

# KNOX COUNTY COMMISSION

## Regular Meeting

Tuesday – February 10, 2015 – 2:00 p.m.

The regular monthly meeting of the Knox County Commission was held on Tuesday, February 10, 2015, at 2:00 p.m., at the county courthouse, 62 Union Street, Rockland, Maine.

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

County staff present included: County Administrator Andrew Hart, Administrative Assistant Candice Richards, Airport Manager Jeff Northgraves, Chief Deputy Tim Carroll (*left at 2:18 p.m.*), Finance Director Kathy Robinson, and Building Maintenance Supervisor Don Decker.

Others in attendance: Pen Bay Pilot Reporter Chris Wolfe; and Building Envelope Specialists President Scott Whitaker via teleconference.

### Regular Meeting – Agenda Tuesday – February 10, 2015 – 2:00 p.m.

- I. 2:00 Meeting Called To Order**
- II. 2:01 Public Comment** - Public Comment during other portions of the meeting will only be granted by permission of the chair.
- III. 2:15 Consent Items**
  1. Approve Consent Items as Presented:
    - i. Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
    - ii. Minutes of Regular Commission Meeting of January 13, 2015.
    - iii. Monthly Written Departmental Reports.
    - iv. Reserve Withdrawals.
- IV. 2:20 Action Items**
  1. Act to Award Bid for the County’s 2015 Tax Anticipation Note.
  2. Act to Award Bid for One New 2015 Vehicle for Use by the Sheriff’s Patrol Division.
  3. Act to Award Bid for Knox County Courthouse Building Envelope Masonry Repairs.
  4. Act to Approve the Press Release and Call for Nominations to Fill the Environmental Seat, District #3 Seat and the Business Seat on the APAC.
- V. 2:55 Other Business**
- VI. Adjourn**

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

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

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

Commissioner Roger Moody asked for public comment. There was none.

#### **III. Consent Items**

1. Approve Consent Items as Presented:
  - i. Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
  - ii. Minutes of Regular Commission Meeting of January 14, 2015.
  - iii. Monthly Written Departmental Reports.
  - iv. Reserve Withdrawals

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

Commissioner Maines asked Airport Manager Jeff Northgraves about the last paragraph of the Stantec monthly report regarding the 2014 Passenger Facility Charge application. She read aloud a sentence near the end of the paragraph: “The major change from the original PFC application was the removal

of the Access Road project as it was not in the original PFC submission.” She asked if that meant that the County could not get any help with the access road. Manager Northgraves said no, and explained that the County will still receive the 95% from State and Federal funds; it just means that the County will not be able to use the PFC funds towards the County’s 5% share of the project costs. The FAA controls how much PFC funds you can charge and how you can spend it.

- A vote was taken with all in favor.

**December 2014 Reserve Withdrawals:**

Courthouse Computer	200008-12660	\$1,279.00
Courthouse Renovations & Maintenance	200008-12680	\$1,281.80
	Total	\$2,560.80

**IV. Action Items**

1. Act to Award Bid for the County’s 2015 Tax Anticipation Note.

The County went out to bid to 14 Banks and Credit Unions and four bids came back by the due date of January 23<sup>rd</sup>. Bangor Savings Bank was the lowest bidder with an interest rate of 0.73%.

**KNOX COUNTY, MAINE  
VOTE OF COUNTY COMMISSIONERS  
AUTHORIZING TAX ANTICIPATION BORROWING**

**IT IS HEREBY:**

VOTED: That, pursuant to 30-A M.R.S.A. §932, the Finance Director is hereby authorized and empowered to borrow, at one time or from time to time during the fiscal year ending December 31, 2015, singly or in series, an amount or amounts not exceeding \$3,225,055 in anticipation of the collection of receipts from taxes, such borrowing to be evidenced by the issuance of the County’s tax anticipation note (the “Note”).

VOTED: That following a solicitation of bids, the County Commissioners award the winning bid to Bangor Savings Bank (the “Bank”), and direct that the Note shall be issued to the Bank on an “as needed” basis, with an interest rate of 0.73% to mature on or before December 31, 2015.

VOTED: That the Note shall be signed in the name of and on behalf of the County by the Finance Director and countersigned by at least a majority of the County Commissioners, attested to by the County Administrator, and shall be payable at maturity out of money raised by taxation during the fiscal year ending December 31, 2015, and shall contain such terms and provisions, not inconsistent herewith, and be in such form as shall be approved by the officers and officials signing the same, which approval shall be conclusively evidenced by their execution thereof.

VOTED: That the Finance Director, to the extent permitted and available under the Internal Revenue Code of 1986, as amended (the “Code”) be and hereby is authorized to designate the Note as qualified tax-exempt obligations for purposes of Section 265(b) of the Code.

