

# KNOX COUNTY COMMISSION

**Regular Meeting**

**Tuesday – November 10, 2009 – 2:00 p.m.**

The regular monthly meeting of the Knox County Commission was held on Tuesday, November 10, 2009, at 2:00 p.m., at the county courthouse, 62 Union Street, Rockland, Maine. Administrative Assistant Candice Richards was present to record the minutes of the meeting.

Commission members present: Anne Beebe-Center, Commissioner District #1, and Richard L. Parent, Jr., Commissioner District #2.

County staff present included: County Administrator Andrew Hart, Administrative Assistant Candice Richards, EMA Director Ray Sisk, Airport Manager Jeff Northgraves, Finance Director Kathy Robinson, Sheriff Donna Dennison, and Chief Deputy Ernie McIntosh.

Also present: Steve Betts from the *Herald Gazette*.

## **Regular Meeting – Agenda** **Tuesday – November 10, 2009 – 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. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
    - ii. Accept Monthly Written Departmental Reports.
    - iii. Approve Reserve Withdrawals.
    - iv. Approve Budget Line Transfers.
- IV. 2:20 Action Items**
  - 1. Act to Approve EMA Response and Incident Support Vehicle Acquisition and Maintenance (R. Sisk).
  - 2. Act on Interest to be Charged to Municipalities on County Taxes and Fees Paid Late (K. Robinson).
  - 3. Act on Approval of Transfer of Forfeited Assets in the Form of One .12 gauge Mossberg Model 88 Pump Shotgun and One .22 caliber Stevens Model 62 Rifle (or any portion thereof) to Knox County in *State of Maine v. Rebecca Murray* (D. Dennison).
  - 4. Act on Approval of Purchasing One 2010 Dodge Charger and One 2010 Dodge Ram 1500 Truck From Newcastle Chrysler Dodge (D. Dennison).
  - 5. Act to Approve and Authorize the Chair to Execute the Owls Head Transportation Museum's Through-the-Fence Lease Agreement (J. Northgraves).
  - 6. Act to Approve Addition of 8.27 to Section 8.2 Vacation Leave in the Personnel Policy (A. Hart).
  - 7. Act to Approve Changes to Section 8.3 Sick Leave in the Personnel Policy (A. Hart).
  - 8. Act to Approve Changes to Section 4.18 Travel Expenses in the Personnel Policy (A. Hart).
  - 9. Act to Authorize the County Administrator to Conduct an Organizational Study (A. Hart).
  - 10. Act to Authorize the County Administrator to Put Out an RFP for an Organization to Conduct the Pay/Benefit, Position Classification Study (A. Hart).
- V. 2:50 Other Business**
- VI. 2:55 Adjourn**

### **I. Meeting Called to Order**

Commission Chair Anne Beebe-Center called the November 10, 2009 regular meeting of the Knox County Commission to order at 2:00 p.m.

### **II. Public Comment**

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

### **III. Consent Items**

- 1. Approve Consent Items as Presented:
  - i. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.

- ii. Accept Monthly Written Departmental Reports.
- iii. Approve Reserve Withdrawals.
- iv. Approve Budget Line Transfers.

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

Reserve Withdrawals:

Legal Expense	20000812650	\$7,407.00
	Total	\$7,407.00

Budget Line Transfers:

