

# KNOX COUNTY COMMISSION

## **Regular Meeting**

**Tuesday – March 10, 2015 – 2:00 p.m.**

The regular monthly meeting of the Knox County Commission was held on Tuesday, March 10, 2015, 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, Sheriff Donna Dennison, Jail Administrator John Hinkley, Communications Director Linwood Lothrop, and Finance Director Kathy Robinson.

Others in attendance: Knox County Board of Assessment Review Chair Marian Robinson; and Courier Publications Reporter Juliette Laaka.

### **Regular Meeting – Agenda Tuesday – March 10, 2015 – 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. Minutes of Regular Commission Meeting of February 10, 2015.
    - iii. Monthly Written Departmental Reports.
    - iv. Reserve Withdrawals.
- IV. 2:20 Action Items**
  - 1. Act on Approval of the Transfer of Forfeited Assets in the form of One 1997 Chevrolet S-10 VIN# 1GCCS14W4V8120632 to Knox County in the *State of Maine v. Mitchell Carney*.
  - 2. Act on Interest to be Charged to Municipalities on County Taxes and Fees Paid Late.
  - 3. Act to Set Mil Rate for 2015.
  - 4. Act to Set the Interest Rate on Delinquent County Taxes for 2015
  - 5. Act on Appointment to the Knox County Board of Assessment Review.
- V. 2:30 Discussion Items**
  - 1. Discussion of Legislation Affecting the Knox County Jail, Funding for the Knox County Jail and Its Impacts, and Other Options.
  - 2. Discussion of Maine County Day 2015.
- VI. 2:55 Other Business**
- VII. 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.

## **II. Public Comment**

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

## **III. 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 February 10, 2015.
  - 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 Linwood Lothrop about the upcoming bills that he mentions in his report that will affect PSAP’s, in particular LD 206: “An Act to Clarify Restrictions on Disclosure of E-9-1-1 System Information”. Director Lothrop explained that the purpose of the bill was to change the language in the current law that only allows the release of 9-1-1 information (audio and transcripts for 9-1-1 calls) to a law enforcement officer. The bill will change it so that the information can be released to a criminal justice agency as well. It will help speed up some processes including allowing the DA’s office to get the information they need directly from the KRCC instead of it having to be requested by a law enforcement officer or agency first. The new law will also need to specify whether the E-9-1-1 centers will have to provide audio or a transcript of the audio. The current law says transcript but with confidential information redacted.

- A vote was taken with all in favor.

**Reserve Withdrawals:**

Airport Computer	461608-14600	\$5,321.37
Courthouse Renovations & Maintenance	200008-12680	\$2,615.00
Forfeiture Money – Federal	200008-12860	\$25,049.00
	Total	\$32,985.37

**IV. Action Items**

1. Act on Approval of the Transfer of Forfeited Assets in the form of One 1997 Chevrolet S-10 VIN# 1GCCS14W4V8120632 to Knox County in the State of Maine v. Mitchell Carney.

- A motion was made by Commissioner Carol Maines to approve the transfer of the forfeited assets in the form of one 1997 Chevrolet S-10 VIN# 1GCCS14W4V8120632. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

2. Act on Interest to be Charged to Municipalities on County Taxes and Fees Paid Late.

Administrator Hart explained that this year there are three municipalities being charged interest for paying their county tax assessment or dispatch fees late.

**Dispatch Interest effective 9/1/14  
County Tax Interest effective 11/1/14, due 9/1/14**

Municipality		Date Received	Amount	Days Overdue	Interest Due @ 7%
Isle Au Haut	County Tax	2/12/15	\$78,413.00	102	\$1,533.89
Isle Au Haut	Dispatch Fees	2/12/15	\$1,189.00	163	\$59.08
Rockland	Dispatch Fees	9/8/14	\$188,970.00	7	\$253.69
South Thomaston	Dispatch Fees	9/15/14	\$40,347.00	14	\$108.33
<b>Total:</b>					<b>\$1,954.98</b>

- A motion was made by Commissioner Richard Parent to approve charging 7% interest to municipalities that have paid their 2014 taxes or dispatch fees late. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

3. Act to Set the Mil Rate for 2015.

Administrator Hart explained that the Commission needed to set the mil rate for 2015 now that the state valuations have been finalized by Maine Revenue Services. The Budget Committee and the

Commission voted to set the Total Municipal Tax Assessment for 2015 at \$7,001,976. Administrator Hart recommended setting the mil rate for 2015 at 0.0009662521. The overlay figure is \$137,293, which is at the 2% maximum that's allowed by statute.

