

KNOX COUNTY COMMISSION

Regular Meeting

Tuesday – February 9, 2016 – 2:00 p.m.

The regular monthly meeting of the Knox County Commission was held on Tuesday, February 9, 2016, 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, Chief Deputy Tim Carroll (*left at 2:52 p.m.*), Sheriff Donna Dennison (*left at 2:22 p.m.*), Jail Administrator John Hinkley (*left at 2:22 p.m.*), Communications Director Linwood Lothrop (*left at 3:16 p.m.*), Finance Director Kathy Robinson (*left at 3:32 p.m.*), Airport Maintenance Worker Mark Kunz (*left at 2:11 p.m.*), Corrections Officer Stephen Dearborn (*left at 2:11 p.m.*), Deputy Nathaniel Jack (*left at 2:11 p.m.*), Deeds Clerk Madelene Cole (*left at 2:11 p.m.*), Register of Deeds Lisa Simmons (*left at 3:30 p.m.*), Probate Register Elaine Hallett (*left at 3:30 p.m.*), and Probate Judge Carol Emery (*left at 2:11 p.m.*).

Others in attendance: Pen Bay Pilot Reporter Chris Wolfe.

Regular Meeting – Agenda Tuesday – February 9, 2016 – 2:00 p.m.

- I. 2:00 Meeting Called To Order**
- II. 2:01 Presentation**
 - 1. Employee Recognition Presentations.
- III. 2:10 Public Comment - Public Comment during other portions of the meeting will only be granted by permission of the chair.**
- IV. 2:25 Consent Items**
 - 1. Approve Consent Items as Presented:
 - i. Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
 - ii. Minutes of Regular Commission Meeting of January 12, 2016.
 - iii. Monthly Written Departmental Reports.
 - iv. Reserve Withdrawals.
- V. 2:30 Action Items**
 - 1. Act to Award the Bid for 1 Used Vehicle for Use by the Sheriff's Office.
 - 2. Act to Call for Nominations to Fill 4 Seats on the Airport Public Advisory Committee (APAC) and Approve the Nomination/Appointment Timetable and Press Release.
 - 3. Act to Award the Bid for the 2016 Tax Anticipation Note.
 - 4. Act to Set the Mil Rate for 2016.
 - 5. Act to Set the Interest Rate on Delinquent County Taxes for 2016.
 - 6. Act on Appointments to the Knox County Board of Assessment Review.
 - 7. Act on Appointments to KRCC Executive Board for January 1, 2016 – December 31, 2017.
 - 8. Act to Approve 2016 Personnel Policy Handbook.
 - 9. Act to Adopt Town of Rockport 125 Anniversary Resolution.
- VI. 3:00 Discussion Items**
 - 1. Update on Building Envelope Project.
 - 2. Discussion of the Fund for the Efficient Delivery of Local and Regional Services Grant Program.
- VII. 3:10 Other Business**
- VIII. Adjourn**

I. Meeting Called to Order

Commission Chair Roger Moody called the regular meeting of the Knox County Commission to order at 2:00 p.m. He briefly explained that from now on, all Commission meetings are being live-streamed on the internet. He noted that the microphone was pretty sensitive and asked members of the audience to please refrain from having side conversations because the audio would pick that up.

II. Employee Recognition Presentations.

Administrator Hart presented employee recognition awards for years of service to County employees. The employees recognized are as follows:

Employee	Title	Years of Service
Nathaniel Jack	Patrol Deputy	5
Mark Kunz	Airport Maintenance Worker	5
Stephen Dearborn	Corrections Officer	10
Patricia Speck	Corrections Officer	10
Linwood Lothrop	Communications Director	15
Madelene Cole	Registry of Deeds Clerk	15
Shane Riley	DA Prosecutorial Assistant/Investigator	15
Carol Emery	Judge of Probate	25

III. Public Comment

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

IV. Consent Items

1. Approve Consent Items as Presented:

- i. Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
- ii. Minutes of Regular Commission Meeting of January 12, 2016.
- iii. Monthly Written Departmental Reports.
- iv. Reserve Withdrawals

