

# KNOX COUNTY COMMISSION

**Regular Meeting**

**Tuesday – December 8, 2009 – 2:00 p.m.**

The regular monthly meeting of the Knox County Commission was held on Tuesday, December 8, 2009, at 2:00 p.m., at the county courthouse, 62 Union Street, Rockland, Maine. Administrative Assistant Candice Richards was present to record the minutes of the meeting.

Commission members present: 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, Administrative Assistant Candice Richards, EMA Director Ray Sisk, Airport Manager Jeff Northgraves, Sheriff Donna Dennison, Chief Deputy Ernie McIntosh, CIO/CSO Jeff Lake, IT Assistant Mike Dean, Jail Administrator John Hinkley, Acting Lieutenant Tim Carroll, Patrol Supervisor Reggie Walker, Deputies Rob Potter, Mark Tibbetts, Doug Brundrett, John Palmer, Mike Elwell; and Finance Director Kathy Robinson (*arrived 2:15*).

Also present: Steve Betts from the *Herald Gazette* and Chris Shrum (*arrived 2:33*).

## **Regular Meeting – Agenda** **Tuesday – December 8, 2009 – 2:00 p.m.**

- I. 2:00 Meeting Called To Order**
- II. 2:05 Public Comment** - Public Comment during other portions of the meeting will only be granted by permission of the chair.
- III. 2:20 Consent Items**
  - 1. Approve Consent Items as Presented:
    - i. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
    - ii. Approve Minutes of Regular Commission Meeting of October 13, 2009.
    - iii. Accept Monthly Written Departmental Reports.
    - iv. Approve Reserve Withdrawals.
    - v. Approve Budget Line Transfers.
- IV. 2:25 Action Items**
  - 1. Act to Change Section 8.3.7 *Additional Vacation Time* of the Personnel Policy (A. Hart).
  - 2. Act to Change Article 9 of the Personnel Policy to Match Articles 23 and 24 of the Union Contract (A. Hart).
  - 3. Act on Approval of Purchase and Sale Agreement with Knox County Sgt. Steven Burns for the K-9 "Irko" (D. Dennison, A. Hart).
  - 4. Act on Approval of the Knox County Airport Business Plan (J. Northgraves).
  - 5. Act to Authorize the Airport Manager to Approve Mortgage Liens Associated with Hangar Owner Land Leases (J. Northgraves).
  - 6. Act to Authorize the Airport Manager to Hire Part-Time Help for the 2009-2010 Winter Season (J. Northgraves).
- V. 2:35 Discussion Items**
  - 1. Discuss Bid Results for the Knox County Airport Terminal Project (J. Northgraves).
  - 2. Discussion of Patrol Administrator Vacancy at the Sheriff's Office (A. Hart).
  - 3. Update on the County's Participation With the NACo Rx Prescription Card Program (R. Sisk).
  - 4. Discuss Possible County Offices Closure on December 24, 2009 (A. Hart).
- VI. 2:50 Other Business**
- VII. 2:55 Adjourn**

### **I. Meeting Called to Order**

Commission Chair Anne Beebe-Center called the December 8, 2009 regular meeting of the Knox County Commission to order at 2:00 p.m.

### **II. Public Comment**

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

### **III. Consent Items**

- 1. Approve Consent Items as Presented:
  - i. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.

- ii. Approve Minutes of Regular Commission Meeting of October 13, 2009.
  - iii. Accept Monthly Written Departmental Reports.
  - iv. Approve Reserve Withdrawals.
  - v. 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:

Airport Projects	46160814640	\$2,599.96
Airport Computer	46160814600	\$2,944.37
DARE	30000810070	\$153.45
Legal Expense	20000812650	\$5,900.45
	Total	\$11,598.23

Budget Line Transfers:

FROM:			TO:		
Airport Gas, Oil, Grease	416004-54650	\$275.00	Heating Repairs	416004-54610	\$275.00
Communications PT	518003-53820	\$5,000.00	Overtime	518003-53800	\$26,301.00
Communications Training	518004-54545	\$3,550.00	Resignation/Termination	518003-53940	\$175.00
Comm. Medical Exams	518004-54550	\$500.300	Radio Repairs	518003-53580	\$1,924.00
Communications ICMA	518003-53960	\$1,000.00	Office Supplies	518004-55335	\$105.00
Communications Legal Fees	518004-54055	\$200.00	Holiday OT	518003-53805	\$5,200.00
Communications Pagers	518004-54320	\$5,165.00			
Comm. Public Relations	518005-55366	\$680.00			
Communications Equipment	518007-57335	\$1,200.00			
Communications Consultation	518004-54015	\$10,500.00			
Communications Copier Rep.	518004-54572	\$710.00			
Communications Stipends	518003-53860	\$1,000.00			
Communications Dispatchers	518003-53812	\$4,200.00			
DA Drug Analysis	003004-54025	\$261.00	Equipment Rental	003004-54570	\$85.00
DA Statutes & Reference	003005-55510	\$169.00	Office Supplies	003005-55335	\$169.00
			Transcripts	003004-54080	\$176.00
EMA Training & Seminars	002004-54545	\$192.00	Office Supplies	002005-55335	\$75.00
EMA Lodging	002004-54115	\$100.00	Copy Machine Supplies	002005-55345	\$117.00
EMA Other, Tolls, Fees	002004-54120	\$40.00	Auto Mileage	002004-54105	\$190.00
EMA Meals	002004-54110	\$50.00			
Finance Training & Seminars	005004-54545	\$300.00	Postage	005004-54520	\$200.00
Finance Computer Repairs	005004-54585	\$198.00	Computer Supplies	005005-55385	\$198.00
			Telephone	005004-54315	\$100.00
Probate Transcripts	010004-54080	\$124.00	Advertising	010004-54510	\$81.00
			Equipment Copier Rental	010004-54570	\$43.00
Sheriff Criminal Investigation	011004-54730	\$40.00	Pagers	011004-54320	\$40.00
Sheriff K-9 Contractual	011004-54740	\$1,000.00	Uniforms	011005-55405	\$2,000.00
Sheriff K-9 Supplies	011005-55395	\$1,000.00	Criminal Investigation	011005-55390	\$650.00
Sheriff Safety Supplies	011005-55305	\$200.00	OT	011003-53800	\$7,500.00
Sheriff Criminal Inv. Equip.	011004-54730	\$450.00	Holiday OT	011003-53805	\$2,900.00
Sheriff Stipends	011003-53860	\$3,100.00	FICA	011003-53900	\$6,100.00
Sheriff Patrol Administrator	011003-53312	\$5,163.00	ICMA	011003-53960	\$2,100.00
Sheriff Patrol Deputies	011003-53316	\$2,950.00			
Sheriff Domestic Violence	01100353315	\$1,073.00			
Sheriff North Haven Deputy	011003-55318	\$1,945.00			
Sheriff Resignation/Termin.	011003-53940	\$4,369.00			
	Total:	\$56,704.00		Total:	\$56,704.00

**IV. Action Items**

1. Act to Change Section 8.3.7 Additional Vacation Time of the Personnel Policy (A. Hart).  
 County Administrator Andrew Hart explained that at the previous Commission meeting, this section was added to the County Personnel Policy to have it mirror the Union Contract, which uses the wording, "8 hours vacation time". This needed to be changed in the Personnel Policy because there

are non-union employees who work less than eight hours a day and are therefore not entitled to eight hours of pay.

- A motion was made by Commissioner Roger Moody to approve the change to Section 8.3.7 of the Personnel Policy as presented. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

2. Act to Change Article 9 of the Personnel Policy to Match Articles 23 and 24 of the Union Contract (A. Hart).

County Administrator Andrew Hart stated that the changes made to the Personnel Policy were to match the wording from the Union Contract regarding the health insurance stipend, ICMA retirement, and dental insurance.