FROM:			TO:		
Airport Gas, Oil, Grease	416004-54650	\$2,000.00	Runway Maintenance	416004-54354	\$2,000.00
Airport Training	416004-54545	\$1,200.00	Equipment Rental	416004-54570	\$700.00
Airport Liability	416004-54425	\$250.00	Water	416004-54565	\$500.00
			Printing	416004-54525	\$250.00
Commun. Workers Comp.	518003-53920	\$643.00	Resignation/Termination	518003-53940	\$643.00
Communications PT	518003-53820	\$1,136.00	Radio Repairs	518004-54580	\$1,136.00
EMA Computer Repairs	002004-54585	\$284.00	Equipment	002007-57335	\$284.00
Finance Computer Supplies	005005-55385	\$500.00	Office Supplies	005005-55335	\$500.00
Jail Transport Supervisor	008003-53290	\$11,900.00	Overtime	008003-53800	\$40,000.00
Jail Prisoner Clothing	008003-53290	\$805.00	Postage & Shipping	008004-54520	\$40.00
Jail Maintenance Supplies	008005-55325	\$370.00	Medical Exams	008004-54550	\$34.00
Jail Inmate Programs	008004-84645	\$28,100.00	Heating Repairs	008004-54610	\$156.00
			Haz Materials	008005-55210	\$140.00
			Uniforms	008005-55405	\$805.00
Probate Transcripts	010004-54080	\$144.00	Training & Seminars	010004-54545	\$124.00
			Dues & Registration	010004-54515	\$20.00
Total:		\$47,332.00	Total:		\$47,332.00

**IV. Action Items**

1. Act to Approve EMA Response and Incident Support Vehicle Acquisition and Maintenance (R. Sisk).  
 EMA Director Ray explained that he was asking for Commission support for the EMA office to purchase an EMA response and incident support vehicle. The Commission had been provided with an operation and funding strategy.

Commissioner Anne Beebe-Center commented that the bottom line was the question of whether it would be cheaper for the County to use the grant money and purchase the vehicle, or continue to pay the director to use his own vehicle.

Director Sisk responded that the net bottom line, assuming it were to hold, would cost about \$500 more a year for the County to purchase its own EMA vehicle; however, his own vehicle needs to be replaced and he did not feel that he should have to buy himself a vehicle that will meet the needs of the County. His personal needs did not require such a large vehicle with the capability to haul support trailers and radios which need to be taken to incidents. He stated that he is currently using his own vehicle as an emergency response vehicle.

Commissioner Anne Beebe-Center commented that the County does not reimburse Director Sisk enough for the use of his own vehicle

Director Sisk stated that it costs about 87 cents per mile to operate, while the County only reimburses him 50 cents per mile. Knox County is one of two counties in Maine that does not have a designated EMA vehicle. Cumberland, the second county, instead has a pool of vehicles that are used by multiple departments. If Knox County purchased a vehicle for EMA, it would be designated for EMA and would be deployable to anywhere in the state.

Commissioner Richard Parent asked which vehicle Director Sisk would use if he needed to go to a meeting.

Director Sisk stated that he would use the EMA vehicle for all EMA related business.

Commissioner Richard Parent commented that buying the vehicle made sense to him and that Director Sisk should not be required to use his own vehicle.

Director Sisk stated that he is on the road on a regular basis, providing services in the field to the incident commanders. It can sometimes be a 24-7 operation.

- A motion was made by Commissioner Richard Parent to approve the purchase of a response vehicle as presented. The motion was seconded by Commissioner Anne Beebe-Center.

County Administrator Andrew Hart commented that the marking and use of the vehicle, as well as how it would be stored when not in use by the County, had been discussed. He added that he was checking with the state about parking it in the parking garage to avoid leaving it outside because of the possibility of vandalism. The vehicle would need to be somewhere there is 24-7 coverage, like on the Park Street property.

Director Sisk stated that he had called various counties to see how they house their vehicles, and most of them take their vehicles home. He added that he was not sure that was necessary in his case, but that on the other hand, responses to emergencies has to be expeditious.

Commissioner Anne Beebe-Center asked if the vehicle could be stored at a local police department.

Director Sisk commented that the trailers that the EMA vehicle would tow to emergencies also need to be housed somewhere. They are currently out in the elements.

Commissioner Richard Parent asked if the trailers had to be accessible year round.

Director Sisk replied that the trailers needed to be accessible year-round because you never know when there will be an emergency.

Commissioner Anne Beebe-Center asked if the question of where to house the EMA vehicle would prevent the approval of purchasing the vehicle from moving forward.

