

KNOX COUNTY COMMISSION

Regular Meeting

Tuesday – December 14, 2010 – 1:00 p.m.

The regular monthly meeting of the Knox County Commission was held on Tuesday, December 14, 2010, at 1:00 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 were: Anne H. 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, Administrative Assistant Candice Richards, Airport Manager Jeff Northgraves, Technical Support Specialist Mike Dean, DA Prosecutorial Assistant Shane Riley, Jail Administrator John Hinkley, Sheriff Donna Dennison, and Patrol Administrator Tim Carroll.

Others in Attendance (*for the regular portion of the meeting only*): David Martucci, Assessor's Agent for the Town of Thomaston; Carol Maines, Commissioner Elect.

Regular Meeting – Agenda Tuesday – December 14, 2010 – 1:00 p.m.

- I. 1:00 Meeting Called To Order**
- II. 1:01 Executive Session**
1. Convene in Executive Session for Consultations with Legal Counsel pursuant to 1 M.R.S.A. §405(6)(E).
 2. Convene in Executive Session to Discuss Acquisition of Real Property pursuant to 1 M.R.S.A. §405(6)(C).
 3. Convene in Executive Session to discuss a Personnel Matter pursuant to 1 M.R.S.A. §405(6)(A).
- III. 2:30 Public Comment - Public Comment during other portions of the meeting will only be granted by permission of the chair.**
- IV. 2:35 Consent Items**
1. Approve Consent Items as Presented:
 - i. Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
 - ii. Minutes of Special Commission Meeting of August 23, 2010.
 - iii. Minutes of Special Commission Meeting of October 27, 2010.
 - iv. Minutes of Regular Commission Meeting of November 9, 2010.
 - v. Minutes of Special Commission Meeting of November 23, 2010.
 - vi. Monthly Written Departmental Reports.
 - vii. Reserve Withdrawals.
 - viii. Budget Line Transfers.
- V. 2:40 Action Items**
1. Act on Actual Consideration of the Appeal on Remand from Superior Court RE: Thomaston Auction Properties Tax Abatement Request.
 2. Act on Approval of Family Medical Leave Request.
 3. Approve Consulting Firm to Assist Knox County with an RFP for Co-Sourcing and Strategic Plan Development.
 4. Approve Revised Technical Support Specialist Job Description for the Administration Office.
 5. Approve Correctional Maintenance Mechanic Job Description for the Jail.
 6. Approve Revised Assistant Programs-Classification Officer Job Description for the Jail.
 7. Approve Human Resources and Administrative Services Specialist Job Description for the County Administration Office.
 8. Approve Contract between North Haven and Knox County for Sheriff's Deputy Services for Contract Year January 1, 2011 to December 31, 2011.
 9. Approve Purchase of a Polygraph Machine for the Sheriff's Department from Forfeiture Funds.
 10. Approve and Execute Land Lease Agreement with Switchback Aviation for a New Hangar.
 11. Approve and Authorize County Administrator to Sign a Change to ARInc's Long Term Lease Agreement.
 12. Authorize County Administrator to Execute Preventative Maintenance Agreements for Various Plant Systems for the New Terminal.
 13. Act on Award of Bid for Superior Courtroom Carpet Replacement Project.
 14. Act on Addition of Section 2.5.1 Temporary Employees (Grant Funded) to the Personnel Policy.
 15. Approve Effective Dates of Staffing Level and Other Recommendations of the Organizational Study Discussed at the November 16, 2010 Special Commission Meeting.
- VI. 3:30 Other Business**
- VII. Adjourn**

I. Meeting Called to Order

Commission Chair Anne Beebe-Center called the December 14, 2010 regular meeting of the Knox County Commission to order at 1:00 p.m.

II. Executive Session

1. Convene in Executive Session for Consultation with Legal Counsel Pursuant to 1 M.R.S.A. §405(6)(E).

- A motion was made by Commissioner Richard Parent go into executive session pursuant to 1 M.R.S.A. §405(6)(E) for consultation with legal counsel. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

The executive session convened at 1:01 p.m.
The executive session concluded at 2:40 p.m.

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

The executive session convened at 2:42 p.m.
The executive session concluded at 3:37 p.m.

3. 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 Richard Parent 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 Roger Moody. A vote was taken with all in favor.