- A motion was made by Commissioner Richard Parent to approve the change to Article 9 of the Personnel Policy as presented. The motion was seconded by Commissioner Roger Moody.

Commissioner Roger Moody asked if commissioners get health insurance.

County Administrator Andrew Hart replied that commissioners can buy the insurance at their own expense.

Commissioner Roger Moody asked if any commissioners had opted to buy the County insurance before.

Commissioner Anne Beebe-Center stated that in the past, commissioners who were retired and did not have an employer to provide health insurance might have paid the County for insurance. She added that for her, it cost less to participate in a group insurance than to buy it on her own since she was self-employed.

Commissioner Richard Parent asked if the insurance coverage extended to the commissioners family.

County Administrator responded that the insurance would cover family members if that is what the commissioner paid for since the commissioner is paying for it all at his/her own expense anyway.

Commissioner Anne Beebe-Center commented that commissioners would just have the benefit of participating in a group insurance instead of buying it on their own from an insurance agency.

- A vote was taken with all in favor.

3. Act on Approval of Purchase and Sale Agreement with Knox County Sgt. Steven Burns for the K-9 “Irko” (D. Dennison, A. Hart).

County Administrator Andrew Hart explained that he had received a letter from Sergeant Steven Burns of the Sheriff’s Patrol Department on November 9<sup>th</sup>, requesting that the K-9 “Irko” be retired from service, removed from the County property list and awarded to Sgt. Burns. He stated that he had drafted the purchase and sale agreement using the purchase and sale agreement for the K-9 “Boomer” as a template. The only difference is the dollar amount. Due to Irko’s age and health condition, the amount asked for is \$1. He stated that he had not heard back from Sgt. Burns yet, who would be back in the States by December 15<sup>th</sup>. He stated that he did not know if the Sheriff wanted to speak on the subject but that she had initially requested that Sgt. Burns’ request not be approved. Irko has been at the vet because of health problems and so there is a bill pending that the County will be required to pay because Irko is still County property.

Commissioner Anne Beebe-Center asked if Sergeant Burns understood how sick Irko is.

County Administrator Andrew Hart stated that he believed that Sgt. Burns did know about it. Irko is currently in the care of Detective Dwight Burtis.

Sheriff Donna Dennison stated that she had planned to retire Irko for some time but that she wanted to get another dog before giving up Irko; however, Irko is still sick. She stated that she did want Sgt. Burns to have the dog and that she knew he loved Irko very much. She stated that she did not know if Sgt. Burns still wanted Irko since she had not talked to him in person.

- A motion was made by Commissioner Richard Parent to approve the Purchase and Sale Agreement with Sgt. Steven Burns for the K-9 Irko for \$1 as presented. The motion was seconded by Commissioner Roger Moody.

Commissioner Roger Moody asked if the motion should include wording that the purchase and sale agreement be approved with the condition that Sgt. Burns approve of it. He asked if that made sense to the sheriff.

Sheriff Dennison stated that it did make sense to her and added that if Sgt. Burns did not want Irko, the dog would still belong to the County.

County Administrator Andrew Hart stated that the reason the matter was being brought before the Commission was that Irko is County property. He asked for authorization to sign the agreement if it was acceptable to Sgt. Burns so that the matter would not have to wait until the next Commission meeting to be resolved.

Commissioner Richard Parent withdrew motion. Commissioner Roger Moody withdrew his second of the motion.

- A motion was made by Commissioner Richard Parent to approve the Purchase and Sale Agreement with Sgt. Steven Burns for the K-9 Irko, if that is what Sgt. Burns wants, and to authorize the county administrator to sign the agreement as presented. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

4. Act on Approval of the Knox County Airport Business Plan (J. Northgraves).

Airport Manager Jeff Northgraves stated that the County had started the process of developing a business plan for the airport a couple of years ago. The Business Plan Sub-Committee of the Airport Public Advisory Committee (APAC) was very pleased with the product. The APAC voted 5-1 to approve the Business Plan. A copy had been supplied to the Commission. A couple of updated charts will be provided at a later date since the airport budget had been approved after the first copy of the Plan was printed.

Commissioner Richard Parent commented that the Business Plan looked good.

Commissioner Roger Moody commented that he believed the Business Plan looked like it had progressed along the way it was expected to.

- A motion was made by Commissioner Roger Moody to approve the Knox County Airport Business plan as presented. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

Commissioner Roger Moody thanked Airport Manager Jeff Northgraves, the APAC, and the Business Plan Sub-Committee for their efforts.

5. Act to Authorize the Airport Manager to Approve Mortgage Liens Associated with Hangar Owner Land Leases (J. Northgraves).

Airport Manager Jeff Northgraves explained that anytime a lease owner is going to sublease, transfer, or mortgage their own hangar (not the land it sits on), the lease owner has to get Commission approval. It is unusual for a lease owner to mortgage their hangar. He stated that he did not foresee this happening very often. Currently, subleasing and transfers (sales) come to Commission. He stated that it is appropriate to have Commission approval if the lease owner is going to completely sell the lease to someone else, but he suggested that it might be appropriate to have sub-leases be approved by the county administrator, and mortgages be approved by the airport manager.

Commissioner Roger Moody asked what would happen if someone defaulted on their mortgage.

Airport Manager Jeff Northgraves stated that the bank would then own the property (the hangar) on top of the land. The person would have so many days to remove anything from the property that belonged to them. Anything left behind belongs to the County. The lease would also go back to the County.

Commissioner Roger Moody asked what would happen if a group of individuals or a company other than a bank ends up being the ones that the mortgage is defaulted to.

Airport Manager Jeff Northgraves replied that the person(s) would have the option to use the hangar since they hold the lease, but they would still have to pay rent to the County for the land the hangar sits on.

Commissioner Roger Moody stated that he wanted to know if such an occurrence would cause a problem for the County.

Airport Manager Jeff Northgraves replied that it just makes the process a little bit more complicated because he would have to explain to the bank, or whomever the hangar defaulted to, that they are not the owner of the land beneath hangar and must pay rent to the County. Banks should know that the mortgage is just for the hangar and not the land the hangar sits on because it is very well spelled out in the lease.

Commissioner Richard Parent commented that he felt it makes sense for the Commission to be made aware of a mortgage, but that he did not see why the Commission needs to be involved in the process, for the most part. The Commission will hear about it anyway in the airport manager's monthly report. He asked if anyone had asked legal counsel if it had to be brought to the Commission because it requires the legal formality of the Commission's approval.

Commissioner Anne Beebe-Center commented that the process is the same as it has been through the last four years, which is working so far. She added that as long the documents contain the right language, and the Commission can delegate authority to whomever the Commission approves, it is worth reviewing. She stated that the Commission had kept the strings very close intentionally. If the Commission has the guarantee that it is legal to extend the authority to the airport manager and administrator, and is still binding and would not cause problems later for the county, then it would be more expedient to make this change.

Commissioner Roger Moody asked if this particular case was a change in the wording of the lease.

Airport Manager Jeff Northgraves replied that the mortgage company is just asking to extend the mortgage, and the language in the lease states that it must be approved by the "lessor", which is the Commission or the Commission's designee, which could be the county administrator or the airport manager. In this particular situation, the lease is pretty clear about what would happen if the lease was defaulted for any reason. He stated that the form that is filled out has a place for the airport manager's approval, and the lessor's approval. If the Commission authorized the airport manager to approve mortgages on hangars, he would be able approve it without it needing to go before the Commission for secondary approval.

Commissioner Anne Beebe-Center commented that it was still hard to get her mind around the fact that the County does not own the hangars; the County only owns the land that the hangars sit on. How the owners of the hangars finance their lease it is not up to the Commission.