County Administrator Andrew Hart stated that he did not believe so and stressed that the funding is only available for a limited time. He added that there may be a possibility of keeping the vehicle at the 327 Park Street site.

Director Sisk stated that his main concern is the equipment that would be in the vehicle. It will have expensive equipment in it, as well as information/plans, and it all needs to be secured and under observation. The parking garage at the courthouse would be ideal.

County Administrator Andrew Hart commented that when both courts are operating and all of the judges are at the courthouse, the parking garage could potentially be full. He related an incident when the maintenance truck was parked in the garage and staff from the state-side of the building panicked because they thought there was an unauthorized vehicle in there, even though the truck has a County plate on it.

- A vote was taken with all in favor.

2. Act on Interest to be Charged to Municipalities on County Taxes and Fees Paid Late (K. Robinson). Finance Director Kathy Robinson stated that the finance office had sent out reminder letters a month in advance of the due date, which is something that the finance office has not done before. The municipalities paid their taxes and/or fees late. Of the three, two of them were late the pervious year as well (2008). She added that unless the late fees are less than a dollar, the finance office pursues past-due amounts.

Commissioner Anne Beebe-Center asked if the request was for authorization to pursue all three late fees.

Director Robinson stated that she only intended to pursue two of them since the third is less than a dollar. She added that it is the standard practice.

- A motion was made by Commissioner Richard Parent to approve charging interest on the two municipalities who paid their dispatch fees late, whose fees are above \$1.00. The motion was seconded by Commissioner Anne Beebe-Center. A vote was taken with all in favor.

3. Act on Approval of Transfer of Forfeited Assets in the Form of One .12 gauge Mossberg Model 88 Pump Shotgun and One .22 caliber Stevens Model 62 Rifle (or any portion thereof) to Knox County in State of Maine v. Rebecca Murray (D. Dennison).

Commissioner Anne Beebe-Center stated that this was just a formality. The same forfeited assets had been approved at a previous Commission meeting for the spouse because the State had not yet determined which spouse had ownership of the assets.

- A motion was made by Commissioner Richard Parent to approve the transfer of forfeited assets in the form of one .12 gauge Mossberg Model 88 Pump Shotgun and one .22 caliber Stevens Model 62 Rifle (or any portion thereof) to Knox County in State of Maine v. Rebecca Murray. The motion was seconded by Commissioner Anne Beebe-Center. A vote was taken with all in favor.

4. Act on Approval of Purchasing One 2010 Dodge Charger and One 2010 Dodge Ram 1500 Truck From Newcastle Chrysler Dodge (D. Dennison).

County Administrator Andrew Hart explained that RFP's were sent out for a 2010 Dodge Charger with two trade-ins of older Patrol vehicles. The County also did an RFP for a 2010 Dodge Ram truck. Three bids were received back for both RFP's. For both bids, Newcastle Dodge was the lowest bidder. He stated that the recommendation from the sheriff was to award the two bids to Newcastle Dodge.

Commissioner Richard Parent asked if there would be a third vehicle bought this year.

Sheriff Donna Dennison stated that there would not be a third vehicle purchased in 2009 because there would not be enough time to get out bids and complete the process before the end of the year.

County Administrator Andrew Hart commented that he felt that since the County had only traded in two vehicles, and the department should only get two vehicles.

- A motion was made by Commissioner Richard Parent to approve the purchase of one 2010 Dodge Charger and one 2010 Dodge Ram 1500 truck from Newcastle Chrysler Dodge. The motion was seconded by Commissioner Anne Beebe-Center. A vote was taken with all in favor.

5. Act to Approve and Authorize the Chair to Execute the Owls Head Transportation Museum's Through-the-Fence Lease Agreement (J. Northgraves).

Airport Manager Jeff Northgraves explained that there are actually two leases. He stated that he wanted to extend both to the same expiration date so that when they expire, they can be combined into one lease document.

