

# KNOX COUNTY COMMISSION

## Regular Meeting

Tuesday – December 9, 2014 – 2:00 p.m.

The regular monthly meeting of the Knox County Commission was held on Tuesday, December 9, 2014, 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, Sheriff Donna Dennison (*left at 2:40 p.m.*), Chief Deputy Tim Carroll, Finance Director Kathy Robinson, Building maintenance Supervisor Don Decker and Communications Director Linwood Lothrop.

Others in attendance: Richard Carver, Chair of the Owls Head Board of Selectmen (*left at 2:40 p.m.*); Linda Scott, Owls Head Selectman (*left at 2:40 p.m.*); David Matthews, Owls Head Selectman (*left at 2:40 p.m.*); Dorothy Meriwether, South Thomaston Selectman; Ann Matlack, Knox County Budget Committee member and resident of St. George; John Curtis, APAC member; Scott Whitaker of Building Envelope Specialists; and Owls Head resident Ken Wexler (*left at 2:40 p.m.*).

### Regular Meeting – Agenda Tuesday – December 9, 2014 – 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. Monthly Written Departmental Reports.
    - iii. Reserve Withdrawals.
- IV. 2:20 Action Items**
  - 1. Act on Owls Head Board of Selectmen Recommendation to Change APAC By-Laws/Charter.
  - 2. Act on Next Steps for Moving Forward with Building Envelope/Masonry Project.
  - 3. Act to Appoint New APAC Member to Fill District #2 Seat Through 2017.
  - 4. Act to Authorize Use of Up to \$20,000 from Airport Undesignated Surplus for the Repair of the Heat Pumps/Compressors.
  - 5. Act to Approve the North Haven Deputy Services Contract January 1 - December 31, 2015.
  - 6. Act to Approve the Revised Corrections Officer Job Description.
  - 7. Act to Approve the Revised Civil Process Deputy – Part Time Job Description.
  - 8. Act on the 2015 Knox County Budget Draft.
  - 9. Act to Close the Knox County Administrative Offices at Noon on Wednesday December 24, 2014.
- V. 2:45 Discussion Items**
  - 1. Discussion of Legislation Items for the Wednesday December 10, 2014 Meeting with Knox County Municipalities and Legislative Delegation.
- VI. 3:15 Other Business**
- VII. Adjourn**

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

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

## **II. Public Comment**

Commissioner Carol Maines asked for public comment. There was no public comment.

**III. Consent Items**

1. Approve Consent Items as Presented:

- i. Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
- ii. Monthly Written Departmental Reports.
- iii. Reserve Withdrawals

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

Commissioner Moody asked Finance Director Kathy Robinson about the Revenues line in the Administration & IT budget being over-budget by 12,000. Finance Director Robinson responded that she would have to go back and look about why that was, but she noted that the County is treating the reimbursement money received from the jail for the IT staff differently; it is now put in a revenue line instead of in an expense line. She said that this only explains about half of that so she would look into it and email the Commission.

- A vote was taken with all in favor.

**2014 Reserve Withdrawals:**

Courthouse Renovations & Maintenance	200008-12680	\$12,000.00
Deeds Surcharge	200008-12740	\$31,571.91
EMA Disaster	200008-12880	\$1,179.60
Sheriff's Computer	200008-12760	\$1,519.08
	Total	\$46,270.59

**IV. Action Items**

1. Act on Owls Head Board of Selectmen Recommendation to Change APAC By-Laws/Charter.

Owls Head Selectmen Dick Carver, Linda Post, and David Matthews were all in attendance.

Mr. Carver reminded the Commission that when members of the select board had met with the Commission in early spring, the Commission had asked the Town to bring back a proposal so that was what had been forwarded to the Commission for this meeting.

For information's sake, the proposal by the Owls Head Board of Selectmen is below:

**Proposal**

1. That Owls Head and South Thomaston have a permanent, voting, representative on APAC. The purpose of this representative is to:
  - a) Represent the Town of Owls Head's interests and concerns and represent the Town of South Thomaston's interests and concerns.
  - b) Provide an efficient communications link to the Selectmen of Owls Head and/or Selectmen of South Thomaston, any town committee responsible for keeping the Selectmen informed of airport activities, (OHAC, etc.), and the citizens of Owls Head and /or South Thomaston.
  - c) The representative shall have no conflict of interests in being a Representative of the respective Towns interests.
  - d) Enhance accountability and to build public trust.
  - e) The Selectmen of Owls Head have the sole responsibility to recommend the Owls Head representative to APAC and the Selectmen of South Thomaston have the sole responsibility to recommend the South Thomaston representative to APAC.

