

## KNOX COUNTY COMMISSION

**Regular Meeting**

**Tuesday – August 10, 2010 – 3:00 p.m.**

The regular meeting of the Knox County Commission was held on Tuesday, August 10, 2010, at 3:00 p.m., at the county courthouse, 62 Union Street, Rockland, Maine. Executive Assistant Constance Johanson was present to record the minutes of the meeting.

Commission members present were: Anne Beebe-Center, 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, Sheriff Donna Dennison, Airport Manager Jeff Northgraves, Patrol Administrator Tim Carroll, Finance Director Kathy Robinson, Communications Director Linwood Lothrop, Building Maintenance Supervisor Jon Grout, and Executive Assistant Constance Johanson.

Also present were: Becky Lothrop of Rockland, Rockland City Manager Rosemary Kulow, Cape Air Station Master Rocky Stenger, Andrew Bonney VP Planning for Cape Air, Leslie Mybeck Director of Planning for Cape Air, Alex Johnson Intern to Andrew Bonney of Cape Air, Katie Oldakowski, Pilot for Cape Air and based at RKD, and Justin Holmes of MCEDD.

### **Regular Meeting – Agenda Tuesday – August 10, 2010 – 3:00 p.m.**

- I. 3:00 Meeting Called To Order**
- II. 3:05 Public Comment** - Public Comment during other portions of the meeting will only be granted by permission of the chair.
- III. 3:30 Consent Items**
  - 1. Approve Consent Items as Presented:
    - a. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
    - b. Approve Minutes of Regular Commission Meeting of July 13, 2010.
    - c. Accept Monthly Written Departmental Reports.
    - d. Approve Reserve Withdrawals.
    - e. Approve Budget Line Transfers.
- IV. 3:35 Action Items**
  - 1. Act to Award Bid of Two New 2010 Dodge Chargers for Use by the Sheriff's Patrol Division.
  - 2. Act to Award Bid for Courthouse Roof Repair Project.
  - 3. Act on Approval of Transfer of Forfeited Assets in the Form of One 1996 GMC 1500 PK to Knox County in *State of Maine v. John Wall*.
  - 4. Act on Approval of the EDD Proposed Realignment for MCEDD or Remain with EMDC.
  - 5. Act on Approval and Authorize the Chair to Sign Lease Agreement and Consent and Assignment to Transfer Lease for Hangar 22 from Steve Waterman to Daniel Richard.
- V. 3:50 Discussion Items**
  - 1. Cape Air Presentation.
  - 2. Organizational Study Update.
  - 3. Knox County 150<sup>th</sup> Anniversary.
- VI. 4:30 Other Business**
- VII. 4:35 Executive Session**
  - 1. Convene in Executive Session to Discuss Acquisition of Real Property Pursuant to 1 M.R.S.A. §405(6)(C).
  - 2. 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 Anne Beebe-Center called the August 10, 2010 regular meeting of the Knox County Commission to order at 3:00 p.m.

#### **II. Public Comment**

Commission Chair Anne Beebe-Center asked for public comment. There was none.

**III. Consent Items**

1. Approve Items as Presented:

- a. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
- b. Approve Minutes of Regular Commission Meeting of July 13, 2010.
- c. Accept Monthly Written Departmental Reports.
- d. Approve Reserve Withdrawals.
- e. Approve Budget Line Transfers

- A motion was made by Commissioner Richard Parent to approve the consent items as presented. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

Reserve Withdrawals (August 10, 2010):

Courthouse Computer	20000812660	\$1,226.70
Legal Expense	200008-12650	\$4,742.50
	Total	\$5,969.20

Budget Line Transfers (August 10, 2010):

Transfer From:			Transfer To:		
Airport - Lodging	416004-54115	(\$365.00)	Airport - Medical Exams	416004-54550	\$365.00
Airport - Building Repair	416004-54595	(\$2,000.00)	Airport - TSA Trailer Lease	416004-54755	\$2,000.00
Bldg. Mnt. - Computer Supplies	006005-55385	(\$105.00)	Bldg. Mnt. - Computer Repairs	006004-54585	\$105.00
Deeds - Books, Subscriptions	009005-55505	(\$92.00)	Deeds - Medical Exams	009004-54550	\$92.00
EMA - Public Relations	002005-55365	(\$150.00)	EMA - Postage	002004-54520	\$150.00
EMA - Gas, Oil, Grease	002004-54650	(\$75.00)	EMA - Mileage	002004-54105	\$75.00
Finance - Lodging	005004-54115	(\$225.00)	Finance - Municipal Blk. Bond	005004-54426	\$225.00
Sheriff - Gas, Oil, Grease	011004-54650	(\$350.00)	Sheriff - Mileage	011004-54105	\$350.00
Sheriff - K-9 Supplies	011005-55395	(\$350.00)	Sheriff - Statutes	011005-55510	\$350.00
	Total:	(\$3,712.00)		Total:	\$3,712.00

**IV. Action Items**

1. Act to Award Bid of Two New 2010 Dodge Chargers for Use by the Sheriff’s Patrol Division.

The following is a chart of the Bid Results for the two 2010 Dodge Chargers with three trade-ins.