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

Commissioner Maines asked Communications Director Lothrop about two terms that he used in his monthly report: Swatting and Spoofing. Director Lothrop explained that Swatting is when someone calls in a fake situation to 9-1-1 that results in a swat-type response from law enforcement and it will turn out that the individuals at that residence are not in a dangerous situation and have no idea what is going on when the police arrive. It is a prank that wastes valuable time and resources. Spoofing is when scam artists alter the caller ID to make it look like they are someone legitimate when they call you. It is usually an attempt to scam money or get personal information from you. More information on both of these topics can be found on the Communications website’s blog: <http://knoxrcc.blogspot.com/>

Commissioner Maines asked Communications Director Lothrop about the automatic vehicle location (AVL) being discussed with the Inter-Agency Group meeting that he had attended. Director Lothrop explained that AVL is GPS that tracks the movement of vehicles and their speed, which has a variety of uses. One of the towns with their own police department brought it up so the group is looking at whether it makes sense for all law enforcement in the County to do it because it is important to keep things consistent at the Communications Center. So far it has just been a discussion; no decisions have been made.

- A vote was taken with all in favor.

October & November 2015 Reserve Withdrawals:

Retirement	200008-12890	\$8,720.68
	Total	\$8,720.68

December 2015 Reserve Withdrawals:

Contingency Expense	200008-12700	\$18,000.00
Deeds Surcharge	200008-12740	\$22,673.00
Forfeiture Money – Federal	200008-12860	\$40,000.00
Jail Professional Services	861808-12855	\$9,750.00
Retirement	200008-12890	\$3,487.30
	Total	\$93,910.30

V. Action Items

1. Act to Award the Bid for 1 Used Vehicle for Use by the Sheriff’s Office.

Chief Deputy Carroll explained that the bid was for the Sheriff’s Office to purchase one used program vehicle to be used as an administrative vehicle. He recommended that the Commission award the bid to the vendor with the lowest bid: a 2014 Dodge Journey from Shepard Motors.

- A motion was made by Commissioner Carol Maines to award the bid for one used vehicle to Shepard Motors for the 2014 Dodge Journey for a bid total of \$17,885. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

2. Act to Call for Nominations to Fill 4 Seats on the Airport Public Advisory Committee (APAC) and Approve the Nomination/Appointment Timetable and Press Release.

Airport Manager Northgraves explained that this is the first year for the new Owls Head Seat. Three other seats (District #1, Flying Club and Commercial Pilot Seats) are due to be reappointed. The Commission will appoint nominees at the Regular Commission meeting in April.

- A motion was made by Commissioner Richard Parent to call for nominations to fill four seats on the Airport Public Advisory Committee (APAC) and approve the nominations/appointment timetable and press release. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

3. Act to Award the Bid for the 2016 Tax Anticipation Note.

The County sent out an RFP for the 2016 TAN to 12 banks and credit unions, receiving three bids. Bangor Savings Bank had the lowest bid at a percentage rate of 0.79% for a potential interest total of \$25,410.58. The bid results are as follows:

Bidder	Interest Rate	Potential Interest
Bangor Savings Bank	0.79%	\$25,410.58
Machias Savings Bank	0.89%	\$29,104.23
Androscoggin Bank	0.94%	\$30,318.21

**KNOX COUNTY, MAINE
VOTE OF COUNTY COMMISSIONERS
AUTHORIZING TAX ANTICIPATION BORROWING**

IT IS HEREBY:

VOTED: That, pursuant to 30-A M.R.S.A. §932, the Finance Director is hereby authorized and empowered to borrow, at one time or from time to time during the fiscal year ending December 31, 2016, singly or in series, an amount or amounts not exceeding \$3,524,700 in anticipation of the collection of receipts from taxes, such borrowing to be evidenced by the issuance of the County’s tax anticipation note (the “Note”).

VOTED: That following a solicitation of bids, the County Commissioners award the winning bid to Bangor Savings Bank (the “Bank”), and direct that the Note shall be issued to the Bank on an “as needed” basis, with an interest rate of 0.79% to mature on or before December 31, 2016.

