

# KNOX COUNTY COMMISSION

## Regular Meeting

Tuesday – June 14, 2016 – 2:00 p.m.

The regular monthly meeting of the Knox County Commission was held on Tuesday, June 14, 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, Sheriff Donna Dennison, Jail Administrator John Hinkley, EMA Director Ray Sisk, Communications Director Linwood Lothrop, and Systems Administrator Mike Dean (*arrived at 2:07 p.m.*)

Others in attendance: MCCA Executive Director Rosemary Kulow; Danny Piper of Sundog Solar (*left at 2:38 p.m.*); and Theodore Berry, resident of Rockland; and John Egan, Senior Vice President, Loans & Investments at CEI (*left at 2:38 p.m.*).

### Regular Meeting – Agenda Tuesday – June 14, 2016 – 2:00 p.m.

- I. 2:00 Meeting Called To Order**
- II. 2:01 Presentation**
  - 1. Solar Power Presentation – Sundog Solar.
- III. 2:15 Public Comment -** Public Comment during other portions of the meeting will only be granted by permission of the chair.
- IV. 2:30 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 May 10, 2016.
    - iii. Minutes of Joint Quarterly Budget Meeting of May 26, 2016.
    - iv. Minutes of Special Commission Meeting of June 6, 2016.
    - v. Monthly Written Departmental Reports.
    - vi. Reserve Withdrawals.
- V. 2:35 Action Items**
  - 1. Act on Approval of the Transfer of Forfeited Assets in the form of \$1,087.75 (*or any portion thereof*) to Knox County in the *State of Maine v. Chas Echols*.
  - 2. Act on Approval of the Transfer of Forfeited Assets in the form of \$629.40 (*or any portion thereof*) to Knox County in the *State of Maine v. Rashad Newsome*.
  - 3. Act to Award Bid for One Used Vehicle for Use by the Sheriff's Office Patrol Division.
  - 4. Act to Approve Job Description for a Shellfish Warden Position in the Sheriff's Office.
  - 5. Act on Reconsideration of Vote for Approval of Additional Expenditures for the Building Envelope Project.
  - 6. Act on Reconsideration of Two Job Descriptions to be Used in Conjunction with the 2016 Compensation Study Project.
  - 7. Act to Approve the County of Knox Manager Handbook.
  - 8. Act to Award Carpet Replacement Bid.
  - 9. Act on Citizen Request for a Fee Waiver Under the Freedom of Access Act (FOAA).
- VI. 2:55 Other Business**
- VII. 3:00 Executive Session**
  - 1. Convene in Executive Session to Discuss a Personnel Matter Pursuant to 1 M.R.S.A. §405(6)(A).
- 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 reminded everyone that 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.

