

KNOX COUNTY COMMISSION

Special Meeting – Work Session

Tuesday – February 23, 2010 – 2:00 p.m.

A special meeting – work session of the Knox County Commission was held on Tuesday, February 23, 2010, at 2:00 p.m., at the county courthouse, 62 Union Street, Rockland, Maine. Executive Assistant Constance Johanson was present to record the minutes of the meeting.

Commission members present were: Anne Beebe-Center, Commissioner District #1, Richard L. Parent, Jr., Commissioner District #2, and Roger A. Moody, Commissioner District #3.

County staff present included: County Administrator Andrew Hart, Probate Registrar Elaine Hallett, and Executive Assistant Constance Johanson.

Special Meeting – Work Session – Agenda Tuesday – February 23, 2010 – 2:00 p.m.

I. 2:00 Meeting Called To Order

II. 2:01 Action Items

1. Act to Approve Changing Probate Advertising Fees (A. Hart, E. Hallett).

III. 2:06 Discussion Items

1. Organizational Study RFP.

IV. Adjourn

I. Meeting Called to Order

Commission Chair Anne Beebe-Center called the February 23, 2010 special meeting – work session of the Knox County Commission to order at 2:00 p.m.

II. Action Items

1. Act to Approve Changing Probate Advertising Fees (E. Hallett, A. Hart).

Probate Registrar Elaine Hallett explained that she had been notified that the *Herald Gazette's* fees for advertising probate notices were increasing from \$11.00 to \$20.00 per notice. Probate fees for notices are currently \$16.00, which is the \$11.00 charged by the newspaper plus \$5.00 as a service fee for the Probate office for placing the advertisement. If the fees are not changed, then the advertising budget line will probably be overdrawn. The newspaper has not raised their advertising fees for Probate notices in 20 years.

The request was to increase the fee charged from \$16.00 to \$25.00, which reflects the change to the \$20.00 charged by *The Herald Gazette* plus the \$5.00 service fee for the Probate office.

Penobscot County's Probate office charges \$75.00 per notice, while other counties charge anywhere from \$30.00 to \$50.00 per notice. It was noted that Lincoln County charged \$25.00 and Waldo County's charge was higher. Knox County's advertising fees are some of the lowest charged. The requested increase is \$9.00; increasing from \$16.00 to \$25.00.

The increase in newspaper fees took place last week. The Commission sets the fees for advertising and approval is needed so the Probate office can begin collecting the additional money to cover the costs for advertising probate notices.

- A motion was made by Commissioner Roger Moody to approve changing the probate advertising fees from \$16.00 to \$25.00. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

III. Discussion Item

1. Organizational Study RFP.

One of the reasons for the work session was to review the Request for Proposal (RFP) regarding the Organizational Study that the commissioners had authorized the county administrator to put together.

Commissioner Anne Beebe-Center commented that she was in agreement with the idea of leaving the jail and the District Attorney's office out of the organizational study. The District Attorney's office is a state office with county employees as support staff. The jail employees were county employees, but the state had taken over the control of the jail and determines its organizational

make-up. If a wage and benefit or pay classification study is done at a latter date, then perhaps it would be beneficial to include both of these departments in that study.

County Administrator Andrew Hart explained that he wrote the memo regarding the organizational study as an overview of the project. The draft of the Request for Proposal (RFP) as presented was developed from the RFP that the Town of Old Town used with some language incorporated from the Town of Kennebunk's RFP.

Mr. Hart reported contacting Lincoln and Waldo Counties for information regarding their initiatives to conduct organizational studies. Waldo County hired a local person to conduct a study that appeared to be more of a pay classification study of the various departments. Sheriff Brackett, of Lincoln County, sent a copy of their study done by the Maine Chiefs of Police Association for Lincoln County. Sagadahoc County had the Maine Chiefs of Police Association conduct a study for their sheriff's department. The county administrator commented that the sheriff's office was included in the RFP, but he suggested doing the sheriff's office separately.

Commissioner Anne Beebe-Center asked if the county administrator's intent was conduct two separate studies. It was noted that the Maine Chiefs of Police Association would only conduct a study of the sheriff's office. Some companies do studies or assessment of all departments, while others do only law enforcement. There are some similarities among the departments, but the policies and procedures of the sheriff's office make it a unique department.

