

KNOX COUNTY COMMISSION

Regular Meeting

Tuesday – September 10, 2013 – 2:00 p.m.

The regular monthly meeting of the Knox County Commission was held on Tuesday, September 10, 2013, 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, Finance Director Kathy Robinson, EMA Director Ray Sisk (*arrived at 2:51 p.m.*), Sheriff Donna Dennison, Jail Administrator John Hinkley, Register of Deeds Lisa Simmons (*arrived at 2:48 p.m.*), Chief Deputy Tim Carroll (*arrived at 2:51 p.m.*) Communications Director Linwood Lothrop (*arrived at 2:50 p.m.*), and Food Service Specialist John Abbott.

Others in attendance: Aramark District Manager John Sidorakis; County Auditor James Wadman; Camden Fire Chief and KRCC Executive Board Chair Chris Farley (*arrived at 3:04 p.m.*); Steve Betts of the *Bangor Daily News*; NCEU President Michael Nessinger; Juliette Laaka of the *Courier-Gazette*; and Chris Wolf of the *Pen Bay Pilot*; Virgil Anderson, husband of employee Varna Anderson; and James Anderson, son of employee Varna Anderson.

Regular Meeting – Agenda Tuesday – September 10, 2013 – 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 Discussion Item**
 - 1. Presentation of the Knox County Audit for the Year Ending December 31, 2012 and the Knox County Jail Audit for the Year Ending June 30, 2012 by James Wadman, Auditor.
- IV. 2:35 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 August 13, 2013.
 - iii. Monthly Written Departmental Reports.
 - iv. Reserve Withdrawals.
 - v. Budget Line Transfers.
- V. 2:40 Action Items**
 - 1. Act to Award Jail Food Services Contract.
 - 2. Act to Reconsider Decision of August 13, 2013 on the Petition for Property Acquisition by Eminent Domain; Act to Dismiss the Petition by Jeffrey Northgraves and William O'Brien for Property Acquisition by Eminent Domain.
 - 3. Act to Award Deeds Records Management System Bid.
 - 4. Act to Approve the Press Release for the Knox County Rx Discount Program.
 - 5. Act on the Communications Budget Review Process.
- VI. 3:10 Other Business**
- VII. Adjourn**

I. Meeting Called to Order

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

II. Public Comment

Commissioner Carol Maines asked for public comment. There was none.

III. Consent Items

1. Presentation of the Knox County Audit for the Year Ending December 31, 2012 and the Knox County Jail Audit for the Year Ending June 30, 2012 by James Wadman, Auditor:
James Wadman, auditor for the County, gave the Commission brief overviews of both audits. He handed out outlines for each audit for the commissioners and Administrator Hart to follow during his presentation.

Comments/questions during the Jail audit discussion:

Commissioner Maines asked about minimum of 10 to 12% of unassigned fund balances. Mr. Wadman responded that 10 to 12% was a healthy amount as recommended by MMA.

Commissioner Moody asked if the unassigned fund balances stayed with the County since the state approves the jail budget. Finance Director Robinson responded that so far, the money does still stay with the County, although the Board of Corrections has talked about changing that.

Mr. Wadman noted that the order of the sections in the audit follow the requirements of the Government Accounting Standards Board (GASB). He recommended that the commissioners learn to understand financial reports so that they are not just relying on the auditors to tell them where the County is financially. He also stated that his staff would soon begin the audit for the Jail's July 1, 2012 to June 30, 2013 audit.

Comments/questions during the County audit discussion:

Mr. Wadman explained that while page 3 of the audit states that the unassigned fund balance is approximately 30% of the total general fund expenditures for the year, it's misleading because that figure includes the jail and the airport. He said that if you just break it down to the general surplus, it's 13.2% percent of your operating budget for the year. As he stated earlier, the County should have 10 to 12% minimum, which is what's recommended for cities and towns, although state statute for counties requires 20%. He noted that if the County is borrowing from reserves to fund general expenses, which is what the County is currently doing, then that is an indication that the County's surplus is on the low side.

Mr. Wadman noted that the uninsured deposits of \$872,635 as noted on page 22 were from the 301 Park Street construction project. He said that even if the money is not going to be in the bank for very long, you still want to have all deposits protected at all times. He recommended that if the County has another project in the future, to make sure that the funding is insured.

