

KNOX COUNTY COMMISSION

Regular Meeting

Tuesday – January 12, 2010 – 1:00 p.m.

The regular monthly meeting of the Knox County Commission was held on Tuesday, January 12, 2010, at 1:00 p.m., at the county courthouse, 62 Union Street, Rockland, Maine. A member of the administrative staff 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, Administrative Assistant Candice Richards, Finance Director Kathy Robinson, Jail Administrator John Hinkley, Airport Manager Jeff Northgraves, Sheriff Donna Dennison.

Regular Meeting – Agenda Tuesday – January 12, 2010 – 1:00 p.m.

- I. 1:00 Meeting Called To Order**
- II. 1:05 Public Comment** - Public Comment during other portions of the meeting will only be granted by permission of the chair.
- III. 1:20 Election of Officers**
 - 1. Elect Chair for 2010.
 - 2. Elect Vice-Chair for 2010.
 - 3. Elect Representative for 2010 to:
 - i. MCCA
 - ii. MCCA Risk Pool
 - iii. KWRED
 - iv. EMDC
 - v. CLEO
- IV. 1:30 Consent Items**
 - 1. Approve Consent Items as Presented:
 - i. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
 - ii. Accept Monthly Written Departmental Reports.
 - iii. Approve Reserve Withdrawals.
 - iv. Approve 2009 Budget Line Transfers.
- V. 1:35 Action Items**
 - 1. Act on Approval of Transfer of Forfeited Assets of \$1,273.60 (or any portion thereof) to Knox County in *State of Maine v. Francis Scott* (D. Dennison).
 - 2. Act on Approval of Lease Assignments and Consent and Assignments for Hangar #30 from Edward Coffin to John Macone, and for Hangar #49 from Peter Freeman to Linwood Smith (J. Northgraves).
- VI. 1:45 Discussion Items**
 - 1. Discuss Organizational Study (A. Hart).
 - 2. Discuss the Creation of a Knox County Board of Assessment Review (A. Hart).
 - 3. Update on Patrol Administrator Information from Other Counties (A. Hart).
- VII. 1:55 Other Business**
- VIII. 2:00 Adjourn**

I. Meeting Called to Order

Commissioner Anne Beebe-Center called the January 12, 2010 regular meeting of the Knox County Commission to order at 1:00 p.m.

II. Public Comment

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

III. Election of Officers

1. Elect Chair for 2010

Commissioner Anne Beebe-Center asked for nominations for Commission Chair.

- Commissioner Roger Moody nominated Commissioner Anne Beebe-Center. Commissioner Richard Parent seconded the nomination. A vote was taken with all in favor.
2. Elect Vice-Chair for 2010
 Commissioner Anne Beebe-Center asked for nominations for Vice-Chair.
- Commissioner Richard Parent nominated Commissioner Roger Moody. Commissioner Anne Beebe-Center seconded the nomination. A vote was taken with all in favor.
3. Elect Representative to MCCA, MCCA Risk Pool, KWRED, EMDC and CLEO for 2010
- Commissioner Anne Beebe-Center nominated Commissioner Roger Moody to continue serving as Commission representative to the MCCA, MCCA Risk Pool, KWRED, and EMDC. Commissioner Richard Parent seconded the nomination. A vote was taken with all in favor.
 - Commissioner Roger Moody nominated Commissioner Richard Parent to serve as the Commission representative to the CLEO board. Commissioner Anne Beebe-Center seconded the nomination. A vote was taken with all in favor.

IV. Consent Items

1. Approve Consent Items as Presented:
- i. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
 - ii. Accept Monthly Written Departmental Reports.
 - iii. Approve Reserve Withdrawals.
 - iv. 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.

Commissioner Roger Moody asked how money gets put into the contingency fund.

Finance Director Kathy Robinson responded that the County moves money from surplus into contingency at the end of the year. It is not an automatic thing but rather a yearly decision whether or not to move some funds from reserves into contingency. The County auditors and the State Statutes indicate that there should be about \$100,000 in contingency.

- A vote was taken with all in favor.

