

KNOX COUNTY COMMISSION

Regular Meeting

Tuesday – October 5, 2010 – 9:00 a.m.

The regular meeting of the Knox County Commission was held on Tuesday, October 5, 2010, at 9:00 a.m., at the county courthouse, 62 Union Street, Rockland, Maine. Executive Assistant Constance Johanson was present to record the minutes of the meeting.

Commission members present were: Anne Beebe-Center, 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, Sheriff Donna Dennison, Airport Manager Jeff Northgraves, Patrol Administrator Tim Carroll, Jail Administrator John Hinkley, Finance Director Kathy Robinson, and Executive Assistant Constance Johanson.

Also present were: Tina Plummer of the Knox County Budget Committee, Martin Cates of Jaret & Cohn Real Estate, and Steve Betts of *The Herald Gazette*.

Regular Meeting – Agenda Tuesday – October 5, 2010 – 9:00 a.m.

- I. 9:00 Meeting Called To Order**
- II. 9:01 Public Comment** - Public Comment during other portions of the meeting will only be granted by permission of the chair.
- III. 9:15 Consent Items**
 - 1. Approve Consent Items as Presented:
 - a. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
 - b. Approve Minutes of Regular Commission Meeting of August 10, 2010.
 - c. Approve Minutes of Regular Commission Meeting of September 14, 2010.
 - d. Approve Minutes of Special Commission Meeting of September 20, 2010.
 - e. Approve Minutes of Special Commission Meeting of September 27, 2010.
 - f. Accept Monthly Written Departmental Reports.
 - g. Approve Reserve Withdrawals.
 - h. Approve Budget Line Transfers.
- IV. 9:16 Action Items**
 - 1. Act to Approve Contract with ARCH for Medical Services at the Jail and Authorize the County Administrator to Sign.
 - 2. Act to Appoint New Member to Board of Assessment Review.
 - 3. Act on Approval of Amended Knox County Purchasing and Bidding Policy.
 - 4. Act to Approve and Execute a New Lease Agreement with Cape Air (November 1, 2010 – September 30, 2014).
- V. 9:25 Discussion Items**
 - 1. Update on the Airport Terminal Building.
- VII. Executive Sessions**
 - 1. Convene in Executive Session to Discuss Acquisition of Real Property Pursuant to 1 M.R.S.A. §405(6)(C).
- VIII. Adjourn**

I. Meeting Called to Order

Commission Chair Anne Beebe-Center called the October 5, 2010 regular meeting of the Knox County Commission to order at 9:00 a.m.

II. Public Comment

Commission Chair Anne Beebe-Center asked for public comment. There was none.

III. Consent Items

- 1. Approve Items as Presented:
 - a. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
 - b. Approve Minutes of Regular Commission Meeting of August 10, 2010.
 - c. Approve Minutes of Regular Commission Meeting of September 14, 2010.
 - d. Approve Minutes of Special Commission Meeting of September 20, 2010.
 - e. Approve Minutes of Special Commission Meeting of September 27, 2010.
 - f. Accept Monthly Written Departmental Reports.
 - g. Approve Reserve Withdrawals.
 - h. Approve Budget Line Transfers.

- A motion was made by Commissioner Roger Moody to approve the consent items as presented. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

Reserve Withdrawals (October 5, 2010):

DARE	300008-10070	\$711.80
Forfeiture Money - State	200008-12870	\$409.00
Legal Expense	200008-12650	\$4,542.66
Resignation Benefits	200008-12670	\$1,068.00
	Total	\$6,731.46

Budget Line Transfers (October 5, 2010):