It was noted that the DA Restitution account is still turning up in the audit's findings. Finance Director Robinson explained that DA and Finance staff are still working on reconciling the DA restitution account. It is a very labor intensive process. Commissioner Maines asked if it would speed up the process if the County hired someone to come in and just work on that project. Administrator Hart responded that it needs to be handled by the people working in the DA's office rather than having someone come in who isn't familiar with the system. He said that he hoped to have the project done before another audit is done. Finance Director Robinson noted that once staff have gone through the entire process, if there are still funds that they are unable to determine where they go, the funds will go to the state as unclaimed funds. Mr. Wadman commented that he should be able to at least show in the next audit that the County has made improvement on the DA restitution account, and eventually be able to remove that finding altogether.

Administrator Hart explained to the Commission that he had asked Mr. Wadman to attend the meeting by himself rather than bring his coworker, Kelly Bowden, in order to cut down on costs. He asked if the Commission wanted to continue having Mr. Wadman give a presentation each year or whether they would rather email their questions instead of having one of the auditors come to a meeting since there's a cost and time commitment to that. The commissioners expressed an interest in having the County audits be transparent and to discuss the audits and ask questions in open session. Mr. Wadman commented that he could try to schedule the presentation on a day when he was already working in the

area to cut down on costs. Commissioner Maines noted that the Commission could always hold a special meeting if that was more convenient.

IV. 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 August 13, 2013.
- iii. Monthly Written Departmental Reports.
- iv. Reserve Withdrawals

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

Commissioner Moody asked Finance Director Robinson how she dealt with the issue of different fiscal years when she calculated the expenditures year-to-date since the County is on a calendar year but the Jail is on a July to June fiscal year. Director Robinson explained that she does separate reporting and essentially translates the jail spending to the calendar fiscal year.

- A vote was taken with all in favor.

2013 Reserve Withdrawals:

Airport Projects	461608-14640	\$722.25
Building	200008-12655	\$348.00
Courthouse Computer	200008-12660	\$489.50
	Total	\$1,559.75

2013 Reserve Withdrawals (Transfer until tax revenue received):

Deeds Surcharge	200008-12740	\$68,000.00
Legal Expense	200008-12650	\$50,000.00
Probate Surcharge	200008-12750	\$20,000.00
Resignation Benefits	200008-12670	\$11,000.00
Sheriff's Computer	200008-12760	\$21,000.00
	Total	\$170,000.00

V. Action Items

1. Act to Award Jail Food Services Contract.

Commissioner Maines invited members of the public to speak on the matter since several were in attendance.

James Anderson introduced himself as the son of a jail food services employee, Varna Anderson. He appealed to the Commissioners to stop this process. He said that Aramark and privatization is bad for Maine. He stated that in January of 2013, kitchen manager Bruce Sheaff was approached by the Major who told him that there was going to be cutbacks and the kitchen was going to be put up for bid. Mr. Sheaff then implemented a new menu to save money, which saved about \$30,000 in FY2013. Mr. Anderson claimed that there have been a number of secret meetings which Mr. Sheaff was not invited to. He asked why such a big company would come to work in such a small jail. He said that Aramark's food is substandard and that if the inmates didn't have money for the jail canteen to buy extra food, the inmates would practically starve. Mr. Anderson explained that his mother has been an employee in the jail kitchen for 14 years and said that he didn't understand why the County wouldn't stand up for people who have done exemplary work over a long period of time. He stated that he has been in contact with several representatives around the state about this. He read aloud some quotes he had on a document he was holding, which stated that Mr. Sheaff was is old enough to retire and that all of the employees are sick. He then explained that those were statements that his mother had heard firsthand.

Mr. Anderson noted that while Aramark has said they will *consider* hiring the current staff, it is no guarantee and the employees will not get the same pay they get now. He stated that Mr. Sheaff's budget numbers were given to Aramark without Mr. Sheaff's consent, which is not right. Mr. Anderson stated that he felt that Aramark was given Mr. Sheaff's numbers so that Aramark could consistently underbid him.

Commissioner Maines asked about the documentation what was on the commissioners' desks when they arrived for the meeting. Administrator Hart said that he would explain.