Reserve Withdrawals:

Airport Projects	46160814640	\$25,288.99
Airport Terminal Building	46160814660	\$11,170.78
Airport Equipment	46160814610	\$1,790.76
Courthouse Computer	20000812660	\$7,347.00
Deeds Surcharge	20000812740	\$43,477.44
Dispatch Renovations & Furniture	56180012635	\$45,665.25
Legal Expense	20000812650	\$8,856.74
	Total	\$143,596.96

2009 Budget Line Transfers

From:			To:		
Airport Electricity	416004-54555	\$2,518.00	Water	416004-54565	\$54.00
Airport Meals	416004-54110	\$101.00	Mileage	416004-54105	\$101.00
Airport Gas, Oil, Grease	416004-54650	\$275.00	Heating Repairs & Maint.	416004-54610	\$275.00
Airport FICA	416003-53900	\$123.00	Health Insurance	416003-53910	\$2,268.00
Airport Maint. Supplies	416005-55325	\$100.00	ICMA	416003-53960	\$60.00
			Telephone	416004-54315	\$210.00
			Office Supplies	416005-55335	\$141.00
			Health Insurance	416163-53910	\$8.00
Build. Maint. Computer Sup.	006005-55385	\$61.00	Office Supplies	006005-55335	\$67.00
Build. Maint. Grounds Maint.	006004-54590	\$55.00	Landscaping	006007-57395	\$55.00
Build. Maint. Plumbing Rep.	006004-54615	\$485.00	Electrical Repairs	006004-54600	\$485.00
Build. Maint. Workers Comp.	006003-53920	\$252.00	FICA	006003-53900	\$222.00
Build. Maint. Building Rep.	006004-54595	\$3,114.00	Building Repairs	006007-57390	\$3,114.00
			Health Insurance	006003-53910	\$24.00

Commun. Computer GIS Ma.	518004-54775	\$1,949.00	Lodging	518004-54115	\$185.00
Commun. Unemployment	518003-53930	\$766.00	Dues & Registration	518004-54515	\$47.00
			Training & Seminars	518004-54545	\$548.00
			Copy Machine Repair	518004-54572	\$427.00
			Radio Repairs	518004-54580	\$108.00
			Public Education Supp.	518005-55366	\$66.00
			Communications Super.	518003-53811	\$17.00
			Radio Repairs	518004-54580	\$108.00
			Health Insurance	518003-53910	\$870.00
			Telephone	518004-54315	\$207.00
			Equipment Copier Rental	518004-54570	\$92.00
			Office Supplies	518005-55335	\$40.00

DA Books, Subscriptions	003005-55505	\$369.00	Statutes & Reference	003005-55510	\$296.00
DA Workers Compensation	003003-53920	\$153.00	Equipment-Copier	003004-54570	\$65.00
DA Drug Analysis	003004-54025	\$128.00	Copy Machine Supplies	003005-55345	\$25.00
			Computer Supplies	003005-55385	\$17.00
			Office Supplies	003005-55335	\$29.00
			ICMA	003003-53960	\$149.00
			Computer Repairs	003004-54585	\$65.00
			Flexible Benefits	003003-53950	\$4.00

Deeds Statutes & Reference	009005-55510	\$327.00	Copy Machine Supplies	009005-55345	\$59.00
			Office Supplies	009005-55335	\$268.00

EMA Workers Compensation	002003-53920	\$78.00	Overtime	002003-53800	\$19.00
EMA Computer Repairs	002004-54585	\$307.00	FICA	002003-53900	\$59.00
			Equipment Repairs	002004-54575	\$307.00

Exec. FICA	004003-53900	\$656.00	ICMA	004003-53960	\$69.00
Exec. Systems Coordinator	004003-53322	\$165.00	Computer Supplies	004005-55385	\$64.00
Exec. County Administrator	004003-53043	\$107.00	Equipment-Copier	004004-54570	\$193.00
Exec. Admin. Asst.	004003-53044	\$43.00	Dues & Registration	004004-54515	\$504.00
Exec. Executive Asst.	004003-530045	\$71.00	Telephone	004004-54315	\$1,061.00
Exec. IT Assistant	004003-53049	\$54.00			
Exec. OT	004003-53322	\$137.00			
Exec. Flexible Benefits	004003-53950	\$44.00			
Exec. Safety Supplies	004005-55305	\$204.00			
Exec. Office Supplies	004005-55335	\$410.00			

Finance Training & Seminars	005004-54545	\$186.00	ICMA	005003-53960	\$31.00
Finance Workers Comp.	005003-53920	\$37.00	Auto Mileage	005004-54105	\$127.00
			Health Insurance	005003-53910	\$37.00
			Telephone	005004-54315	\$28.00