Commissioner Roger Moody asked what happens if the Commission approved the request to delegate authority. He wanted to know where the information that proves the authority was delegated would be located so that everyone would know who is authorized to do what.

Airport Manager Jeff Northgraves responded that it would be recorded in the minutes for the Commission meeting. Later on, if someone wanted to know about the subject, they would have to take the time to look through Commission minutes until they found what they were looking for.

- A motion was made by Commissioner Richard Parent to authorize the airport manager to approve mortgage liens associated with hangar owner land leases. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

6. Act to Authorize the Airport Manager to Hire Part-Time Help for the 2009-2010 Winter Season (J. Northgraves).

Airport Manager Jeff Northgraves explained that in July of 2009, the Commission had approved his request to hire a part-time person for the winter season. After that, it appeared as though the request would also need the approval of the Knox County Budget Committee. In the end, the Budget Committee did not approve the extra position in the Airport's 2010 budget. He stated that this left him in a tough position. He had been approved by the Commission to hire someone for the winter season starting in 2009 with FEMA money, but now he did not have authorization for 2010 to finish out winter season. He stated that he needed to hire extra help for the winter season. There are FEMA funds that exceed \$10,000 that are currently undesignated, and another \$8,000 of funds came in from the terminal bid process. He added that he anticipated that even if it is a tough winter all the way into April, the Airport would need about \$4,000 to \$5,000 for someone to work 20 hours a week, but that he did not foresee it happening that the employee would work that many hours. He stated that he was asking the Commission for approval to pay for hiring an individual for the 2009/2010 winter season.

Commissioner Anne Beebe-Center asked if this would be a temporary position.

Airport Manager Jeff Northgraves replied that the position was temporary and part-time.

Commissioner Richard Parent where would the money come from?

- A motion was made by Commissioner Richard Parent to hire a temporary part-time person for the 2009 – 2010 winter season, and use FEMA money to fund the position, to not exceed \$5,000. The motion was seconded by Commissioner Roger Moody.

Commissioner Roger Moody asked if the Budget Committee had decided against the additional position because it was originally considered a year-round position.

Commissioner Anne Beebe-Center replied that this was correct.

Airport Manager Jeff Northgraves stated that at the budget meeting that he had attended, the Budget Committee voted to have the additional position in his budget, but that at a later meeting they changed their minds and removed it.

Commissioner Richard Parent stated that when he was at the budget meetings, he had the feeling that since there is already an employee working at the airport under the Airport Maintenance Supervisor, it was expected that this person would be promoted. He added that while that might not always be the best thing to do, it may be the expectation.

Airport Manager Jeff Northgraves stated that hiring a third person is definitely needed.

Commissioner Richard Parent stated that he had understood that the person to be hired in the new position was intended to eventually replace the current maintenance supervisor.

Airport Manager Jeff Northgraves responded that while that may be a possibility, the primary reason for hiring another person is simply that the airport needs the extra help during the winter season.

- A vote was taken with all in favor.

**V. Discussion Items**

1. Discuss Bid Results for the Knox County Airport Terminal Project (J. Northgraves).

Airport Manager Jeff Northgraves explained that he had sold over 80 bid packages to contractors. The County received thirteen bids:

<b>Bidder:</b>	<b>Bid Amount:</b>
Sheridan	\$3,216,782.00
Pizzagalli	\$3,220,829.00
Perry & Morrill	\$3,248,059.51
Blane Casey	\$3,270,100.00
PM	\$3,292,612.00
Ledgewood	\$3,315,385.00
Langford and Low	\$3,332,763.00
Bowman	\$3,394,000.00
McCormic	\$3,415,142.00
Ganneston	\$3,440,430.00
The Penobscot Co	\$3,489,284.00
Maine Coast	\$4,090,821.00

The “apparent low bidder” was Sheridan. George C. Hall is their site sub-contractor. The second lowest bidder also uses George C. Hall as their sub-contractor. Stantec is going through the process to make sure that the bids are “reasonable and responsive”. Once that is done, the County is required to pick the lowest bidder because it is a federal process.

Commissioner Richard Parent asked if Stantec would oversee the process of the construction.

Airport Manager Jeff Northgraves stated that this was correct.

Commissioner Richard Parent asked if the County would pay Stantec directly or if their payment was part of the bid price.

Airport Manager Jeff Northgraves replied that this particular bid does not contain Stantec’s payment. Instead, the grant from the FAA includes the \$400,000 to \$500,000 for design, inspection,

and oversight, which includes the architect. The architect will be on site most of the time and there will also be a resident engineer on the scene anytime there is construction going on. They will have to provide a place for that engineer to work.

Commissioner Anne Beebe-Center asked why the Department of Environmental Protection wanted the airport to have impermeable asphalt.

Airport Manager Jeff Northgraves replied that one individual at the DEP wanted the airport to use impermeable asphalt so that if there was an oil spill, the oil would not go into the ground. He stated that he had met with the Maine DEP and the Environmental Protection Agency and compromised to do tests, but not to use the impermeable asphalt. Instead, the airport will take precautions to ensure that if there is a catastrophic spill, it can be dealt with. UNH is recommending that if you have porous pavement, you have to have the engineer there anytime construction is going on to monitor it.

Commissioner Roger Moody commented that he had seen too many projects go wrong because there was not that kind of oversight. He asked if the architect and engineer inspect their own work.

Airport Manager Jeff Northgraves replied that they do not inspect their own work. He added that SMRT is the architect and Stantec keeps an eye on things.

Commissioner Roger Moody stated that this was good because it was one more check and balance.

Airport Manager Jeff Northgraves stated that the inspection is signed by FAA and MDOT, so before a project can even be put out to bid, both agencies have to approve it. The FAA has the final approval inspection at the end of the project. The Maine DOT has the authority to do the same thing, but their lack of manpower may limit that. They usually come down to inspect the project at the same time as the FAA. He asked if the Commission wanted him to return to them to make a official choice once a determination is made of which is the reasonable low bidder.

Commissioner Anne Beebe-Center stated that the Commission does not have a choice in the matter; the County is required to go with the lowest bid.

Airport Manager Jeff Northgraves stated that even though the Commission awards the bid, the actual selection process is out of the County's hands. He added that he was asking to have the county administrator authorized to sign the documents upon their completion.

- A motion was made by Commissioner Roger Moody to award the Knox County Airport Terminal bid to Sheridan Corporation with a bid of \$3,216,782.00, and authorize the county administrator to sign upon the completion of the Stantec review and the completion of all the necessary documents. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

2. Discussion of Patrol Administrator Vacancy at the Sheriff's Office (A. Hart).

County Administrator Andrew Hart explained that the patrol administrator position had become vacant on November 24<sup>th</sup>. He received a request to hire from Sheriff Dennison, on November 30<sup>th</sup>, after returning from vacation. The request to hire was dated November 24<sup>th</sup>. In the request to hire, the sheriff asked to move up one of the existing deputies to take the position of patrol administrator on a permanent basis.

Commissioner Anne Beebe-Center asked if this meant the Sheriff wanted to move a union employee into a non-union position.

