimney repairs out of reserve instead of the money budgeted for windows. Right now there are six windows being replaced and paid for out of the Energy Efficiency grant. Boiler room windows and cupola repairs may have to be paid for out of reserve. Commissioner Moody commented that there should be some money left in the reserves instead of using it all up at once. Commissioner Parent said that he agreed.

6. Act to Award the Insulation Upgrade Bid.

- A motion was made by Commissioner Richard Parent to award the insulation upgrade bid to Hi Tech Insulation Services for a bid total of \$3,600. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

V. Discussion Items1. Discussion of Appointment to the Airport Public Advisory Committee (APAC).

Owls Head resident Ken Wexler stated that he had asked to meet with the Commission because he felt that he had been unfairly discriminated against in the selection of Airport Public Advisory Committee members earlier in the year. He had hoped to be appointed to the Nearby Citizen's Seat but another candidate had been appointed.

Mr. Wexler started by listing some of the various community boards he participates on in an effort to show the Commission that he cares about his community and knows how to get along with people. He felt that the APAC had violated their By-laws by supporting a person other than himself, which resulted in him not being appointed to the Committee. His chief claim of his right to the seat on the Committee lay in a reference in the By-laws stating that interested individuals who had already served on a sub-committee of the APAC would be given preference over other candidates who had not. Mr. Wexler had served on the Business Plan Sub-Committee of the APAC but Penny Alley, the other candidate, had not served on a sub-committee. He expressed some concern about

various publications listing different deadlines for recommendations or letters of interest. In his own case, on March 9th the Owls Head Selectmen hand-delivered to Airport Manager Jeff Northgraves a letter of support for Mr. Wexler, a copy of which was also hand delivered to the Commissioner’s Office.

Mr. Wexler stated that he felt discriminated against because it was his belief that Manager Northgraves had put a lot of effort into finding another candidate for the APAC to recommend to the Commission for appointment so that Mr. Wexler would not get appointed. His other reason for feeling discriminated against was because APAC Chair Kathy Allain had written in an email to Mr. Wexler stating that she was “playing the gender card” and was determined to have a woman fill the Nearby Citizen’s seat since there are currently more men on the APAC than women. Eventually the APAC took a vote via email and recommended Penny Alley to the Commission for appointment, after which Mr. Wexler wrote to Administrator Hart asking about the selection process. He had also requested copies of emails and reports of the Airport Manager as part of a Freedom of Access request. Included in the materials he received from the Administration in response to that request, there was a copy of an email from Manager Northgraves stating that he would never support Mr. Wexler being on the APAC. Mr. Wexler felt that his reputation in the community was being damaged and he stated that he was not trying to shut down the airport or quiet voices that did not agree with his own.

Airport Manager Jeff Northgraves commented that the APAC is not actually required to make recommendations for appointments and that the responsibility to appoint people to the vacancies on the APAC lie solely with the Commission.

Commissioner Moody commented that the Commission meeting was not the forum for uncivil words and that it was clear that both Mr. Wexler and Manager Northgraves had strong opinions on the subject. He was not sure it made any sense to consider reappointing after the process was already completed and someone else was already appointed, but he thought that maybe now is an appropriate time to look at the APAC’s By-laws and see about updating the language to make it more consistent and less confusing and/or ambiguous.

There was a discussion about whether or not a Special Commission meeting should be held with Mr. Wexler, APAC Chair Kathy Allain, Penny Alley, and possibly others, to discuss what had happened prior to the Commission appointing Penny Alley to the Nearby Citizen’s Seat. It was decided to forgo having a meeting on the subject and to instead concentrate on re-wording the By-laws and Charter and have them both reviewed by legal counsel to ensure that there is no confusion in the future and that all guidelines are followed by the APAC. Mr. Wexler said that he wasn’t trying to make trouble for the County and that if what came out of this was that things changed for the better in the future, he was willing to drop his request to have the appointment of Penny Alley reconsidered.

Commissioner Moody commented that the Commission needs to devise a process by which the By-laws are revised. It can’t be done without working with the APAC. He added that he felt the process should start with a direction from the Commission to the APAC to update the By-laws and Charter to ensure that the selection process for APAC members is clarified and made fair. He stated that the Commission will vote on this at the next Regular Commission meeting and nominate one commissioner to work with the APAC on that.