Jail Holiday OT	008003-53805	\$12,393.00	Hourly Differential	008003-53850	\$11.00
			Health Insurance	008003-53910	\$1,905.00
			ICMA	008003-53960	\$6,498.00
			Medical Exams	008004-54550	\$120.00
			Transport Supervisor	008003-53290	\$330.00
			Asst. Transport	008003-53291	\$806.00
			Overtime	008003-53800	\$2,723.00

Probate Transcripts	010004-54080	\$473.00	Training & Seminars	010004-54545	\$100.00
Probate Mileage	010004-54105	\$204.00	Advertizing	010004-54510	\$364.00
Probate Airline	010014-54690	\$274.00	Finger Printing	010004-54785	\$441.00
Probate FICA	010003-53900	\$63.00	Statutes & Reference	010005-55510	\$46.00
			ICMA	010003-53950	\$63.00

Sheriff Training	011004-54545	\$25.00	Dues & Registration	011004-54515	\$25.00
Sheriff Copy Machine Repair	011004-54572	\$160.00	Equipment Copier Rent	011004-54570	\$160.00
Sheriff FICA	011003-53900	\$1,546.00	Patrol Administrator	011003-53312	\$1,481.00
Sheriff K-9 Supply	011005-55395	\$334.00	Hourly Differential	011003-53850	\$51.00
Sheriff Computer Supplies	011005-55385	\$255.00	K-9 Contractual	011004-54740	\$385.00
Sheriff Training Supplies	011005-55375	\$102.00	Public Relations	011005-55365	\$100.00
Sheriff Copy Machine Supl.	011005-55345	\$141.00	K-9 Supply	011005-55395	\$51.00
			Office Supplies	011005-55335	\$296.00
			Flexible Benefits	011003-53950	\$14.00

Total:	\$29,245.00
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The budget line transfers were signed by the Commission.

V. Action Items

1. Act on Approval of Transfer of Forfeited Assets of \$1,273.60 (or any portion thereof) to Knox County in *State of Maine v. Francis Scott (D. Dennison)*.
 - A motion was made by Commissioner Roger Moody to accept the transfer of forfeited assets of \$1,273.60 to Knox County in *State v. Francis Scott*. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.
2. Act on Approval of Lease Assignments and Consent and Assignments for Hangar #30 from Edward Coffin to John Macone, and for Hangar #49 from Peter Freeman to Linwood Smith (J. Northgraves).
 - A motion was made by Commissioner Richard Parent to approve the lease assignments and consent and assignments for hangars 30 and 49. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

VI. Discussion Items

1. Discuss Organizational Study (A. Hart).

County Administrator Andrew Hart explained that during the budget process for 2010, the subject of possibly doing an organizational and position analysis, pay classification study was discussed. Money was put into the Executive budget for 2010 for the Organizational study. He stated that he had spoken to some firms about some budget figures. Waldo County had a study done. Barbara Arseneau, Waldo's county clerk, wanted to discuss it over the phone, but so far, schedules have prevented being able to connect. He stated that he planned to ask her whether Waldo was pleased or not with the study and the end results. Waldo was the only county that he knows of that has done one. Some towns have done them, but not all studies included every department. The Town of Kennebunk had a study done for both municipal services and their police department. The Town of Richmond just did a study of their police department. Both counties used a firm from within the state. He added that he had provided a list of possible people, or companies, who could conduct the study.

Commissioner Anne Beebe-Center asked if some of the firms would only do municipal services and others just do police departments, while others can cover both.

County Administrator Andrew Hart stated that he was not sure yet. Each town chose on their own which departments they wanted studied.

Commissioner Roger Moody asked what the range is for the firms that do this type of work. Some of them are specialists and some seem to be more general, and less specialized.

County Administrator Andrew Hart stated that he had sent out emails to various firms to get an idea of the types of services that they provide.

Commissioner Anne Beebe-Center asked the county administrator to contact the three towns he had mentioned and get some feedback in time for the work session in two weeks. She added that the commissioners would be interested in hearing their experiences, who they hired, what was studied, their RFP's, what worked, what did not, what they would do differently, etc.

Commissioner Richard Parent commented that he was particularly interested in what Lincoln County is doing. He stated that Knox County seem to lose a lot of employees to them. It would be good to know why.

Commissioner Anne Beebe-Center stated that this stage was just going to be an organizational study, not a classification study.

The next work session was set for January 26th from 9 a.m. – 11 a.m.

Commissioner Anne Beebe-Center commented that she thought it might be a good idea to meet with some of these people who hired the consultants and how it went. She commented that she wondered if they had meet with any of the consultants before writing their RFP.