County Administrator Andrew Hart stated that this was correct. He stated that he had met with the sheriff on December 1<sup>st</sup> and informed her that he would not approve the request to hire because there have been three patrol administrators in less than two years. Also, the organizational study had not been done yet and it may affect what positions there will be in the structure of the County. He added that there is also a sergeant's position that was currently being filled on a temporarily basis and that position needs to be filled permanently. He stated that he felt the sergeant position should be filled sooner rather than later. Since that meeting with the sheriff, the Budget Committee had discussed the sheriff's request for another deputy position to be added to her roster because of a shortage of deputies to cover the area, and also because the State Police is leaving the area. He stated that his concern was that the Sheriff wanted to take a person off from patrolling the County when the patrol department was already short handed, and move that person into a management position. He stated that the County cannot promote a union employee to a non-union position. The County's Personnel Policy requires a hiring process. In the past, this has included advertizing for the position, conducting interviews, and then hiring someone. Any individuals currently working for the County, whether they are union or non-union, can apply for the job like any other applicant, but

union employees cannot be automatically promoted to a non-union position. According to the Knox County Charter, the county administrator is the hiring authority during this process and is not required to approve the request just because the department head has submitted a request. He stated that three days after meeting with the sheriff (Dec. 1<sup>st</sup>), he was notified on December 4<sup>th</sup> that the deputy the sheriff had wanted to promote (as written on her request to hire) was put in as acting patrol administrator without the Administrative Office being notified and without approval of the administrator. He stated that when he found out about this, he talked to the sheriff and reminded her that this was not approved and told her that he would bring the matter before the Commission.

Commissioner Roger Moody asked for the Sheriff's perspective.

Sheriff Donna Dennison stated that County Administrator Andrew Hart had mentioned that her department had had three lieutenants, but there have also been three county administrators, four if you to count Jeff Northgraves (*who served as interim administrator for a few months*). She stated that she had a business to run. She stated that if you lose someone, you shuffle people around to keep the business running. She stated that when she met with the administrator on December 1<sup>st</sup>, she had explained to him how important that position was and that she needed somebody to fill it. She stated that she had hoped that the administrator would go along with her and work with her on it, and approve moving the acting person and hiring somebody. She stated that he did not go along with her on this, so she told him she was going to put a deputy in that roll as the acting patrol administrator, which she did. She added that everyone is taking on more work and more people are going on military leave. The public will not be protected. She stated that she has been asking since July (*of 2009*) to have the sergeant's position filled. She added that she did not know what to do to have to get the administrator to work with her.

Commissioner Anne Beebe-Center asked if there was a hold-up on filling the sergeant's position.

County Administrator Andrew Hart responded that when the sergeant's position had opened up, the County and the Union representatives were still working on the Union Contract and the particular section that dealt with the issue was still being worked on and reworded. He stated that he had asked the sheriff to not post the vacancy within the department yet, but the sheriff went ahead and did it anyway, and because of that, applications were submitted to the administrative office for that position. One application was marked by the Sheriff's Office as not eligible for the position, but no reason was given as to why. One other applicant was considered by the Sheriff's Office as eligible, that that applicant was not eligible because he was still in the middle of the mandatory six-month probation. All new employees are on probation during their first six months of hire and are not eligible for promotion during that time. After that, the County was in the middle of the budget process and so that is why it was put off. He stated that when he had met with the sheriff, he indicated to her that they should try to fill the sergeant's position first.

Commissioner Anne Beebe-Center stated that it was her understanding that to keep up with the safety needs of the County, there needed to be another patrolman. She asked how many deputies are on patrol.

Sheriff Dennison responded that there are eight deputies and two sergeants.

Commissioner Anne Beebe-Center asked the sheriff if meant that there are ten people on patrol.

Sheriff Dennison stated that eight deputies are on patrol.

Commissioner Anne Beebe-Center then asked how many people there were in management positions.

Sheriff Dennison replied that there were "two of us" and that there was on person as acting lieutenant. She added that this person knows that their job is going to be advertized. He is doing the lieutenant duties and also doing his duties on the road.

Commissioner Anne Beebe-Center asked if the sheriff if she was saying that there are only twelve people in her department.

Sheriff Dennison replied in the negative.

Commissioner Anne Beebe-Center asked again how many people were in management positions.

Sheriff Dennison replied that the chief deputy, herself, her administrative assistant, and there is also one other person who is helping her, which is the lieutenant, so that makes four people in management.

Commissioner Anne Beebe-Center asked if the sheriff meant that there are 14 people in her department.

County Administrator Andrew Hart commented that the sheriff had not counted the detectives. He stated that there should be 19 employees total in Patrol because that is what the budget is funding. Adding the new position that the Budget Committee approved for 2010 brings the total number of Patrol employees up to 20.

Commissioner Anne Beebe-Center stated that the department has some positions that are specifically for protecting the public through patrol, while some positions are strictly management. She stated that she was trying to figure out how many of each the County has.

Commissioner Richard Parent asked if the patrol administrator normally serves both roles as management and a patrolman.

Sheriff Dennison replied that in the past, the patrol administrator has done both. She added that right now, the acting sergeants are also doing patrol duties as necessary. She stated that in the past, she has had to take employees out of their position to cover the lieutenant's position while trying to work with the county administrator to fill the position permanently. She added that it created a hardship for her.

Commissioner Anne Beebe-Center stated that she thought it would make more sense to fill the sergeant's position first because the County needs more patrolman than management. She added that the sheriff and the chief deputy should be able to manage patrol.

Sheriff Dennison commented that all other counties have a lieutenant, except for one county that has a captain instead.

Commissioner Anne Beebe-Center replied that nobody was questioning the need for a lieutenant, just the timing. The County is engaging a fair amount of money into an organizational study which will look at how the County is staffed, what skill-sets are needed, and how the County can accomplish what needs to be accomplished. The County needs boots on the ground right now, not more management. If there is a limited amount of employees, they need to be put where they can do the most good.

Commissioner Richard Parent commented that he believed that if a patrolman was promoted to a management position, that employee would fill both rolls, and that the department would fill the now-vacant deputy spot with a new hire. He stated that he felt that he could see where the sheriff's point of view was coming from and that he could see the benefit of having both positions filled. He added that the Budget Committee had been alarmed that there is currently no patrol coverage between 2 a.m. and 6 a.m. If the County does not increase the number of deputies, the need will not be met. The need is now, not six months from now.

Commissioner Anne Beebe-Center stated that she agreed with Commissioner Parent in terms of needing more patrol deputies, but did not agree that there needed to be more management at this point. Since the vacant position is a non-union position, the County has to follow the Personnel Policy and advertize for the position.

Commissioner Richard Parent stated that the sheriff needs to be able to fill the lieutenant's position in an acting capacity until someone is hired. He asked the county administrator if this statement was wrong.

County Administrator Andrew Hart replied that Commissioner Parent was indeed incorrect because the hiring process states how the position has to be filled, even in an acting capacity. He pointed out that during the time he has been employed by the County, the lieutenant's position has not been filled in an acting capacity during the times when there was no permanent person in the position. It was kept vacant both times while the position was advertized, applicants interviewed, and then someone was hired. The position was vacant for six months before Joe Kieras was hired as the lieutenant.

Commissioner Anne Beebe-Center stated that the problem is having a union employee filling a non-union position, even if it is only temporary. It is not just a matter of promoting someone; the whole point is to find the most qualified applicant for the job. A certain skill level is necessary.

Sheriff Dennison commented that the last time the patrol administrator position was vacant, she had put Sergeant Reggie Walker in the position as the acting lieutenant until it was filled permanently. She added that Jail Administrator John Hinkley has done the same at the jail. She stated that she has

to be able to move people around because she has a business to run and that she was not trying to stop anybody from doing the hiring process.

Commissioner Anne Beebe-Center stated that the major need for the sheriff's "business", and the greatest concern of the Budget Committee, was the number of patrolmen out on the streets. The sergeant vacancy positions should be filled first.

Sheriff Dennison stated that the sergeant position should have been done a long time ago.

Commissioner Anne Beebe-Center replied that perhaps they should have, but as the county administrator had stated, the County was in the middle of Union negotiations at the time, which could have changed the way things are done. She stated that she believed it was more important to have more patrolmen to cover the safety needs of the County before worrying about filling a high-level management position.

Sergeant Reggie Walker asked Commissioner Beebe-Center if she agreed that the new patrolman position was in the 2010 budget and was a necessity.