VOTED: That the Note shall be signed in the name of and on behalf of the County by the Finance Director and countersigned by at least a majority of the County Commissioners, attested to by the County Administrator, and shall be payable at maturity out of money raised by taxation during the fiscal year ending December 31, 2016, and shall contain such terms and provisions, not inconsistent herewith, and be in such form as shall be approved by the officers and officials signing the same, which approval shall be conclusively evidenced by their execution thereof.

VOTED: That the Finance Director, to the extent permitted and available under the Internal Revenue Code of 1986, as amended (the “Code”) be and hereby is authorized to designate the Note as qualified tax-exempt obligations for purposes of Section 265(b) of the Code.

VOTED: That the Finance Director be and hereby is authorized to covenant with the Bank, in the name of and on behalf of the County, that the County shall take whatever steps, including filing any reports and rebating any excess earnings, as may be required by federal law, and shall refrain from taking any action, as may be necessary or appropriate to ensure that interest on the Note will remain exempt from federal income taxes.

VOTED: That the officers and officials executing the Note be and hereby are individually authorized to covenant, certify, and agree, in the name of and on behalf of the County and for the benefit of the holders of the Note, that the County will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to ensure that the disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, if applicable, are met.

VOTED: That the Finance Director, County Commissioners, and County Administrator be and hereby are authorized and empowered on behalf of the County to undertake all such acts and things and execute and deliver all such documents and certificates as may be necessary or convenient in connection with the issuance, sale, execution, and delivery of the Note.

VOTED: That if the Finance Director or County Administrator are for any reason unavailable to approve and execute the Note or any related documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself/herself performed such act.

- A motion was made by Commissioner Richard Parent to award the bid for the 2016 Tax Anticipation Note to Bangor Savings Bank at a percentage rate of 0.79% for a potential interest amount of \$25,410.58. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

4. Act to Set the Mil Rate for 2016.

The state valuations have been finalized by Maine Revenue Services. The total Municipal Tax Assessment for 2016 was approved at \$7,291,087 so the recommendation was to set the mil rate for 2016 at 0.0009983619 with an overlay figure of \$142,962, which is at the 2% maximum that’s allowed by statute.

- A motion was made by Commissioner Carol Maines to set the 2016 mil rate at 0.0009983619. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

5. Act to Set the Interest Rate on Delinquent County Taxes for 2016.

The rate of interest is established by the State Tax Assessor and shall be specified by a vote of the County Commission. The municipalities will be notified that they will be charged late fees if they do not pay their taxes and dispatch fees on time. The County tax is due September 1, 2016, but late payment charges will begin on November 1, 2016, as defined by statute. The rate of interest established by the State Tax Assessor for 2016 is 7% simple annual interest.

- A motion was made by Commissioner Richard Parent to set the interest rate on delinquent County taxes for 2016 at 7% simple annual interest. The motion was seconded by Commissioner Carol Maines.

There was a brief discussion about the municipality of Isle Au Haut. In 2015, Isle Au Haut was charged interest for paying both their County tax and dispatch fees late in 2014. Now in 2016, Isle Au Haut has still not paid their taxes and dispatch fees due back in September/November of 2015. There are issues with contacting anyone on the island due to there being fewer residents out there this time of year, and the town bookkeeper having recently resigned and there is currently no select board. It is unknown whether the town has an approved budget or whether they have paid any of their other taxes to the state. It was suggested that Commissioner Moody might take a trip out to Isle Au Haut since it is in his district, but no decision was made on that. Chief Deputy Carroll volunteered to go with Commissioner Moody if he did decide to go. Administrator Hart was asked to check with the County attorney regarding what steps, if any, the County should take.

- A vote was taken with all in favor.

6. Act on Appointments to the Knox County Board of Assessment Review.

Two terms on the County's Board of Assessment Review ended in November of 2015. Martin Cates and Lauren Hall Kenniston are both willing to be reappointed for another 3-year term, ending in 2018.