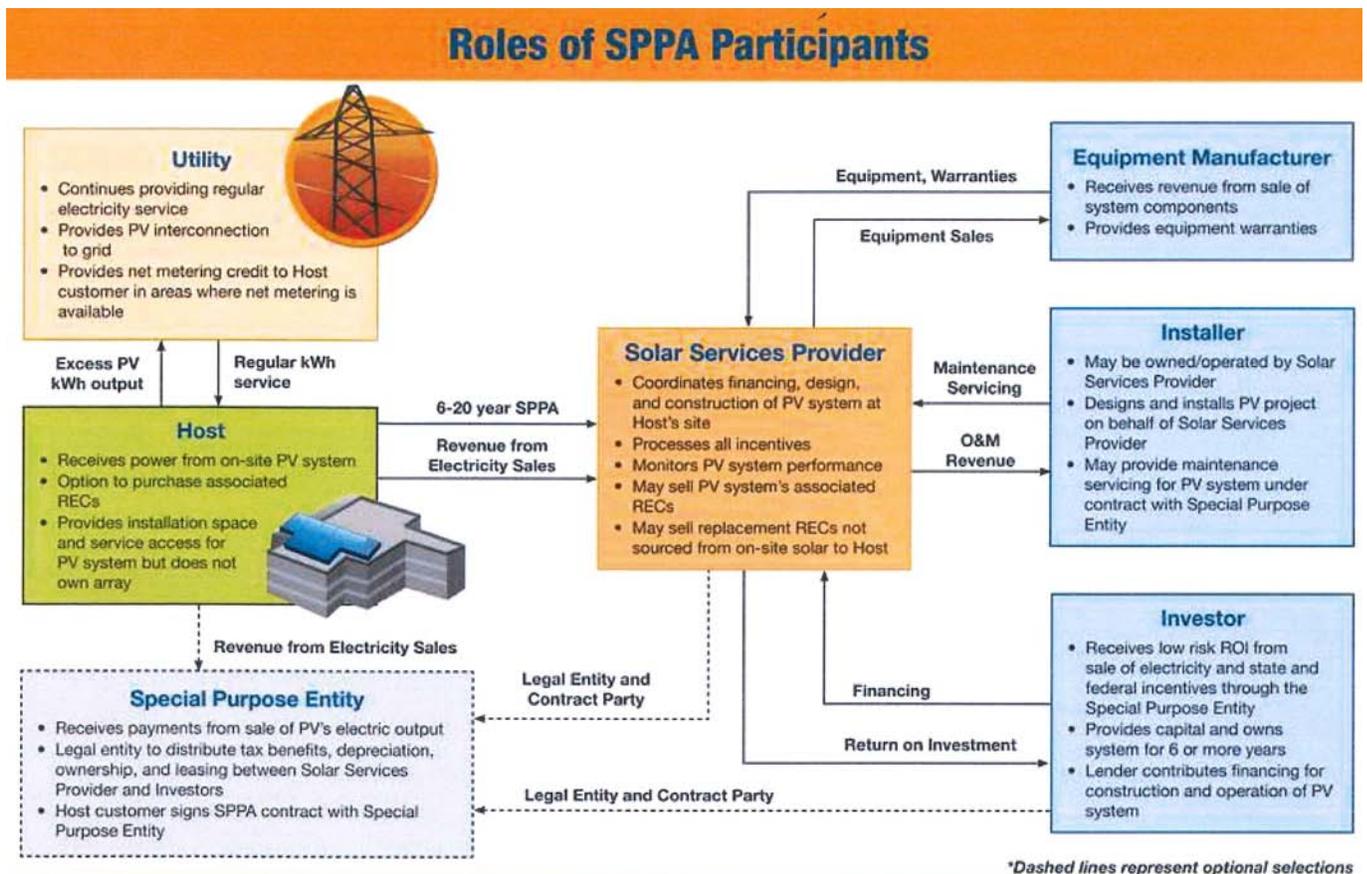
**II. Presentations**

1. Solar Power Presentation – Danny Piper of Sundog Solar.

Danny Piper from Sundog Solar introduced himself and showed a PowerPoint presentation:

Who is Sundog Solar?

- Sundog Solar is family owned and operated since 2009, located in Searsport
- Hundreds of high quality installations.
- Our dedicated staff’s training and credentials includes
- NABCEP PV and Solar Heating Installation Professionals
- State of Maine Master Electrician Licensing
- Maine Maritime Academy Mechanical Engineering and KVCC Electronics Engineering Degrees
- Maine State Propane and Natural Gas Licensing and EPA Universal Certifications.
- Our Mission is to transform Maine’s Energy Paradigm through megawatts of High quality solar Installations and provide people in Maine with Energy Independence.



Knox County would lease its roof space out for the equipment and will have the option to purchase the system at year 6. Sundog Solar would install the system and get an investor to provide the up-front capital to fund the project. The County would then enter into contract to purchase the kilowatt (kW) hours that are generated from the system. A new entity would be created just for this project, such as “Knox County EMA Solar”. The Public Safety Building uses around 400 kW and the system produces around as much as 300 kW (depending on how sunny it is) so the majority of the time all of the produced kW will be used by the building and not go back into the grid. The system consists of 230

panels in 5 sub arrays with access walkways in between. It will handle roughly 50 percent of what the building needs. If any power does go back to the grid, the County will receive a credit on its account.