Commissioner Anne Beebe-Center stated that this was not in dispute. The 2010 County Budget had just been approved and the additional deputy position was approved as part of the Patrol budget.

Sergeant Reggie Walker then asked Commissioner Beebe-Center if she agreed that the County needed to get going on filling that position.

Commissioner Anne Beebe-Center replied that she did agree, but added that the County needs to advertize for vacant positions, and that it is the lack of patrolman that makes citizens afraid for the safety of the community, not the lack of management.

Chief Deputy Ernie McIntosh stated that he wanted to back things up. He stated that he heard the county administrator state that he did not want to move on filling the lieutenant position until the organizational study could be done. He stated that doing so it was putting the cart before the horse. He stated that to him it sounded like the County had already made it's decision and was waiting to have something to stand on, which is totally incorrect. He stated that Commissioner Parent had it right, that you have to start by filling the highest position first and then backfill. If you start with the sergeant, he is going to apply for the lieutenant position and then there will be chaos. He stated that a lot of chaos had been going on since July because that is how long it has been since the sergeant's position became vacant. That puts a lot of stress on the acting lieutenant. He is getting paid but he is also wondering the whole time if he was going to get the job permanently once the temporary need is finished. This is chaos and undue stress, and it affects the day-to-day operations on a continuous basis. The Sheriff's Office tries to fill these positions because the department needs to get back to being full-staffed but have been delayed and delayed.

Commissioner Anne Beebe-Center stated that currently, there are two sergeant positions that need to be filled, as well as the additional patrol deputy that the Budget Committee approved for 2010. She stated that she would think those positions would be the priority.

Chief Deputy McIntosh stated that what Commissioner Beebe-Center had just said did not make sense. He stated that the upper authority vacancies need to be filled first. If you hire a sergeant and then advertize for the lieutenant position, and then that sergeant applies for the lieutenant position, you end up having to fill the sergeant vacancy all over again. The lieutenant (patrol administrator) is the first one to get the calls in the middle of the night, and it is on a regular basis. He added that he has shared that responsibility when the position has been vacant. He stated that making it a "we'll get to it when we can" position is totally irresponsible. It is an important position.

Commissioner Anne Beebe-Center stated that she did not agree with the chief deputy's statement that the Commission thought of the lieutenant's position as a "we'll get to it when we can" position. She stated that it was a matter of following a particular process.

Chief Deputy McIntosh interrupted Commissioner Beebe-Center by stating "that's a cop-out."

Commissioner Anne Beebe-Center responded that it was not a "cop-out". She stated that the position needs to be advertized. It is a fairly high-level management position with a fairly high level of decision making responsibilities.

Chief Deputy McIntosh stated that in the meantime, the sheriff has someone assisting her by filling those rolls. The patrolmen need leadership at the front-line level. He told the Commission that they did not understand how important the lieutenant position is. He stated that to delay it or to say that the County needs to look at a study first was irresponsible.

Commissioner Anne Beebe-Center commented that the Budget Committee was concerned about having more deputies on the ground, not more management.

Chief Deputy McIntosh stated that the Sheriff's Office could do that if the County got to work and the county administrator filled those positions instead of delaying it. He added that he knew that the county administrator was very busy with the budget, but at the same time, it affects the patrol department's ability to function.

Commissioner Anne Beebe-Center stated that the budget process is over and the county administrator has asked to begin filling the sergeant positions.

Chief Deputy McIntosh asked how it made sense to not fill the lieutenant's position first. He stated that he did not understand.

Commissioner Roger Moody stated that he was not sure he could add any clarity to the logic of it, but that what the department needs is people and to fill the slots available. He stated that whether it makes sense or not, he felt that the County should go ahead and fill the sergeant position, and if there is some awkwardness when filling the lieutenant's position, this is something the County can deal with. He stated that the point is to have the right person fill the job. Just because a sergeant applies for the lieutenant position, it does not mean that person is the most qualified. The County has to advertize to make sure the person hired is the best qualified. He stated that his concern was that the personnel study is important, but that he did wonder how quickly that could get started. He stated that he did not know which companies would be solicited to participate in the bid process, but that he thought that there should be several asked to participate.

Commissioner Anne Beebe-Center stated that she agreed with Commissioner Moody's statement that several companies should be invited to be asked to bid.

Commissioner Roger Moody stated that the process could take several months and that is what concerns him.

Commissioner Anne Beebe-Center stated that she would like to learn more about the lieutenant's position. Her concerns was whether or not a patrol deputy can effectively move into the lieutenant position and have enough experience and qualifications to do fulfill the requirements of that job. She stated that she wanted to get moving on filling the sergeant positions and start advertizing for the newly added deputy position. She added that she would like to understand more about the qualifications of the lieutenant. She stated that the need for a qualified employee is why the County advertizes outside the department, as well as allowing any current employees who are interested, to apply.

Jail Administrator John Hinkley commented that normally, when operating a facility or an operation like the jail or patrol department, when a key position is vacant, it is usually filled in an acting capacity by an experienced employee with seniority that has the knowledge base to be able to make decisions. The chief deputy and sheriff are also available to assist. He stated that he has handled the jail the same way. The key positions need to be filled to manage the operation. After that, you backfill the lower positions or have an employee cover those positions in an acting capacity. Unfortunately, the sheriff has two qualified employees who will be leaving on military leave. The sheriff needs to have the position filled in an acting capacity until it can be filled permanently. He stated that when his key positions are vacant, he has another employee fill that role in an acting capacity until he can hire someone permanently for it. It makes sense and is good management. He added that this was a normal practice that is done State-wide, including at the State level of government.

Commissioner Anne Beebe-Center stated that while it may be normal practice, the savings from not filling another management position could fund hiring more part-time patrolmen for better coverage and ensuring the safety of Knox County. The County would have two new sergeants, a new patrolman, and at least a couple more part-time deputies from the salary savings by not hiring a lieutenant, until there can be a proper search by advertizing for the position.

Deputy Mark Tibbetts stated that the position cannot be filled permanently filled for a year per the Union Contract because one qualified person is on military leave for the next year. The patrol administrator is the backbone of Patrol. The lieutenant does basically everything that has to do with patrol and is the leader. The lieutenant also handles complaints and does other managerial duties that the deputies cannot do. There will be mass chaos and anarchy within the department if there is no one in control, especially since the department has two brand-new sergeants who are in an acting capacity. He agreed with the chief deputy that the sergeant's positions should have been filled back in July. He stated that it was ludicrous to not fill the lieutenant's position.

Commissioner Richard Parent asked how many lieutenants the County has.

Sheriff Dennison responded that patrol has one, and the jail has two.

Commissioner Roger Moody asked if the deputy currently serving on North Haven was coming back to the mainland.

Sheriff Dennison answered yes.

Commissioner Roger Moody asked how that would affect things. He asked if that deputy would fill one of the empty patrol slots on the mainland or would be covering for one of the men on military leave.

Sheriff Dennison replied that the North Haven deputy has not been to the academy yet but is getting ready to go there, so that will be another spot that has to be filled. He is a part-time deputy and under no obligation to stay there. He is, however, working 40 hours a week. She added that he would like to work one of the temporary full-time slots, but the request to hire that she had sent to the county administrator to hire the deputy full-time was denied.

Commissioner Anne Beebe-Center asked if the North Haven deputy was being treated any differently than other deputies.

Commissioner Richard Parent stated that he thought that if a part-time employee is working 40 hours a week they are eligible to become a full-time employee.

County Administrator Andrew Hart stated that part-time law enforcement officers can work 1,040 hours in a year and still be part-timers.

Commissioner Roger Moody asked if 1,040 hours represents six months worth of 40-hour weeks.