2. Discussion of HR Specialist Position Options.

	OPTION #1 Full Time Employee 40+ Hours	OPTION #2 Part Time Employee 20+ Hours	OPTION #3 Part Time Employee 25+ Hours	OPTION #4 Part Time Employee 30+ Hours
Salary	\$43,867.20	\$21,933.50	\$27,417.00	\$32,900.25
FICA	\$3,355.84	\$1,677.91	\$2,097.40	\$2,516.87
Health Insurance	\$11,667.00	\$11,607.00	\$11,667.00	\$11,667.00
Workers Comp.	\$171.08	\$85.54	\$106.93	\$128.31
ICMA	\$3,070.70	\$1,535.35	\$1,919.19	\$2,303.02
Total	\$62,131.83	\$36,839.30	\$43,207.52	\$49,515.45
Consulting	No Consulting	Current Consulting Laurie Bouchard	Current Consulting Laurie Bouchard	Reduced Consulting Laurie Bouchard
Monthly		12 hrs on site, 20 total	12 hrs on site, 20 total	6 hrs on site, 10 total
Annual Cost		\$25,080.00	\$25,080.00	\$12,540.00
Weekly expense	\$1,194.84	\$708.45	\$830.91	\$952.22
Monthly expense	\$5,177.65	\$3,069.94	\$3,600.63	\$4,126.29
Annual expense	\$62,131.83	\$61,919.30	\$68,287.52	\$62,055.45

Administrator Hart explained that this subject had been discussed at the Special Commission meeting on October 4th as part of the budget discussion. He reminded the Commission that in their packets they had received a chart showing four options for the Human Resources position. He said that he recommended Option 2. He stated that his reasoning for that choice is that the County still has some high level HR work that needs to be done before someone is hired. He said that he thought that he probably would not hire someone until April or May of 2012. The budget is being built to support an HR person for the whole of 2012 but it was very likely that someone won't be hired until later into the year.

Ms. Bouchard commented that once the Human Resources foundation is in place, there will not be enough work for a full-time HR person.

Commissioner Moody noted that the Commission's consensus was for Option 2 and that no vote was necessary.

VI. Other Business

Coastal Communities Workforce, Inc (CCWI)

Commissioner Parent stated that he just wanted to let the rest of the Commission know about the difficulties that the workforce boards in the state are currently facing. The State of Maine is currently divided into four different workforce boards. Knox County, along with Waldo, Lincoln, Sagadahoc, Cumberland & York counties, are all part of Area Four: Coastal Communities Workforce Investment Board. All four workforce boards were recently invited to meet with the governor who informed them that he wanted to consolidate/reduce them to have just one workforce board for the entire state. The governor wants to do that because he believes that too much money is spent on overhead. Commissioner Parent stated that if there was only one board they wouldn't be able to handle all the work. No State funds are used for workforce boards; all financial support comes from the Federal government.

Commissioner Maines asked for a description of what a workforce board is and what it does. Commissioner Parent explained that their responsibility is to train the unemployed people of Maine so they can get back to work. Workforce boards are non-profit entities that work with schools and Goodwill Industries. This is all federal money and has nothing to do with the state. Federal representatives indicate that they think the workforce boards are doing a good job. If the governor gets his way, it will decimate the program. Commissioner Parent added that he was not asking for any action by the Commission but just wanted to make the Commission aware that this was going on since he serves on the CCWI. Good people serve on these boards; it's all volunteers who take the work very seriously.

Bond Referendum Video

Administrator Hart commented that the link to the video online had been sent out on Friday. The video is also being run on the Rockland TV channel and is being taken to Rockport to be run on theirs.

VII. Executive Session

1. Convene in Executive Session to Discuss a Personnel Matter pursuant to 1 M.R.S.A. §405(6)(A).

- A motion was made by Commissioner Carol Maines to go into executive session pursuant to 1 M.R.S.A. §405(6)(A) to discuss a personnel matter. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

The executive session convened at 4:38 p.m.

The executive session concluded at 4:55 p.m.

VIII. Adjourn

- A motion was made by Commissioner Carol Maines to adjourn the meeting. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

The meeting adjourned at 4:56 p.m.

Respectfully submitted,

Candice Richards
Administrative Assistant

The Knox County Commission approved these minutes at their regular meeting held on November 8, 2011.