The executive session convened at 3:39 p.m.
The executive session concluded at 3:50 p.m.

III. Public Comment

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

IV. Consent Items

1. Approve Consent Items as Presented:

- Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
- Minutes of Special Commission Meeting of August 23, 2010.
- Minutes of Special Commission Meeting of October 27, 2010.
- Minutes of Regular Commission Meeting of November 9, 2010.
- Minutes of Special Commission Meeting of November 23, 2010.
- Monthly Written Departmental Reports.
- Reserve Withdrawals.
- Budget Line Transfers.

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

Reserve Withdrawals:

Airport Equipment	461608-14610	\$137.84
Legal Expense	200008-12650	\$14,605.23
Resignation Benefits	200008-12670	\$2,136.00
Sheriff Vehicles	200008-12770	\$4,886.20
	Total	\$21,765.27

Budget Line Transfers:

FROM:			TO:		
Airport Lodging	416004-54115	\$300	Printing	416004-54525	\$200
Airport Training & Seminars	416004-54545	\$200	Building Repairs	416004-54595	\$3,000
Airport Medical Exams	416004-54550	\$250	Advertising	416004-54510	\$700
Airport Electricity	416004-54555	\$2,355	Pavement/Vegetation	416004-54200	\$1,500
Airport Ground Maintenance	416004-54590	\$1,500	Water	416004-54565	\$300
Airport Auto Repairs	416004-54655	\$500	Computer Repairs	416004-54585	\$250
Airport TSA Trailer Lease	416004-54755	\$845			

Building Maintenance Heating Fuel	006005-55205	\$5,261	Equipment Repairs	006004-54575	\$261
			Building Maintenance	006004-54595	\$3,000
			Cleaning Supplies	006005-55315	\$2,000

Communications Equipment Repairs	518004-54575	\$2,000	Radio Repairs	518004-54580	\$21,194
Communications Repairs Other	518004-54780	\$4,823	Telephone	518004-54315	\$2,000
Communications Workers Comp.	518003-53920	\$677			
Communications Unemployment	518003-53930	\$1,850			
Communications Consultation	518004-54015	\$3,300			
Communications Lodging	518004-54115	\$114			
Communications Medical Exams	518004-54550	\$215			
Communications Maint. Supplies	518005-55325	\$1,000			
Communications Public Education	518005-55366	\$179			
Communications Uniforms	518005-55405	\$234			
Communications New Empl Uniforms	518005-55406	\$250			
Communications Training	518004-54545	\$989			
Communications Copy Mach. Repairs	518004-54572	\$385			
Communications Office Supplies	518005-55335	\$842			
Communications Computer Supplies	518005-55385	\$517			
Communications Books & Subs.	518004-55505	\$180			
Communications Resignation/Term.	518003-53940	\$1,388			
Communications Flexible Benefits	518003-53950	\$389			
Communications Dues & Registration	518004-54515	\$545			
Communications Computer GIS	518004-54775	\$734			
Communications Pagers	518004-54320	\$2,583			

DA Office Supplies	003005-55335	\$55	Audio/Video Supplies	003005-55350	\$39
DA Analysis	003004-54025	\$1,251	Copy Machine Supplies	003005-55345	\$16
			Training & Seminars	003004-54545	\$225
			Computer Repairs	003004-54585	\$1,026

Executive Workers Comp.	004003-53920	\$312	Auto Mileage	004004-54105	\$682
Executive Labor Relations	004004-54050	\$6,000	Dues & Registration	004004-54515	\$60
Executive Lodging	004004-54115	\$388	Office Supplies	004005-55335	\$65
Executive Training & Seminars	004004-54545	\$1,379	Consultation Fees	004004-54015	\$9,450
Executive Auditing Services	004004-54005	\$1,838	Books & Subscriptions	004005-55505	\$30
Executive Health Insurance	004003-53910	\$1,706	Resignation/Termination	004003-54940	\$4,771
Executive Computer Supplies	004005-55385	\$1,935			
Executive Equipment	004007-57335	\$1,500			