	Newcastle Dodge	Quirk Auto	Shepard Motors
Gross Price, exclusive of Taxes	\$21,324 each	<b>\$ 21,789 each</b>	\$21,250
Cost of Extended Warrantee	No charge - (Manufacturer’s standard warrantee: 5 year/100,000 mile powertrain)	No charge - (Manufacturer’s standard warrantee: 5 year/100,000 mile powertrain)	No charge - (Manufacturer’s standard warrantee: 5 year/100,000 mile powertrain)
Less Trade-in Allowance	2001 Jeep: \$2,000 2001 Dodge: \$300 1995 GMC: \$800 = <b>\$3,100</b> total	2001 Jeep: \$2,000 2001 Dodge: \$1,000 1995 GMC: \$1,270 = <b>\$4,270</b> total	2001 Jeep: \$700 2001 Dodge: \$200 1995 GMC: \$200 = <b>\$1,100</b> total
<b>Net Cost</b>	\$39,548	<b>\$39,308</b>	\$41,400
Delivery Time	Estimate of 90 – 120 Days after receipt of order	Estimate of 90 – 120 Days after receipt of order	Estimate of 90 – 120 Days from acceptance of bid
Contact	Michael Elwell 563-8138 ext 108	Leo Chicoine 800-342-5757	Neal Shepard 594-2154

- A motion was made by Commissioner Richard Parent to award the bid of two (2) new 2010 Dodge Chargers for the use by the Sheriff’s Patrol Division to Quirk Auto. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

2. Act to Award Bid for Courthouse Roof Repair Project.

County Administrator Andrew Hart recommended awarding the bid to Glidden Roofing Corporation. The low bidder, Roof Systems of Maine, did not meet the bid requirements of

providing two copies of the bid, four examples of prior work completed of a similar nature, itemized list of cost, and four references.

Mr. Hart explained that \$36,000.00 was budgeted for the project. Glidden Roofing Corp.’s bid was under this amount (\$30,840.00). The county administrator reported that he spoke with three of the references provided by Glidden Roofing, Corp. The company did a roof repair project for Portland Housing that was completed on time without any change orders. Glidden Roofing Corp. has been the designated/required contractor for roof repairs to the Maine Mall since 1992.

The Request for Proposal (RFP) was sent to nine contractors and five of the contractors attended the mandatory pre-bid meeting. The roof on the 1978 section of the courthouse is rock and tar and will be replaced with an EPDM rubber membrane roofing material. Mr. Hart reported speaking with the Carlyle vendor in the state who recommended the nine contractors that were sent the RFP because a contractor has to be licensed in order to install an EPDM or Carlyle roof.

Commissioner Anne Beebe-Center asked if Roof Systems of Maine was the contractor for the jail roof repair work. Mr. Hart responded that he understood that to be the case. He recommended disqualifying the bid from Roof Systems of Maine for not complying with the bid specifications and awarding the bid to Glidden Roofing Corp. as the second lowest bidder.

**Courthouse Roof Repair Project**  
**Bid Results**  
 August 4, 2010

	Roof Systems of Maine	<b>Glidden Roofing Corp.</b>	G & E Roofing	Hahnel Bros. Co.
Attended mandatory pre-bid meeting	YES	<b>YES</b>	YES	YES
Provided 2 copies of the bid	NO	<b>YES</b>	YES	YES
Properly sealed and marked enveloped	YES	<b>YES</b>	YES	YES
Letter of Transmittal	Bid is also the letter	<b>Bid is also the letter</b>	Bid is also the letter	Bid is also the letter
Project Specifications	YES	<b>YES</b>	YES	YES
4 Examples of prior similar work	NO	<b>YES</b>	NO	Reference list only – no work examples given
Costs – Itemized list (more than just the bid total)	NO	<b>NO</b>	NO	NO
4 References	NO	<b>YES</b>	NO	YES
<b>Bid Total:</b>	\$24,180	<b>\$30,840</b>	\$38,610	\$40,740

- A motion was made by Commissioner Richard Parent to act to award the bid for the courthouse roof repair project to Glidden Roofing Corp. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

Commissioner Roger Moody asked if there was a requirement in the bid specifications for a labor payment bond. Mr. Hart responded that was not included in the RFP. Commissioner Roger Moody commented that it was a good idea to consider liability issues and perhaps that even though this is a small project that the county should look into obtaining a builder’s risk policy. There could be the risk of water damage if the roof is open during repairs and it rains.

Commissioner Anne Beebe-Center asked if there was a threshold to having a contractor bonded or having a builder’s risk policy. Mr. Hart said there was a requirement for insurance and protection from inclement weather at all times in the bid specifications.

Commissioner Roger Moody suggested looking into builders risk insurance just in case the contractor should not provide the appropriate protection.

County Administrator Andrew Hart noted that when he spoke with the Carlyle vendor, he recommended contacting a roofing specialist that was currently working with North Haven on the school’s roof replacement project. He is the inspector on that project and met with Jon Grout to review the county’s RFP. He made only a few suggestions and commented that the RFP was well written for the scope of county’s roof replacement project. The area of the flat roof to be replaced is

28 by 51 feet, which is considered a very small roof project. It was noted that many contractors do not bid on small projects.

3. Act on Approval of Transfer of Forfeited Assets in the Form of One 1996 GMC 1500 PK to Knox County in *State of Maine v. John Wall*.

Commissioner Richard Parent asked if this was the truck that was being traded in as part of the new cruiser purchase. County Administrator Andrew Hart explained that it was a new forfeiture. The old truck that was being traded in was from a previous forfeiture and had been transferred from building maintenance to the sheriff's office to use for "dump runs".

- A motion was made by Commissioner Roger Moody to approve the transfer of forfeited assets in the form of one (1) 1996 GMC 1500 PK to Knox County in *State of Maine v. John Wall*. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

4. Act on Approval of the EDD Proposed Realignment for MCEDD or Remain with EMDC.

Commissioner Roger Moody reported that he has been following this issue because he is on both the Eastern Maine Development Corporation (EMDC) and Knox-Waldo Regional Economic Development Council (KWRED) boards. He explained that the issue of realigning economic districts in the state has been discussed previously, which includes having Knox County move away from EMDC and join the Midcoast Economic Development District (MCEDD).