- A motion was made by Commissioner Richard Parent to approve and authorize the Chair to execute the two Owls Head Transportation Lease Agreements. The motion was seconded by Commissioner Anne Beebe-Center. A vote was taken with all in favor.

6. Act to Approve Addition of 8.27 to Section 8.2 Vacation Leave in the Personnel Policy (A. Hart).

County Administrator Andrew Hart explained that during the process of negotiating the Union Contract, some changes were made under Article 15 Vacation Leave which allowed union employees to have 40 hours of vacation time sold back to them once a year. One of the reasons for this was that some of the departments were incurring overtime because they were short-handed or too busy to take vacation time. Employees are only allowed to carry 80 hours of vacation time over to the next year. He stated that non-union employees had approached him because they wanted this benefit to be added to the County's Personnel Policy. They felt that they should have the same benefits as the Union employees.

Commissioner Anne Beebe-Center asked if the County has any non-union employees that the County mandates staffing levels for.

County Administrator Andrew Hart stated that this only happens with some of the non-union staffing. He stated that the difference with non-union departments is that if an employee is out, there is no requirement to have someone come in and cover for them. Their work just does not get done while they are out. For jail and dispatch, there has to be someone there to cover their position while they are out because they are 24/7 facilities.

Commissioner Anne Beebe-Center asked if there were any non-union employees who are so busy that they are not able to take vacation.

Sheriff Dennison commented that the two lieutenants at the jail are often so busy that they cannot take their vacation. These are non-union positions.

Airport Manager Jeff Northgraves suggested making an occasional exception based on department head recommendation instead of making it a general policy change.

Director Sisk commented that there have been times when his EMA Clerk was not allowed to go on vacation because of EMA business, which is not fair to her. He added that this was an exception and that he felt that it should be managed at the department level.

Commissioner Anne Beebe-Center commented that it sounded like department managers need to work with their employees so that they can take their vacation.

County Administrator Andrew Hart stated that he would rather not put this benefit into the Personnel Policy because it has to be budgeted for and would have a big impact on the budget. Also, some employees may try to bank their vacation just so they can get the extra money instead of taking their vacation. He added that he did not want to set a precedence by doing it for one person and then have other employees think they should have an allowance also.

Director Robinson commented that it is hard to create consistencies if you make exceptions. If you tell an employee one time they can not take the week they want off, that does not mean that the employee does not have a chance to take some time off later on. If employees have not asked for time off during the year and wait until December, which is not fair to the other employees.

Commissioner Richard Parent stated that when he had worked for the State, there were times when he lost unused vacation time and there was no way to get it back. For most people, if you want to take a vacation, you have to line it up months in advance. It should work the same way here. He added that employees should not wait until a week beforehand and expect to get the time off.

- A motion was made by Commissioner Richard Parent to approve the addition of 8.27 to Section 8.2 Vacation Leave in the Personnel Policy. The motion was seconded by Commissioner Anne Beebe-Center.

Director Robinson commented that there is a difference in effect on the budget between allowing extra vacation time to roll over to another year versus paying money to the employee for it.

County Administrator Andrew Hart stated that he felt that this issue needed to be reviewed on a case by case basis since each department is different.

Commissioner Richard Parent commented that if an employee is paid for their vacation, that in itself is a pay increase. At the State, if you quit, you are paid for any unused accrued vacation time.

- A vote was taken with all opposed.

7. Act to Approve Changes to Section 8.3 Sick Leave in the Personnel Policy (A. Hart).

County Administrator Andrew Hart explained that this section had been changed to match the Union Contract exactly. It just changes the bonus day to a normal vacation day. It is easier for the finance office to keep track of. The other change under that section has to do with the sick-leave donations. It allows employees to donate any type of leave time to an employee to use as sick time if they need it. It has already been in practice but the change has never been made to the Personnel Policy. The changes were suggested by the Personnel Policy Committee.

