

KNOX COUNTY COMMISSION

Special Joint Meeting

Wednesday – January 22, 2014 – 4:00 p.m.

Knox County Commission, Budget Committee, and KRCC Executive Board

A special joint meeting of the Knox County Commission, the Knox County Budget Committee, and the KRCC Executive Board was held on Wednesday, January 22, 2014, at 4:00 p.m., at the EMA Conference Room, 301 Park, Rockland, Maine. The Administrative Office's Administrative Assistant was present to record the minutes of the meeting.

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

County staff present included: County Administrator Andrew Hart, Administrative Assistant Candice Richards, EMA Director Ray Sisk, and Communications Director Linwood Lothrop.

Budget Committee members present were: Ann Matlack, Bob Duke, Lawrence Nash, Randy Stearns, Dorothy Meriwether, Bill Jones, and Shawn Levasseur. *Budget Committee members not in attendance: Stephen Carroll and Betty Watts.*

KRCC Executive Board members present were: Thomaston Police Chief Kevin Haj; Adam Miceli, Rockland Fire/EMS; Camden Fire Chief Chris Farley; and Craig Cooley, Rockport Police Department, Justin Hills, Northeast Mobile Health (EMS), and Carrie Adams, Rockland EMS.

Also present were: Chris Wolf of the *Pen Bay Pilot*.

**Knox County Commission
Budget Committee
KRCC Executive Board
Joint Meeting Agenda**

EMA Conference Room
Knox County Public Safety Building
301 Park Street
Rockland, ME 04841

Wednesday – January 22, 2014 – 4:00 p.m.

- I. 4:00 Meeting Called To Order** (Chair Bob Duke for the Knox County Budget Committee, Commission Chair Carol Maines for the Knox County Commission)

- II. 4:01 Discussion Items:**
 - 1. KRCC By-Laws
 - 2. KRCC Governance
 - 3. KRCC Budget Review and Approval Process

- III. 5:00 Other Items**

- IV. 5:05 Action Items (Commission Only):**
 - 1. Act to Approve the Knox County Budget Committee Re-Districting Plan and Submit to the Secretary of State.

- V. Adjourn**

I. Meeting Called to Order

The January 22, 2014 joint meeting of the Knox County Budget Committee, Knox County Commission, and KRCC Executive Board was called to order by Budget Committee Chair Bob Duke and Commission Chair Carol Maines. (The KRCC Executive Board was already in session.)

Administrator Hart asked everyone to introduce themselves.

II. Discussion Items:

Administrator Hart gave a brief background of the MRI study being done. He said that he had spoken to Budget Committee Chair Bob Duke, Budget Committee Vice-Chair Dorothy Meriwether, and KRCC Executive Board Chair Chris Farley and thought it would a good idea to have a meeting to discuss some things. He said that even though the Budget Committee only deals with finances, he thought it made sense for everyone to hear how it all works together.

1. KRCC By-Laws

Administrator Hart explained that the bylaws were written in 2001 with the most recent revisions accepted in September of 2008. There has been some concern that the bylaws pose some concerns about the governance piece. What is everyone's role? MRI is being asked to look at the bylaws and then the County will send a letter to all municipalities to reappoint their representatives to the KRCC Advisory Committee because at this point no one knows if there is true representation for all of the municipalities. There are other things that need to be tweaked with the bylaws. The KRCC Executive Board decided there were so many changes that need to be made that rather than try to revise the bylaws, it would be best to have them completely rewritten.

Adam Miceli explained part of the history of the Knox Regional Communications Center in that when the municipalities first started looking at having a regional PSAP, they didn't want it to be a County PSAP, but rather a Regional PSAP, and just have the County handle the personnel and some other functions on behalf of the towns. The County eventually adopted a charter and the KRCC bylaws were somewhat changed to line up with that, but some things were not changed because the agencies and towns did not want to give up control to the County.

Chief Haj commented that the towns still need input and the fact that they do have input means the level of service in the County is far superior than in other areas.

2. KRCC Governance

Administrator Hart explained that MRI will be looking at if it still makes sense to have both an Advisory Committee and an Executive Board. MRI will be comparing the KRCC to other communications centers but more outside the State of Maine because the KRCC is very different compared to the other communications centers in Maine. The Knox center is the only one that is funded through an assessment of fees, while all other centers in Maine do it through county taxes.

3. KRCC Budget Review and Approval Process

Administrator Hart explained that MRI will be coming back with a recommendation of whether the County should go back to how the Communications budget was reviewed before the 2014 budget, or if the County should continue the way it was done for 2014, or whether it should be handled some other way entirely.