MCEDD is comprised of Lincoln and Sagadahoc Counties along with the Towns of Harpswell and Brunswick. The commissioners support KWRED as the local economic development entity. KWRED supports the realignment of Knox County with MCEDD, although an official vote has not been taken because there had been some questions about some conflicts occurring within MCEDD as an economic district. Commissioner Moody considered the internal conflicts as a separate issue from the overall concept of realignment of economic districts. Both Commissioner Moody's and the KWRED executive board's support for the realignment is based on the similarities of economic needs in the mid-coast area, which extends to Lincoln and Sagadahoc Counties.

Commissioner Roger Moody explained that EMDC is made up of six counties and if Knox County left, there would be five member counties. The realignment project may also have Washington County moving away from EMDC and joining with the Northern Maine Economic Development District, which includes Aroostook County because of their rural nature. The economic grants available would be geared toward development appropriate to rural areas rather than the urban area surrounding Bangor, which is the hub for EMDC.

Commissioner Roger Moody suggested that this issue is a "moving target" relative to decision making. Justin Holmes, executive director of MCEDD, is present at today's meeting. Commissioner Moody said he was planning on attending an upcoming meeting with MCEDD to learn about their organization. The operational section of MCEDD for economic development is called the Lincoln County Regional Planning Commission (LCRPC). It is expected that there will be meetings between KWRED and LCRPC.

Commissioner Roger Moody explained that if Knox County should decide to realign with MCEDD, then EMDC would have to take a vote to allow Knox County's departure. It was noted that there does not seem to be any objection to this plan by EMDC. It is not clear as to how this process will continue. The commissioners could vote now or wait until all their questions are answered. The state and federal timeframe for completing the realignment process is expected to be sometime in September.

Commissioner Anne Beebe-Center asked when KWRED had taken their official vote. Commissioner Roger Moody answered no, but they will be meeting soon. KWRED will be joining the meeting with MCEDD on August 18, 2010.

Commissioner Roger Moody said he was comfortable with taking a small step at this point and suggested a wise choice would be to ask the commission to endorse the alignment with Lincoln County (MCEDD) and then see how the discussions proceed and what the configuration of the realignment plan is.

Commissioner Anne Beebe-Center agreed. Commissioner Richard Parent said he thought that this was agreeable, but it depended on the language in the motion.

Justin Holmes explained that the timeline for this project was based on the work the state was doing to justify the realignment of the economic districts. There was a report due out yesterday that justifies the realignment of the economic districts. Once the report is released, the commission would sign a letter addressed to the governor, which would state that the Knox County Commissioners concur with the report and support the realignment process. He suggested endorsing the realignment concept and vote on the support after the report is released. Mr. Holmes

commented that MCEDD would like to meet with the commissioners and KWRED to discuss some of the details. There are several parts of the process that need to be addressed simultaneously.

Commissioner Roger Moody said he would be more comfortable attending the meeting with MCEDD if he could carry a message of endorsement of the realignment from the county commissioners. Then it would be a matter of working out the details of the plan, but with an endorsement of the move to MCEDD, the county would be moving forward in a positive way. Commissioner Richard Parent commented that he supports the change and has from the beginning.

- A motion was made by Commissioner Roger Moody that the Knox County Commission endorse the concept of moving Knox County's Economic Development District alignment to the Midcoast Economic Development District from Eastern Maine Development District and any further action concerning the signing of contracts or more formalization of any such agreement to participate with MCEDD will be based on further information and further discussions to be held over the next 30 to 40 days. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

Justin Holmes suggested that the time line for the state is based on having the current governor approve the state's realignment plan. He reported that the Town of Lincolnville has indicated that they want to be included in any realignment plan with Knox County.

Commissioner Anne Beebe-Center asked how EMDC's structure of being county-based affect the inclusion of towns in an economic district. There appears to be interest from Lincolnville and possibly Northport and other towns north of Knox County in joining with Knox County for economic development. She asked if this has changed.

Mr. Holmes suggested that EMDC's dues structure is different from other economic districts in that it is a county-based organization because of the large area it serves. Some of the other economic districts collect dues from municipalities, whereas EMDC's charter allows it to collect their dues on a county level. Mr. Holmes stated that the mission of MCEDD is very different than that of EMDC. MCEDD focuses on economic development and planning and does not provide the same services as KWRED or the Lincoln County Regional Planning Commission. These organizations would not have to vie for county funds that would be going to MCEDD.

Commissioner Roger Moody asked if MCEDD requires a membership fee or dues in terms of a cash payment for its annual support. Mr. Holmes answered not necessarily. Currently, Lincoln County is providing funding to MCEDD because they elected not to do so for the last two years. They offered some cash support as part of the settlement through the mediation process to which they had submitted. Most of MCEDD's financial support from counties or municipalities come in the form of "in-kind" services such as meeting rooms, staff time, and items of this nature. MCEDD has a matching federal planning grant that does not mandate that the match be in cash, which makes MCEDD less reliant on cash contributions.

Commissioner Roger Moody reported that the EMDC meeting scheduled for September 9<sup>th</sup> includes discussion on funding formulas for EMDC's non-state or federal match programs. Knox County's contribution to EMDC is expected to be between \$12,000.00 and \$13,000.00. It was noted that some counties have not met the full membership fee levels in the past.

5. Act on Approval and Authorize the Chair to Sign Lease Assignment and Consent and Assignment to Transfer Lease for Hangar 22 from Steve Waterman to Daniel Richard.

There was no discussion regarding this item.

- A motion was made by Commissioner Roger Moody to approve and authorize the chair to sign the lease assignment and consent and assignment to transfer the lease for Hangar 22 from Steve Waterman to Daniel Richard. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

## V. Discussion Items

1. Cape Air Presentation.

Airport Manager Jeff Northgraves stated that he would like the commissioners to vote at the end of the presentation on approving either a two-year or four-year contract. The airport manager stated that he is recommending four-year agreement.

