

KNOX COUNTY COMMISSION

Regular Meeting

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

The regular monthly meeting of the Knox County Commission was held on Tuesday, September 9, 2014, at 2:00 p.m., at the county courthouse, 62 Union Street, Rockland, Maine.

Commission members present were: Carol L. Maines, Commissioner District #1, Richard L. Parent, Jr., Commissioner District #2, and Roger A. Moody, Commissioner District #3.

County staff present included: County Administrator Andrew Hart, Administrative Assistant Candice Richards, Airport Manager Jeff Northgraves, EMA Director Ray Sisk (*left at 2:33 p.m.*), Finance Director Kathy Robinson (*left at 2:48 p.m.*), and Communications Director Linwood Lothrop (*left at 3:21 p.m.*).

Others in attendance: MCCA Executive Director Rosemary Kulow.

Regular Meeting – Agenda Tuesday – September 9, 2014 – 2:00 p.m.

- I. 2:00 Meeting Called To Order**
- II. 2:01 Public Comment** - Public Comment during other portions of the meeting will only be granted by permission of the chair.
- III. 2:15 Consent Items**
 - 1. Approve Consent Items as Presented:
 - i. Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
 - ii. Minutes of Regular Commission Meeting of August 12, 2014.
 - iii. Minutes of Joint Quarterly Budget Meeting of August 28, 2014.
 - iv. Monthly Written Departmental Reports.
 - v. Reserve Withdrawals.
- IV. 2:20 Action Items**
 - 1. Act to Set Date for Regular Commission Meeting in November.
 - 2. Act to Authorize the County Administrator to Contract with Scott Whitaker of Building Envelope Specialists for Masonry Envelope Consulting & Design Services.
 - 3. Act to Approve the Placement of a Memorial Stone or Bench in Front of the Courthouse.
 - 4. Act to Approve and Authorize the Chair to Execute a Right-of-Way Easement for Bill and Tiffany Darge.
 - 5. Act to Approve Airport Vehicle Parking Policy Changes.
- V. 2:45 Discussion Items**
 - 1. Discussion of Date & Time for 2015 Budget Review with the Commission.
 - 2. Discussion of Date & Time for Meeting with Board of Corrections Executive Director Ryan Thornell to Discuss the Coordinated Jail System.
 - 3. Discussion of Date & Time for Presentation of the Knox County Audit for the Year Ending 12/31/2013 and the Knox County Jail Audit Ending 6/30/13.
- VI. 3:00 Other Business**
- VII. Adjourn**

I. Meeting Called to Order

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

II. Public Comment

Commissioner Carol Maines asked for public comment.

Administrator Hart noted that the Commission had agreed to let Phil Merletti of the Maine Constitution Coalition come speak to them during public comment but although the meeting had already started, Mr. Merletti was not present. Administrator Hart also explained that Mr. Merletti never actually confirmed that he would be attending and hadn't responded to the email Administrator Hart had sent stating that the

Commission had agreed to give him time to speak at the September regular meeting. He said that he was confident that the email address he used was correct because the Sheriff had received emails from Mr. Merletti from that address, and Administrator Hart had also spoken with Mr. Merletti’s wife, who had given him the email. Administrator Hart commented that he felt that the Commission had done its due diligence in arranging for Mr. Merletti to speak during public comment and reading the packet of material supplied, and yet Mr. Merletti was not present.

Commissioner Maines commented that the Commission may grant Mr. Merletti time to speak if he does show up later.

[Note: Phil Merletti did not arrive at any point during the course of the meeting.]

There was no further public comment.

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 August 12, 2014.
- iii. Minutes of Joint Quarterly Budget Meeting of August 28, 2014.
- iv. Monthly Written Departmental Reports.
- v. Reserve Withdrawals

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

Commissioner Moody asked Finance Director Kathy Robinson about the Sheriff’s Department’s revenues lagging behind from last year. Finance Director Robinson explained that the revenue is made up of money coming in from Civil Process, and the contracts with MDEA, Vinalhaven and North Haven. The MDEA contract was unfilled for a while so the County wasn’t receiving money for that.

Commissioner Maines asked Communications Director Linwood Lothrop about some comments included in his Commission report that were made by KRCC Executive Board members at a meeting on August 6. Director Lothrop responded that he believed that after the last two sessions, some of the individuals who were feeling negative about the changes to the bylaws now have a better idea of the intent of the document and the language. He said that he didn’t think that the “users” were as upset as they had been in the beginning. Commissioner Moody commented that this was his understanding as well.

Commissioner Maines asked EMA Director Ray Sisk about the Part-time GIS position mentioned in his report. She asked if he was saying that he would be able to continue funding the position with grant monies until March. Director Sisk responded that one of the grants that he’s asking for is to fund the position until the end of March of 2015.