- A motion was made by Commissioner Richard Parent to set the 2015 Mil Rate at 0.0009662521. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

4. Act to Set the Interest Rate on Delinquent County Taxes for 2015.

Administrator Hart stated that pursuant to 36 MRSA § 892-A, the Commission has the authority to charge and collect interest on delinquent taxes. The rate of interest is established by the State Tax Assessor, which is 7% simple interest for 2015. The municipalities are notified that they will be charged late fees if they do not pay their taxes on time. This is noted in several places in the tax bills and dispatch fees bills sent to the towns in April. The county tax is due September 1, 2015, but late payment charges won't begin until November 1, 2015, as defined by statute.

- A motion was made by Commissioner Carol Maines to set the interest rate on delinquent county taxes and dispatch fees for 2015 at 7% simple annual interest. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

5. Act on Appointment to the Knox County Board of Assessment Review.

Commissioner Moody asked Knox County Board of Assessment Review Chair Marian Robinson if there was anything she wanted to say. Ms. Robinson stated that she was attending the meeting just to answer questions if the commissioners had any. She noted that the Board of Assessment Review has been operating for about 5 years now and things have been going very smoothly. She said that the Board members unanimously voted to recommend to the Commission to appoint Rodney Painter to fill the vacant seat on the Board, but still hope that if it is at all possible, be granted the ability to have an alternate to help at times when having a quorum for hearings is difficult.

Administrator Hart commented that he had spoken to County Attorney John Wall about whether or not the Board could have an alternate since Attorney Wall worked with Cumberland County's Board and provided advice when Knox County decided to create one. Title 36 Section 844-M does not expressly forbid the Commission from appointing an alternate in addition to seven permanent members, but it does not expressly authorize it either. The statute authorizes the County Board to consist of five or seven members, with the requirement of at least one licensed real estate appraiser, and one member of the general public. Section 844-M would appear to bestow powers on the Commission that the Commissioners otherwise would not have. Therefore, the commissioners are probably constrained by 844-M to appoint no more than seven members, and an "alternate" eighth member would exceed that authority. Attorney Wall agreed that that Commission could not vote to exceed the 7 members. If there is a seat that becomes vacant in the future, the Commission could appoint the other interested person to the seat then.

Ms. Robinson noted that Rodney Painter will be the Board's second appraiser on the Board, which is really needed because often the other appraiser ends up being a witness for the town's side of the appeal process.

Commissioner Moody said that he wanted to express his appreciation and thanks to the Board since there aren't very many at the county level in the state and Knox County's Board works very well.

Ms. Robinson noted that the Town of Cushing recently disbanded their own board so they can send their appeals to the County's Board.

- A motion was made by Commissioner Richard Parent to appoint Rodney Painter to the vacant seat on the Knox County Board of Assessment Review. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

## V. Discussion Items

### 1. Discussion of Legislation Affecting the Knox County Jail, Funding for the Knox County Jail and its Impacts, and Other Options.

Sheriff Donna Dennison gave an explanation about LD 186: “An Act to Reverse Jail Consolidation”. If the bill passes, it’s going to repeal the State Board of Corrections and put the operations of county jails back under the authority of counties and sheriffs. One of the downsides to this happening is that the County’s contribution to the jail won’t be capped anymore. One of the benefits would be that the County could transfer inmates without having to go through the courts, which has been time consuming. The bill also allows counties to collaborate for community based corrections. Right now the jail is on a fiscal year budget so if the County gets sole responsibility of the jail back, the jail will go back to being on a calendar year with the rest of the County’s departments.