Andrew Bonney, Vice President of Planning for Cape Air, thanked the county for choosing Cape Air to provide the Essential Air Service (EAS) for the Knox County Regional Airport. Enplanement numbers have increased over the last two years. The numbers in June 2010 broke a 25 year record.

Others from Cape Air introduced themselves; Leslie Mybeck as Director of Planning for Cape Air, Alex Johnson as an Intern to Andrew Bonney of Cape Air, and Katie Oldakowski, as a pilot for Cape Air. Rocky Stenger introduced himself as the station manager for Cape Air. He commented that it has been a different, but good two years working with Cape Air.

Mr. Bonney explained that Cape Air was awarded the Essential Air Service two years ago for the duration of two years. The U.S. Department of Transportation (USDOT) issued an Order Requesting Proposals for Essential Air Service (EAS) on June 24, 2010. Cape Air submitted a proposal and is requesting that the contract be for four years instead of two years. Some of the plans for the future include a downtown ticket office, which will help promote air travel.

The presentation showed some facts and figures including a chart with over 13,000 passengers this summer, which exceeded Cape Air's expectations. The proposal submitted to USDOT is less than the subsidy that Cape Air is currently on because the service is working so well. A number of unsubsidized flights were added this summer including six flights on Friday. Almost every day in August had extra flights scheduled. The average cost of a ticket has increased because many of the flights are not subsidized. The subsidy for each departure is between \$500.00 and \$600.00 on subsidized flights. When the number of unsubsidized flights increase in the summer peak season, the ticket prices increase. The supply and demand mix appears to be just right because although the tickets in the summer are about \$100.00, the flights are sold out. During the last two years, the average fare was \$69.00, which was what Cape Air had promised. The subsidy kept the cost down.

The presentation was similar to the one at an earlier commission meeting this year, including the following points:

The Key Points are:

- Cape Air's Rockland to Boston service commenced on November 1, 2008.
- Annualized passengers carried YEQ10 are 12,691 and growing at a 28% rate.
- As promised, Cape Air has kept fare low, averaging just \$69.00.
- Cape Air proposes exclusively non-stop service to and from Boston.
- Cape Air offers interline connectivity with most major airlines including both US Airways and JetBlue.
- Cape Air is the only regional airline that can connect passengers and checked luggage with JetBlue.

Key Facts are:

- Cape Air has been in business for over 20 years starting in with the first route from Provincetown to Boston with three aircraft.
- Presently flying 59 Cessna 402s in five regions and two ATR-42s in Micronesia.
- Operating up to 600 flights a day.
- In 2009, Cape Air flew more than 610,000 passengers.

Benefits of an Independent Carrier:

- Complete control over fares, fees, marketing, advertising, and schedules.
- Direct relationships with the decision makers at Cape Air, which means noise complaints can be answered in a timely manner.
- Independent reservations center.
- No fees to book tickets with a live Cape Air reservations agent or at the counter.
- No first checked bag fee and no change fee.

How Cape Air has Performed over the Last Two Years Serving Rockland:

- Traffic is up 14 % compared to the predecessor and the trend is positive.
- On a year/year basis for comparable months, Rockland traffic is up 28%.
- The ticket lift for July 2010 is over 2000 tickets and is expected to be 2500 in August.
- In June of 2010, Cape Air broke a 25 year record with 711 enplanements.

Mr. Bonney commented that these increases are noteworthy because of the economy and are partly due to the good weather this summer. The fares remain fairly low with higher rates in the summer for the unsubsidized fares. The fares ranged from \$64.00 in November 2008 to \$75.00 in August of 2009 and back to \$73.00 in June 2010. The first seats are discounted and can be purchased for \$59.00.

Commissioner Anne Beebe-Center remarked that there has been some difficulty with finding the information on how to get a flight to Rockland. Mr. Bonney explained that Expedia, Travelocity and ORBITZ work well. Screenshots of their information was part of the presentation. Passenger numbers keep increasing, which is an indicator that people are finding it easier to book flights. He suggested that having the ticket office downtown Rockland will also help get the information out. Cape Air promotes using Expedia, but does not receive any money from them. The company does a good job and does not charge a booking fee.

Leslie Mybeck is working on marketing in the area. The *Birds Eye View* is the on flight magazine, which features local events such as the Lobster Festival. The new proposal is a city ticket office in Rockland, which will employ two part-time staff. Some sites have been looked at and Cape Air officials have met with Rockland officials.

Mr. Bonney explained that the contract is \$100,000 less because of the trend of getting less subsidies. Cape Air prefers a four-year contract. He thanked the commissioners for their time and assured them that Cape Air will continue to work on issues such as noise and additional flights.

Commissioner Roger Moody asked if Rockland takes a vote on this issue. Mr. Bonney explained that the USDOT welcomes comments, but when there is only one airline competing for the EAS contract, approval is not mandatory.

Airport Manager Jeff Northgraves explained that there has been a connection with Rockland because it is considered the service area. It was unknown as to whether or not the Rockland City Council took a formal vote of approval, but a letter of support from the town manager or mayor would probably be in order.

Commissioner Roger Moody asked if there was a public hearing on issue of awarding the contract for EAS. Mr. Northgraves responded that the last time the EAS contract was about to expire, Colgan Air and Cape Air both gave presentations at a commission meeting, which is a public meeting. This year there is only one carrier and the presentation was given at today's meeting, which is a public meeting.

Mr. Northgraves suggested that it could be put in the paper and ask for comments. The commissioners could vote today pending the receipt of public comment. It was noted that there is a deadline for signing the contract. Another point is that very few members of the public attend a public hearing. It was decided that the commissioners would seek public comment before signing the contract with Cape Air as the provider of EAS.