- A motion was made by Commissioner Richard Parent to reappoint Martin Cates and Lauren Hall Kenniston to another 3-year term on the Knox County Board of Assessment Review, both ending in November of 2018. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

7. Act on Appointments to KRCC Executive Board for January 1, 2016 – December 31, 2017.

At the KRCC Users Group meeting on January 20th, the Users Group voted to recommend Rockland Deputy Chief Chris Young for the Law Enforcement seat, Jesse Thompson from Union EMS for the EMS seat, and Rockland Fire Chief Adam Miceli for the Fire seat. These are two-year terms and expire on December 31, 2017. It is up to the Commission to make the appointments to the Executive Board per the KRCC Executive Board By-Laws.

- A motion was made by Commissioner Carol Maines to appoint Rockland Deputy Chief Chris Young to the Law Enforcement seat, Jesse Thompson from Union EMS to the EMS seat, and Adam Miceli to the Fire seat on the KRCC Executive Board for two-year terms expiring on December 31, 2017. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

8. Act to Approve 2016 Personnel Policy Handbook.

This handbook will replace the 2014 County of Knox Personnel Policy Handbook that was approved by the Commission on December 10, 2013. The effective date for the 2016 handbook is January 1, 2016. The policy was reviewed with department managers and the County's HR representative. Administrator Hart asked if the commissioners had any questions.

Commissioner Maines asked about the wording change to the complaint process on Page 8 of the Policy. She felt that some of the language seemed contradictory because it indicated that complaints

should be reported to either the county administrator or the human resources representative and not the employee's supervisor, but it also says that supervisors must immediately report the complaint. She asked how supervisors could do that if the employee does not notify the supervisor. Administrator Hart said that there might be instances where the complaint is about the supervisor, in which case the employee would need another method to get help. Commissioner Maines felt that if the supervisor isn't the person the complaint is about, then the supervisor should be made aware of the complaint so they know what is going on with the employees they supervise. Administrator Hart said that if that was the case, he or Ms. Bouchard would address it with the supervisor.

Commissioner Maines also asked about why the wording changes on pages 50 – 52 to the Email and Internet Policy were made. Administrator Hart explained that a new National Labor Relations Law ruling requires the County to allow employees to use County computer equipment and systems for personal use during lunch and breaks. He said that he believed this was so that union members could do union business during their breaks.

Commissioner Moody asked if the life insurance mentioned on page 37 was a new benefit. Finance Director Robinson explained that the life insurance is the Maine PERS life insurance that the County found out that it was supposed to have been offering to employees. No one realized that when the County parted ways with MainePERS years ago. The life insurance is strictly voluntary for employees.

- A motion was made by Commissioner Carol Maines to approve the 2016 Personnel Policy Handbook. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

9. Act to Adopt Town of Rockport 125 Anniversary Resolution.

Commissioner Moody said that he had been invited as the Commission Chair to present a resolution at the Town of Rockport's 125th anniversary on February 25th. Once signed by the three commissioners, it will be placed in a frame and presented to the Town of Rockport.

- A motion was made by Commissioner Carol Maines to adopt the Resolution for the 125th anniversary of the Town of Rockport. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

VI. Discussion Items

1. Update on Building Envelope Project.

Administrator Hart noted that Safe Environmental Solutions (lead paint abatement) are coming tomorrow and starting on the basement windows by putting inserts on the inside and doing measurements for the remaining windows' inserts. They put an insert on the window to assist with containment for when they take the old windows out. The new windows are coming from EBS and will be stored on site until Penobscot Company installs them after painting them. The week of February 22nd Knowles Industrial will be setting up their staging for doing the brick and granite repairs.

2. Discussion of the Fund for the Efficient Delivery of Local and Regional Services Grant Program.

Administrator Hart briefly explained that he and Ms. Bouchard had met with Rockland City Manager James Chaousis and Assistant City Manager Audra Caler-Bell about the grant application that was submitted by the City of Rockland for the Fund for the Efficient Delivery of Local and Regional Services Grant Program. The four of them had discussed forming a regional human resources department that would initially provide human resource management activities for both Knox County and the City of Rockland as a pilot project. If that worked out well, then the services would branch out for all municipalities within the County. At this point, the only thing that has been done is the submission of a grant application; there is no guarantee the grant will be awarded or that it will be enough to fund the intended purpose. If the grant ends up being approved, the matter would be brought

back at a future meeting to the Commission to vote on accepting the grant funding and proceed with the plan.