Commissioner Moody noted that he attends the MCCA meetings and the sheriff that is the chair of the Maine Sheriff’s Association (MSA) sits on the MCCA board as well. He said that the MCCA has some principles, many of which are the same as the MSA, and he wanted to make sure the MCCA and MSA are all on the same page with each other. He said that he assumed the sheriff attending the MCCA meetings was communicating the MCCA’s opinions on these issues. Sheriff Dennison replied that the sheriffs communicate with each other and do get along, even though some people think they don’t.

There was a brief discussion about how it currently worked when the County houses prisoners from other jails or vice versa. Jail Administrator Major John Hinkley explained that currently the counties are paid by the State based on the number of beds, so if the County houses prisoners from another jail, there is no reimbursement because the County is already being paid for those beds. Under the new law, the County will be reimbursed by the county sending the prisoners.

Commissioner Maines asked if the Sheriff and Major Hinkley were planning to attend the hearings for LD186. Sheriff Dennison answered yes, and added that all of the sheriffs are going. One sheriff has been designated to do the speaking. Commissioner Maines asked if the Commission needed to do anything. Sheriff Dennison stated that the more people go, the better. Commissioner Moody commented that he believed that the MCCA has someone representing them at those hearings as well.

Commissioner Maines asked about what happened to the supplemental funding that the former BOC executive director had mentioned he was going to ask for. Commissioner Moody stated that the executive director had resigned since his position was no longer funded, but the funding request is still going through the legislature right now.

### 2. Discussion of Maine County Day 2015.

Maine County Day 2015 is held in the Hall of Flags in the Maine State House. The event provides an opportunity for each county to talk about what is special or unique about their county. It is an open house affair for legislature, held from 9:00 a.m. to 1:00 p.m. on April 22<sup>nd</sup>.

Administrator Hart commented that he didn’t think that the County had ever participated in it. Commissioner Moody Roger suggested taking photos of the Airport terminal, Public Safety Building and the courthouse to show.

There was a brief discussion about a promotional video produced by Waldo County that was approximately a half-hour long. In the video, the County Administrator introduced the county and then turned time over to each department head, who then each took turns explaining what each department does. Commissioner Maines noted that if Knox County had a similar video, that would be good to have at the Maine Counties Day.

While on the subject of videos, Commissioner Maines noted that Administrator Hart had said at a previous meeting that he would try to figure out what the County would need to do to broadcast the

Commission meetings. Administrator Hart said that he did not have that information totally together yet. He said that he believed he could definitely have it for the next meeting. He added, however, that it would have to go into the 2016 budget anyway because it wasn't something budgeted for in 2015. He said he could check with other towns. Camden got theirs set up fairly recently and Lincolnville did theirs last year so he would check with them to see how much it cost. The bigger costs are not in the broadcasting of the videos but rather the start-up costs of buying all the equipment.

Getting back to the subject of Maine County Day, Commissioner Moody said that at the MCCA meeting tomorrow he would ask the other commissioners what the other counties have done at the County Day's in the past. He said he would email everyone once he finds out what other counties recommend for materials, etc.

## VI. Other Business

### County Administrator's Annual Appraisal

Commissioner Moody noted that he had received an email from HR Consultant Laurie Bouchard informing him that it's time to do Administrator Hart's annual evaluation. Ms. Bouchard's email also asked if the Commission wanted to do the same process as last year. Commissioner Moody asked Administrator Hart if the "360 review" that is done with department heads has been useful. Administrator Hart said that it had been helpful. The consensus of the commissioners was that the current appraisal process for the county administrator is working well. Commissioner Maines just wanted to make sure that this year she gets all of the materials she needs to review before doing the appraisal because last year she was asked to evaluate the county administrator's goals but she didn't have the list of goals. Administrator Hart said he would make sure Ms. Bouchard checks in with all three commissioners during the process to make sure they have everything they need before they do his appraisal.