2. Amend the APAC Charter to read as follows:

Section 3. STRUCTURE

The Committee shall have ten members representing the broad and diverse nature of the County and the interests affected by the airport. To facilitate representation of aviation, business, environmental, municipal, and neighborhood interests, the ten members will fill specific constituent chairs. The ten chairs or seats are:

1. Knox County District #1 (Rockland, Rockport, and Warren)
2. Knox County District #2 (Cushing, Friendship, St. George, Thomaston, and Criehaven Plantation)
3. Knox County District #3 (Appleton, Camden, Hope, Isle Au Haut, Matinicus Isle Plantation, North Haven, Union, Vinalhaven, and Washington)
4. Environmental
5. Nearby Citizen, South Thomaston
6. Business Community
7. On Airport Business
8. Knox County Regional Airport Flying Club
9. Commercial Pilot/Aviator.
10. Nearby Citizen, Owls Head

The Knox County Regional Airport Manager shall be a non-voting member of the Committee.

#### Section 5. SELECTION.

- A. The Knox County Commission shall appoint each Committee member from names submitted to the Commissioners from the public at large and from the APAC. The Commissioners shall provide timely public notice of vacancies and the process and timing of application, review, and selection by the Commission of members of the APAC. In reviewing and selecting applicants, the Commissioners shall avoid selecting persons capable of representing more than one of the categories if that choice will result in an imbalance in the representation of interests on the APAC. An important goal will be to maintain balance and increase diversity.
- B. Recommendations from APAC. APAC shall make recommendations to the Commissioners to fill vacancies in any of the ten seats set out in Section 3 above except for Seat # 5 Nearby Citizen South Thomaston shall be a recommendation from South Thomaston Select Board and seat # 10 Nearby Citizen Owls Head shall be a recommendation from Owls Head Select Board. APAC shall solicit names of possible candidates for each category except for #5 and #10 from the public at large, from the APAC sub-committees and from the following sources:
  1. District #1. From one or more chief municipal officials of the municipalities within District #1.
  2. District #2. From one or more chief municipal officials of the municipalities within District #2.
  3. District #3. From one or more chief municipal officials of the municipalities within District #3.
  4. Environmental. From land trusts, Friends of Midcoast Maine, other environmental groups.
  - 5.
  6. Business Community. From Chambers of Commerce in Knox County, other businesses.
  7. On-Airport Business. From any Knox County Regional Airport business.
  8. Knox County Regional Airport Flying Club. From the Flying Club President.
  9. Commercial Pilot/Aviator. From any officer/manager of any Maine aviation business.
1. Amendments to APAC Bylaws to reflect changes made to the APAC Charter may be made at any time by a vote of a majority of the County Commissioners, (See 13. AMENDMENT of Bylaws

When asked if he had spoken to South Thomaston about this since South Thomaston will have the same thing happen to them too, Mr. Carver responded that he hadn't. The Owls Head select board felt that Owls Head and South Thomaston should each have their own representative on the APAC. Under the Owls Head recommendation, each of the two towns would make their recommendation to the Commission of who each town felt should be appointed to the APAC to fill the two new seats. It would not go to the APAC for a vote before the Commission acts on it. If the Commission didn't like the town's choice, it could send it back to the town to pick someone else. There was some confusion on this as the wording in the Owls Head proposal seemed to indicate that the town would have the "sole"

choice. Commissioners had concerns about the APAC having an even number of members because of the problems that can cause if a vote ends up being tied. It was noted that the APAC rarely has 100% attendance so some felt that wouldn't really be an issue. There were some ideas mentioned of how to handle a tie vote if there ever was one.

South Thomaston Selectman Dorothy Meriwether, who was in attendance, was asked for her opinion on the subject. She stated that this was the first she had ever heard about the subject and that she didn't understand how the Owls Head proposal would affect South Thomaston. Mr. Carver gave a basic layout of the positions in the APAC and how the Town of Owls Head was hoping to have a designated Owls Head representative, which would mean that South Thomaston would have one too. He explained that Owls Head was trying to fix the problem that there is always the possibility that at some point, either Owls Head or South Thomaston might not have a representative on the APAC.

There was some discussion about what the procedure might be for individuals who wanted to serve on the APAC but weren't necessarily supported by the towns as possible candidates. Currently, interested people are asked to go to their town first, but they don't have to.