Finance Workers Comp.	005003-53920	\$16	Computer Supplies	005005-55385	\$16
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Jail Board of Prisoners	818004-4006	\$38,000	Resignation/Termination	818003-3909	\$4,558
Jail Electricity	818004-4302	\$20,000	Worker's Comp	818003-3911	\$1,481
Jail Heating Fuel	818004-4303	\$11,493	Audit	818004-4001	\$410
			Lodging	818004-4104	\$53
			Underground Tank	818004-4304	\$528
			Computers	818004-4604	\$1,070
			Mobile Radio Repair	818004-4614	\$1,538
			Insurance	818004-4621	\$29,533
			Computer Equipment	818007-7303	\$3,018
			Electrical	818007-7305	\$27,304

Probate Lodging	010004-54115	\$151	Attorneys- Appt. Guar.	010004-54680	\$151
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Sheriff Training	011004-54545	\$550	Dues & Registration	011004-54515	\$65
Sheriff Chief Deputy	011003-53311	\$6,901	Lodging	011004-54115	\$265
Sheriff Office Supplies	011005-55335	\$108	Resignation/Termination	011003-53940	\$6,901
Sheriff Auto Repairs	011004-54655	\$1,000	Other, Tolls	011004-54120	\$220
			Copy Machine Supplies	011005-55345	\$108
			Auto Supplies	011005-55310	\$1,000

Total:	\$128,988
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V. Action Items

1. Act on Actual Consideration of the Appeal on Remand from Superior Court RE: Thomaston Auction Properties Tax Abatement Request.

Commissioner Anne Beebe-Center stated that the Commission was going to review the existing record and articulate the basis for the decision. The Commission will need to answer two questions:

1. determine if there's credible evidence that the assessment is wrong

2. make a determination what just value is if the Commission determines that the just value is wrong

The Commission will reconvene within the next two weeks to have a public meeting before December 31st. The decision made will be based on what has already been submitted as the existing record. The parties will be invited to attend that meeting but will not be given any time for public comment. The Commission is merely reacting to the Superior Court Justice's request to better articulate the decision or to change it.

The Special Commission Meeting was scheduled for 2:00 p.m. on December 28, 2010.

- A motion was made by Commissioner Roger Moody to set a meeting for Tuesday, December 28th at 2:00 p.m. to present the Commission's decision on the Thomaston Auction Properties tax abatement. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

2. Act on Approval of Family Medical Leave Request.

- A motion was made by Commissioner Richard Parent to approve the Family Medical Leave Request. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

3. Approve Consulting Firm to Assist Knox County with an RFP for Co-Sourcing and Strategic Plan Development.

- A motion was made by Commissioner Richard Parent to approve the consulting firm Tilson for Phase I. The motion was seconded by Commissioner Richard Parent.

Commissioner Anne Beebe-Center explained that there were two firms that had provided quotes for help with writing RFP's for co-sourcing IT services and strategic plan development. One was MRI, Inc., and the other was Tilson Government Services.

Commissioner Roger Moody stated that he was disappointed that there are no qualifications listed for Tilson since the County already has that information on MRI. TSS Dean commented that all of Tilson's credentials are listed on their website, client testimonies, etc. He stated that he had looked the company over and came to the conclusion that Tilson is just as reputable as the MRI IT consultant. Tilson operates out of Portland area. MRI has already made their recommendations to the Commission. The County already knows what MRI thinks, so having a second opinion from a different firm would be helpful.

Commissioner Anne Beebe-Center asked about "Phase II" since the quotes only covered Phase I. County Administrator Andrew Hart replied that he was not planning to do Phase II just yet. That portion will probably cost a lot so for the time being, the County is comfortable just going with Phase I for now.

- A vote was taken with all in favor.

4. Approve Revised Technical Support Specialist Job Description for the Administration Office.

- A motion was made by Commissioner Roger Moody to approve the revised Technical Support Specialist Job Description for the Administration Office as presented. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

5. Approve Correctional Maintenance Mechanic Job Description for the Jail.

- A motion was made by Commissioner Richard Parent to approve the Correctional Maintenance Mechanic Job Description for the Jail as presented. The motion was seconded by Commissioner Roger Moody.

Commissioner Roger Moody asked if this position handled day-to-day problems and would be actively making repairs.

Jail Administrator John Hinkley responded that the person would be doing that as much as possible without contracting out maintenance. The person would be overseeing everything maintenance related at the jail. The position that was there before was eliminated because it was a supervisor position and that's not what this needs to be. This is actually a whole new job description. The

person in the previous position resigned from the County so the jail needs to hire someone for the new position.