Solar Power Purchase Agreement Terms:

DC System Size	Estimated Performance Year 1	Installed Cost	Cost of Energy per kWh to KCEMA	Energy Escalator	First year estimated total cost of energy	Six year estimated total cost of energy	Estimated purchase price year 7
63.25 kW	75,100 kWh	\$169,000	\$0.10	3%	\$7,513	\$8,409	\$81,000

If Knox County decides to pursue this solar project

These would be the responsibilities of Knox County EMA:

- Lease the roof and utility room space required for the solar installation to Sundog Solar for \$1/year;
- Purchase all the solar electricity generated according to the PPA schedule;
- Obtain a net metering contract with CMP (Sundog will arrange that for the Agency. The Agency will need to sign);
- Add a liability insurance rider to its regular coverage, to cover the solar facility

These would be the responsibilities of Sundog Solar:

- Build, own and operate the solar system for the duration of the PPA contract;
- Market the Renewable Energy Credits, to help pay for the investment;
- Maintain the system for the duration of the PPA (no O&M costs to the Agency);
- Insure the system (both property and liability) for the duration of the PPA.

The Next Steps toward Construction:

- Agency reviews the Proposal;
- Agency initiates Interconnection Application with CMP;
- Knox County EMA gives go-ahead to move to contract;
- Sundog provides a draft PPA contract;
- Sundog responds to any information requests from the Agency;
- Sundog and the Agency sign the PPA;
- Sundog begins construction.

Commissioner Moody felt that it was worth looking into but noted that the Commission would have to do its own analysis to see if it would be financially worth doing the project, depending on the amortization. He questioned whether 10 cents per kilowatt hour was correct because he thought it was closer to 6 cents. EMA Director Sisk explained that the County is currently paying 9.6 cents per kilowatt hour for power and delivery.

When asked what would happen at year 7 if the County chose to not buy the system, Mr. Piper explained that it would be completely depreciated at that point but the County could continue to purchase the electricity being generated. The benefit of purchasing is that the rates stay level at that point. The panels are going to generate power for 40+ years. The inverters will likely need to be replaced at some point. Sundog would be responsible for maintaining the equipment and conduct operations and maintenance on it annually. If the County purchased the system at year 7, Sundog would charge the County a fee to continue performing maintenance the system.

Commissioner Moody asked for maintenance and replacement costs over the lifespan of the system and project out the County’s costs to determine if doing the project would actually save the County money in the long run. He also asked for a sample of an LLC agreement. Commissioner Maines asked to have a copy of the slide that showed the responsibilities of each party emailed to the county administrator so it could be forwarded to the Commission.

Mr. Piper introduced John Egan, who is both a host (has buildings with solar panels on them) and also a lending agent. Commissioner Maines asked where Mr. Egan had gotten his investors. Mr. Egan said that for both of his buildings, the solar company installer actually took the tax benefits themselves primarily because his company had a good financial relationship with them.

*Danny Piper and John Egan left at 2:38 p.m.*

### III. Public Comment

Commissioner Roger Moody asked for public comment, if there be any.

#### Theodore Berry, Rockland Resident

Mr. Berry made the following statement: “My name is Theodore Berry. I live at 59 Crescent Street, Rockland, Maine. To begin with, I’d like to thank you for putting action item number nine on the agenda for this afternoon. I hope it goes well. So, the first issue that I’d like to raise is in regards to...I guess last month’s meeting. I made a number of email exchanges with the Knox County Commission over the last month or so, and I was given the impression that there wouldn’t be any opportunity to have an executive session until *today*, and then last Thursday or so, I received an email from Chair Roger Moody stating that there had in fact been an executive session in regards to some of the issues that I had raised...and that made me a little startled because under MRS Title 1 Section 405, the law of executive sessions is very clear that the complainant must be given an opportunity to be present...and so, where I was not notified, or presented an opportunity to be heard in regards to that June 6<sup>th</sup>, 2016 executive session...I’d at some point like an explanation for why I wasn’t notified.”

Commissioner Moody explained that the purpose of the executive session on June 6<sup>th</sup> was for the Commission to consult with legal counsel about some of the legal issues Mr. Berry had raised because the complaint contained a lot of references to the U.S. Constitution, state statutes, and prior court cases that may or may not have precedent, and that’s well beyond the commissioners’ expertise so the Commission met with legal counsel to get an understanding of those types of issues. He added that the Commission did not discuss the details of Mr. Berry’s complaint.