The question is whether or not to have two separate studies done by two different agencies or have one study done by one company for all the departments with a notation that the sheriff's office, being a unique entity, be given some special analytical considerations or separated to some degree.

Commissioner Roger Moody suggested that law enforcement should be separated out because the organization is well defined with a chain of command and specific policies and procedures in place. An agency or company that would be able to conduct the study of the sheriff's office would probably need to be specialized and experienced in analyzing law enforcement operations in terms of their management and organization.

One consideration was whether or not an agency such as the Maine Chiefs of Police Association that conducts organizations studies for law enforcement agencies should be considered eligible to conduct the study for Knox County. It is important to have a company or agency with the appropriate credentials to study or analyze a law enforcement department in terms of management and operations.

Commissioner Anne Beebe-Center commented that she understood that the sheriff's office was unique, but it still had many organizational components that were similar to other departments. An agency that had experience in analyzing all departments would have the understanding of the differences among the departments, which would be its strength. The concept of conducting an organizational study is to do a comprehensive assessment of all the departments.

Commissioner Roger Moody noted that law enforcement personnel often had trouble accepting the findings of non-law enforcement agencies and their perspective. He was concerned that the study would be done and nothing else; the "sitting on the shelf" scenario. In order to make changes, as recommended by the study's final report, the law enforcement community has to believe the study is credible.

Commissioner Anne Beebe-Center asked if there would be a point in time when the two companies or agencies hired for the studies to get together and share their findings or would it be a matter of two completely separate studies; one for the majority of departments and one for the sheriff's office without communicating their findings.

Commissioner Roger Moody suggested that communicating the findings would be very important because the various departments do have to interface. There have been issues with the interpretation of the Charter, departmental operations, and departmental interfacing.

Commissioner Anne Beebe-Center asked if this was something that should be put in the RFP; that should two companies be selected, one for public safety and one for the other departments, they would be expected to exchange information and coordinate their recommendations.

County Administrator Andrew Hart explained that the document presented today for review was a first draft. One concern was that the RFP was not written in a manner that was thorough enough to result in a final report or an instrument that could be used to make adjustments, changes, and improvements in county operations. He suggested that it might be worthwhile to find someone that

could be used as a consultant in developing the RFP to make sure that the RFP would result in a useful document and that the expectations of the project would be met.

Commissioner Richard Parent commented that he was a little overwhelmed by the concept of the study that would include the second list of six items in the memo. He asked if a company could actually get a handle on such a large and involved project. It appeared that it may add substantially to the cost of the project. Identifying areas of strengths and weakness, operations needing improvements, operations needing to be more efficient, services that could be combined, operations that could be reduced or eliminated, and training improved could be “touchy-feely”.

Commissioner Anne Beebe-Center remarked that indentifying areas of concern, as listed in the memo, are not “touchy-feely”, but can actually be indentified in terms of efficiency, and cost-saving. Conducting an operational study is a scientifically based process, not just a qualitative process based personal interviews. It is a very detailed process and can be overwhelming for those not schooled in the process. There is the personal side with the interviews, but the resulting graphs and charts show the operations and pinpoints areas where changes can be made.

Commissioner Richard Parent commented that he thought that this was “a reach” from where he thought the project was going. He stated that it was his understanding that the county was going to compare salaries and duties with those in other counties. This appears to be going much further than what he had envisioned.

County Administrator Andrew Hart explained that during the budget process the efficiency study was approved, while the study on pay and benefits was not. These are two separate issues with two separate studies. The organizational study was to be done first and if there is interest and funding available, then the second study on pay classifications could be conducted.

Commissioner Anne Beebe-Center reported that the county has been staffed, in its current format, since the 1960’s. Technology has changed since that time, but it has not been assessed against how the county operates. Computers and other equipment have been purchased, but there has not been a study as to the efficiency of operations even with the new equipment. This is an opportunity to determine what the commission wants to accomplish and how to do it. The study’s final report would be the guideline to implement changes because there would be tangible information to consider. It may show whether or not it is advisable to combine the functions of the EMA office and Communications and/or other tangible cost saving measures.