- A motion was made by Commissioner Richard Parent to approve changes made to Section 8.3 Sick Leave in the Personnel Policy. The motion was seconded by Commissioner Anne Beebe-Center. A vote was taken with all in favor.

8. Act to Approve Changes to Section 4.18 Travel Expenses in the Personnel Policy (A. Hart).

County Administrator Andrew Hart explained that this section had been changed once before to have it match the wording in the Union Contract; however, the Union Contract was later changed to reflect State guidelines. He stated that he was asking to be able to change the Personnel Policy to match the new wording in the Union Contract.

- A motion was made by Commissioner Richard Parent to approve changes to Section 4.18 Travel Expenses in the Personnel Policy. The motion was seconded by Commissioner Anne Beebe-Center. A vote was taken with all in favor.

9. Act to Authorize the County Administrator to Conduct an Organizational Study (A. Hart). (Taken out of order)

County Administrator Andrew Hart explained that during Union Contract negotiations, it had been discussed that a pay study would be beneficial to see if Knox County union employees are being paid fair wages compared to other counties. Once information was collected from other counties, it

became apparent that the information was not comparable because each county calculates employee benefits, wages, and reimbursement rates differently. At the last two Commission/Budget Committee meetings, the idea of doing a compensation study and a job classification study had been discussed. He stated that the City of Rockland is currently doing this process so he has been in contact with them for more information. At the last Commission/Budget Committee meeting on November 5<sup>th</sup>, there was some discussion the idea that since some departments were asking for additional staffing, so it might make sense to do an organizational study. He stated that he had spoken to a few companies that might be able to conduct an organizational study for the County. He stated that he had sent an email to DIX Consulting, but it turned out that DIX Consulting only works with the Health Care industry and has not done municipal or county government. They did, however, recommend speaking to Don Tyler of Human Resources Partners. Administrator Hart stated that he had also spoken to a consultant company called Drake Inglesi Milardo Inc., from the Scarborough area, who emailed a list of what the company could do for Knox County. He quoted the following information from an email sent to him by Phil Smith at Drake Inglesi Milardo Inc.:

“DIMI consultants would conduct a study of all departments in Knox County to assess issues of role clarity, efficiency, staffing, management practices, accountability and the tools and systems in place to support effective workforce management. The...assessment would involve interviews with all management staff and select employees. A benchmarking and/or best practices model would be established to compare observations from the Knox County departments against. Deliverables would include general recommendations with respect to management practices and support systems/tools as well as specific recommendations as to the most efficient use of staff and staffing levels....a ballpark cost for the...project would be in the \$35,000 – 45,000 range. A more detailed and specific proposal and cost would be established through further discussion.”

County Administrator Andrew Hart stated that when he spoke to Don Tyler at Human Resource Partners, he learned that HRP mainly does a pay/benefits/position-classification study. Mr. Tyler recommended that HRP could do a position analysis and benefits study for the County. The process could involve questionnaires to see what each employee is doing on a day to day basis and then employees would be interviewed. Positions would be evaluated and a salary comparison done. There are between 55 and 60 job titles even though there are about 110 total County employees. The ballpark figure for that study would be about \$20,000. The County needs to decide what really needs to be done and make sure there is enough money in the budget to cover it. The City of Rockland had only budgeted \$5,000 so they had to cut back the size of their organizational study to only review non-union positions.

Commissioner Anne Beebe-Center stated that she believed it would be a good time to review what the County is accomplishing with the current job descriptions in use and see what might need to be changed.

County Administrator Andrew Hart stated that for Thursday’s budget meeting, he had put money in the budget to pay for an organizational study and that he would try to have the pertinent information ready by that meeting.

Commissioner Anne Beebe-Center stated that she thought the timing was excellent to do an organizational study. Until an organization knows how it is organized, the question of how to staff it will be unanswerable. She stated that she believed that the budget committee felt that it did not make sense to see how much people should be paid until the County looks at what is actually needed in terms of the number of staff and what tasks are accomplished. The Commission needs to look at how the County is organized.