Mr. Berry asked if Administrator Hart had taken the opportunity during that executive session to provide defenses to the issues Mr. Berry had raised in his complaint. Commissioner Moody said that he did not.

Mr. Berry stated that he also wished to discuss an issue he had emailed the Commissioners the day before about relating to nepotism. He said that the details of that might be better suited for an executive session because it’s a personnel matter but that he wanted to at least in general explain what nepotism is because he felt that the Commission and the Department Heads hadn’t really taken the time to really understand it.

Commissioner Moody noted that the County has a personnel policy with a section that deals with nepotism, though it may not correspond to whatever issue Mr. Berry was referring to. Mr. Berry said that he was concerned about whether department heads have had nepotism discussed with them. Commissioner Moody responded that it’s the county administrator’s responsibility to make sure the department heads were familiar with policy.

Mr. Berry continued: “Nepotism is about helping your friends and family when you are in an official position, which is unethical because it has a number of unintended consequences that can harm other citizens. Who doesn’t want to help their friends and relatives? You’d probably have to have a pretty cold heart to not want to help your family...to not advocate for your family...to not advocate for your buddies, for your friends. I have expressed serious concerns...that we have lieutenants and sergeants...not at the top, not at the bottom...but in the middle area...where... nepotism types of acts may be occurring...and I was very concerned about...the lack of oversight with regards to...pretty serious forms of nepotism...which I don’t have all the answers to at the moment. Most of what I’ve stated is mere speculation, and so I hope that Sheriff Dennison takes the time to obtain facts...fair facts...that are truthful...and if...and if that doesn’t happen, then I really hope that the Commission can figure out what’s happened there...and not just

with that specific case but with another number of...investigations. Sheriff Dennison, yesterday, didn't even give me the opportunity to fully explain the number of the ongoing investigations or investigations that have ended...because there's a lot of things happening may or may not be nepotism. I asked Geoffrey Rushlau in person, within the last month, and he told me in no uncertain terms that he has not received any complaints in regards to some of these investigations. And the fact that Sheriff Dennison didn't know these things were going on sheds a whole light but that...that's for another...that's not for public comment. Next issue...the practice of County arrests... and the determination of whether an arrestee should be brought to the emergency room, or whether they should be brought to jail. This is a discretionary issue...that over the last year...over the last few years...I've noticed specific County patrolmen...who have taken people in handcuffs to the emergency room...who have no physical injuries of any kind. They were taken to the emergency room in handcuffs. While in the emergency room, they were charged with an offense...yet never taken to jail. So they're charged with an offense, they're taken to the emergency room...even though there's no physical injuries...in handcuffs. A bail commissioner will come to the emergency room...the arrestee will sign a bail bond...an unsecured bond, at that...stating that they should be immediately discharged."

Commissioner Moody stated that Mr. Berry was referring to things that the Commission doesn't deal with. In fact, there was a law suit brought by the Maine Sheriff's Association against the Commission a few years ago, challenging Commission powers. He added that the powers of arrest, etc. are under the Sheriff and not the authority of the Commission. Mr. Berry asked if the Commission is able to file a complaint with the Governor regarding ethical issues if the Sheriff or her employees are knowingly doing things that are unethical. Commissioner Moody responded that the Commission has to abide by law and the law is not always clear. The Commission would have to consult legal counsel on that.

Mr. Berry asked about the possibility of volunteering at the office of the County's legal counsel, Peter Marchesi, to volunteer as a citizen of Knox County and work with Attorney Marchesi's staff on the issues raised because it's so much more difficult to deal with issues from the outside. Mr. Berry felt that there seems to be limited accountability. He said that he was personally frightened as a citizen, and especially since the District Attorney's office has no idea what's going on.

Commissioner Moody thanked Mr. Berry for his interest in county government but wanted to make it clear that the Commission has a lot of confidence in both the elected and appointed officials in the County. The Commission has a different awareness of some issues than Mr. Berry would. It's not that county officials don't ever make mistakes, but the Commission supported their employees.

There was no other public comment.

