

KNOX COUNTY COMMISSION

Regular Meeting

Tuesday – July 8, 2014 – 2:00 p.m.

The regular monthly meeting of the Knox County Commission was held on Tuesday, July 8, 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, Building Maintenance Supervisor Don Decker, Airport Manager Jeff Northgraves, Finance Director Kathy Robinson, Jail Administrator John Hinkley (*left at 2:13 p.m.*), and Sheriff Donna Dennison (*left at 2:13 p.m.*).

Regular Meeting – Agenda Tuesday – July 8, 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. Minutes of Regular Commission Meeting of June 10, 2014.
 - iii. Minutes of Special Commission Meeting of June 26, 2014.
 - iv. Monthly Written Departmental Reports.
 - v. Reserve Withdrawals.
- IV. 2:40 Action Items**
 1. Act to Approve the FY16-FY17 Knox County Jail Budget.
 2. Act to Recommend to US DOT to Accept Cape Air's "W6" Proposal for Another 4 Year EAS Contract and Authorize Chair to Sign the Letter to US DOT.
 3. Act to Approve Proposed Schedule and Press Release to Fill Vacant District #3 APAC Seat.
 4. Act to Authorize the County Administrator to Execute a Stipulated Judgment on Behalf of Knox County to Conclude the Litigation in *Knox County, Maine v. Jason Benner, et al.*, Civil Action, Docket No.: WIS-SC-CV-2014-15.
 5. Act to Award Courthouse Brick & Masonry Repairs Bid & Approve Additional Funding for This Project.
- V. 3:00 Other Business**
- VI. 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 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 June 10, 2014.
 - iii. Minutes of Special Commission Meeting of June 26, 2014.
 - iv. Monthly Written Departmental Reports.
 - v. 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 Maines asked Airport Manager Jeff Northgraves about the last paragraph in the monthly report from Stantec. She asked what “impose and use” and “impose only” meant. Manager Northgraves explained that the FAA authorized the County to impose a facility charge and use it for specific projects. Right now the Airport has money that has been accumulating for the past three years, some of which has been used for certain projects. He said that now the Airport was trying to get FAA approval to use what’s left for other projects.

- A vote was taken with all in favor.

2014 Reserve Withdrawals – February Expense:

Sheriff Vehicles	200008-12770	\$9,982.67
	Total	\$9,982.67

2014 Reserve Withdrawals:

Airport Projects	461608-14640	\$261.75
Airport Equipment	461608-14610	\$5,357.00
DARE	200008-10070	\$2,188.50
Deeds Surcharge	200008-12740	\$572.90
Dispatch Professional Services	561800-12645	\$3,600.06
Orthoimagery	200008-12767	\$190.00
	Total	\$12,170.21

IV. Action Items

1. Act to Approve the FY16-FY17 Knox County Jail Budget.

Administrator Hart stated that the FY16-FY17 Knox County Jail Budget was discussed very briefly at the June 26, 2014 Special Commission Meeting when the Commission voted to approve the FY15 Budget to be submitted on June 30. He said that the FY16-FY17 Budget has to be submitted to the BOC by July 11th. The County has used the growth factor for each year as approved by the BOC. Since both FY16 and FY17 exceed the LD 1 growth factor, the County will be required to complete Biennial Budget Initiative Worksheets for both budget years for each commodity increased and provide justification for each. The BOC will use the worksheets to build the request for a supplemental to the Legislature for additional funding for the FY16 and FY17 budgets. He said that he, Finance Director Robinson, Sheriff Dennison, and Major Hinkley have all spent countless hours working on this.

When asked about Maine Pretrial Services, Administrator Hart said that the County hasn’t signed anything with MPS yet for the use of the old EMA offices in the Courthouse. He said that he had met with Major Hinkley and Elizabeth Simoni of MPS to view the space and discuss options/concerns. Ms. Simoni had some things she wanted to look at and follow up on. The County is operating on the current contract until a new agreement is reached. If the County can provide a space for MPS to use, MPS will decrease the County’s fee by that amount.

There was a brief discussion regarding whether vehicles should be in the capital improvement section of the budget, or in the operating budget. Major Hinkley explained that the BOC keeps changing their minds about where they want vehicles located in the budget.