VOTED: That the Finance Director be and hereby is authorized to covenant with the Bank, in the name of and on behalf of the County, that the County shall take whatever steps, including filing any reports and rebating any excess earnings, as may be required by federal law, and shall refrain from taking any action, as may be necessary or appropriate to ensure that interest on the Note will remain exempt from federal income taxes.

VOTED: That the officers and officials executing the Note be and hereby are individually authorized to covenant, certify, and agree, in the name of and on behalf of the County and for the benefit of the holders of the Note, that the County will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to ensure that the

disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, if applicable, are met.

VOTED: That the Finance Director, County Commissioners, and County Administrator be and hereby are authorized and empowered on behalf of the County to undertake all such acts and things and execute and deliver all such documents and certificates as may be necessary or convenient in connection with the issuance, sale, execution, and delivery of the Note.

VOTED: That if the Finance Director or County Administrator are for any reason unavailable to approve and execute the Note or any related documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself/herself performed such act.

- A motion was made by Commissioner Richard Parent to award the bid for the County's 2015 Tax Anticipation Note to Bangor Savings Bank at an interest rate of 0.73% and to authorize the tax anticipation borrowing. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

2. Act to Award Bid for One New 2015 Vehicle for Use by the Sheriff's Patrol Division.

The County went out to bid on January 22<sup>nd</sup> for one new 2015 patrol vehicle to seven dealerships. Three bids were received from two vendors by the deadline of February 6<sup>th</sup>.

Chief Deputy Tim Carroll recommended awarding the bid to Quirk Motors for the 2015 Ford Sedan Police Interceptor for \$25,049.00. He noted that he will also need to replace a utility vehicle that was just totaled in an accident. He said he contacted Leo Chicoine at Quirk Ford of Augusta about the County also purchasing the Utility Police Interceptor. Administrator Hart explained that the agenda item was for one vehicle so that is how the vote will be made. In addition to that, the County now also needs to replace another vehicle that was totaled, so a second vehicle will be purchased from the bid submissions. He added that the Commission didn't need to vote on the second vehicle. The money the County gets from the insurance for the accident will pay for part of the costs for the replacement of the totaled vehicle, and the rest will have to come from the Sheriff's operating budget.

- A motion was made by Commissioner Richard Parent to award the bid for one new 2015 Ford Sedan Police Interceptor to Quirk Auto for a bid total of \$25,059.00. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

3. Act to Award Bid for Knox County Courthouse Building Envelope Masonry Repairs.

Administrator Hart used the conference phone to call Building Envelope Specialists (BES) President Scott Whitaker in case the commissioners had any questions. He explained that the County went out to bid on January 1<sup>st</sup> for Masonry Envelope Repairs for the Courthouse consisting of three Phases:

Phase 1: East Elevation

Phase 2: North Elevation (With Exception of the Area by the Finance Office, which was completed in summer of 2010)

Phase 3: West Elevation (With Exception of the Area by the Finance Office, which was completed in summer of 2010), and South Elevation

Phase 4: Would include the remaining Phase 2 and Phase 3 (Area of the Finance Office –North and West Elevations that were completed in the summer of 2010.

Administrator Hart gave the commissioners a copy of the Knowles Industrial Services Corp bid with some handwritten figures to the right of the bid figures, done by Finance Director Kathy Robinson, showing a 5% contingency added in to each phase. He explained that Scott Whitaker reviewed the qualifications of the six vendors that showed up for the mandatory pre-bid meeting but only two were qualified based on the bid specs. Both of those contractors, Knowles Industrial Services Corp., and Joseph Gnazzo Co. Inc., bid on the project by the deadline of January 30<sup>th</sup>:

	Joseph Gnazzo Co., Inc.	Knowles Industrial Services Corp.
<b>Whole Project at One Time:</b>		
Phases 1,2,3 (March 2015 Start)	\$497,300	\$409,597
Phases 1,2,3 (April 2015 Start)	\$487,300	\$414,597
Phases 1,2,3 (April 2016 Start)	\$560,400	\$426,597
<b>One Phase Per Calendar Year:</b>		
Phase 1 (April 2015 Start)	\$158,200	\$149,984
Phase 2 (April 2016 Start)	\$192,800	\$151,760
Phase 3 (April 2017 Start)	\$254,200	\$164,733
TOTAL FOR ALL 3 PHASES:	\$605,200	\$466,477
Brick Replacement	\$15 each	\$38 each
Patch Brick	\$12 each	\$28 each

Scott Whitaker, via teleconference, said that he had reviewed the bids. He explained that for each figure in the bids, a 5% project contingency would need to be added to cover the brick replacements and brick patches if those end up being needed. If part of that 5% ends up not being needed, the County would get the money back.

Commissioner Maines asked about the work that was done in 2010 that apparently needed to be redone because the wrong mortar had been used by the contractor doing the work. Mr. Whitaker said that there was not a rush to fix that yet, and that the portions of the building that have not been worked on should be done first. The County could look at redoing the 2010 work sometime within the next 10 years and decide whether to redo that portion of the building, or wait and see how it continues holding up. Administrator Hart noted that redoing the 2010 work is actually Phase 4.