Administrator Hart felt that as a whole, municipalities don't have a good handle on human resources, and policies and procedures, dealing with personnel, etc. He said that since the County and the City of Rockland both currently contract with Ms. Bouchard for human resource services, he and City Manager Chaousis thought it made sense to do a joint approach. The belief is that combining human resources may result in savings, but that is difficult to calculate so the figures provided by Ms. Bouchard are just a best-guess estimate.

Commissioner Maines expressed some concern about the intent to integrate the County's HR into Rockland's administrative structure. She asked if this meant that County staff would have to go to the Rockland City Manager when they have an HR question. Administrator Hart said that it was worded that way because the City of Rockland is the grant applicant, so the grant funds, if there are any, will come through Rockland.

Administrator Hart said that the plan would be for both Rockland and the County to continue their contracts with Ms. Bouchard, but would probably increase the number of hours. If other towns were interested in participating, the County might have to change the contract and put a higher amount in the budget. The County could decide to continue contracting with Ms. Bouchard, or could make an HR employee position. Commissioner Maines noted that the County was originally going to have a full-time HR employee per the recommendation of the Organizational Study. The Commission opted at the time to try working with a consultant first, but reserved the right to go back to having an HR County employee on staff if the consultant's hours on site were not enough or if it was decided that the County would be better served having a full-time employee doing HR.

Commissioner Maines voiced several concerns about the idea of regionalizing HR. She noted that consistency is not going to be easy when the municipalities have different ideas about the right pay levels for similar jobs. It would take away the rights of municipalities to have their own policies. The County spent all that money on a wage and benefits study in order to attract quality employees, but if HR was regionalized, the County might not have that advantage anymore. The regional HR entity could set low salaries throughout the County to save costs and that would ultimately harm the county's ability to hire quality employees. Each municipality already has its own set of policies and procedures. Commissioner Maines referred to the idea of a county-wide HR department a "cartel" because it would effectively exclude all other competition¹. Commissioner Moody added that there are also the unions and their contracts to consider, which will further complicate things. Regardless of what type of services the County looks at doing regionally, Commissioner Moody thinks as a matter of philosophy that counties can offer municipalities a model of doing business better; however, it not only doesn't always work out that way, but a lot of times the municipalities do not want the County involved.

Commissioner Maines commented that the County has not budgeted to regionalize HR for both the County and the City to start doing that this summer. Any changes couldn't be made until 2017. Administrator Hart said that he had explained that to Mr. Chaousis.

Commissioner Maines stated that she assumed that if the County decided to proceed with regionalization, the County would go out to bid for HR services once the County's contract with Ms. Bouchard ends, and whenever the City's contract with her ends, to allow for competitive bidding. She asked if the County even had to accept the grant if it is offered, especially since no one knows yet if the grant will be enough to fund the concept. Commissioner Moody said that if the County receives the grant, the Commission would have a meeting with all of the municipalities to see what the interest in a regional HR would be.

¹ *The Merriam-Webster Dictionary defines Cartel as "a combination of independent commercial or industrial enterprises designed to limit competition and fix prices".*

Commissioner Maines commented that she noticed in the grant information that the funds are coming from municipal revenue sharing, which might not work out well anyway.

VII. Other Business

Heating Fuel

The County locked in heating fuel yesterday at \$1.40/gallon. The municipalities and other participating entities locked in at \$1.50/gallon. The County receives a lower price because the County facilities can take tanker deliveries. The contract goes from July 1, 2016 – June 30, 2017.

VIII. Adjourn

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

The meeting adjourned at 3:35 p.m.

Respectfully submitted,

Candice Richards
Administrative Assistant

The Knox County Commission approved these minutes at their regular meeting held on March 8, 2016.