#### **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 May 10, 2016.
- iii. Minutes of Joint Quarterly Budget Meeting of May 26, 2016.
- iv. Minutes of Special Meeting of June 6, 2016.
- v. Monthly Written Departmental Reports.
- vi. Reserve Withdrawals

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

Commissioner Maines asked Communications Director Lothrop to tell her what VDT stands for since he had mentioned in his report about the Safety Committee discussing VDT requirements. Director Lothrop explained that VDT is the acronym for Video Display Terminal training, more commonly known now as ergonomics.

Commissioner Maines also asked Director Lothrop about his report stating that Administrative Assistant Richards was responsible for the evacuation portion of the courthouse Emergency Action Plan. Director Lothrop said that his report was referring to an element of the evacuation process at the courthouse that she has already been doing. Administrative Assistant Richards explained that she has a check list of all the county employees that work in the courthouse and she checks people off when everyone is gathering at the meeting spot outside, checking with department managers to find out what employees were working that day, and then checks with Clerk of Courts Eileen Bridges to make sure everyone from the State side is accounted for. The court security also does a sweep of the courthouse to make sure no one was left behind.

- A vote was taken with all in favor.

**Reserve Withdrawals:**

DARE	200008-10070	\$960.96
	Total	\$960.96

**V. Action Items**

1. Act on Approval of the Transfer of Forfeited Assets in the form of \$1,087.75 (or any portion thereof) to Knox County in the State of Maine v. Chas Echols.

- A motion was made by Commissioner Richard Parent to approve the transfer of forfeited assets in the form of \$1,087.75 (or any portion thereof) to Knox County in the State of Maine v. Chas Echols. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

2. Act on Approval of the Transfer of Forfeited Assets in the form of \$629.40 (or any portion thereof) to Knox County in the State of Maine v. Rashad Newsome.

- A motion was made by Commissioner Richard Parent to approve the transfer of forfeited assets in the form of \$629.40 (or any portion thereof) to Knox County in the State of Maine v. Rashad Newsome. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

3. Act to Award Bid for One Used Vehicle for Use by the Sheriff’s Office Patrol Division.

The RFP for a used administrative vehicle for the Sheriff’s Office was sent out to seven local vehicle vendors. The County received seven bids back from three vendors. An additional bid from Rockland Ford was received on the 13<sup>th</sup>, but that is three days past the deadline so it was disqualified. Chief Deputy Carroll’s recommendation was to award the bid to Fullers for a used 2015 Chevy Impala at a bid price of \$14,734.

- A motion was made by Commissioner Carol Maines to award the bid for one used administrative vehicle for use by the Sheriff’s Office Patrol Division to Fullers Auto Mall for a 2015 Impala with a bid price of \$14,734. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

4. Act to Approve Job Description for a Shellfish Warden Position in the Sheriff’s Office.

Administrator Hart explained that the Georges River Shellfish Management Committee had approached Chief Deputy Tim Carroll and asked to contract with Knox County for a deputy to serve as a “Shellfish Warden”. The deputy filling this position would serve the towns participating in the agreement: Cushing, Thomaston, Warren, South Thomaston, and St. George. The contract between the County and the Georges River Shellfish Management Committee is still being reviewed by legal counsel and will be brought to the Commission for a vote at a future Commission meeting. The

Position Evaluation Committee reviewed the job description and put the position on the County's wage scale at Grade 11.

Chief Deputy Carroll explained that the agreement between the towns is under the Department of Marine Resources that has been in development for 18 years. The shellfish warden that filled the position for those 18 years has resigned. The standards dictating who can be a shellfish warden includes requiring that the warden be an active law enforcement officer that has gone through the academy, so that's why the Committee contacted the Sheriff's Department. It would be an additional position in the sheriff's department but it would be a wash in the budget because the Committee would be paying for the deputy's salary, benefits, etc. The towns take turns bearing the responsibility of paying for the position for one year at a time. Right now it's the Town of Cushing and Danny Staples is the Chair of the Committee. The Committee is made up with representation from the five towns. The negotiations with the Commission is usually related to the benefits because the position may get benefits depending on how many hours the person works. The County pays benefits at 30 hours. If this position was 28 hours, there wouldn't be any benefits.