Transfer From:			Transfer To:		
Airport - Fire Fighting Supplies	416005-55376	(\$1,600.00)	Airport - Runway Maintenance	416004-54354	\$1,700.00
Airport - Training & Seminars	416004-54545	(\$800.00)	Airport - Advertising	416004-54510	\$300.00
Airport - Dues & Registration	416004-54545	(\$200.00)	Airport - Maintenance Supplies	416005-55325	\$400.00
			Airport - Office Supplies	416005-55335	\$200.00
Bldg. Mnt. - Heating Repairs	006004-54610	(\$6,000.00)	Bldg. Mnt. - Equipment Repairs	006004-54575	\$6,000.00
D.A. - Office Supplies	003005-55335	(\$533.00)	D.A. - Audio/Visual Supplies	003005-55505	\$135.00
			D.A. - Printing	003004-54525	\$4.00
			D.A. - Computer Repairs	003004-54585	\$394.00
EMA - Equipment	005004-54115	(\$11.00)	EMA- Radio Repairs	005003-53800	\$11.00
EMA - Lodging	005004-54110	(\$1200.00)	EMA - Postage	05004-54315	\$100.00
Sheriff - Office Supplies	011005-55335	(\$535.00)	Sheriff - Printing	011004-54525	\$535.00
Sheriff - Part-time	011003-53820	(\$313.00)	Sheriff - Unemployment	011003-53930	\$313.00
Sheriff - Gas, Oil, Grease	011004-54650	(\$100.00)	Sheriff - Mileage	011004-54105	\$100.00
	Total:	(\$10,192.00)		Total:	\$10,192.00

IV. Action Items

1. Act to Approve Contract with ARCH for Medical Services at the Jail and Authorize the County Administrator to Sign.

County Administrator Andrew Hart explained that this is a renewal of the current contract with Allied Resources for Correctional Health, Inc. (ARCH). The current contract is a 6-month contract that covered the period of January 1, 2010 to June 30, 2010. The proposed contract is a 1-year renewal covering the period from July 1, 2010 to June 30, 2011. The state is supposed to provide a request for proposal (RFP) for medical services for all county jails by July 1, 2011. If the state does not seek an RFP for medical services, then Knox County will seek a proposal for medical services for the Knox County Jail. The contract that is being considered today calls for an increase of \$900.00 per month.

Commissioner Anne Beebe-Center commented that she thought the Board of Corrections (BOC) wanted to have a bid proposal ready to send out by now.

Jail Administrator John Hinkley said the BOC had wanted to have it sent out, but it just is not going to happen. He was asked if it was because of the cost. Major Hinkley responded by saying that the RFP has not been put together yet. The chair of the committee retired and there has not been a meeting on this issue for some time.

Commissioner Anne Beebe-Center asked if there were any obstacles to developing an RFP and getting a state-wide contract in place for the jails. Major Hinkley answered that the committee is still in the research stage of this project. Counties do not have to participate in a state-wide medical services program. The idea behind having a state-wide medical contract for the jails is for consistency of services and continuity in the care of inmates.

The price may come down at some point, but it will probably go up at the beginning because there would be additional services offered at some of the jails. Some of the services that are not offered in a jail lead to the use of emergency care, which is expensive. By providing services needed at each jail, the use of emergency services should decline.

Commissioner Roger Moody asked if what the state is doing mirrors what Knox County is doing in terms of providing medical care to the inmates. He asked if the state's RFP will look like the one Knox County has in place for seeking medical services.

Major Hinkley stated that the medical needs of the inmates are being reviewed in terms of the types of inmates housed at each jail. Each jail does not necessarily need to have all services available. With a state-wide system, if an inmate should need a specific service, then that individual could be

transported to another jail that offers that particular service. This could be a cost savings measure. There has not been a final determination of the services that should be provided and at which facility.

ARCH, at one time, provided services to eight jails and is currently serving two jails. Knox County has a good program of services through ARCH. Recently an inmate had some special needs and issues and ARCH assisted in making arrangements for the individual to be treated at a facility in Bangor.

- A motion was made by Commissioner Roger Moody to approve the contract with ARCH for medical services at the jail and authorize the county administrator to sign the contract. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

2. Act to Appoint New Member to Board of Assessment Review.

County Administrator Andrew Hart reminded the commissioners that six members were appointed to the Board of Assessment Review with the seventh member to be appointed by the commission at this meeting. Three individuals have expressed interest in serving on the board. Pamela G. Terry, Esq. resides in South Thomaston and works for McKittrick & Warren P.A. Petrea Allen is a resident of Rockland and is the Vice President of Camden National Bank. She has 25 years of banking experience with 19 of those years spent focusing on residential mortgage lending. Marian A. Robinson lives in Thomaston and is a Certified Maine Assessor (#354). She served as the Assessor for the City of Rockland from 1987 until her retirement in 2005.

County Administrator Andrew Hart recommended Petrea Allen or Marian Robinson because the board of assessment review already has an attorney as a member. He suggested that it would be beneficial to have someone with an assessing or financial background.

It was noted that the board of assessment review has one assessor and one former assessor as board members. There is no way of knowing how many abatement hearings will be scheduled in a year and how flexible the proposed candidates' schedules are.