Commissioner Richard Parent asked if Commissioner Beebe-Center was saying that she did not want to do a salary study until after the organizational study is done.

Commissioner Anne Beebe-Center replied that the organizational study should be done first, but that there was not enough time before finalizing the budget for 2010 to have completed an organizational study; however, some department heads had requested additional positions in their departments for 2010, so the issue needs to be looked at. She asked Administrator Hart what he wanted the Commission to do. She asked if the County needed to do both studies.

Commissioner Richard Parent commented that if the studies are going to be done in time for the next budget cycle (2011) then both studies need to be budgeted for in 2010. One would still happen before the other.

County Administrator Andrew Hart stated that if he had to choose, he would rather see the organizational study done first.

Director Robinson stated that she agreed that the organizational study should come first, but that the County had also made a promise to the Union that they would do the pay study to help determine future pay levels. The two studies should still be done in the right order but both studies do need to happen so that the County is not breaking a promise.

Commissioner Anne Beebe-Center asked if the Commission needed to vote on an amount.

County Administrator Andrew Hart replied that when the agenda for this meeting was set, he did not have an estimated amount yet. He stated that the County needs to look at what the County wants to achieve from this and then put out for an RFP. Until then, the County will not know how much needs to be budgeted.

- A motion was made by Commissioner Richard Parent to authorize the county administrator to conduct an organizational study. The motion was seconded by Commissioner Anne Beebe-Center. A vote was taken with all in favor.

10. Act to Authorize the County Administrator to Put Out an RFP for an Organization to Conduct the Pay/Benefit, Position Classification Study (A. Hart). (Taken out of order)

County Administrator Andrew Hart explained that the Administration Office had done its own comparison but that it turned out to be too hard to compare between counties. Different benefits are offered in each county. Wages were not easy to compare, either, because each county uses their own method for calculating wages. At the last Union negotiations meeting, doing a formal study for wages and benefits had been discussed. He stated that he had talked to the City of Rockland since they had done a similar study. He added that he has also spoken to several companies regarding possibly doing a study.

Director Robinson stated that since the jail employees are mandated by the state now, the County may not need to include jail employees in the organizational study and that would lower the over-all costs. She added that jail employees still needed to be included in the pay study.

County Administrator Andrew Hart stated that he would check with one of the firms and see what they think.

Sheriff Dennison commented that the jail employees should be included in the organizational study because every jail is organized and paid differently.

- A motion was made by Commissioner Richard Parent to authorize the county administrator to conduct the pay/benefit, position classification study. The motion was seconded by Commissioner Anne Beebe-Center. A vote was taken with all in favor.

## V. Other Business

County Administrator Andrew Hart mentioned the changes to the budget schedule, which included adding a review session on November 12<sup>th</sup> and moving the public hearing and final vote to December 3<sup>rd</sup>.

Commissioner Anne Beebe-Center commented that she was uncomfortable with having the final vote without Commissioner Moody. She was not sure that he would have enough time to get up to speed before the December 3<sup>rd</sup> meeting.

County Administrator Andrew Hart explained that Commissioner Moody is currently in the hospital and that he was not sure when Commissioner Moody would be able to attend budget meetings. It may be possible for Commissioner Moody to participate by phone for the upcoming meetings.

Commissioner Anne Beebe-Center asked if it was at all possible to have December 10<sup>th</sup> as a possible date to change the final vote to if Commissioner Moody was not ready.

County Administrator Andrew Hart replied that he would need to hear back from Commissioner Moody about how he is doing before any more changes in the schedule could be made. He added that he expected to hear from Commissioner Moody tomorrow.

## VI. Adjourn

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

The meeting adjourned at 3:07 p.m.

Respectfully submitted,

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Candice Richards

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

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Anne H. Beebe-Center, Chair – Commissioner District #1

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Richard L. Parent, Jr. – Commissioner District #2

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Roger A. Moody – Commissioner District #3