Administrator Hart commented that his contract also ends soon so that will have to be renewed.

### MidCoast Economic Development District (MCEDD)

Commissioner Moody explained that MCEDD had held a special board meeting because with the amount of money that they got from Knox County and Lincoln County not being the amounts the organization had asked for, there was not enough funding to continue the organization. He said that if Lincoln and Knox aren't going to fund MCEDD, the MCEDD board voted to dissolve June 1<sup>st</sup> and let the Mid-Coast Council of Governments (MCCOG) take over. Their structure is different – it is more of a municipal supported organization, almost entirely located in Sagadahoc County.

Commissioner Maines asked about what would happen to the \$10,000 that the County budgeted for MCEDD for 2015. Administrator Hart said that the County has not given them the whole amount yet since it is paid quarterly. MCEDD has only received one payment (\$2,500) so far. Commissioner Maines noted that some members of Budget Committee didn't think the towns were getting any help from MCEDD anyway; they felt that MCEDD was taking credit for projects the towns were already doing. Commissioner Moody said he would keep everyone updated.

### Current Bills Related to Counties

Administrator Hart said that he wanted to quickly mention a couple bills in the legislature right now that will affect counties:

- LD564 Increasing borrowing authority of the counties – sponsored by Chuck Kruger. Would increase the amount that counties could borrow without having to go out to bond. MCCA voted to support the bill.
- LD530 Labor Relations – The bill would amend the labor relations law to require a commissioner to participate in labor relations negotiations. MCCA opposes that bill because they feel it's up to the county to decide what they want to do.

Mid-Coast Regional Planning Commission meeting

There is an upcoming Mid-Coast Regional Planning Commission meeting on April 29<sup>th</sup> at the Union Town Office from 6 - 8:30 p.m.

Commissioner Moody commented that he went to last year's meeting and found it to be interesting, but that he will be out of town this year and therefore cannot go. Commissioner Maines said that she might be interested in going.

Employee Recognition Presentations

Administrator Hart reminded the commissioners about the two special commission meetings on Monday the 16<sup>th</sup> for employee recognition presentations. The first is from Noon – 1 p.m. at the courthouse, and the second is from 5:30 – 6:30 p.m. at the EMA Training Room at the Public Safety Building.

Executive Session

Administrator Hart noted that he wanted to have an executive session at 1:30 p.m. after the first employee recognition meeting on the 16<sup>th</sup>. There will not be any decisions made at this meeting; the purpose is just to have legal counsel update the commissioners. Commissioners Moody and Maines were fine with scheduling the executive session at that time but Commissioner Parent stated that he would be traveling back from Vermont that day and was uncertain if he would even be back early enough to attend the first employee recognition meeting. The Commission agreed that even if Commissioner Parent is not able to arrive in time, both the employee recognition presentations and the executive session would go on as scheduled, especially since no decisions were being made. Commissioner Moody noted that Administrator Hart could get Commissioner Parent back up to speed on things once he's back from Vermont.

Heating Fuel

Administrator Hart stated that the County had locked in heating fuel today. The County is currently paying \$3.09 per gallon with the current contract that runs until June 30<sup>th</sup>. The price locked in today at \$2.14 will take effect for the new contract (fiscal) year on July 1<sup>st</sup>.

Quarterly budget committee meeting

Administrator Hart commented that he was trying to get a quarterly budget meeting scheduled, probably in April. He said he should be able to let commissioners know by next week what the date will be.

Building Envelope Repair Project

Knowles Industrial wants to start Phase 1 of the building envelope masonry repairs on April 1<sup>st</sup>, weather permitting. Knowles estimates that it will take about two weeks to get set up. They're going to come down next week to check on the snow level here since Rockland has gotten so much this winter.

**VII. Adjourn**

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

The meeting adjourned at 3:30 p.m.

Respectfully submitted,

Candice Richards  
Administrative Assistant

**The Knox County Commission approved these minutes at their regular meeting  
held on April 14, 2015.**