Commissioner Parent noted that Administrator Hart, Finance Director Robinson, Major Hinkley, and Sheriff Dennison had used some creative methods to get the FY15 budget down. He asked if the lower budget amounts will have to carry over into FY16 budget. Major Hinkley responded that this was correct.

- A motion was made by Commissioner Roger Moody to approve the FY16-FY17 Knox County Jail Budget. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.
2. Act to Recommend to US DOT to Accept Cape Air’s “W6” Proposal for Another 4 Year EAS Contract and Authorize Chair to Sign the Letter to US DOT.

Airport Manager Northgraves explained that Cape Air’s proposal was the only submission received by the US DOT. Cape Air included an option to increase summertime flight activity by one additional round trip flight per day (“W6”). He said that Cape Air Vice President Andrew Bonney did a telephone interview with the City of Rockland, who will also be submitting their opinion to the US DOT. The FAA is still waiting for comments before they either approve or deny Cape Air’s proposal.

Commissioner Maines asked about the next to last paragraph in the letter:

“The Commission understands the Cessna 402 does not meet the 15-or-more-passenger-seat standard called for by the governing statutes, and that we are, in effect, waiving our right to a 15-seat or larger aircraft, for this four-year carrier-selection.”

Manager Northgraves explained that by law, the carrier is required to offer the County larger aircraft. With this, the Commission is saying that the County doesn’t want the larger aircraft but reserves the right to change its mind the next time the County selects a carrier.

Commissioner Moody asked about the credibility of Cape Air since even Mr. Bonney had admitted during his presentation that Cape Air had some difficulties during the winter. Manager Northgraves said that the planes are aging but Cape Air’s maintenance cancellations have gone way down in the last couple months and the public seems to be happy with the carrier.

- A motion was made by Commissioner Richard Parent to recommend to the USDOT to accept Cape Air’s “W6” proposal for another 4 year EAS contract and authorize the county administrator to sign the letter to the USDOT. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.
3. Act to Approve Proposed Schedule and Press Release to Fill Vacant District #3 APAC Seat.
- Airport Manager Northgraves explained that Marjorie Stratton’s resignation as the Vinalhaven Town Manager, and therefore also leaving the APAC, requires that the Commission appoint someone to fill her seat for the remainder of her term which ends in 2015. He said the seat needed to be filled as soon as possible. He added that he had already sent email notifications to each of the towns/islands in District #3, including Rockport, with the draft timeline and press release. He said that he had contacted Vinalhaven and North Haven directly to urge them to consider filling the seat.
- A motion was made by Commissioner Roger Moody to approve the proposed schedule and press release to fill the vacant District #3 seat on the Airport Public Advisory Committee. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.
4. Act to Authorize the County Administrator to Execute a Stipulated Judgment on Behalf of Knox County to Conclude the Litigation in *Knox County, Maine v. Jason Benner, et al.*, Civil Action, Docket No.: WIS-SC-CV-2014-15.

Administrator Hart explained that when the Judge signs the Stipulated Judgment, the case will be concluded and the County will pay the amount of damages to Bayview Loan Servicing, LLC. Commissioner Maines asked how much extra the litigation cost the County. Administrator Hart responded that it cost the County some in legal fees, but that Attorney Jim Katsiaticas was trying to push this along, and it was Bayview that was dragging their feet. The County had already approved the amount of damages and cut a check to Lincoln County Superior Court, so once the judge has made a decision, the County will have to re-cut the check to Bayview if that’s how it’s decided. When asked if

the conclusion of the litigation takes care of things with regards to the easement, Manager Northgraves said that the County already has the easement and the Airport is going to start cutting trees later this summer.

Commissioner Maines mentioned that at the APAC meeting yesterday, they discussed whether it would help if the Chair of the Commission sent a letter to the individual at the FAA reviewing the Master Plan Update to encourage him to complete reviewing it. Manager Northgraves suggested having the county administrator send a letter first, and have the Chair send a letter later on if necessary. The commissioners agreed with this strategy. Administrator Hart said that he would copy the Commission on the letter when he sends it. Manager Northgraves noted that it would be good to send out the letter in the next week or so.