Commissioner Richard Parent commented that he agreed with Commissioner Roger Moody that it made sense to have someone with the appropriate credentials conduct the organizational study of the sheriff’s office, but he questioned whether or not the sheriff’s office would feel that they had been singled out.

Commissioner Roger Moody suggested that the Commission needs to be open with their intent of the study, but the Commission can not predict the outcome of the study.

One purpose of the study was to identify the proper staffing level for each of the departments in terms of operations and the services provided. It was noted that the airport has three full-time employees and two part-time employees. The airport manager is a necessary position, but the over all staffing level would be assessed as well as the staffing levels in the other departments.

There is a mix of elected and appointed officials on the managerial level of the county. The Registrar of Probate is responsible for the operations of the office and the judge makes the legal decisions on probate matters. Both positions are elected. The Charter changed the Register of Deeds’ and the Treasurer’s positions from elected to appointed.

The study may make suggestions that are not addressed in the Charter, such as changing the other elected positions to being appointed. Then it would be a matter of deciding whether or not to proceed with changing the Charter. The Charter established the position of an administrator to oversee the daily operations of the county.

There are no set hours of work required for elected officials. Elected officials answer to their constituents. Salaried employees are expected to work 40 hours a week. It was noted that one of the reasons for the study was to determine the how the offices are set up, what the staff’s responsibilities are, and how many hours may be involved to get the work done.

Commissioner Richard Parent commented that the Probate office did not represent a large portion of the county budget. There are four employees; the judge, the registrar, the deputy registrar, and the clerk. The records are microfilmed, with two developed films being returned. One remains at the county and the other is sent to the state archives. All original documents are stored on site at the

county. There are there three vaults for storing the filed documents. In the future, Probate may need more space for document storage.

Commissioner Roger Moody commented that he was interested in learning what technology is available to the various offices to improve their operations and the services that they provide, rather than just a management study. The consultant or company conducting the study needs to understand the expectations of the study, one of which could be innovative uses of technology.

Commissioner Richard Parent recommended not making the study such an overwhelming project that it ends up taking two years to complete. He suggested narrowing the expectations so that the study could be completed by July 2010.

County Administrator Andrew Hart agreed that it should be completed by July, especially if the sheriff's office was done separately. The two studies would run simultaneously. There is \$45,000.00 budgeted for the study.

Commissioner Anne Beebe-Center suggested that when the RFP was sent out, that there be a notation that the Commission would consider separate consultants or companies to conduct the study. A company could either do both the sheriff's office and the other departments, or the company could elect to do one or the other.

Commissioner Roger Moody asked if the study could be "phased" because he was interested in knowing more about the departments, what the study should address, how in depth it should be, and the areas that could expect change either due to technological innovations, or other methods for efficiency. Perhaps a consultant was needed to help draft the RFP to help focus on the priorities and expectations of the study. He suggested that when the Old County Road property lease/purchase agreement was explored, that space needs were not sufficiently addressed. It appeared that just the building was considered for the departments to occupy to solve the space needs issue.

County Administrator Andrew Hart reported that the Kimball study, which was conducted by the state, could change the structure and number of PSAPs. There is the possibility that Knox County could take over Waldo County and/or Lincoln county's dispatching services. Lincoln County picked up some dispatching services for Kennebec County. Although Knox County is geographically situated between Waldo and Lincoln Counties, Lincoln County has its own building for communications. There is nothing definite as of now and no actual recommendations in the report.

Commissioner Roger Moody said he used the space needs issue as an illustration of spending money and not being in control enough to decide how to proceed with the study's recommendations. This train of thought lead to his suggestion of having the study be done in two phases so the Commission could maintain control of the study and its direction.

Commissioner Anne Beebe-Center asked what direction the Commission proposed to take with the organizational study.

Commissioner Roger Moody commented that the memo listed six items that essentially asks those doing the study to identify various areas of concern. The following is the second list of six items from the county administrator's memo and is included for informational purposes.