- A motion was made by Commissioner Roger Moody to approve the proposal between Knox County and Cape Air for a 4-year contract pending the outcome of the comment period. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

County Administrator Andrew Hart asked if this included the approval from the City of Rockland. Airport Manager Jeff Northgraves answered that their approval is a separate issue.

Commissioner Roger Moody noted that Cape Air had submitted a proposal to provide air service to Augusta and asked if this would have any effect on service to the Rockland area. Mr. Bonney replied that it would be advantageous for both airports to have Cape Air providing air service in the region.

## 2. Organizational Study Update

County Administrator Andrew Hart explained that he was trying to schedule a meeting to have Municipal Resources, Inc. (MRI) here to do a presentation on their finding on Phase I. A meeting is tentatively scheduled for either the 23<sup>rd</sup> or 24<sup>th</sup> of August with a PowerPoint presentation on Phase I before moving onto Phase II. After the presentation, the commissioners will be asked to approve moving onto Phase II. If the commissioners decide not to move onto Phase II, then a final written report on Phase I will be submitted to the commissioners. Mr. Hart asked the commissioners for their input on scheduling the date and time. It was noted that both dates are acceptable, but the time would have to be coordinated with the commissioners' schedules and the MRI's schedule.

Mr. Hart reported that he had asked for a copy of the PowerPoint presentation to distribute to the department heads and the commissioners prior to the scheduled meeting. He stated that the project was a few weeks behind, but the final outcome should be completed on time.

Commissioner Anne Beebe-Center asked how it went. County Administrator Andrew Hart said he thought it went well, but he did not have any recommendations because that was what Phase II was supposed to accomplish. He suggested asking the opinions of the department heads attending today's meeting.

Airport Manager Jeff Northgraves responded that he was extremely pleased with MRI's process. The MRI staff member that interviewed him was a former airport manager and asked very insightful questions.

Communications Director Linwood Lothrop commented that he thought it was worthwhile project because it identified some deficiencies in his department such as the space issue. There was a discussion on the sharing of data with municipalities that the department serves. It went well.

Sheriff Dennison remarked that the two gentlemen that came to her office were very polite and she thought the interview process went well. The only thing was that they seemed to be under the impression that she would not cooperate and she said she and her staff did cooperate.

Finance Director Kathy Robinson commented that the MRI staff was very knowledgeable and it was very insightful. They spent the appropriate amount of time and met with the finance director and her staff several times.

County Administrator Andrew Hart commented that there was no concern or skepticism regarding whether or not the interviewers understood how the county works and the various departments operate. It was noted that the District Attorney's office was a little different because the staff is employed either by the county or the state. A MRI staff member met with the EMA director once and is expected to have another meeting Thursday.

#### Cape Air Revisited

Commissioner Roger Moody said he had confirmed that the date for "Community Comments" is the 25<sup>th</sup>. Commissioner Richard Parent asked if the comments should be sent to the airport manager. Commissioner Anne Beebe-Center suggested that the comments should be shared. Mr. Hart asked if the comments should go to one point. Mr. Northgraves responded that to get the most feedback would be to allow anyone to send comments to the airport, City of Rockland, the administrator, or the commissioners. He offered to compile the comments and suggested that there may not be any comments. A notice will be put in the newspaper with a deadline for comments scheduled for August 22, 2010. A final vote on the contract with Cape Air will be taken during the special meeting scheduled to be held on either August 23<sup>rd</sup> or August 24<sup>th</sup>.

### 3. Knox County 150<sup>th</sup> Anniversary

Commissioner Anne Beebe-Center commented that the commissioners had discussed this issue and asked what the status of this project was. *The Courier Gazette* published an interest supplement 25 years ago at the time of the 125<sup>th</sup> anniversary. It was suggested that the *Village Soup* could be contacted to see if they had any interest publishing anything now.

Commissioner Anne Beebe-Center commented that she would like to see something done to cover the intervening 25 years since that was done.

Airport Manager Jeff Northgraves reported that he expected that there will be a ribbon cutting ceremony at the new terminal building sometime in December. The terminal building may be completed earlier, but there is still the security system issue.

Commissioner Roger Moody reported that he had done some research on his own to look at why the county was formed. Basically the reason was the distance to have to go to court and then it got more complicated with the issue of slavery. His document is 10 pages long. It was suggested that the department heads could write up a summary of what has transpired in their offices over the last 25 years that could be accompanied by photographs.

Communications Director Lothrop suggested having an open house to promote the departments. It would be a good public relations opportunity. Late fall would be a good time to hold an open house at all three county facilities.

County Administrator Andrew Hart offered to bring this matter up at the staff meeting in September. Lincoln County had a big celebration for their anniversary that was sponsored by their county historical society. Something can be planned, but not on the scale of what Lincoln County did.

## **VI. Other Business**

### Communications

County Administrator Andrew Hart reported that there was an e-mail sent out by Communications Director Lothrop and another sent by Bob Howe on the "straw-man report" on the consolidation of PSAPs.

Commissioner Anne Beebe-Center asked what a "straw-man report" was. Commissioner Roger Moody explained that it was an idea or report send up like a balloon to see who shoots at it. The recommendation is to consolidate the PSAPs to have nine county PSAPs and other changes. Written comments are due by September 14<sup>th</sup> to the Public Utilities Commission.

Commissioner Roger Moody reported that this issue will be discussed at the Maine County Commissioners Association (MCCA) meeting tomorrow and the plan may be endorsed then. There is a public hearing scheduled for September 22<sup>nd</sup>. It was noted that the counties will remain the same, but the other changes involving municipalities will have to be debated.