Commissioner Roger Moody said he knew the candidates and felt the county was fortunate to have such qualified applicants. He suggested looking at the geographic distribution of the board members. It appears that Friendship, Union, Rockland, and St. George are represented.

Commissioner Anne Beebe-Center suggested that one of the reasons for creating a board of assessment review was to have a means of learning about or obtaining information regarding the assessment of commercial property.

Commissioner Richard Parent asked if the county administrator was looking at having a seven member board and two alternates. He suggested that if this was the case, then all three candidates could be appointed. Mr. Hart explained that the rules and regulations, which are taken from state statutes, do not address the issue of alternates.

County Administrator Andrew Hart commented that some of the board members do have some commercial experience. The question is more of whether or not the banking industry should be represented because there is already an assessor and former assessor on the board.

Commissioner Richard Parent said he did not have a preference. Commissioner Roger Moody also said he did not have a preference.

Commissioner Anne Beebe-Center asked the county administrator for his recommendation.

County Administrator Andrew Hart suggested that if there were more tax abatement appeals like the one that the Thomaston Auction House submitted, it would probably be beneficial to have Marian Robinson on the board of assessment review.

- A motion was made by Commissioner Richard Parent to appoint Marian A. Robinson to the Knox County Board of Assessment Review. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

Commissioner Roger Moody asked the county administrator to contact the other two candidates and thank them for their interest. He suggested that they may wish to remain available as alternates. The county administrator reminded the commissioners that the statute does not have a provision for alternates; there are either five or seven members on a board of assessment. If the candidates continue to have interest in serving of the board of assessment, they could be considered if a vacancy occurs.

3. Act on Approval of Amended Knox County Purchasing and Bidding Policy.

County Administrator Andrew Hart reminded the commissioners that this item was tabled at the last commission meeting because EMA purchased many items through the State and General Services Administration. There were a few minor changes made with the exception to the bidding process when purchases are made through the State and General Services Administration was added.

- A motion was made by Commissioner Richard Parent to approve the amended Knox County Purchasing and Bidding Policy. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

The Purchasing and Bidding Policy only is included herein for informational purposes. The forms that accompany the policy may be obtained by contacting the administrative office.

Purchasing and Bidding Policy

I. Purpose

The Purpose of this Policy is to provide for the purchasing of goods and services required by Knox County, as well as the disposal of surplus or obsolete materials no longer needed.

II. Purchasing Agent

The County Administrator shall act as purchasing agent for all departments and offices.

III. Purchasing and Competitive Bidding

Purchasing

The County Administrator will be responsible for the proper bid procedures as described in MRSA 30-A § 124, "Bids, Awards and Contracts".

- a) \$10,000 or more: Except for purchases made through the State and General Services Administration (State and Federal Contracts, which are competitively bid by those entities), all other purchases and contracts involving a total cost of more than \$10,000 must be awarded by a system of official competitive bidding.
- b) \$2,500 to \$10,000: Except for purchases made through the State and General Services Administration (State and Federal Contracts, which are competitively bid by those entities), the County Administrator shall authorize and approve by oral proposal, research or bid. The department head or designee must seek a minimum of three quotes and submit the information to the County Administrator using the approved form. See attached form.
- c) Up to \$2,500: In the event of emergency situations, a department head may provide for necessary purchases and/or repairs not to exceed \$2,500. However, the County Administrator must be notified within 48 hours or by the next business day, of the incident.
- d) Legal Services: Requests for any and all legal services not otherwise contracted or budgeted must be approved by the County Administrator using the Request for Legal Services form attached.

The Commission may exclude specific purchases from the bid process due to sole source or prior knowledge of work or project which directly impact the business.

Competitive Bidding

Competitive bidding shall consist of an official bid package including detailed specifications of the project, service, supplies, or equipment prepared by the County Administrator. The bid will include at least 3 qualified vendors.

The bids must be submitted to the County Administrator by specified date and time in order to qualify. The envelope shall be identified as bid documentation. All bids will be opened at the same time under dual control and results documented.

The County Commissioners shall make awards following competitive bids to the lowest and best bidder, considering price, quality and reliability of past and expected future service reserving the right to reject any and all bids. Subject to the above the Commission may give preference to local bidders if the difference between the two lowest responsible bids submitted by companies based in Knox County and those not in Knox County is 5% or less.