There was some confusion about Mr. Carver referring to their proposal as being "red-lined" because the copy the Commission had received from the town was only in black and white and it was not clear what language from the APAC bylaws had been altered to reflect the Town's recommendation.

It was noted that the Commission was going to have to sell this change to the other towns because it would mean that the two towns of Owls Head and South Thomaston would be getting special treatment compared to the others. Mr. Carver responded by saying that 80% of the airport is in the Town of Owls Head.

- A motion was made by Commissioner Roger Moody to approve the changes to the by-laws in concept and have it worked out with the Owls Head and South Thomaston Boards of Selectmen, airport manager, and county administrator. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

2. Act on Next Steps for Moving Forward with Building Envelope/Masonry Project.

Scott Whitaker of Building Envelope Specialists explained that BES has visited the site a few times so far and will probably do one more just to make sure the scopes are correct. The drawings that the commissioners had been provided a copy of list very specific activities that needed to be done. Probably the biggest thing that needs to be done is the re-pointing on the building. A lot of the existing pointing is only 3/16ths to a quarter-inch deep but should be about an inch deep to work effectively. The biggest eyesore to be fixed are the large chunks of granite coming loose. The chimneys will also need to be rebuilt by taking them apart and then putting the original bricks back together and capping them. Cost estimates for the project were originally \$576,000 but are now \$456,500, which is a \$119,500 decrease. If the County did the project over 4 years, it would cost an extra 15% each year because of set-up costs for each year when the workers come back. Mobilization on a project this big can also take up to 3 and ½ weeks while the project itself should only take about 3 ½ months. It could be completely done in the summer and the contractor wouldn't need to worry about heating the job site. When asked if there were any life-threatening situations with the building, Mr. Whitaker answered no, adding that the two loose granite pieces had been taken down and put in a safe place. Everything else is safe where it is.

There was some discussion about how feasible it would be to put the project out to the voters for bond in June, and whether or not the voters would accept it. Administrator Hart reminded everyone that before anything can appear on a ballot, the County has to have preparation time, as well as have 3 public hearings - 1 in each district. It's a lot of work for a few people to do.

Mr. Whitaker was asked to get a price from contractors for what it would cost to do the project in phases so that the Commission could see a true comparison before deciding what route to take.

Administrator Hart recommended to the Commission that they vote to move ahead and bid the project out so that he could find out exactly what the project would cost. That information would be needed before the County could go out to bond if that's what the Commission decided to do. He added that just because the County goes out to bid doesn't mean that the Commission had to accept any of the bids. The whole project could be put off for a year if the bids that came in were too high.

- A motion was made by Commissioner Richard Parent to move forward with the bidding process and include windows in the project if needed. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

3. Act to Appoint New APAC Member to Fill District #2 Seat Through 2017.

Airport Manager Jeff Northgraves explained that he did have one name but the person's Board of Selectmen hadn't met to vote on it yet. He asked that the Commission table this item.

- A motion was made by Commissioner Richard Parent to table until next month. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

4. Act to Authorize Use of Up to \$20,000 from Airport Undesignated Surplus for the Repair of the Heat Pumps/Compressors.

Airport Manager Jeff Northgraves explained that since installation in 2010, the heating/cooling system in the terminal building has not performed properly. The original installers, Atlantic Comfort, had removed and replaced the two compressors 5 times and were preparing to remove/replace both of them again this last summer. He had asked AAA Energy Services, SMRT and Stantec to relook at the system prior to the compressors being removed/replaced again. AAA determined that the compressors were not the problem, but found two damaged reversing valves. AAA replaced them and asked SMRT to determine what had caused the valves to fail. SMRT and AAA then discovered that one of the new valves had already failed and the other was damaged, so they shut the system down. The Airport paid the first invoice from AAA (\$12,346), which puts the Airport's expenses over by about the same amount; however, anticipated increases in revenues are expected to cover nearly all of it. AAA has sent an invoice for the work last month (\$1,106) and has given an estimate of \$4,843 for replacing the valves. This will put the Airport's expenses over by \$18,295. The additional revenue will not cover the additional \$6,000 needed to get the system running for the diagnostics. The terminal is currently being heated with the propane fueled boiler. It is hoped that once the actual problem is discovered, SMRT and/or the compressor manufacturer will eventually reimburse the County for these costs. Manager Northgraves stated that he anticipates using \$18,295 from surplus and replace \$12,000 from extra revenues, for a \$6,295 net hit to the Airport surplus.