### Jail Operations

Commissioner Anne Beebe-Center asked what was happening with the hub transportation mission of the Penobscot Jail. It was noted that Sheriff Ross went to the commissioners to report that funds were cut from the jail budget to pay for this service. The commissioners supported Sheriff Ross's decision to stop providing this service.

County Administrator Andrew Hart reported that Penobscot County was still providing some transportation services. There was a meeting last Wednesday in Penobscot County on jail reform because the problems with the current law. The discussions centered on repealing the law or amending it. Commissioner Peter Baldacci supports the reform. This is the second meeting that Commissioner Peter Baldacci has held on the matter with 20 representatives from various counties.

Commissioner Anne Beebe-Center commented that she was aware of the issue, but has not heard that there is any leverage to get the law changed. Mr. Hart explained that it appeared that the current Board of Corrections needed to change because there are only two county representatives on the board; the rest of the members are either from state offices or are attorneys.

Commissioner Anne Beebe-Center asked if there was any support from those attending the two meetings on whether to repeal or change the law. Mr. Hart said the issue is still in the planning stage. There was supposed to be another meeting scheduled to draft the amendments and no date has been set for it.

Commissioner Roger Moody commented that transportation hub was a good idea, but the funding issue was another matter. Somerset County's sheriff has threatened to not take any more inmates from other jails to bring attention to the difficulty with the BOC over its budget. The county jails appear to be going down hill because of the budget cuts. The BOC does not appear to understand the budget process and how it affects the county jails and their operations when they continue to ask the counties to revise their budget requests in a downward trend. The county administrators have decided to take turns attending the BOC meetings.

#### Working with Municipalities

County Administrator Andrew Hart reported that the managers will be meeting next Monday, August 16<sup>th</sup>. The guest speaker is a county manager from Illinois. He will be speaking on the services that the counties in Illinois provide. Many counties in other states offer services similar to those of the towns in Maine.

Commissioner Anne Beebe-Center suggested that the country could provide more services if there were a cost analysis available. Mr. Hart plans to have an update at the meeting to be held on the 23<sup>rd</sup> or 24<sup>th</sup>.

#### MCCA Meeting Agenda

The gubernatorial question is on the agenda for the MCCA meeting tomorrow, which contains 13 questions to be endorsed. The questions will be posed during the candidates' forum at the annual county convention on September 11<sup>th</sup>. Commissioner Anne Beebe-Center asked if they were good questions. Commissioner Roger Moody commented that he was not sure why there was a question on school funding. It was noted that a large portion of taxes goes to the support of the schools and very little to the county, but if taxes increase, then the county seems to be held responsible.

#### Board of Assessment Review

County Administrator Andrew Hart reported that he had three names so far. One is an appraiser, a realtor, and an attorney. He recommended having five or seven members. It is difficult to find volunteers. The time involved is unknown because there could be many tax abatements or almost none in a year. It was noted that some of the towns with their own appeals board may opt to eliminate it when the county creates its board of assessment review.

Commissioner Roger Moody asked if the commissioners had to vote to create the board. County Administrator Andrew Hart responded that this has been discussed and it was decided to get volunteers for the board, which would then create a board. The commissioners would approve the appointments to the board. The board could then develop a set of bylaws. This matter is scheduled to be brought before the commission at their regular meeting in September.

#### Inter-agency Group

The Inter-agency group met this morning with four municipal police chiefs, Communications Director Lothrop, Sheriff Dennison, Kelly Perry of the District Attorney's office, and Mike Dean and Jeff Lake of the IT department. Officers were elected with Mark Kelley as Chair, Kevin Haj as Vice Chair, Kelly Perry as Treasurer, and Candice Richards as Secretary. It was noted that Kelly Perry is the treasurer in name only because the county finance director is responsible for financial matters.

A subcommittee was established to meet and format a five-year strategic plan and report back to the committee on September 21, 2010. Any budget requests have to be submitted and approved by the commissioners and budget committee. There may be a \$5,000.00 request for an upgrade as suggested by the IT department. The group may also meet in October and November.

Communications Director Lothrop explained that currently his employees have to look up some information in paper manuals and it would be good to have the information available on the computer to save time. This type of software is expensive and could cost \$105,000.00. The county has never really looked into obtaining this type of software. Part of the discussions being held is whether or not to pursue a grant this year or to start putting money aside for the purchase. The IT department is assisting with issues and problems that can be resolved by possible upgrades.

#### Deeds Single Web Portal

County Administrator Andrew Hart reported that the single web portal for the Registries of Deeds was expected to be discussed at tomorrow's Maine County Commissioners' Association (MCCA) meeting. The Association of Registers of Deeds supports having a single web portal to disseminate information regarding the Registry's documents without having to visit each of the individual county websites. It was noted that this may impact the MacImage issue because this is what MacImage wants to do; be the sole source of information. A resolution in support of the single web portal was supported by the commissioners at a previous meeting.

There will also be a review of the second draft of the Single Web Portal proposed language. Mr. Hart stated that he sent the document to Registrar of Deeds Lisa Simmons, even though she is on vacation this week. It is expected that it will be forwarded to ACS as the Registry's vendor for review and their response is expected to be sent on to Bob Howe of MCCA.

#### Brick Re-pointing and Masonry Repair Project

County Administrator Andrew Hart reported that the courthouse structure was appraised by the firm of Richard Curtis & Associates to determine the extent of the masonry repairs needed for brick re-pointing project. The field observation Report was distributed to the commissioners. The county administrator read from much of the report. The following is the written portion of the report dated June 15, 2010:

#### **Observations:**

##### North Façade:

The original courthouse was constructed in 1875, and a small wing on the west side was added at some unknown point thereafter. A larger addition was constructed in 1975 on the south side of the building. The original building and the early addition are built with bearing solid brick walls atop mass granite and concrete foundations. The brick walls are approximately five courses thick, and are likely to have no reinforcing. The foundation extends two to three feet above grade. At the main floor level, there is a granite belt course that forms the head of the basement windows.