- A motion was made by Commissioner Richard Parent to authorize the county administrator to execute a Stipulated Judgment on behalf of Knox County to conclude the litigation in *Knox County, Maine v. Jason Benner, et al.*, Civil Action, Docket No.: WIS-SC-CV-2014-15. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

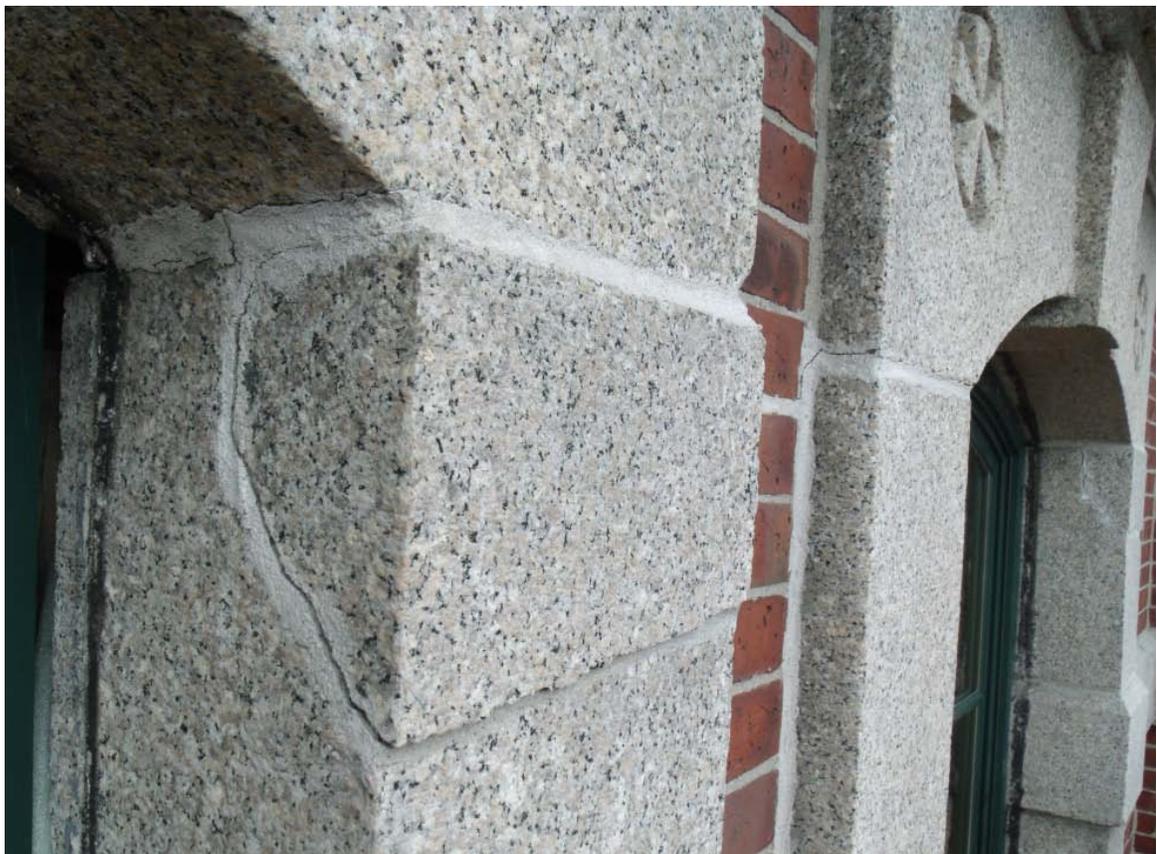
5. Act to Award Courthouse Brick & Masonry Repairs Bid & Approve Additional Funding for This Project.

Administrator Hart explained that the request for proposals was sent out to six vendors on June 19. Three vendors showed up for the mandatory pre-bid meeting on June 25. The County only received 1 bid by the deadline of July 2nd. Standard Waterproofing, Inc's bid was \$60,000.00. One of the other vendors that came to the mandatory pre-bid meeting, Knowles Industrial Services, sent a bid overnighted via FedEx but it arrived nearly 26 hours past the bid opening deadline. The tracking information seems to indicate that the bid went to Knox County in Tennessee first before being sent to Rockland. Knowles' bid was opened upon receipt and it turned out to be for \$114,848, an amount almost twice as much as Standard Waterproofing, Inc's bid.