- A motion was made by Commissioner Roger Moody to authorize the use of up to \$20,000 from the Airport Undesignated Surplus for the repair of the heat pumps/compressors. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

5. Act to Approve North Haven Deputy Services Contract for January 1 - December 31, 2015.

- A motion was made by Commissioner Roger Moody to approve the North Haven Deputy Services contract for January 1 – December 31, 2015. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

6. Act to Approve the Revised Corrections Officer Job Description.

- A motion was made by Commissioner Richard Parent to approve the revised corrections officer job description. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

7. Act to Approve the Revised Civil Process Deputy - Part Time Job Description.

- A motion was made by Commissioner Richard Parent to approve the revised civil process deputy – part-time job description. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

8. Act on the 2015 Knox County Budget Draft.

Commissioner Moody explained that he had asked that this item be placed on the agenda to give the commissioners a chance to discuss some of the budget items. He said that he felt that MCEDD should receive at least \$10,000 in funding from the County so that the County is still participating in an economic development district. He proposed that the Commission allocate \$10,000 to the budget for MCEDD or possibly voting as a Commission, after the 2015 Budget is approved, to take the funds from contingency. He added that another option might be to reduce the overlay down from 2% to cover the \$10,000.

It was noted that some of the Budget Committee members hadn't seen any value in giving MCEDD money. Some towns have obviously benefited more from MCEDD's help than some others. The Budget Committee had taken votes on the full requested amount, half the request as recommended by the county administrator, \$10,000, and then zero funding. All amounts other than \$0 failed.

Administrator Hart commented that he would like to see the commissioners take on more of an active role in budget meetings. He reminded them that the meetings are joint meetings, and not just Budget Committee meetings. The commissioners expressed concern that comments or opinions shared by the Commission didn't seem to be welcomed by the Budget Committee even though Budget Committee Chair Dorothy Meriwether had solicited commissioner opinions on several occasions. It was discussed that, in the past, the Commission used to take a straw vote after the Budget Committee did.

Finance Director Robinson commented that if the Commission was supporting \$10,000 for something, it should really be put into the budget since it isn't finalized yet. Contingency funds are meant for when there's no other way to budget for something that needs to be done. She added that adjusting the overlay to pay for the \$10,000 isn't really budgeting in a transparent way. She suggested that the Commission bring up their interest in funding MCEDD at the public hearing and make the change then.

When the issue was raised of what would happen if the Budget Committee didn't agree with the Commission adding in \$10,000 to the budget, Commissioner Moody referred to the process set in the County's Charter. If the Commission wanted to make a change to the budget after it is voted on by the Budget Committee, the Commission could only do so with a unanimous vote. If the Budget Committee wanted to overturn that, the Committee would need a 2/3rds majority.

*No vote was taken on this agenda item.*

9. Act to Close the Knox County Administrative Offices at Noon on Wednesday December 24, 2014.

- A motion was made by Commissioner Roger Moody to close the Knox County Administrative offices at noon on Wednesday, December 24, 2014. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

**V. Discussion Items**

1. Discussion of Legislation Items for the Wednesday, December 10, 2014 Meeting with Knox County Municipalities and Legislative Delegation.

Commissioner Moody explained that the copy of possible legislation was based on the MCCA Board discussion held on November 11<sup>th</sup>.

Commissioner Maines mentioned that Penquis wanted to come to the meeting. Penquis runs the Head Start program in Rockland and does a number of other things in the County. Since it's a public meeting she didn't see anything wrong with them attending.

Administrator Hart commented that MMA's Geoff Herman won't be at the meeting, although someone else from his office might be. Administrator Hart indicated that he didn't know why the LD1 repeal item was on the MCCA list because MMA does not support that. He said that he had already passed that information on to MCCA Executive Director Rosemary Kulow so it could be brought up at the next MCCA meeting.

Commissioner Parent commented that he didn't know if he would be able to make it back in time to attend the meeting.

## VI. Other Business

### Upcoming Meetings

December 10<sup>th</sup> at 6 p.m. Special Commission Meeting with Municipalities and Legislative Delegation

December 11<sup>th</sup> at 6 p.m. Public Hearing on the 2015 Budget

### Maine Pre-Trial Services

The lease for the Courthouse space has been signed but they haven't moved in yet. The 4-County agreement for pretrial services has been signed by 3 of the counties. Waldo County hasn't signed it yet.

## VII. Adjourn

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

The meeting adjourned at 4:27 p.m.

Respectfully submitted,

Candice Richards  
Administrative Assistant

**The Knox County Commission approved these minutes at their regular meeting  
held on January 13, 2015.**