Commissioner Parent asked Finance Director Robinson to explain what the Airport “Expense Outstanding” in her report referred to. Director Robinson responded that it is any revenue that the County hasn’t received yet.

- A vote was taken with all in favor.

Reserve Withdrawals:

Courthouse Computer	200008-12660	\$13,475.75
DARE	200008-10070	\$448.81
	Total	\$13,924.56

IV. Action Items

1. Act to Set Date for Regular Commission Meeting in November.

The second Tuesday in November this year is a holiday (Veterans Day), so the Commission needed to set the date of the November Regular meeting on a different day.

- A motion was made by Commissioner Roger Moody to set the date of the November Regular Commission meeting as Monday, November 10, 2014. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

2. Act to Authorize the County Administrator to Contract with Scott Whitaker of Building Envelope Specialists for Masonry Envelope Consulting & Design Services.

Administrator Hart explained that after Scott Whitaker and Steve Jones from the Building Envelope Specialists did a presentation at the Joint Budget Committee/Commission Quarterly Budget Meeting on August 28th and handed out copies of a proposal for Masonry Envelope Consulting & Design Services, he had asked Mr. Whitaker to submit a revised proposal since Mr. Whitaker had agreed to a deduction on the previous quote. The new quote given was for all three phases for a total of \$25,000. This would provide the County with a comprehensive set of specifications and plans with quotes from qualified bidders. The Commission and Budget Committee, in consultation with Scott Whitaker, could then decide if the County will do the project all at once or do it in a phased approach. An assessment needs to be done on the building before the County can even attempt to go out to bid again for the brick and masonry repairs. Administrator Hart stated that he tried to call architects to get a price for this type of work, but a few indicated they were not interested and one company told him that they would meet with him but then never responded to his email. The Maine Historic Preservation Commission recommends BES as a specialized vendor and as having the best expertise in this area. He said that he had also contacted six of BES' references: architectural firms, State agencies, educational facilities, municipalities, and non-profits, and discussed projects and the performance of BES. All spoke very highly of BES and said they were very knowledgeable, detailed, and would hire BES again for additional projects at their facilities. Paul Cook, President of Maine Real Estate Management had also emailed his support for the County hiring BES.

Administrator Hart also noted that Administrative Assistant Candice Richards is working on applying for grants to help pay for the project. As part of that, the County needs a timeline and a budget, so BES will be helping with doing that.

Commissioner Moody asked if the County could use the Courthouse Renovations & Maintenance Reserve funds if the County is unable to get any grant money. Administrator Hart answered yes. Commissioner Parent asked how much money was left in the reserve. The answer was \$146,747.

Commissioner Moody asked if the Commission needed to decide whether to do the project all at once or in phases. Administrator Hart replied that he and Finance Director Robinson would need to meet with Scott Whitaker to come up with options first.

- A motion was made by Commissioner Roger Moody to authorize the County Administrator to contract with Scott Whitaker of Building Envelope Specialists for Masonry Envelope Consulting & Design Services in the 3-phased approach as proposed by Scott Whitaker, not to exceed \$25,000. The funding for this will come from the Courthouse Renovation & Maintenance Reserve Account. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

3. Act to Approve the Placement of a Memorial Stone or Bench in Front of the Courthouse.

Administrator Hart explained that he has been meeting with a group of employees, known as the Employee Recognition Committee, since February. The Committee has met three times so far and has a fourth meeting scheduled. The Committee is looking at different ways to recognize employees' years

of service on anniversary dates and also milestone anniversaries. Discussions have included directories with names, titles and possibly photos, food events for employees such as pot lucks, and also the possibility of having a small “park” in front of the Courthouse with a memorial stone or bench inscribed with the names of those who have died in the line of duty in Knox County. Administrator Hart said that the Committee is still working on coming up with the costs but we wanted to know if it was something the commissioners were even interested in pursuing.

After being asked who served on the Committee, Administrator Hart listed the members:

- Finance Office – Deputy Treasurer Barbie Sylvester
- Sheriff’s Department – Detective Supervisor Reggie Walker
- Probate Office – Julie Allen
- Jail – Assistant Jail Administrator Kathy Carver
- DA’s Office – Victim/Witness Advocate Stephanie Laite
- Administrator Hart
- HR Representative Laurie Bouchard

There seemed to be some confusion about what exactly Administrator Hart was asking the Commission to do. Administrator Hart was looking for approval from the Commission to start the process of working on the placement of a memorial stone or bench in front of the courthouse, if it was something that the Commission was interested in doing. The commissioners seemed uncomfortable with approving this agenda item without a clear plan of what the Administrator wanted to do. Some of the commissioners concerns were:

- Whether the monument/bench was going to be a permanent fixture or something that can be moved if the courthouse is being worked on
- Whether the County would need approval from the City of Rockland’s Planning Board
- Whether the placement or design of the memorial/bench would change the aesthetic of the courthouse
- Whether the Historical Preservation Commission needed to be consulted first
- Where was the monument/bench going to be placed
- Whether there would be names on the monument/bench

Since these things are still being discussed and decided by the Committee, Administrator Hart didn’t have a plan set in stone yet. He said that he would check with Rockland’s Code Enforcement Officer if the County needed approval from the Rockland Planning Board.