- A vote was taken with all in favor.
6. Approve Revised Assistant Programs-Classification Officer Job Description for the Jail.
 - A motion was made by Commissioner Richard Parent to approve the revised Assistant Programs-Classification Officer Job Description for the Jail as presented. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.
 7. Approve Human Resources and Administrative Services Specialist Job Description for the County Administration Office.
 - A motion was made by Commissioner Richard Parent to approve the Human Resources and Administrative Services Specialist Job Description for the County Administration Office as presented. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.
 8. Approve Contract between North Haven and Knox County for Sheriff's Deputy Services for Contract Year January 1, 2011 to December 31, 2011.
 - A motion was made by Commissioner Roger Moody to approve the contract between North Haven and Knox County for Sheriff's Deputy Services as presented. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.
 9. Approve Purchase of a Polygraph Machine for the Sheriff's Department from Forfeiture Funds.
 - A motion was made by Commissioner Richard Parent to approve the purchase of a polygraph machine for the Sheriff's Department from State Forfeiture funds. The motion was seconded by Commissioner Roger Moody.

Commissioner Roger Moody asked what percent of an officer's time the operation of the polygraph machine would take.

Lt. Tim Carroll stated that Detective Sergeant Walker was currently in school. Once he gets certified by the state and the Sheriff's Office can start providing polygraph services to other departments, it will eventually be a special-funding position. The need for polygraph services is so high that right now if the Sheriff's Office or another agency needs to get someone to come in to do a polygraph test, it can take several months before it can be done. To be able to have that service in Knox County would be a huge benefit to both the County and all law enforcement agencies in the Mid-Coast area. There are currently only three agencies in the State of Maine that are doing polygraph services: the Bangor Police Department, the State Police in Augusta, and the Cumberland County Sheriff's Department. It's going to be a building process for Sergeant Walker as he does the training in stages.

Commissioner Anne Beebe-Center expressed concern that the Sheriff's Department had sent an employee for training before getting permission from the Commission to actually purchase the polygraph machine. She asked why the Sheriff felt purchasing the polygraph machine at this time was so urgent.

Lt. Carroll explained that there has always been a need for these services but that the training takes a long time and the deputy doing it would have to commit to it being a long-term thing. The County has to have a qualified person and go through the long application process. The training at the national counter-drug enforcement school in Pennsylvania was free, which saved the County about \$16,000. There are people from other agencies that have applied but the school looks at the applicant's proximity to other agencies with polygraphs. There is currently no one doing it in the Mid-Coast area. Sergeant Walker will be temporarily certified by the State of Maine and then after that he takes the 30 tests. In the next three or four months, he'll be up and running as completely certified. The goal is to have it become a self-funding position since other departments would pay the County for the service. It's true that the polygraph can be used as a scare tactic for those being questioned, but it's also good for getting a baseline for further investigation. A polygraph test can take three to four hours to complete. It can also be used for employment purposes since the County has to do this for new hires.

Sheriff Donna Dennison commented that if an individual accused of child abuse passes the polygraph test, the DA's office may decide to not prosecute, which would free up some of the DA's workload.

Commissioner Anne Beebe-Center responded that polygraph tests are not admissible in court. Sheriff Dennison stated that this was correct.

Commissioner Roger Moody asked if there was space available for both the polygraph machine and the operator since the Sheriff's Office is already having space issues. Lt. Carroll replied that he is looking at getting a mobile unit, which would be fairly compact. The chair is a mobile unit too, so it is an easy set up and break down.

Commissioner Anne Beebe-Center commented that in a year when County employees are not getting a cost of increase pay raise, it did not seem like there was the need to spend funds on this. Lt. Carroll responded that the tuition and lodging at the school was at no cost to the County (a total of about \$17,000). All the Sheriff's Department had to pay for was the Sergeant's meals while he was down there taking the training. He stated that for the very minimal amount of money that the County had spent on this, the County is getting a huge benefit now and in the future. The cost of the machine will pay for itself over time. The funds to pay for the polygraph machine are coming out of State Drug Forfeiture money and not the Sheriff's budget.

- A vote was taken with two commissioners in favor (Richard Parent and Roger Moody), and with one commissioner opposed (Anne Beebe-Center).