John Abbott, a current food services employee, asked to speak. He said that he has been a County employee for a little over 5 years. He stated that Mr. Sheaff had already lowered the food costs considerably. He believed that he gets better pay and benefits now than he would if he was hired by Aramark. Because Aramark does not help pay for health insurance, even if employees went to work for Aramark at the same rate of pay per hour as they do now, they'd be losing money because they'll have to pay out for their health insurance. County employees also get more paid holidays than Aramark employees. He reminded everyone that no one even knows if Aramark will hire the current staff. Nobody has said the jobs are guaranteed. He said that he didn't think it was right to lose his job, but if that were to happen, he hoped that the County would give him a position doing something else, even though he'd rather still be working in the kitchen.

Michael Nessinger introduced himself as the president of NCEU. He stated that he was really just there to explain what's going on at the employee end of things. NCEU has been in the process of unionizing the kitchen staff, although he didn't believe that would affect the decision the Commission would make at this meeting. He said he had questions regarding the process of what has taken place. If Aramark was given Mr. Sheaff's figures so that they could rebid, that's not right. The livelihoods of four long-time employees were at stake. He asked how much the County would actually be saving by going with Aramark over letting Bruce Sheaff continue to run things his way.

Mr. Anderson stated that originally, Aramark would be able to save the County money but once Mr. Sheaff implemented some changes and cuts, the County knew it wasn't going to be that much of a savings. He reminded the administration that it has said that if Aramark wasn't going to provide enough of a savings, the County wouldn't going to go through with it. He said that he hoped the Commission would support Maine people and their jobs.

Mr. Nessinger stated that he had previously worked in the Essex, Massachusetts jail facility and Aramark had run the kitchen there during the last 5 or 6 years that he had worked there. He said that while he never ate the food himself, he felt that the portions seemed smaller. He stated that there were also many issues from a security standpoint, because of the Aramark staff that were brought in to work in the kitchen. Corrections staff had to walk Aramark employees off the property for bringing in contraband and fraternizing with inmates. He reminded the Commission that the staff working in the jail already have enough stress without dealing with Aramark staff coming in who are subpar at their jobs and causing problems.

Administrator Hart explained that the County sent an RFP out on June 4th to three vendors. There aren't that many vendors that provide this service. A pre-bid meeting was held on June 14th that was mandatory for any company that intended to bid. Aramark was the only company that came. He said that people have asked why the County wasn't allowed to bid, but when you go out to bid, you don't allow the current operation to bid. It was sent out to private vendors only. Bids were due back July 25th. Aramark's bid was quite large and it took some time to review it with the Major and the Sheriff. He reminded the Commission that he had previously asked for authorization from the Commission to award the bid and sign a contract with Aramark himself if it seemed feasible to go through with it. In response to Mr. Anderson's claim that Bruce Sheaff had not been invited to any meetings, Administrator Hart stated that Mr. Sheaff had attended three of the meetings that he had held, not including any other meetings that Mr. Sheaff might have had with the Major and Sheriff. A meeting

was held on August 21st with Finance Director Robinson, Major Hinkley, Sheriff Dennison, Bruce Sheaff, and Aramark rep John Sidorakis. He said they'd held another meeting just last week to discuss things and make sure that everyone was working from the same numbers because there were several different spreadsheets and numbers had changed. He said that he had decided it should come back to the Commissioners for a vote in part because that is how he usually proceeds with bids. He added that this has become very political. He said that he had received information from the Chair of the Board of Corrections that had apparently been sent by Mr. Anderson to the governor's office and to legislators, though no copies were sent to the County. He stated that the County started looking at outsourcing food services because the BOC has frozen jail budgets and asked counties to cut costs and privatize services. Aramark is already working at Kennebec County Jail, York County Jail, and the Two Bridges Regional Jail in Wiscasset. The original bid from Aramark was based on our 2013 jail budget of \$280,000. That's what Aramark based their proposal off. He stated that he had provided the Commission with a memo from the Major and Sheriff Dennison, an email from Varna Anderson, and a copy of the email from James Anderson which was sent to the governor's office and the BOC.