IV. Sale and Disposition of Surplus Property and Equipment

The County Administrator shall be responsible for the proper sale and disposition of Knox County owned surplus property and equipment that has a value of \$500 or more.

The following shall govern the sale and disposition of Knox County owned surplus and equipment.

- a) Estimated value up to \$500
Notice of sale or surplus property and/or equipment shall be posted in the Knox County Courthouse and published in at least one local newspaper and web site. Notice shall contain description and quantity of items to be sold, as well as the date and time of said sale.
- b) Estimated value - \$500 or more
Sale or disposal of surplus property and/or equipment shall be by sealed bids. Notice shall be posted in the Knox County Courthouse and published in a local newspaper and web site in at least three consecutive publications. Notice shall contain description and quantity of items to be sold. It shall list when and where bids are due and date, time and place of bid opening. Bid shall be awarded to highest bidder.

Amended Purchasing and Bidding Policy – Approved this 5th of October.

4. Act to Approve and Execute a New Lease Agreement with Cape Air (November 1, 2010 - September 30, 2014).

Airport Manager Jeff Northgraves reported that Cape Air received approval for the Essential Air Service (EAS) from US Department of Transportation (USDOT) for a 4-year contract with Knox County. The previous contract was for two years and is based on Cape Air occupying space in a trailer, which was the old terminal. The new contract is based on the space Cape Air will occupy in the new terminal building, which means the rates have increased and other issues have been addressed. This contract has been reviewed and approved by Cape Air. Mr. Northgraves reported that he did not expect any concerns from USDOT regarding the new contract. He is asking that the commission approve and sign the contract with Cape Air.

- A motion was made by Commissioner Roger Moody to approve and execute a new lease agreement with Cape Air (November 1, 2010 – September 30, 2014). The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

V. Discussion Items

1. Update on Airport Terminal Building

Commissioner Anne Beebe-Center commented that she could not see into the terminal building. Mr. Northgraves explained that the glass turns opaque when the sun shines on the windows. Its part of the energy efficiency program and should help keep the air conditioning costs down.

Cape Air will start paying the new rates as of November 1, 2010, but will be moved into the terminal building this Friday. The terminal building is not finished and it is not an ideal situation to move into the terminal building before completion, but the old terminal (a trailer) has to be moved so the parking lot can be finished. TSA is also moving in because their trailer needs to be moved for the same reason.

The only outstanding issue is the security system. Mr. Northgraves reminded the commissioners of the problem with the security system. There was an addendum to the Request for Proposal (RFP) that was sent out, which stated that the security system at the terminal was an extension of an existing security system, and if another vendor's product was compatible with the existing one, then it could be used. This was a compromise, but it has become apparent that by the very nature of it being a security system the new security system has to be part of the existing proprietary system.

The FAA authorized the county to pull the security portion out of Sheridan's contract and award the bid for the security system as a "sole source" to Cincinnati-Amano. It was noted that this is not an uncommon practice at airports. The primary reason for the FAA to pull the security system out of Sheridan's contract was because of the increased cost and they did not want to reward the contractor for its mistake. The FAA will pay for the security system, but not through the contractor. The estimated cost is \$60,000.00. Originally the estimated cost for the Cincinnati-Amano system was \$85,000.00, which included the wiring, and a number of high-end extras. The wiring for the security system has been completed. The system going in costs less because it is designed for the terminal building's actual needs. The security system is also compatible with the system installed at the courthouse.

Commissioner Richard Parent asked when the terminal building was expected to be completed. Mr. Northgraves explained that it would probably be two to three weeks before the security system is completely installed. The other item that was holding things up was the furniture. It has been

ordered, but delivery is expected to take up to six weeks. The airport manager and his assistant will not move into their offices until after the furniture arrives. Currently-owned chairs will be used in the waiting area as a temporary measure. Some of the furniture will be paid for by the county and some of it is part of the Airport Improvement Plan (AIP). The contract for the furniture that is AIP eligible will need to be signed by the county administrator.

Commissioner Roger Moody noted that the terminal building is in transition and will not be fully finished and occupied for several weeks. He asked about the insurance coverage for the building. Mr. Northgraves said that Sheridan's insurance was still in effect and the county was not accepting the building until it is completed. The FAA is not transferring ownership at this time. The move is at the convenience of Sheridan so that the parking lot can be completed. There is a walk-through scheduled so that a "punch list" can be made of the items still needing to be completed. The terminal building was included in the list of airport properties for the Risk Pool's 2011 renewal certificate. The Risk Pool will have to be notified when the county expects to occupy the building. The Risk Pool can be notified of the partial occupancy.