Commissioner Maines asked why the prices for brick replacement and patches were so different between the two bids the County received. Mr. Whitaker explained that he had asked the contractors that himself. Knowles had set their bid price based on what it actually costs them to replace or repair the bricks using current data. Gnazzo’s estimator had apparently just pulled some old numbers, so that’s why Gnazzo’s bid amount for the brick replacements and patches were so much lower than Knowles’.

In discussing the options for paying for the project, Administrator Hart noted that the County currently has surplus but he would not recommend taking any funds from it at this time. The County is already currently under the 20% because \$100,000 was used to lower the tax assessment and some more was used to cover some overages in the 2014 budget. He recommended instead using contingency and building maintenance reserve funds. The other option would be to start in 2016 and either build it into the 2016 budget or go out to referendum. Administrator Hart said that currently there is some legislation being proposed that would increase the amount commissioners can borrow without going to referendum. He added that the problem with using the building maintenance reserve money is that the courthouse still has some windows that need to be replaced in 2015.

Commissioner Parent didn’t want to wait until a later year to start the project. He said that he would like to at least do Phase 1 in 2015 because the problems with the building are not going away. Commissioner Maines suggested doing Phase 1 in April and then either putting funding for Phases 2 and 3 in the 2016 budget, or doing a bond for 2016. Commissioner Moody liked that idea but noted that there was no way to know what other demands might be made on the contingency funds so the Commission needed to be careful in how much is spent. Administrator Hart agreed and said that if something comes up but the County has already burned through contingency, there wouldn’t be any money there for it.

There was a discussion about what the actual costs would be for doing Phase 1 in April of 2015, and when Knowles would be expecting to see money from the County. Mr. Whitaker explained that the first invoice wouldn't be sent until the first month is completed, and then they ask for payment in 30 days, so the County would have at least 60 days or more after the project starts. He said that he and his staff also review the invoices before the County gets them to make sure that the billing is accurate. When asked how much Building Envelope Specialists' fees would be, Mr. Whitaker said that he wasn't sure but he thought a ballpark figure would be roughly between \$9,000 and \$11,000.

Administrator Hart commented that if the County didn't replace the windows that were scheduled to be done in 2015, that would leave a little more money in the building maintenance reserve account, but he wasn't sure the window replacements should be put off. He said that currently, there is \$118,772 in contingency. To start in April of 2015 to do Phase 1, the cost would be around \$168,483: \$149,984, plus 5% contingency, and \$11,000 (worst case scenario) for professional fees for BES.

- A motion was made by Commissioner Richard Parent to award the bid to Knowles Industrial Services Corp. and take \$65,731 from the Courthouse Building Maintenance Reserve account and take the remainder of the balance from Contingency for Phase 1 with an April 2015 project start date\*. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

*\*No decision was made on when Phases 2 and 3 would be done or on what funding sources would be utilized to pay for them.*

Mr. Whitaker said that he would notify Knowles Industrial Services Corp about the Commission's decision.

4. Act to Approve the Press Release and Call for Nominations to Fill the Environmental Seat, District #3 Seat and the Business Seat on the APAC.

Airport Manager Jeff Northgraves explained that it was the time of year to seek nominations to fill Airport Public Advisory Committee seats with ending terms:

- \* District #3 Seat: Dick Witherspoon was appointed last year to finish the rest of Marjorie Stratton's term. He is eligible to be reappointed. The Town of Vinalhaven still supports him to represent them.
  - \* Environmental Seat: Bill Jones is completing his first term and is eligible to be reappointed.
  - \* Business Seat: Bill Maddox is completing his third term (the By-Laws limit members to 3 terms).
- A motion was made by Commissioner Richard Parent to approve the press release and call for nominations to fill the Environmental Seat, District #3 Seat, and the Business Seat on the Airport Public Advisory Committee. The motion was seconded by Commissioner Carol Maines. A vote was taken with all in favor.

## V. Other Business

### Grievance Hearing

Administrator Hart noted that he was still waiting on confirmation from the Fraternal Order of Police union that the 13<sup>th</sup> of February will work for them to have the grievance hearing with the Commission. He said he would let the Commission know when the date is confirmed.

### Recording/Broadcasting Commission Meetings

Commissioner Maines said that she had been asked again when the Commission would start recording and broadcasting Commission meetings. Administrator Hart noted that there would be a cost associated with that and it wasn't something that was budgeted for. He said that he could look into it but implementing it

might have to wait until next year’s budget. He said he would get some information together and try to have it ready for the regular Commission meeting in April.

**VI. Adjourn**

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

The meeting adjourned at 3:18 p.m.

Respectfully submitted,

Candice Richards  
Administrative Assistant

**The Knox County Commission approved these minutes at their regular meeting held on March 10, 2015.**