Commissioner Roger Moody stated that that would be ideal.

Commissioner Anne Beebe-Center suggested that another option would be to do it as a conference call.

2. Discuss the Creation of a Knox County Board of Assessment Review (A. Hart).

County Administrator Andrew Hart stated that the Commission had asked about the possibility of creating a County board of assessment review. State law allows this. Cumberland County is in the final stages of forming one. Oxford County already has one in place. Those are the only two counties that have one, but there are other counties who are interested in looking into it. He stated that the copy of rules or bylaws that he had supplied to the Commission was a draft he had written based on information he received from other counties. He stated that when he had contacted Oxford and Cumberland, both suggested that it is better to have seven members on the board than five because it is easier to have a quorum if not everyone can make it to the meeting.

Commissioner Roger Moody asked if the boards in place in other counties are made up of attorneys.

County Administrator Andrew Hart responded that there are attorneys and other businessmen who know the laws and rules of assessing. He stated that if the Commission was interested in doing so, the County could do an application process to see who is interested in being on the County's Board of Assessment Review. Cumberland County said that it is not easy to fill the positions. They are not getting receiving much response in terms of individuals wanting to be on the board. Cumberland has even offered to pay board members a stipend for serving on the board. It may be harder for Knox County to find individuals willing to donate their time to be on the board if there is to be no compensation.

Commissioner Richard Parent asked where the rules and regulations came from.

County Administrator Andrew Hart responded that it was a combination of what he had received from Cumberland and Oxford Counties. He added that it was just a draft and can be changed.

Commissioner Roger Moody commented that the Commission would need to coordinate with the towns on this. He asked if it would be possible to hold a public hearing.

Commissioner Anne Beebe-Center suggested talking it over with the towns first and ask them to bring appropriate people to the next meeting with the towns, instead of doing a public meeting.

There was a very brief discussion of what topics, including the possibility of a Board of Assessment Review, could be discussed in two weeks at the next work session. It was decided to have the following four items on the agenda:

1. Homeless coordinator
2. General Assistance
3. Organizational study
4. Figure out how to involve the towns

Commissioner Anne Beebe-Center stated that she wanted municipal opinions on the creation of an assessment board.

County Administrator Andrew Hart commented that the decision would not affect the towns.

Commissioner Richard Parent stated that he felt the Commission should let the towns know about the board being created, and make sure to spread the word of why the Commission is looking for people to be on the board.

Commissioner Anne Beebe-Center commented that the creation of the assessment board could be on a parallel track with the homelessness issue that also needs to be discussed with towns. It could all be done on the same timeline.

County Administrator Andrew Hart stated that it all depends on how fast the Commission receives responses from the municipalities and other counties. The Commission could decide to interview possible candidates for the assessment board, or not. As far as training, if there are no appeals pending, members of the board could do some training, but as the board members are already working in that field of expertise, they should not need any training from the County.

3. Update on Patrol Administrator Information from Other Counties (A. Hart).

County Administrator Andrew Hart explained that he had only received information from three counties thus far. As directed by the Commission at the last meeting on December 22nd, the Administrative Office did advertise for the patrol administrator position. The deadline for turning applications in for that position is on January 14th. The patrol sergeant position had been posted in-house and ended on January 6th with 4 applicants. The deadline for patrol deputies is on January 14th and 19 applications have come in so far. Some applicants are looking for just part-time work only, full-time only, while others have checked off both on their application.

County Administrator Andrew Hart stated that the Commission had asked him to find out some information about how other counties fill the patrol administrator/lieutenant position, and whether it was a union or a non-union position. The feedback that he received was pretty much the same from all three counties; the patrol administrator/lieutenant/captain was a non-union position.

Cumberland

- Has three captains and the chief deputy, which are all non-union positions.
- If it needed to be filled temporarily while the county advertised to fill the position, a person within the department was appointed to fill it in an acting capacity.
- Positions being filled on an ongoing basis are posted in-house but advertised publically at the exact same time, or the advertizing was held off until after internal applicants had a chance to turn in their applications, in a sense giving them a head start.
- They did not know of any instance of a non-management (Union) employee being put in an acting management (non-Union) position. It is not a current practice and unlikely to ever be done that way. The policy is to have other management employees cover the duties until the position can be advertised and filled.