On the north side, at the joint between the original building and the addition, there is a gap of about  $\frac{3}{4}$  - 1 inch in the masonry where the addition has apparently shifted to the west. There are diagonal cracks in the brick wall and the granite belt course, and a noticeable tilt to the belt course and one of the window sills that indicate there has been a shift downward at the northwest corner, which is likely the result of settlement of the corner of the building.

It was reported by the Owner that a structural engineer had investigated the settlement issue, and that a drainage system had been installed. The soils under the building apparently consist of unstable marine clays, which are affected by water, and the drainage system was installed to alleviate the problem.

There was also evidence that the addition had been repointed in the past, but the pointing mortar and pointing technique did not match the original mortar. The original mortar joints were tooled, whereas the repointed joints were struck flush, and the newer mortar appeared to be cement based, while the original was softer, had a different texture, and was undoubtedly more of a lime mortar.

##### West Façade:

A crack in the foundation near the northwest corner was observed, which is likely a result of the settlement. The brickwork on the façade had also been repointed in a similar manner to the north façade, and showed evidence of the new mortar spalling off. This likely the result of the actions of water issues in the wall. When water penetrates brick masonry, which is not uncommon, it will try to get out. If the mortar is harder than the bricks, it will tend to get trapped behind the mortar, and it freezes, it will exert pressure on the mortar, and cause spalling. Water damage on the interior of the building in the area of the worst mortar spalling was reported by the Owner.

At the second floor level, there is another horizontal band of granite trim, which matches the trim on the original building, except that it has a flat top, whereas the trim on the original building has a sloped top. The lack of a sloped top on the trim to shed water creates an area where water can sit and find its way back into the brickwork, which may be causing some of

the damage inside. In addition, at some point, the joint above the granite trim had been caulked, which likely has exacerbated the problem.

At the roof, there is a short parapet, covered with what may have originally been galvanized metal, but which has seriously rusted. There is an ornamental fence on top of the parapet, which has posts that extend down through the metal parapet cap. These posts have seriously rusted to the point that the metal is delaminating, and could allow water down into the wall system. The parapet cap itself also has areas of serious rusting and delamination, which also may be allowing water into the wall system.

### Recommendations

While the movement of northwest corner may have been stabilized by the recent drainage work, it is still possible that future settlement may occur. The cracking at the joint between the original building and the addition may grow larger over time, and we recommend raking out the joint and installing a backer rod and silicone sealant in the joint. The joint should be regularly monitored to check for future movement.

Since the building may have achieved stability, it should be possible to repair the cracking in the façade. Broken bricks should be removed and replaced with solid bricks, and the cracks in the masonry raked out and repointed. The tilted window sill should be removed and reset to plum and level conditions before new windows are installed. The crack in the foundation should also be pointed.

Repointing work should be done in accordance with the National Park Service, Technical Preservation Services, Preservation Brief – Repointing Mortar Joints in Historic Masonry Buildings. The newer mortar that was used in prior repointing attempts should be removed entirely, and samples of the original mortar taken and analyzed. Any new point mortar should match the type and consistency of the original. All new pointing work should have joints tooled in a concave manner. Instead taking all the work at once, this work could be done on a panel by panel basis, with the initial work done where the damage is the worst.

The horizontal granite belt course at the second floor should have all of the sealant at the joint on top of the course removed, the bricks above repointed, and a mortar wash applied to the flat area on top of the belt course.

At the roof, the ornamental iron railing should be removed, and either restored with new parts or totally replaced with like appearance. The metal parapet cap should also be removed and replaced with new corrosion resistant material – galvanized steel, copper, or stainless steel.

### PHOTOS:



Figure 1 - Crack between original building and addition



Figure 2 - Cracking in bricks and belt course on north façade, tilted window sill and belt course