- A motion was made by Commissioner Roger Moody to approve the concept and wait to see the plans before giving final approval. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

4. Act to Approve and Authorize the Chair to Execute a Right-of-Way Easement for Bill and Tiffany Darge.

Airport Manager Jeff Northgraves explained that the Airport is currently doing an FAA funded AIP project to mitigate obstructions that compromise various FAA protected imaginary surfaces around the runways. Last year the County acquired several Avigation Easements in the approach surfaces to facilitate this project. Originally he had intended to erect poles with solar-powered lights to mark some of the “non-approach” surface obstructions but one specific light pole would have cost over \$250,000 just to mark a handful of trees just off the airport, on private property, because he would have had to trench a power line to it. The landowner had recently purchased the land, along with a non-adjacent lot, and did not have any access/right-of-way between the two. Since the landowner wanted an easement across Airport property, Manager Northgraves asked the FAA if the County could swap easements, which the FAA then approved, in part because it saved the County a lot of money in the long run. Landowners Bill and Tiffany Darge have agreed to exchange easements.

- A motion was made by Commissioner Richard Parent to approve and authorize the Chair to execute a Right-of-Way Easement for Bill and Tiffany Darge. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

5. Act to Approve Airport Vehicle Parking Policy Changes.

Airport Manager Northgraves explained that every few years the County updates the fee structure for vehicle parking at the Airport. He said he tries to do it on a year when the COLA increase brings the fee up to an even dollar amount to make it easier for the people parking at the airport. There has been a problem with vehicles parking in grass areas by the “long term” parking and blocking access areas (over 20 at one time) because the “long term” lot was full and people were trying to avoid parking in the “short term” parking just to save the \$1 per night difference. People were even pulling up stakes that were there to rope off areas and parking there anyway. Airport staff couldn’t have vehicles towed because the current policy does not mention these types of infractions. Changing the policy eliminates the distinction in costs between the long term and short term lots, setting both at \$5 per night. It also eliminates the excuse of those using the airport to park on the grass when the long term lot is full. (This does not apply to vehicles parked in designated grass parking areas, like Budget and/or Enterprise vehicles.) The County has a parking ordinance and the airport’s parking policy has always been considered to be an extension of that ordinance, so another change is to state up-front that this policy is part of that ordinance. It gives the Sheriff’s Department the authority to issue tickets and charge a fee.

Commissioner Maines commented that she wanted to make sure that the County Parking Ordinance matched up with the airport policy. Commissioner Moody suggested that the Airport’s policy should be kept with the Courthouse parking ordinance in the collection of County policies.

- A motion was made by Commissioner Richard Parent to approve the proposed Airport Vehicle Parking Policy changes. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

V. Discussion Items

1. Discussion of Date & Time for 2015 Budget Review with the Commission.

Administrator Hart asked the Commission for input in selecting a date and time for a special Commission meeting to review the draft of the 2015 Budget with department managers before it goes to the Budget Committee for review. The meeting was set for October 3rd at 9:00 a.m. A copy of the draft will be mailed out to the Commission prior to the October 3rd meeting.

2. Discussion of Date & Time for Meeting with Board of Corrections Executive Director Ryan Thornell to Discuss the Coordinated Jail System.

Administrator Hart explained that BOC Executive Director Ryan Thornell was trying to attend Commission meetings around the state to discuss a few things. Director Thornell had indicated that he could attend the next Regular meeting on October 14th. BOC Chair Sheriff Joel Merry will attend if he can.

MCCA Executive Director Rosemary Kulow commented that the BOC sub-committees have been very busy, working out a lot of issues before they’re brought to the BOC. There is a lot of county input on the sub-committees. MCCA is working with those committees to make sure that the different sides are working together. She said that Director Thornell has already met with some other county commissioners, and while he was visiting those counties, he even met with some jail employees so he could listen to some of their concerns.

It was noted that Chief Deputy Carroll serves on the Jail Operations Sub-committee, Administrator Hart serves on both the Jail Standards and Jail Programs sub-committees, and there is also a Finance sub-committee but no one from Knox serves on that one.