- A motion was made by Commissioner Richard Parent to approve the job description for a Shellfish Warden position in the Sheriff's Office. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

5. Act on Reconsideration of Vote for Approval of Additional Expenditures for the Building Envelope Project.

At the May 10<sup>th</sup> Regular Commission meeting, the Commission approved an amount not to exceed \$34,500 to be taken from Courthouse Maintenance Reserve to fix some additional problem areas on the north and west elevations of the building. The \$34,500 did not include Jim Saffian's invoice for preparation of the documents for the lease/purchase or a small invoice in early January from Building Envelope Specialists. There is also another problem with the finance wall that might require having to cut a hole in the wall to find out what the problem is. Water is getting in even though the outside of the wall has been fixed. Administrator Hart said that he was originally going to ask the Commission to vote for an amount not to exceed \$44,000 but it will take more than that to fix the current issues.

- A motion was made by Commissioner Carol Maines to reconsider the Commission's vote on May 10<sup>th</sup> that was for an amount not to exceed \$34,500, and to now vote for approval of additional expenditures for the Building Envelope Project for an amount not to exceed \$50,000 from the Courthouse Maintenance Reserve. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

6. Act on Reconsideration of Two Job Descriptions to be Used in Conjunction with the 2016 Compensation Study Project.

Administrator Hart explained that he had sent both the Fraternal Order of Police (FOP) and National Correctional Employees Union (NCEU) an e-mail letting them know that the County was in the process of reviewing job descriptions as part of the 2016 compensation study. FOP did not have any issues but NCEU reminded him that the union contract requires that the County must negotiate with the union on any proposed changes to job descriptions for the Jail and Communications. Administrator Hart said that this had been an oversight on his part. The only NCEU union position descriptions were dispatcher and dispatch supervisor. He asked the Commission to vote to re-consider approval of the two job descriptions and said that he would then negotiate with NCEU on the changes to those job descriptions. He noted that he would meet with NCEU representative Bill Doyle to go over the two job descriptions, and then the Commission will be asked to approve them at a future meeting, possibly in July.

- A motion was made by Commissioner Carol Maines to re-consider the Commission's approval of the job descriptions for dispatcher and dispatch supervisor as approved on May 10<sup>th</sup>. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

7. Act to Approve County of Knox Manager Handbook.

- A motion was made by Commissioner Richard Parent to approve the Knox County Manager Handbook, effective July 1, 2016. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

8. Act to Award Carpet Replacement Bid.

This project is to replace the carpeting in the hallway outside of the Registry of Deeds and down the ramp that leads to Probate and Finance. The RFP for this project was sent to three local flooring vendors. Of the three, only one vendor (Floor Magic) attended the mandatory pre-bid meeting and was therefore the only vendor allowed to submit a bid.

- A motion was made by Commissioner Carol Maines to award the carpet replacement bid to Floor Magic for a bid total of \$4,035.31. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

9. Act on Citizen Request for a Fee Waiver Under the Freedom of Access Act (FOAA).

Commissioner Moody explained that this request is not eligible per state statute to be discussed in executive session so it will be done in open session. He asked Mr. Berry if he had anything else he wanted to share with the Commission.

Mr. Berry stated that besides the documentation he had already submitted, he just wanted to relay that last year he had a large medical bill that he couldn't pay so he was asked for his income information. His bill was ultimately waived based on his income. He relayed this instance as evidence of his being indigent. He stated that he has the right to be protected against economic discrimination. He had offered, when making the request for a fee waiver to the county administrator, to provide documentation such as his tax returns to prove indigency. He said that Administrator Hart had no doubt that he was indigent yet Administrator Hart's denial letter made no mention of any of the constitutional rights that he had asserted, nor was there any mention of indigency.

Commissioner Maines asked how the estimated cost for fulfilling Mr. Berry's FOA requests had been calculated. Administrator Hart explained that the first hour of research time spent by County employees is free per state statute, but anything beyond that is \$15 an hour. There is also a charge of \$0.50 per printed page. The department managers who would be collecting the requested information are asked to estimate how long it will take them to do the research and how many pages they estimate it will end up being. Mr. Berry had asked for so much information that the estimate for both time and copies ended up being a total of \$577.57.