Bill Jones commented that Communications is a department of the County and it should be reviewed by the Budget Committee.

Ann Matlack said that the only time there was a conflict between the Budget Committee and Communications was when the cost of the towers was put in the budget as a whole and not in the Communications budget.

Bob Duke stated that Knox County probably has the best communications center in the state. He said that it sounded to him like the KRCC Executive Board was afraid that if the Budget Committee was allowed to review the Commissions budget, that the Budget Committee are going to do a slash and burn on the Communications budget. He said that that doesn't happen anymore. He felt that the Budget Committee is fair and have pretty much endorsed the Communications budget every year. Whether it's a fee or a tax, the townspeople are paying for it and he felt that the Budget Committee should be part of it in one fashion or another. He said he didn't see where the Executive Board's fear was coming from.

Administrator Hart commented that on page 2 of the bylaws under Section 5: Executive Board, it states "the board shall approve or disapprove the operating and capital budgets in their entirety." He said that the Executive Board is looking for clarification from MRI on that.

Bill Jones asked about Section 2: Objectives of the Organization in which it states that "the Executive Board or any other body of this Communications Agency from having policy-making authority over any jurisdiction."

Craig Cooley explained that the bylaws were written the way they were so that towns wouldn't think that the County was planning to come tell them how to run their agencies or write policies for them, but rather just provide a service to them. None of the towns wanted Sheriff Davey or his department to be running dispatch. They wanted dispatch to be its own department. Each town was sent a letter to appoint representatives from their fire, EMS, and police departments to serve on the Advisory Committee.

Administrator Hart noted that the second bullet point in Section 3: Role of the Commissioners says that the Commission delegates policy-making authority, which is in violation of the state statute because commissioners can't delegate policy making authority. That's one of the reasons the bylaws need to be rewritten.

Dorothy Meriwether expressed some confusion over whether the public safety officials or the select boards who were supposed to pick who would be the representatives for the towns. She admitted that she didn't know who the rep was for her own town even though she's a selectman. She was concerned that public safety officials would always be wanting the best equipment, etc. which is expensive, so they may not always be the best people to have on the Advisory Committee.

Bill Jones commented that the Budget Committee should review the Communications budget but that the Budget Committee should not be having a say in who is serving on the Advisory Committee.

Randy Stearns noted that the Budget Committee is constrained a little bit by LD1 and asked if the Executive Committee aware of how that plays into the total County budget. The Budget Committee has to take into account the total budget to make sure the County is meeting the law. If the Committee is not reviewing all of the budgets then it's like being handcuffed while trying to do their job.

Commissioner Parent commented that he didn't see what the harm there was in having the Budget Committee review the Communications budget.

Commissioner Maines asked where MRI is at in their process. Administrator Hart responded that MRI had just finalized the list of RCC's that they're going to look at. A subcommittee has been formed to met with MRI, which included Chief Farley, Ray Sisk, Linwood Lothrop, one dispatch supervisor, and one dispatcher. Commissioner Maines asked if it might be helpful if a Budget Committee member and a commissioner were also in that group. Administrator Hart said that was possible. He said that they were just trying to have a subcommittee that could report back to the KRCC Advisory Committee and Executive Board.

Administrator Hart commented that the “elephant in the room” as to why the Executive Board was against having the Budget Committee review the Communications budget is because there was a year when the Communications budget was presented to the Budget Committee and Commission and received initial approval, but then at the last budget meeting, the Budget Committee cut the Communications budget without the Communications Director or the Executive Board even being there to defend the budget that the Executive Board had approved. That incident was really what started the distrust. He said that he wanted to bring everyone together to discuss this and hopefully resolve things.

Bob Duke commented that he was on the Budget Committee then and the Committee made a mistake that year. The fear of that happening again isn't necessary.

Adam Miceli noted that Budget Committee members have made comments that indicate they assume public safety officials are just spending money because we want the best of everything but the public safety officials represent our municipalities and know that in the end, the money comes out of the taxpayers pockets. It affects the municipal budgets as well. In response to Bob Duke's comment, Mr. Miceli noted that if the Budget Committee cut the bottom line once, it can happen again.

Chief Haj stated that Communications was supposed to be its whole own entity and not a County department. Bob Duke responded that Chief Haj's statement was absolutely incorrect. He said it was always going to be a County department.

Adam Miceli stated that the end users fear losing control every time there's talk about the KRCC being “a County thing”. The towns can't just set up their own PSAPs if they don't like the County PSAP. He said that the end users lose control over how the Center is run when things happen like the Budget Committee cutting staff or additional equipment that the Center needs to operate. He added that the only way former Commissioner Ed Sleeper was able to get the municipalities on board was by assuring them it was not going to be a County-run entity.