3. Discussion of Date & Time for Presentation of the Knox County Audit for the Year Ending 12/31/2013 and the Knox County Jail Audit Ending 6/30/13.

Last year when Auditor Jim Wadman came to do the audit presentations, Administrator Hart had asked how the Commission wanted to proceed with audit presentations in future years because it costs money to have Mr. Wadman come to do a presentation. The commissioners all wanted to continue having audit presentations for the sake of transparency and to have a chance to interact with Mr. Wadman and ask questions in a public meeting. Mr. Wadman had indicated that he would be willing to come to a Special Commission meeting if the Commission wanted to meet on a day when he was already in the area to lower the cost to the County for his attendance and presentation. Mr. Wadman and his firm will be in the City of Rockland performing the City's audit on November 3rd and 4th. The Commission needed to decide which day and what time to have the Special Meeting. Kellie Bowden, auditor for Mr. Wadman's audit firm, will discuss both the County and Jail audits with the Commission. The Commission settled on November 4th at 2:00 p.m.

VI. Other Business

Airport 2014 Master Plan Update Progress

Commissioner Maines asked Manager Northgraves if there had been any progress with the Master Plan Update. Manager Northgraves stated that Ralph Nicosia-Rusin of the FAA did submit comments on the draft of the Plan, but he didn't provide any comments on the 200 additional feet at either end of the runway. Instead, Mr. Nicosia-Rusin asked for more information, which was provided, and he has yet to submit the rest of his comments. Manager Northgraves said that after consulting with Stantec, he would like Administrator Hart to go ahead and write a letter to the FAA indicating that the County needs Mr. Nicosia-Rusin's comments or the County will proceed with the next step in the process. The paving project for next year is in the design phase right now and the project design can't be completed until it's known whether the extension of the runway in both directions can be done at the same time as part of the paving project. Administrator Hart said that he would write the letter as asked.

MCCA and US Communities

Maine County Commissioners Association Executive Director Rosemary Kulow informed the Commission that the MCCA is looking into having a relationship with the "US Communities", which is a non-profit organization that does joint purchasing among counties and other public entities, such as municipalities, correctional institutions, school districts, etc. They go out to bid for contracts. MCCA would receive non-dues revenues from participation. It would give the counties another way to shop for better prices. It's the same kind of idea as the agreement MCCA has with the prescription drug program through NACo. Ms. Kulow indicated that she would be getting out information to everyone soon.

Maine Preservation

Administrator Hart explained that the annual meeting of the Maine Preservation group is in Rockland in October this year and they had approached Commissioner Maines to find out if they could visit the courthouse. Administrator Hart asked Commissioner Maines if she had a contact for the group so he could get more information and work with Don Decker since the group was asking to come on a Saturday when no one would be in the building. He also noted that it would have to be coordinated with the State because you can't have a bunch of people wandering through the courthouse in confidential areas without supervision.

Commissioner Maines said that the group had indicated that they want to come and celebrate the successful marriage of an old building with a new building since some other counties have abandoned their old buildings and moved into new, modern buildings. She thought that it was Brian Harden who had originally brought it up to her.

NCEU

Administrator Hart noted that he and Commissioner Parent have a mediation session with NCEU on September 22nd. Denis Gene is the mediator from the Maine Department of Labor who will be there.

Water Leakage at the Public Safety Building

Administrator Hart explained that there had been an issue of unexplained water in the parking lot at the Public Safety Building. Originally it was thought to be a sewer leak but it turned out to be a pipe that was moved by frozen water. Quite a bit of water went into the ground and became over-saturated, eventually running out under the sidewalk and into the parking lot. Jake Barbour, Inc had to tear out some of the sidewalk to fix the problem. Administrator Hart said that he is still trying to find out who is responsible to pay for this, whether it's the County's responsibility or someone else's, such as the contractor or possibly a sub-contractor. He stated that that County was not going to pay the bill until he finds out whose fault it is.

Adjacent Property to the Jail

Commissioner Maines asked if Administrator Hart had contacted the owner of the kennel property (next to the Jail) again about purchasing it. Administrator Hart responded that he still needed to do that.

Administrator's Meeting with Municipal Officers

Administrator Hart said that he has scheduled a meeting for September 29th to meet with town officials to discuss with them the GIS position in the EMA budget and the possibility of the County going to a Fiscal Year. Rather than having it be a Commission meeting, Administrator Hart asked Commissioner Maines, as Chair, to attend.

VII. 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 4:00 p.m.

Respectfully submitted,

Candice Richards
Administrative Assistant

The Knox County Commission approved these minutes at their regular meeting held on October 14, 2014.