Kennebec

- The lieutenant is a non-union position.
- They would not fill the vacancy temporarily but would post the job internally and try to fill it by promoting from within.
- However, if no in-house employee was considered suitable for the job, it would then be advertised publically.
- If someone was hired/promoted from within, that employee would be going from a union position to a non-union position.

Lincoln

- Having an employee go from a union to a non-union position would require approval from both the union and the management, as per their union contract.
- Patrol sergeants are union, lieutenants are non-union.

County Administrator Andrew Hart stated that the Acting Lieutenant had asked if the patrol administrator position could be filled before the sergeant's position, obviously after the deadline for applications for the patrol administrator position. He stated that he told the acting lieutenant that if this was the direction that the sheriff wanted to go in, he was fine with it.

Commissioner Anne Beebe-Center stated that the question that the Commission needs to answer is whether the Union employee filling a non-Union roll in an acting capacity should stay that way until someone is hired to permanently fill the position.

Commissioner Richard Parent commented that the issue would take care of itself in a few days.

Commissioner Anne Beebe-Center asked if there was really anything that needed to be decided, then.

County Administrator Andrew Hart stated that the deadline for applications is in two days and that he was not sure if anything needed to be done before then. He added that he did not know how long it would take to hire someone once the application deadline, nor how much notice the person would need to give their current employer. If the in-house candidate is chosen, that would not be an issue.

Commissioner Roger Moody stated that while the Commission may not need to make a decision now about a union employee in an acting non-union position for this particular instance, the Commission needs to make a decision so that the county administrator knows how to proceed in the future if it happens again. He suggested that since some counties have no problem promoting a union employee to a non-union position, their union contracts must have language in it that could be used to update Knox County's Union Contract. Currently, such language is not in the contract and is not addressed in any way.

Commissioner Richard Parent asked when the Union Contract would be renegotiated.

County Administrator Andrew Hart stated that the current Contract expires on December 31st, 2010, so there is almost a full year left before it expires. The Union Contract also does not include anything about temporary full-time employees or temporary part-time employees. The Personnel Policy is the only document of the two that covers this, but even there, the language is limited. He added that even though the Contract does not expire until the end of the year, the

negotiating process would begin this spring. The issue will be brought up as part of the negotiations. It is better to start negotiating earlier in the year so that the new Contract is completed before the current Contract expires.

Commissioner Roger Moody commented that the Commission also has the option of discussing sidebar agreements with the Union if a year from now is too long to wait for things to be updated. The County should approach the Union and say that the Commission would like to do something about that adding more language to the Contract. That would at least start a conversation.

County Administrator Andrew Hart commented that the County also needs to look at the hiring process for the whole County. The hiring for each department seems to be handled a little bit differently. There should be consistency to avoid confusion and disagreements. Decisions need to be made about procedure, and then it will be easier to follow them in the future.

Commissioner Anne Beebe-Center suggested scheduling a meeting for the management team and the Union representatives to meet and talk about some of the current issues.

VII. Other Business

Commissioner Anne Beebe-Center asked Airport Manager Jeff Northgraves if he wanted to talk about the upcoming vacancies on the Airport Public Advisory Committee (APAC).

Airport Manager Jeff Northgraves stated that the APAC meets this coming Monday. They will formalize their first press release, and solicit volunteers to fill the upcoming vacancies. It is the Commission’s job to actually appoint people. Kevin Waters is in the commercial seat but he has not indicated whether or not he is interested in continuing. Gray Smith will say on Monday if he wants to continue in his seat. It takes about two months to do the process, so the Commission will vote on appointments at the April Commission meeting.

Commissioner Roger Moody asked Manager Northgraves if he any idea on when the terminal construction would start.

Airport Manager Jeff Northgraves replied that the proposal was to start on February 2nd. He stated that he had found nothing that would prevent that from happening. He stated that he would like to have a ground-breaking ceremony on the 29th of January at 2 p.m. It would be made clear in the public notice that all three commissioners are attending so that the county administrator would not have to put out a Commission meeting agenda since it is not an actual Commission meeting but having all three there creates a quorum.

County Administrator Andrew Hart stated that he and EMA Director Ray Sisk went to Augusta as part of the LEPC to present the LEPC budget to SERC for funding to pay for personnel services. Cumberland County and Washington County also presented their budgets. The SERC board seemed very pleased with Knox County’s presentation.

VIII. Adjourn

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

The meeting adjourned at 2:08 p.m.

Respectfully submitted,

Candice Richards

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

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

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

Roger A. Moody – Commissioner District #3