Chris Farley commented that the bylaws don't work and a way needs to be found that makes them work for the county administrator, the Budget Committee, and the Commission.

Ray Sisk stated that everyone needed to focus on the future and how this is going to be put together and maintained so that it works for everybody. What the Executive Board did was identify enough inconsistencies in the bylaws that they realized the bylaws needed to be changed to have oversight and provide the services it was intended to provide. What's important is how the Center is crafted into what everyone needs it to be.

Commissioner Maines commented that MRI was going to be looking at other communications centers and will have recommendations to make the KRCC work better. She asked for a timeline. Administrator Hart felt that it would be 2 - 4 months before MRI submits a report but he cautioned that the County doesn't want to rush MRI – the study needs to be done right.

Commissioner Maines asked who would be in attendance when MRI does their presentation. Administrator Hart responded that the subcommittee would be there. He reminded the Commission that they had signed the agreement with MRI not to exceed \$5,500 so he wanted to avoid having a bunch of people showing up at that meeting saying “we want this, we want that” because that will cost more money.

Commissioner Maines asked Administrator Hart if he would check with County Attorney Peter Marchesi about showing his legal opinion, regarding the Budget Committee reviewing the Communications budget, to other people besides the Commission. Administrator Hart said that Attorney Marchesi had said it was attorney-client privilege. Commissioner Maines asked, what if the client releases it?

Randy Stearns asked if the legal opinion should public knowledge since it affects taxpayers. Administrator Hart replied that he I don't know the answer to that.

Commissioner Moody suggested that rather than worry about what-ifs and spend a lot of energy trying to come up with what everyone thinks MRI is going to say in their report, everyone should just wait and see what MRI comes up with.

Ann Matlack wanted to know who would see the draft of the MRI report. Administrator Hart said it would initially go to the subcommittee but that doesn't mean others can't see it.

Chris Farley suggested sending a commissioner and a member of the budget Committee to be on the subcommittee. Ann Matlack volunteered to be on the subcommittee for the Budget Committee. Commissioner Maines asked the other two commissioners if either of them wanted to be on the subcommittee.

Bob Duke and Adam Miceli both said that they didn't see why a Budget Committee member would need to be on the subcommittee. Ray Sisk suggested that said it would be good just to get their perspective. Randy Stearns said it also helps educate the Budget Committee. Carol asked for a commissioner volunteer?

- Commissioner Maines nominated Commissioner Moody to be on the subcommittee representing the Commission. Commissioner Parent seconded the motion. A vote was taken with all in favor.
- Randy Stearns nominated Ann Matlack to serve on the subcommittee representing the Budget Committee. Dorothy Meriwether seconded the motion. A vote was taken with all in favor.

Members of the KRCC Executive Board adjourned their meeting at 5:23 p.m. and left.

III. Other Items

IV. Action Items

1. Act to Approve the Knox County Budget Committee Re-Districting Plan and Submit to the Secretary of State.

Administrator Hart explained that for the redistricting subcommittee he had the budget committee members that he thought this would affect. What was discussed at that meeting was to move Camden out of District 5 into District 4 so that Camden was all one district and to split up the Town of Union. He said that now the suggestion is to leave Union as it is and take Hope from District 7 and move it into District 5 with Rockport. This last suggestion was not really discussed at the subcommittee meeting because Hope is in Bill Jones' district and removing it would remove him from his own district and he was not at the meeting to be asked how he would feel about that.

Bill Jones commented that moving Hope did not bother him at all and if he and Bob Duke ended up running against each other in the next election, they would just have to see who wins.

Administrator Hart stated that he had finally got a hold of the Bureau of Elections and they said the County has to get this in immediately. The County will have to do a special, legislator sponsored bill to even get it done.

- A motion was made by Commissioner Roger Moody to approve the Knox County Budget Committee Re-Districting Plan by consolidating Camden into one district (#4) and moving Hope into Rockport's district (#5) and Submit to the Secretary of State. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

V. Adjourn

- A motion was made by Shawn Levasseur to adjourn. The motion was seconded by Ann Matlack. A vote was taken with all in favor.
- A motion was made by Commissioner Richard Parent to adjourn. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

The meeting adjourned at 5:39 p.m.

Respectfully submitted,

Candice S. Richards
Administrative Assistant

**The Knox County Commission approved these minutes at their regular meeting
on February 11, 2014.**