List of recommended items for the organizational study to address:

1. Identify the Department's strengths and weaknesses in providing services within their existing structure.
2. Identify areas, if any, where the delivery of existing Department services or the operation of the department can be improved upon.
3. Identify areas, if any, where the delivery of the Department services or the operation of the department can be provided in a more cost effective manner.
4. Identify areas, if any, where the delivery of existing Department services or the operation of the department might be combined with other services and/or department(s) to result in cost savings and/or more efficient delivery of services.
5. Identify areas, if any, where existing Department services or the operation of the department might be reduced and/or discontinued.
6. Identify, if any, any staff weaknesses, deficiencies or training required.

Commissioner Roger Moody remarked that he was not sure what "identifying areas" actually means in terms of making recommendations. He suggested that if a recommendation was made to reduce staff, it could be in terms of a specific number or it could be in general terms as in just indicating the staffing level needed to be reduced. He asked if the recommendations would be very specific or general in nature.

Commissioner Anne Beebe-Center commented that the list was very distinct in its areas of study with definable issues.

County Administrator Andrew Hart reported that Kennebunk sent their RFP to 25 consultants/agencies with six being returned. The range was from a one-person operation to a corporation. Sheriff's office and communications were done first with four RFPs being returned from a smaller pool of consultants. The county administrator contacted some of those that did not respond to determine if any were interested in being a consultant to assist in developing the RFP for Knox County. Most were not interested. There was one that might be interested and said he would contact Mr. Hart. There has not been subsequent contact and the cost is known at this time. If this person does work on developing the RFP, he would not be eligible to respond to the RFP.

County Administrator Andrew Hart suggested that even if this RFP was sent out, more would probably be received for the law enforcement part. The Commission could then talk about items to include with the various agencies submitting bids. He recommended looking at bidders' credentials, experience, and other information provided, rather than just looking at the cost.

Old Town contracted with the highest bidder because of the services it could provide and its reputation. Their study is just starting the process of gathering information.

Commissioner Anne Beebe-Center asked if the county administrator was waiting to hear from the one consultant interested in assisting with developing an RFP for the organizational study. Mr. Hart answered in the affirmative.

County Administrator Andrew Hart asked what the commissioners thought of the draft RFP that was on the table today. Outside the sheriff's office and communications, the other offices are small. It was suggested that it may advantageous, cost-wise, not to include communications at this time because of the Kimball report.

Commissioner Anne Beebe-Center commented that it might be better to include communications to understand the needs of communications. Any changes in the number and structure of PSAPs may come at some point from the state, but staffing needs, over-time, and equipment needs are budget items that will have to be addressed.

County Administrator Andrew Hart suggested that the study would give a baseline for each department in terms of staffing. The question of staffing came up in budget review process because of the drop in the Registry of Deeds' revenues. A comprehensive study of the department may determine the status of operations in terms of staffing. With the use of new technology a reduction may be recommended, or the study may show that the current staff is needed to provide services because the operations and actual services provided have changed over the last few years. The staffing of all the small offices, including the EMA office, will be studied. EMA has two employees and several contractual employees. The role of EMA has changed in recent years. The study may show whether or not there is adequate staffing for the additional responsibilities and projects, or it may show that there have been too many projects taken on.

Commissioner Anne Beebe-Center commented that she expected the study to confirm that operations have been changing and whether or not the county has kept up with those changes.

County Administrator Andrew Hart commented that one consultant suggested that the sheriff's office would be looked in terms of their interaction with the community at large, the business community, the court system, the D. A.'s office, and other agencies.

Asked about what the expectations are for the study, Commissioner Roger Moody responded that he saw the study as a blue print for the county. The RFP may need to just be sent out and then determine, from the responses, if the RFP or the expectations of the study needs to be modified. While it is important to give optimum guidance to the consultants, it is also important to be cognizant of not making the project burdensome. The final report may only hit on the high points of the findings.

Commissioner Richard Parent suggested that the project may need to be trimmed down to make the final report a usable document.

County Administrator Andrew Hart suggested that putting the RFP together for the organizational study was difficult because there was no way to know if there was too much material or not enough material in it.