10. Approve and Execute Land Lease Agreement with Switchback Aviation for a New Hangar.

Airport Manager Jeff Northgraves explained that Switchback Aviation very rapidly got their permits from both the State and the town. The owner of Switchback has two aircraft but the second one has not shown up yet and is a multi-engine plane. The excise tax on the more expensive planes will bring in a lot of revenue to the County. Building hangars are the best "bang for the buck" for the County. The best part about the lease is that when the lease ends, the hangar automatically becomes the County's property. Since hangar construction has improved so much, the hangar will still be in good condition when the lease has expired.

- A motion was made by Commissioner Roger Moody to approve the land lease agreement with Switchback Aviation for a new hangar. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

11. Approve and Authorize County Administrator to Sign a Change to ARInc's Long Term Lease Agreement.

Airport Manager Jeff Northgraves explained that ARInc (Aeronautical Radio Incorporated) had a lease with the County for a yellow cinderblock building with all their equipment and a tower, but when the County built the terminal, that building had to be removed. They now have a much smaller footprint in a much smaller building. ARInc is very happy with the new location but they felt they should pay less for their lease because of the smaller space and the costs incurred from having to move their equipment. It would be fair for the County to scale back their lease amount.

- A motion was made by Commissioner Roger Moody to approve and authorize the county administrator to sign a change to ARInc's long-term lease agreement. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

12. Authorize County Administrator to Execute Preventative Maintenance Agreements for Various Plant Systems for the New Terminal.

Airport Manager Jeff Northgraves explained that his assumption had been that everything in the new terminal had a one-year guarantee and that meant whoever put in the sprinkler, geothermal, and other systems, will come back for a year if there was a problem. This is true except that there are also still preventative maintenance agreements that need to be in effect. Stantec is working on a list of all those preventative maintenance items. It is possible for one firm to oversee all of them but there are some that are generally done separately. About \$4,000 has been placed in the 2011 Airport budget to cover this. He stated that he was asking to have the county administrator be given the authority to approve and execute these agreements as he is working on the building maintenance development for the County.

- A motion was made by Commissioner Roger Moody to authorize the county administrator to execute preventative maintenance agreements for various plant systems for the new terminal. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

13. Act on Award of Bid for Superior Courtroom Carpet Replacement Project.

- A motion was made by Commissioner Richard Parent to award the bid for the superior courtroom carpet replacement project to Floor Magic for a bid total \$6,143.00. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

Commissioner Roger Moody asked if there was a conflict of interest with Floor Magic winning the bid as the owner, Robert Duke, is on the County Budget Committee.

County Administrator Andrew Hart responded that he had checked on that and there would only be a difficulty if Mr. Duke was a commissioner. The insurance is lower than the County asked for, but he checked on that as well and the bid is acceptable. The Floor Magic bid also came in far lower than the other bid. The work for this project will all be done during the first three weeks of January while the courts are closed, but Mr. Duke believes they can get it done in probably three days. The County already replaced a couple sections of the carpeting when the painting and electrical projects were worked on because the contractors had damaged part of the floor and because the County also rebuilt the seating area for the jury. The State will fund half of the project. This project concludes the upgrades to the Superior Courtroom.

14. Act on Addition of Section 2.5.1 Temporary Employees (Grant Funded) to the Personnel Policy.

County Administrator Andrew Hart explained that this addition to the Personnel Policy came about from questions raised regarding grant funded positions in the EMA office. The language was developed with EMA Director Ray Sisk and the county attorney. These employees would get the benefit of paid holidays when other employees do, but they are not entitled to any other benefits, no exceptions.

- A motion was made by Commissioner Roger Moody to add section 2.5.1 *Temporary Employees (Grant Funded)* to the Personnel Policy. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

15. Approve Effective Dates of Staffing Level and Other Recommendations of the Organizational Study Discussed at the November 16, 2010 Special Commission Meeting.

- A motion was made by Commissioner Roger Moody to approve December 31, 2010 for all positions that were eliminated. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.
- A motion was made by Commissioner Richard Parent to approve implementation of all staffing changes (*reduction of one deeds position from 35 hours to 20, and increase of two Finance Office positions from 30 hours to 40*) on January 1, 2011. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

VI. Other Business

There was no other business.

VII. 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 4:38 p.m.

Respectfully submitted,

Candice Richards
Administrative Assistant

The Knox County Commission approved these minutes at a special meeting held on December 28, 2010.