County Administrator Andrew Hart stated that this was correct. Once the part-time deputy reaches 1,040 hours in a calendar year, they have to be considered full-time. 1,040 hours can be stretched out over a full year if you wanted the employee to work year-round.

Commissioner Richard Parent asked why the sheriff is not allowed to fill a position with another employee in an acting capacity, if the jail administrator can.

County Administrator Andrew Hart replied that he cannot speak to what was done before he was hired as administrator. He stated that since he was hired, the County has advertised for the lieutenant position both times and had an interview panel. As for the jail, he personally has not been involved with hiring anyone in a position higher than a sergeant.

Commissioner Anne Beebe-Center asked if the lieutenants at the jail are non-Union.

County Administrator Andrew Hart stated that the jail lieutenants are non-Union just like the lieutenants for the sheriff's office.

Commissioner Richard Parent asked what the problem is with having a Union employee covering a non-Union position in an acting capacity.

County Administrator Andrew Hart replied that there are requirements in the County's Personnel Policy for hiring for non-Union positions. He added that he had already stated the reasons behind his denial of the request to hire. The Union Contract only applies to Union employees. The rest are hired by the rules stated in the Personnel Policy. He stated that there is obviously an issue if the County has had to hire a new patrol administrator three times in two years. The organizational study could help figure out what the problem is. He added that right now there are six management positions monitoring eleven employees.

Commissioner Richard Parent stated that Knox County seems to be the training ground for everyone else because the County does not pay that much.

County Administrator Andrew Hart stated that this was not the reason the other individuals left. They left for reasons other than how much they were being paid.

Commissioner Anne Beebe-Center asked what the six management positions are.

County Administrator Andrew Hart replied that the six positions are the Sheriff, her Chief Deputy, the Lieutenant (though vacant now, was filled up until two weeks ago), and the three sergeants (patrol supervisor, patrol supervisor, and detective supervisor – which is a new position that was added a couple of years ago). He stated that he considers supervisors as low-level management because they are supervising other deputies.

Commissioner Anne Beebe-Center asked how many deputies there are below the management.

County Administrator Andrew Hart replied that there are two on the islands (Vinalhaven and North Haven) and there are supposed to be seven on the mainland. There will be eight on the mainland in 2010 when the new position is filled.

Commissioner Anne Beebe-Center asked if sergeants do patrol.

County Administrator Andrew Hart replied that this was correct. He added that to his mind, sergeants are management because they supervise, or manage, other employees.

Commissioner Richard Parent commented that there are levels of management: low-level, and senior-level.

County Administrator Andrew Hart replied that this was correct.

Commissioner Roger Moody asked how many management employees are part of the bargaining unit.

Commissioner Anne Beebe-Center replied that the sergeants are part of the bargaining unit but the patrol administrator is not.

Sheriff Dennison stated that there are more people that need to be supervised, including civil deputies and deputies at the airport. She added that she did not have a list with her to be able to do a headcount, but that would make the total a lot more than 19.

Commissioner Anne Beebe-Center asked how many County employees there are.

Commissioner Roger Moody stated that there are currently 19 (there will be 20 in 2010).

Commissioner Anne Beebe-Center asked if that just included full-time employees.

Sheriff Dennison stated that this was correct.

Commissioner Anne Beebe-Center asked how part-time deputies there are.

Sheriff Dennison stated that she did not have that information with her and could not answer.

Commissioner Anne Beebe-Center asked for ballpark figure.

Sheriff Dennison asked Airport Manager Jeff Northgraves how many deputies worked at the airport.

Airport Manager Jeff Northgraves answered that there are three part-time deputies, and one full-time deputy handling security at the airport.

Sheriff Dennison stated that there are four at the airport, and four civil deputies.

Sergeant Walker commented that he was not sure if the Commission was trying to clarify how many part-time employees were actively working for the County or if there was just a list to be called if a need arises. He stated that there are some part-time people working for the County fairly often while some others may not be called at all.

Commissioner Anne Beebe-Center stated that she was trying to figure out how many deputies are working at any given time, whether they are part-time or full-time.

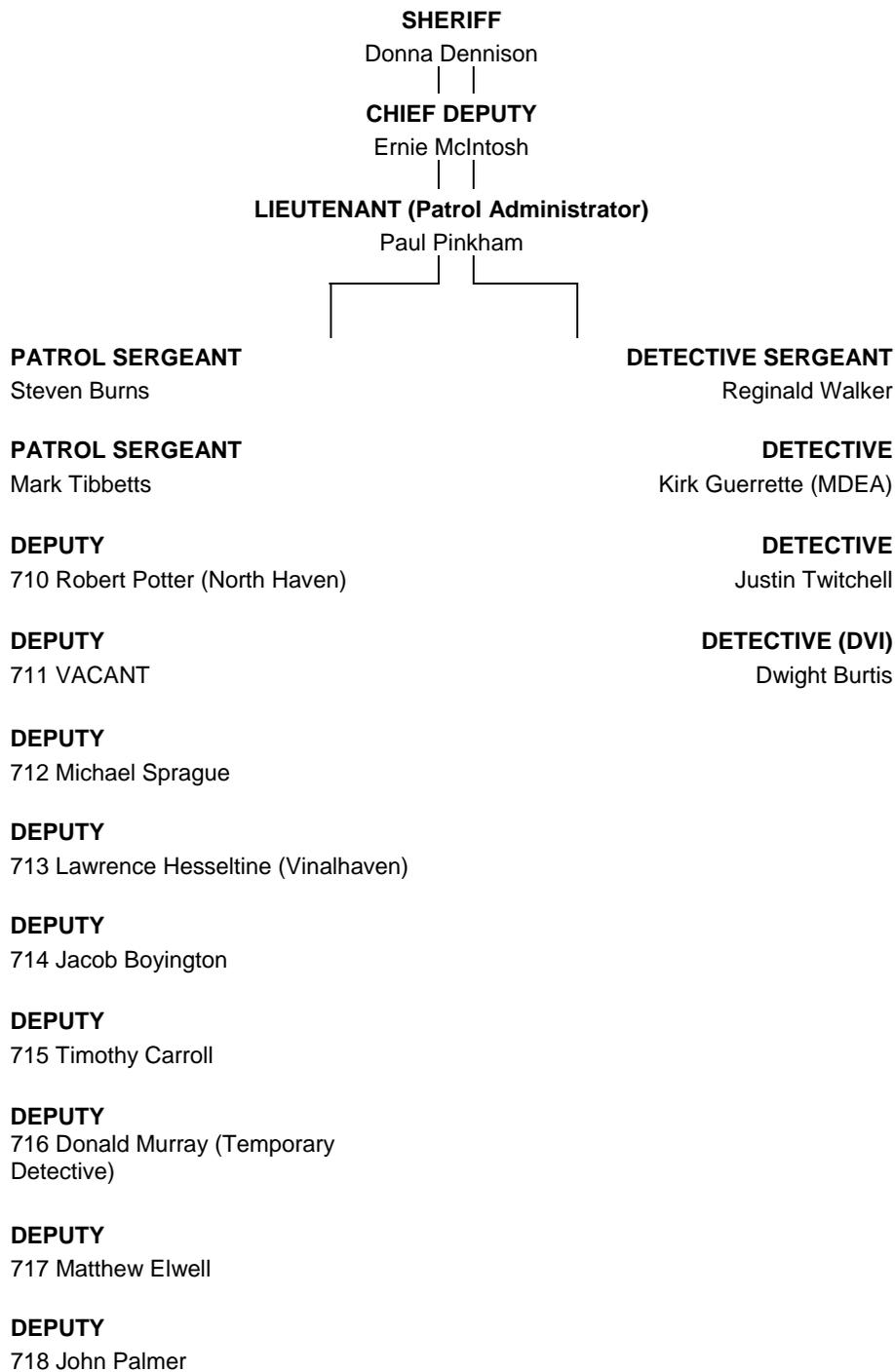
Sergeant Walker stated that there were probably five part-time employees actively working.