Commissioner Anne Beebe-Center said the summary of the end results that are expected as listed in the first section of the memo is what she wanted to see in terms of the end result of the study. The list is inserted below for informational purposes.

The end results should include realizing the following:

1. Efficiencies
2. Proper Staffing Levels
3. Role Clarity
4. Best Management Practices
5. Accountability
6. Proper Tools and Systems in Place to Support Effective Workforce Management

County Administrator Andrew Hart suggested sending out the RFP, as it is, reviewing the responses, and then redoing the RFP if necessary. Kennebunk rejected the three responses that they received from the initial mailing of their RFP. They redrafted the document and sent it out.

Commissioner Richard Parent asked how many consultants or companies would be on the mailing list. It was noted that there are probably six consultants in the state. There is a whole industry based on analyzing the needs of the workplace.

Commissioner Roger Moody asked if the RFP could be broken down into two phases. There would be a contract for phase one, which would identify the areas of concern and take approximately six weeks. The commissioners could review the results and then authorize the consultant to move on to phase two, which would be an audit of the operations and services.

Commissioner Roger Moody recommended having a separate RFP for the sheriff's office that would not be done in two phases, while the RFP for all the other departments would have conditional language to enable them to move to phase two.

Commissioner Richard Parent commented that he liked this approach of having two phases and being able to review the first part before moving on to the second part. The review allows for re-evaluation of the process. It is important to have a usable end product.

County Administrator Andrew Hart commented suggested that there may be overlapping of the two lists of items to be addressed in the study, as presented in his memo. Some language could be changed or the two lists could be combined.

Commissioner Anne Beebe-Center suggested that the first list in the memo is the basis for a separate study to determine how the departments are set up and how they work. The second list contained in the memo asks for identifying areas that could be improved regarding the services or product that the departments provide.

Commissioner Roger Moody pointed out that on page 6 of the RFP, Section 1. "Scope of Work", asks that the firm conduct an audit of the county's services and operations and how they compare to other counties of similar size and makeup. He asked if the study should be limited to comparing Knox County with other counties, or should this part be changed to include the municipalities. The language might reflect comparing the county with other government agencies of similar size.

Commissioner Richard Parent commented that the towns in the county do not provide the same services that the county does.

Commissioner Roger Moody suggested not limiting the study's comparison to just Waldo and Lincoln Counties, but rather other government agencies or other entities of similar size and make-up that provide similar services.

Commissioner Richard Parent suggested comparing to other entities providing similar services within the state because of statutes governing the departments' work.

County Administrator Andrew Hart said he agreed with separating the study into two phases, with the Sheriff's office done separately and in two phases.

Commissioner Richard Parent suggested that all departments be done in phase one with the appropriate language to negotiate moving on to phase two. There should be two RFP's; one for all departments, and one for the sheriff's office because there could be two consultants/companies hired.

County Administrator Andrew Hart suggested that depending on what he hears from the consultant regarding assisting with the final RFP to be sent out, he will put together a final draft of the RFP and mail it.

It was noted that the organizational study needs to be completed and the results reported before the next budget process, which starts in August.

County Administrator Andrew Hart said he would discuss the organizational study at the next staff meeting, which scheduled for March 2, 2010.

Commissioner Anne Beebe-Center asked if there was any other business to discuss at this work session.

County Administrator Andrew Hart reported that an employee had filed a grievance and a hearing needed to be scheduled. Applications were received for the vacant patrol administrator's position. Currently, it was being filled on a temporary basis. Two candidates were interviewed by an interview panel. The third candidate is on military leave and reasonable accommodation has to be made to interview that person. It was expected that a telephone interview could be arranged soon, but coordinating dates and times were difficult. Interviews for patrol deputies are scheduled for Friday, February 26, 2010. At the conclusion of filling these positions, interviews for the patrol supervisor position(s) would be scheduled and candidate(s) selected.

IV. Adjourn

There being no other business to come before the Commission, the chair asked for a motion to adjourn.

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

The meeting adjourned at 3:20 p.m.

Respectfully submitted,

Constance W. Johanson
Executive Assistant

The Knox County Commission approved these minutes at their regular meeting held on March 9, 2010.

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

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

Roger A. Moody – Commissioner District #3