Mr. Berry stated that Administrator Hart had denied him the opportunity to negotiate costs and every time he asked Administrator Hart a question, Administrator Hart either said "I don't know", or said that he was not a lawyer, and made no effort to get an answer. Administrator Hart also said things like "no comment" and that he was "not the court" and therefore couldn't answer questions. Mr. Berry claimed that Administrator Hart had told him that the only jurisdiction beyond the County is Superior Court, and told him to take his complaint there. Mr. Berry said he did not believe that was necessary at all and that was why he brought his complaint to the Commission.

Commissioner Moody stated that he appreciated Mr. Berry providing the Commission with his financial information since it's helpful determining financial condition; however, the issue of whether Mr. Berry can afford to pay the fees is only part of what needs to be discussed. The Commission is bound to release information that is allowable, but he felt that for someone to ask for such a large amount of information and documentation, there must be an underlying issue that Mr. Berry has knowledge of and is searching for.

Mr. Berry suggested that the Commission set a cap on fee waivers since the County does not have a policy that regulates the waiving of fees. He suggested the cap be \$1,000, but added that he didn't know if the Commission could actually do that legally or not.

Commissioner Moody felt that Mr. Berry was essentially asking the tax payers of the County to fund what Mr. Berry can't pay, which didn't seem fair. He also felt that Mr. Berry had not raised issues substantial enough to convince him that there's something horribly, irretrievably wrong that the Commission needs to address. Mr. Berry said that was because he hadn't been able to address that yet.

Commissioner Maines said if the Commission is to determine indigency, she wanted to know if he was currently employed. Mr. Berry stated that he wanted to abstain from answering that unless the Commission *had* to know the answer.

Commissioner Moody said it was odd that Mr. Berry would be reluctant to answer that question. Mr. Berry asked to explain himself in the executive session, but Commissioner Moody said that it was not a proper subject for executive session. Mr. Berry then conceded that he is currently unemployed.

There was some confusion about how much Mr. Berry was willing to pay towards the total amount of fees for the documentation he was requesting since he had said he was willing to negotiate, but it ultimately became clear that Mr. Berry did not want to pay for *any* of it. He was requesting a complete waiver of the fees. After discussing what years were represented in Mr. Berry's requests, Commissioner Maines determined that if the 2013 records were cut from the request, that would lower the fee amount to \$237, which is about half of what it originally was. This caused further confusion because Commissioner Maines had wanted to know if Mr. Berry could afford to pay the fees if he simply requested less information, but Mr. Berry thought Commissioner Maines was suggesting that he could have the fees completely waived (and pay nothing) if he would be willing to ask for less information.

Commissioner Maines asked Mr. Berry if he'd be willing to drop his complaint against Administrator Hart if the Commission approved the complete fee waiver. Mr. Berry asked if that was part of the negotiation; Commissioner Maines said that for her, it was. Mr. Berry said that his interest was to make the Commission aware of what had happened. Commissioner Maines noted that there are no standards for granting these types of waivers, which is why the Commission isn't interested in pinning any fault on someone who was following legal counsel. She asked for a short recess to review the information and consult with the County attorney before she made her motion.

Commissioner Moody called for a 5 minute break. The video streaming recording was stopped at 3:49 p.m. and then resumed at 3:54 p.m. The meeting itself resumed at 3:58 p.m.

- A motion was made by Commissioner Carol Maines to grant a waiver in the amount of \$237.50 for expenses associated with Mr. Berry's pending FOA request as amended in the open session on the grounds of indigency. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

## **VI. Other Business**

## **VII. Executive Session**

*All meeting attendees left at 3:59 p.m. except for the three commissioners, Administrator Hart, Theodore Berry, and County Attorney Peter Marchesi.*

1. 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 Carol Maines to 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 Richard Parent. A vote was taken with all in favor.

The executive session convened at 4:00 p.m.

The executive session concluded at 4:19 p.m.

### **VIII. 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 4:20 p.m.

Respectfully submitted,

Candice Richards  
Administrative Assistant

**The Knox County Commission approved these minutes at their regular meeting held on July 12, 2016.**