Administrator Hart explained that Building Maintenance Supervisor Don Decker had taken pictures of some granite that was coming loose and cracked, as well as a chunk that had fallen onto the lift when windows were being installed. The Commission had been provided with those pictures as well as some pictures of the loose brickwork and roof damage. Administrator Hart said that he had called Carmen Bombeke, a construction engineer for Gartley & Dorsky, to have her come view the building and suggest a course of action. He said that Ms. Bombeke is still trying to come up with what she thinks is the process is that the County needs to follow to fix the granite. Ms. Bombeke had indicated that doing the exterior trim and painting, replacing the windows to cut back on water infiltration, as well as the brick replacement project, are all helping mitigate further damage to the walls.

Administrator Hart said that he also had a discussion with Chad Bailey at Standard Waterproofing, Inc. He said that his recommendation was to either table the agenda item, or reject the bid, so that the County could possibly have an architect view the building and write up a more detailed set of specifications. He said that he thought it was going to cost a lot more than originally thought it should be but depending on how bad the damage ends up being once the projects are started, he really couldn't put a figure on the amount of maintenance that needs to be done to the building. Mr. Bailey had suggested that it would make sense for the County to go out to bid again in January to give companies time to get the project completed, including the few months it takes to do a mortar analysis. Mr. Bailey understands that the County should probably reject the bid at this time, and then bid it out again next year after an architect comes to help develop more detailed specs.

Commissioner Parent said he was very concerned about the granite and asked if all of it was cracked. Mr. Decker said that every one of them that has an eyelet (a window sill) is cracked. He noted that the granite should have been drilled so that water could run through. Instead, water pools up and runs behind the bricks. He noted that the piece that fell out was about two feet long and eight inches thick.



Commissioner Moody said that he understood wanting time to put a more comprehensive bid package together, but asked if waiting until next year would ultimately cause more damage because the building would go through another winter before anything is done. Administrator Hart said that Ms. Bombeke recommended finishing the projects that the County has already started, which includes McCormick & Associates fixing the rotted wood. He added that McCormick’s will also give him a price on the roof beam repair since it makes sense for them to do it since they’re already up there with a lift.

Administrator Hart noted that Ms. Bombeke recommended that the County also do more windows replacements in 2014 that he had slated to be replaced in 2015, but he said that he didn’t think that the County would get any bids because the vendors are already so busy, including McCormick’s, which is already doing a project on the courthouse. There just wouldn’t be time. In the meantime, Ms. Bombeke recommended doing some caulking to seal the windows. She agreed with doing the granite fixes after doing the brick and mortar repairs next spring.



Mr. Decker commented that he was going to use McCormick's lift to put some flexible sealant on the walls to prevent the bricks from getting any worse for now.

Commissioner Moody wanted to make sure that it was noted in the record that the rejection of Standard Waterproofing's bid wasn't due to any fault by the vendor, but rather it was because the County now knows more about what needs to be done.

- A motion was made by Commissioner Roger Moody to reject the \$60,000 bid from Standard Waterproofing, Inc. and go out to bid again in January after putting together a more comprehensive RFP, and note that the rejection of the bid is not a reflection on the bidder. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

Administrator Hart commented that he had spoken to Alan Mitchell of McCormick's regarding the replacing of rotten wood that they find while working on the exterior trim painting and soffit repairs, and the company has replaced some rotten wood over by the Finance Office and put some primer on it. On the side facing the Community Center they did a coat of primer and a coat of finish. Now they're working on the front of the Courthouse but that won't need any paint. Administrator Hart noted that he had asked Mr. Mitchell where the project stands as far as going over the original amount approved. Mr. Mitchell thought it was at about \$2,000 and McCormick's has done probably more than half of the work. Administrator Hart noted that his estimate had been no more than \$8,000, so he thought the final amount will come in well under that.

V. Other Business

VI. Adjourn

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

The meeting adjourned at 2:54 p.m.

Respectfully submitted,

Candice Richards
Administrative Assistant

**The Knox County Commission approved these minutes at their regular meeting
held on August 12, 2014.**