Commissioner Anne Beebe-Center commented that she would love to see an organizational chart that showed this.

Chief Deputy McIntosh stated that he had supplied it many times.

County Administrator Andrew Hart stated that the chart Chief Deputy McIntosh supplied him with only includes the sheriff, chief deputy, lieutenant, three supervisors, the island deputies, and mainland deputies. It does not show part-timers, civil deputies or airport security staff.

*Below is the last organizational chart that had been provided by the Sheriff's Office on February 12, 2009. It does not accurately depict which employee is in each position because it is outdated; however, the number of positions and the hierarchy layout is correct:*



County Administrator Andrew Hart stated that he has never seen an organizational chart that shows any part-time or even full-time at the airport. He added that he did not even know there were four deputies at the airport because it is not spelled out anywhere on documentation given to him by the Sheriff's Office. He stated that he also did not know about the four civil deputies or the five active part-time patrol officers for the same reason. There has been no organizational chart provided that shows all this information.

Sheriff Dennison responded that all that information should be in the employees' personnel files.

County Administrator Andrew Hart restated that the information was not on the organizational chart given to him by the Sheriff's Office.

Commissioner Anne Beebe-Center asked what organizational charts had been given to the county administrator. She asked if all the additional employees just mentioned were on an organizational chart.

Sheriff Dennison replied that the names are all on the Sheriff's Office "call list".

Chief Deputy McIntosh then admitted that the county administrator was not provided with that information.

Finance Director Kathy Robinson commented that for discussing the part-time employees, it may be helpful to look at what the roster shows for actively working part-time deputies, and compare it to the number of accumulative hours actually worked to see if it equates to the equivalent of 20 hours a week, 30 hours a week, etc. It may weigh differently. For example, there may be four employees at the airport, but collectively, there are probably less than 80 hours. There may be a lot of employees but not a lot of hours when you add it all up. She added that civil process is hard to add in because you cannot weigh the hours; however, two of the four are the ones primarily serving that function and carry the weight of it.

Commissioner Richard Parent asked if the chain of command chart that was provided to the county administrator showed the number of hours the employees are working.

County Administrator Andrew Hart stated that it did not show hours, but the budget shows the positions listed in the budget for full-time employees.

Commissioner Richard Parent asked if it was safe to presume that the positions on the organizational chart are all 40-hour, full-time positions.

County Administrator Andrew Hart replied that he assumed they were all full-time positions based on what is in the budget, which lists 19 individuals. In the 2010 budget, there are 20 listed.

Commissioner Anne Beebe-Center asked if that meant that the budget did not show how many part-time employees there were.

County Administrator Andrew Hart stated that this was correct. The budget just shows an amount budgeted for part-time work and does not show the number of employees.

Finance Director Kathy Robinson commented that the County may need to look at how many hours or shifts are being worked versus how many part-time employees there are on the roster. The level of difficulty in managing part-timers would vary based on the number of part-time employees and how many hours are being worked.

County Administrator Andrew Hart stated that the organizational study could very well come back and say that the County needs five more deputies, two more lieutenants, and two more sergeants, but that he would not be able to back up the request to the Budget Committee if there was no study done to provide proof that the positions are needed. He added that the County will not know what is needed in any of the departments until an organizational study is done. The Budget Committee will not put additional positions in the County budget without some proof that the additional staff is necessary. The Budget Committee wants hard facts because they feel that the County is over-staffed.

Commissioner Anne Beebe-Center asked if he meant the Budget Committee thought that the Sheriff's Office was over-staffed with management or patrolmen.

County Administrator Andrew Hart stated that he heard it mentioned both ways. He added that they had also discussed that no one thought the agreement with the State for help from the State Police was any help to the County. He stated that he had heard this from towns as well. Agencies would call the State Police for coverage and either the State was unavailable to assist or on the other side of the County and too far away to help.

Commissioner Richard Parent commented that he felt that all indications show that the Sheriff's Office is understaffed.

Commissioner Roger Moody commented that he was still worried that the study could take months to complete and will also probably leave the Commission with some very difficult decisions to make that will be hard to implement. There is also the issue of authority, of policy vs. practice, of State law vs. the County Charter. He stated that he was not sure that the Commission had the power to make that decision. He stated that the relationship of the administrator with the sheriff is what is critical in the long run. In the short run, however, it is the lieutenant's position that is critical. He added that he had some opinions but that he was not sure if he had the authority to get involved because the administrator and the sheriff should be able to work it out. Both departments need to be able to function. Ultimately, the Commission is responsible for the safety of the people. The Commission would regret if personal issues or uncertainty of the Charter get in the way of the ultimate mission, which is to protect and preserve.

Commissioner Anne Beebe-Center commented that Commissioner Moody's point was well taken but that those present needed to remember the responsibility that the Commission has to honor the Charter and to recognize the authority of the Commission as given by that Charter. The State gives the Commission the authority of hiring agent. The Charter, voted into existence by the people of Knox County, changed it so that the Commission could act through the county administrator. That has been the Commission's stand and she would not be comfortable abdicating the hiring authority of the Commission to anyone other than the county administrator. She stated that she understood that the County needs more patrolmen on the roads and that no department wants to be short-staffed. She added that she also understood the possible danger of the State Police leaving the area, whether that arrangement worked to begin with or not. She commented that she was very surprised to discover that she had almost no idea of how the Sheriff's Office is organized in terms of the management structure, part-timers, and the supervisory structure. She stated that she would like to offer a compromise, recognizing the difficulties between the sheriff and the administrator. She asked if there could be a concerted effort to fill the empty patrol positions, starting with the sergeant positions and the new patrol position. She also asked for a more comprehensive chart of the Sheriff's Office so that the issue of the patrol administrator could be revisited in two weeks at the next work session.

Commissioner Roger Moody asked how things would stand for the next two weeks with regards to there being an "acting" lieutenant.

Commissioner Anne Beebe-Center stated that if the hiring procedures of the Personnel Policy and the Union Contract allow for an acting capacity, then that should be done. If having an acting lieutenant is setting a precedent or breaking the rules laid down in the Personnel Policy or Union Contract, waiting two more weeks to make a final decision is not that long. She restated that she was very interested to learn more about how many people worked for the Sheriff's Office, how many hours they worked, and who supervised who. She added that supervising fifteen people is a lot different than supervising three.

Commissioner Richard Parent stated that he would go along with that. He stated that he thought he understood the sheriff's position that the department looks to the patrol administrator for leadership and does not currently have that. It is the Commission's job to provide the sheriff with what she needs. He added that he was not trying to cut the legs out from under the county administrator. He stated that somehow the County had to get their hands around this and work as a team.

County Administrator Andrew Hart stated that he wanted to clarify that he did not consider this a personal issue. There have been four administrators and everybody works differently. He stated that he was trying to follow the rules and that he cannot make exceptions because that sets a precedent. He cannot make an exception for one person and then tell another person they cannot have that too. The County has done that a lot in the past and the Commission is lucky that the County has not been sued more than it has. He stated that the Commission had hired him to do a job and that is exactly what he is trying to do. He stated that he would continue doing things the way he thinks is right for the County until the Commission or legal counsel tells him otherwise.

Commissioner Richard Parent commented that Administrator Hart was doing a good job.

Commissioner Anne Beebe-Center commented that the reason a strong administrator was hired was because each department had been running things their own way. She added that she just wanted to understand the patrol department.

Commissioner Richard Parent commented that the Commission should hold work sessions to work with the sheriff to understand the department.

Commissioner Anne Beebe-Center stated that she thought that was a good idea.