Figure 3 - Spalling of pointing mortar on north facade

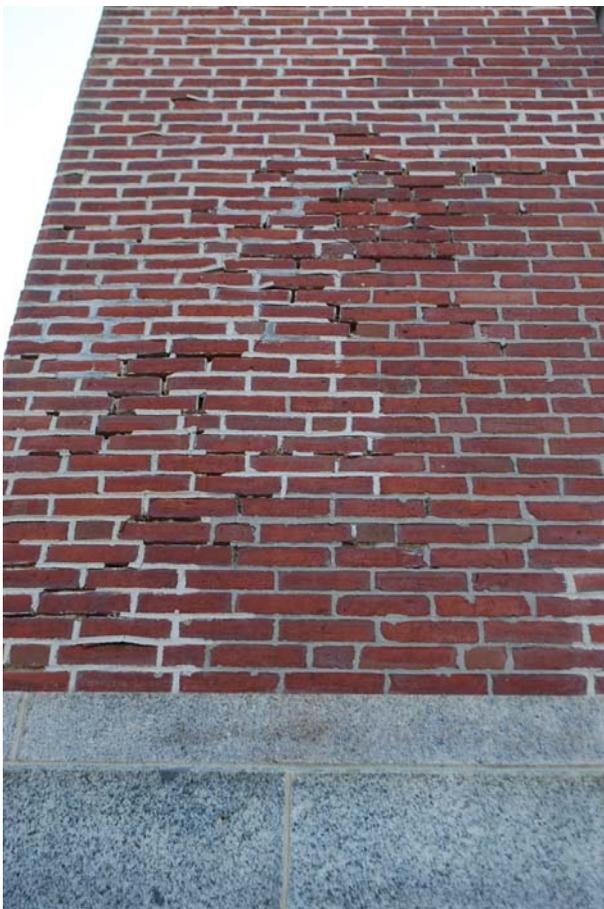


Figure 4 - Spalling of pointing mortar on west facade



Figure 5 - Cracking of foundation at northwest corner

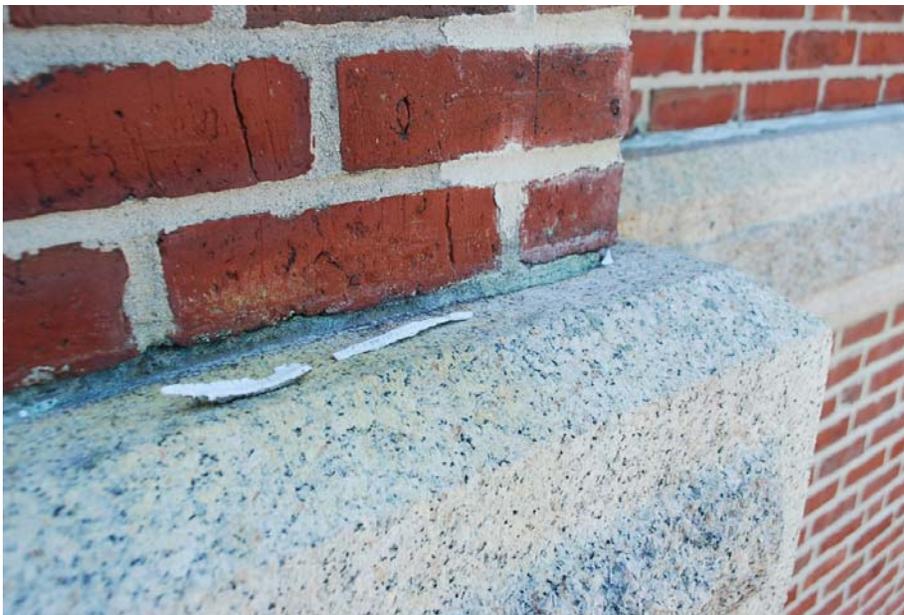


Figure 6 - Second floor belt course with flat top and old sealant



Figure 7 - Rusted and delaminating metal railing post at roof



Figure 8 - Rusted parapet cap and railing posts



Figure 9 - Overview of north facade



Figure 10 - Overview of west facade

County Administrator Andrew Hart explained that the project would probably be done in two phases.

Knox County Courthouse Masonry Repairs  
July 19, 2010



Phase 1: Overview of the North Façade.



Phase 2: Overview of the West Façade

County Administrator Andrew Hart said he would like to discuss this matter with the commissioners today and then again at the special meeting. He explained that \$65,000.00 was budgeted for this project. The first phase of the project is the area of the finance office. New windows were purchased last year and the project awarded to the Penobscot Company. The labor for the replacement windows was put in this year's budget. Last year, a trench was dug along side of the building where the finance office is located because it appeared that there was a drainage issue. This was confirmed by a structural engineer as well as a soil engineer and a drainage pipe was installed.

It was noted that the fire escape was in need of repair, but it can not be removed because the IT department is located on the third floor and needs it as a means of egress in case of a fire. It will be repaired as part of this project. There was a savings of \$5,000.00 from the roof repair project that might be able to be used for either the fire escape repair project or go toward the brick repair project.

County Administrator Andrew Hart recommended going out to bid for the repointing project. Three companies looked the project and only one submitted a proposal. The project needs to be completed before the winter. The cost is estimated to be \$69,245.00 with \$65,000.00 budgeted. This does not include repairing the parapet.

County Administrator Andrew Hart said he will be providing this same information to the budget committee at their quarterly meeting.

Awarding the bid for the brick repointing will be scheduled at the special commission meeting. Mr. Hart recommended having Dave Nazaroff of the Penobscot Company act as the general contractor because is doing the window replacement work, which has to be coordinated with the brick replacement project.

#### Airport – Flagpole

Airport Manager Jeff Northgraves explained that several years ago it was suggested that a flagpole should be erected at the airport. It was decided that when the new terminal building was built, a new flagpole would be put up probably near the terminal building.

The FAA will not pay for the flagpole as part of the terminal building project. There are some county funds available. Money from the sale of old equipment should help for the flagpole project. Stantec has offered some funds and will oversee the flagpole project. There will be a savings of approximately \$2,000.00 realized by doing this project in conjunction with the terminal building even though the county is paying for it.

Mr. Northgraves asked if the commissioners had to vote on expending funds for the flagpole. It was suggested that because this was not an agenda item, it could be taken up at the next commissioners' meeting, which will be scheduled on either the 23<sup>rd</sup> or 24<sup>th</sup> of August.

### **VII. Executive Session**

1. Convene in Executive Session to Discuss Acquisition of Real Property Pursuant to 1 M.R.S.A. §405(6)(C).

- A motion was made by Commissioner Roger Moody go into executive session to discuss the acquisition of real property pursuant to 1 M.R.S.A. §405(6)(C). The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

The executive session convened at 5:30 p.m.

- A motion was made by Commissioner Roger Moody to come out of executive session. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

The executive session concluded at 5:45 p.m.

2. 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 Roger Moody go into executive session to discuss a personnel matter pursuant to 1 M.R.S.A. §405(6)(A). The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

The executive session convened at 5:46 p.m.

- A motion was made by Commissioner Roger Moody to come out of executive session. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

The executive session concluded at 6:10 p.m.

### **VIII. Adjourn**

Commissioner Anne Beebe-Center asked for a motion to 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 6:11 p.m.

Respectfully submitted,

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Constance W. Johanson  
Executive Assistant

**The Knox County Commission approved these minutes at their regular meeting held on October 5, 2010.**