Commissioner Richard Parent asked if there was anything in place to secure the terminal building before the security system is completely installed and working. Mr. Northgraves explained that locks have been installed in the interim and fire alarm system has been installed. TSA has specific security requirements, but they are comfortable with what is in place and can move in prior to the installation of the security system. TSA's new equipment is not expected to arrive until sometime in January. TSA is shutting down their equipment in the old terminal building, moving it, and recalibrating it to be in operation on Friday, October 8, 2010.

Commissioner Anne Beebe-Center asked about what was going to happen with the old trailers. Mr. Northgraves reported that the trailers were put out to bid, but no bids were received. He said he would try once again to sell the old trailers. It was noted that several people had expressed interest in them and even offered dollar amounts, but there were still no bids. If no bids are received from the next advertisement, then the old trailers would probably be donated to a municipality possibly for fire training purposes.

Commissioner Anne Beebe-Center commented that it appeared that there would still be temporary buildings with all the trailers still on site. There was also Penobscot Island Air's facility, which was supposed to be temporary. She asked about the status of these "temporary" buildings.

Airport Manager Jeff Northgraves reported meeting with Kevin Waters who is the owner of Penobscot Island Air (PIA). PIA's clientele like the look of these buildings, and given the economic situation, it is not likely that there will be any changes in the near future. Mr. Waters may be interested in building a hangar at that location at some point in time.

Commissioner Anne Beebe-Center commented that it looks like the idea of PIA's buildings being temporary has not been the case. Mr. Northgraves responded that the buildings were built as temporary structures and can actually be moved. It is a nice area, but it is hard to see them as temporary. Mr. Waters was offered the opportunity to move into the new terminal building, but he prefers to remain where he is located.

Commissioner Anne Beebe-Center asked if Cape Air or anyone had an issue with PIA's facilities. Mr. Northgraves responded that nobody has complained about his buildings. Only TSA commented on the close proximity to the old terminal trailer. There is now a significant space between the new terminal building and PIA's facility.

Airport Manager Jeff Northgraves explained that he anticipated the move-in cost would be \$60,000.00, which includes six TVs for flight schedules, furniture, and other items that are not part of the AIP. It now appears that the cost will be closer to \$30,000.00 and the airport manager had hoped that the sale of the trailers would cover this cost. The total cost of terminal building with the change orders is approximately \$250,000.00 over budget. The county's share of that cost will probably bring the move-in cost back up to the initial \$60,000.00 estimate.

No "Grand Opening" date has been set, but it could be arranged at any time even though the furniture may not be in place.

VI. Other Business

1. Courthouse Renovations Update

County Administrator Andrew Hart said he wanted to mention that the Penobscot Company is removing the railing on the roof today. He reported that the brick repointing project was going well. The Penobscot Company expects to start on the window replacement project this Thursday. There is still the interior repair work to be done in the finance office due to water damage.

2. Organizational Study Update

Municipal Resources, Inc. ("MRI") will be presenting their Knox County Organizational Study Phase II and Final Report to the County Commissioners at 1:00 p.m. on Wednesday, October 20, 2010. Department heads are being asked to attend this meeting to hear the presentation. MRI plans to meet with the department heads in the morning of the 20th.

Prior to this presentation, probably on October 15th, a copy of the Report, which includes MRI's observations and recommendations is scheduled to be provided to the county administrator, and commissioners. The department heads will receive a copy of the Report dealing with their department at the same time.

VII. Executive Session

1. Convene in Executive Session to Discuss Acquisition of Real Property Pursuant to 1 M.R.S.A. §405(6)(C).

- A motion was made by Commissioner Roger Moody go into executive session to discuss the acquisition of real property pursuant to 1 M.R.S.A. §405(6)(C). The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

The executive session convened at 9:44 a.m.

The executive session concluded at 11:06 a.m.

VIII. Adjourn

Commissioner Anne Beebe-Center asked for a motion to adjourn.

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

The meeting adjourned at 11:07 a.m.

Respectfully submitted,

Constance W. Johanson
Executive Assistant

The Knox County Commission approved these minutes at their regular meeting held on November 9, 2010.