Commissioner Roger Moody stated that he agreed with meeting in two weeks to have a work session. He suggested that the administrator could be asked to allow the patrol administrator position to be filled in an acting capacity until then.

Jail Administrator John Hinkley stated that he wanted like to speak to the "acting" capacity issue. He stated that having an employee working in an acting capacity was not part of the hiring process, but was a tool to cover the need until the hiring process can happen. The hiring process is separate.

Acting Lieutenant Tim Carroll stated that it may look like the patrol department is top heavy, but if the department were to be compared to patrol departments in other counties, Knox County is no different. The department may be a "business", but at the same time, what the department does

affects people's lives. The levels of supervisory skills are heavily looked at and need to be studied well to make sure the County has the right people in the right places.

Commissioner Anne Beebe-Center asked for a motion to hire, as quickly as possible, two sergeant's positions, and the lieutenant's position, leaving the acting lieutenant in place for the next to weeks until the next work session, and schedule at least two work sessions for the Commission to learn more about the Sheriff's Office, and get an updated organizational chart (*hours, part time, full time, supervisor's/managers' load*).

Chief Deputy Ernie McIntosh explained that right now only one sergeant's position needed to be filled in an acting capacity.

- A motion was made by Commissioner Roger Moody to hire, as quickly as possible, two sergeant's positions, and the lieutenant's position, leaving the acting lieutenant in place for the next to weeks until the next work session, and schedule at least two work sessions for the Commission to learn more about the Sheriff's Office, and get an updated organizational chart that includes hours worked, part-time and full-time employees, as well as the supervisor's/manager's load.

Finance Director Kathy Robinson stated that she could pull together the information on hours worked by part-time employees but that someone else would have to do the organizational chart.

Commissioner Anne Beebe-Center asked the sheriff to do the organizational chart.

Sheriff Dennison stated that she would.

- The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

Commissioner Anne Beebe-Center asked the sheriff if she would be willing to help the Commission to understand her department better.

Sheriff Dennison replied that the commissioners, and the county administrator, are always welcome to come to the Sheriff's Office. She added that she would love everyone to see what was going on.

Tuesday, December 22<sup>nd</sup> at 1:00 p.m. (in two weeks) was set as the first work session to learn more about the Sheriff's Office.

County Administrator Andrew Hart commented that County Attorney Peter Marchesi might need to meet with the Commission regarding MacImage lawsuit and so the Commission might need to meet in an executive session with him for a half hour prior to the work session.

Tuesday, January 5<sup>th</sup> at 1:30 p.m. was set for the second work session.

3. Update on the County's Participation With the NACo Rx Prescription Card Program (R. Sisk).

EMA Director Ray Sisk stated that the County had been running the program for about 23 months. It is being done through the National Association of Counties (NACo). It is available to Knox County citizens because of the County's association with NACo. He stated that he has been updating the Commission monthly on the data from the program. Recently there has not been a lot of participation above the citizens who were already participating. There are generally about 80 – 90 people using the program each month. So far, the program has saved about \$21,000 for 21 months that the County has data for. He stated that he would like the Commission's help with the program by being outspoken advocates and supporters of the program. He added that he also had a press release to get out.

Commissioner Anne Beebe-Center asked if he had ever presented the program to the Health Coalition.

Director Sisk stated that he had spoken to some parts of the Coalition, but not to the entire group.

Commissioner Anne Beebe-Center stated that the group that meets in the morning is the Coalition group.

Director Sisk stated he thought that he had presented to that group, but it was last year. The program itself does not have a whole lot to do with emergency management. He stated that he was made aware of it by the previous county administrator who had enrolled the County in the program, but the cards and information had not even been taken out of the packaging. He added that he had thought that the program would work well with some of the other programs in place. The EMA

office staff had distributed about 14,000 cards at all town offices, public libraries, and most public buildings.

Commissioner Anne Beebe-Center asked why only 80 – 90 people were using the cards.

Director Sisk replied that he thought people just assume the program was “too good to be true” and were not comfortable trying it. He stated that after he researched the program and saw the results so far, he realized that the program had turned out to be a really good thing. He stated that he believed that the program will only be a success through word of mouth. He added that probably only 2/3 of people trying the program will save money using it.

Commissioner Anne Beebe-Center asked if almost all pharmacies participated in the program.

Director Sisk replied that all pharmacies do, including the pharmacy in the Rockland Wal-Mart.

Commissioner Roger Moody asked what made some people ineligible to use it.

Director Sisk stated that ineligibility had nothing to do with a person’s income but rather the level of insurance that the person already has. For those with marginal insurance or no insurance at all, it will help them save money. Some have good insurance but their co-pays for prescriptions might be higher than what they would have to pay if using the card NACo prescription card. In those cases, it would be useful for those individuals to use the card. A person just might not know until going to the pharmacy to buy their prescription. He stated that the savings so far are substantial so the County needs to make sure citizens understand that the program is available for them to use.

Commissioner Anne Beebe-Center stated that the commissioners would each try to be creative and find ways to get the word out.

Director Sisk stated that if the Commission had any specific organizations that he should present the program to, to just let him know.

Finance Director Kathy Robinson suggested mentioning the program at the next meeting with the municipalities.

Director Sisk commented that it was something that really needed to be brought up multiple times.

Commissioner Richard Parent asked what organizations Director Sisk had visited

Director Sisk replied that he talks to everyone every chance he gets. Other than man power, the program does not cost the County anything.

IT Assistant Mike Dean asked if the cards and information were being taken to food pantries and other places where there are people who are more likely to not have any health insurance.

Director Sisk responded that he had. He stated that the area was pretty well saturated with the cards.

4. Discuss Possible County Offices Closure on December 24, 2009 (A. Hart).

County Administrator Andrew Hart stated that usually the County follows what the State (Governor’s office) does, but this time the State was doing a furlough day (*day off with no pay*), so that is different. He stated that he did a poll of other counties and towns but there was a variety of ways that the day was being handled. Some agencies were giving employees half a day off, while others the whole day, and some agencies were planning to stay open all day.

Commissioner Anne Beebe-Center asked what Administrator Hart recommended.

County Administrator Andrew Hart responded that his recommendation would be to close County offices at noon and give management and non-union employees paid administrative leave for the afternoon hours, except for any non-union employees that are classified as “essential”.

Commissioner Anne Beebe-Center asked what the sheriff, the jail administrator, and communications director would say to their (union) employees.

County Administrator Andrew Hart stated that the time off would be for all non-union, non-essential (jail food service is classified as essential) employees.

Commissioner Roger Moody asked if doing so would result in needing to have a discussion with the law enforcement side if Union.

There was a lengthy discussion of how to treat all County employees fairly. It was explained that non-employees felt they deserved the benefit of the paid administrative leave since Union employees get benefits that they do not. Commissioner Parent was adamant that giving the time off to non-union employees was not fair to the other County employees.

Commissioner Anne Beebe-Center suggested not closing Christmas Eve day at all and to leave it up to employees to speak to their managers or department heads; if an employee wanted to take that day off, they would need to use their accumulated vacation time.

Commissioner Roger Moody suggested sending out an email to all employees explaining why the decision was made (to be fair to all employees and make it less complicated for everyone).

- A motion was made by Commissioner Roger Moody to have County offices remain open on December 24<sup>th</sup> due to the inability to treat all employees fairly because of differences in schedules. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

**VI. Other Business**

There was none.

**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 4:17 p.m.

Respectfully submitted,

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Candice Richards

**The Knox County Commission approved these minutes at their regular meeting held on April 13, 2010.**

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Anne H. Beebe-Center, Chair – Commissioner District #1

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Richard L. Parent, Jr. – Commissioner District #2

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Roger A. Moody – Commissioner District #3