Commissioner Maines commented that the accusation was that Aramark was given two chances to bid after Bruce Sheaff's numbers were submitted. She asked Administrator Hart about that. Administrator Hart said that he couldn't remember the circumstances and deferred the question to Major Hinkley. Major Hinkley stated that the first proposal from Aramark was based on a mid-level menu. He said that later the County requested a low-level menu like what Kennebec County uses. Aramark giving a low-level menu had nothing to do with Bruce Sheaff submitting new numbers to the Administration.

Commissioner Maines stated at 3:18 p.m. that the Commission would take a five- minute break to allow the commissioners to read some of the material they were given right before the meeting started. At 3:23 p.m., the meeting resumed.

Commissioner Maines stated that she had thought the Commission would be told what the pay would be for the staff if they were hired by Aramark. The Commission had also not been given anything on the differences in benefits. She said that from reading the memo from the Sheriff and the Major, there seems to still be some uncertainty over whether Aramark would be cheaper or not. Commissioner Maines read aloud from the memo:

“Knox County implemented a new menu in March 2013, but it has not been in place a full year to demonstrate that the projected cost savings could be maintained. Aramark's proposal will result in savings, although the exact amount is difficult to predict”.

Commissioner Maines asked, if we don't know how much it is, how do we know there will be savings? She stated that there had been a new benchmark made with the changes put into place by Mr. Sheaff.

Sheriff Dennison stated that the Administration's decision wasn't made lightly. She noted that the County has very good employees working in the jail kitchen. The Administration began looking at contracting out the food services in February when the BOC was talking to counties about scrubbing the budgets. John Sidorakis had come up and talked with herself and the Major, and they discussed what the County was currently spending. She stated that Bruce Sheaff was at that meeting. Mr. Sidorakis thought he could probably save the County some money and that's what started the County looking at outsourcing. She said that Mr. Sheaff has been at all of the meetings and has been shown Aramark's figures, not the other way around. Her hope was that the food services employees could go to work for Aramark with good benefits. She said she didn't want to hurt the employees. Aramark has some good things to offer. The Administration has checked with other jails and they've been satisfied with Aramark. She said she wasn't sure where the negativity about Aramark was coming from because each sheriff she contacted in Maine told her that they have been very happy with Aramark. One benefit to having a contract with Aramark is that if an expensive kitchen item has to be replaced, Aramark will purchase the equipment for the County, and allow the County to pay them back over a long period of time. Aramark staff would also help the administrative assistant with the canteen so she doesn't have to

handle cash. She said that all people fear change, but the Administration is trying to look out for the whole department, not just a few employees.

Major Hinkley commented that there are a number of other things that Aramark can offer the County through a contract, one of which is that Aramark has a team of dieticians on staff all the time. Right now the jail has to send out the menus to a licensed dietician at a hospital in Augusta. If the menu is changed, it's supposed to be sent to the dietician again, which costs \$200. The menu is supposed to be reviewed every time the jail gets inmates with medical or religious conditions. Aramark has the dieticians on staff all the time so they can take care of that and everything will be reviewed. Aramark also has a program for working with inmates to help them get jobs when they get out of jail. Aramark also has extensive, ongoing employee training. He echoed what the Sheriff has already mentioned about the replacement of kitchen equipment. He said the jail still has other equipment that needs to be replaced because it's old – freezers, dish washers, refrigeration unit, etc. If those items were to die today, the jail doesn't have the money to go out and buy them. Aramark would purchase the equipment for the County and slightly raise the meal costs to allow the County to pay them back over time. The Board of Corrections has not allowed the County to have any capital built into the budget to replace equipment. The Board doesn't even have the money to pay what's in the budget for this year.

Commissioner Maines asked how costs could be compared if the Administration was assuming that Aramark will help with replacing equipment. Major Hinkley responded that the food items on the menu can be changed to lower the prices and compensate for the increase from purchasing the equipment. He said that the price that Aramark submitted was based on the menu that he had provided the Commission with that the jail is using right now. He added that he believed that if Knox County works with the other three jails using Aramark and work from the same menu, the County should be able to save even more.

Commissioner Maines asked if the food would be prepared at the jail. Mr. Sidorakis responded that it would still be done on site.

Major Hinkley noted that the contract with Aramark would be for three years. Aramark is in compliance with the state standards already and are also compliance with ACA standards. He said that Aramark has a tremendous audit process where they audit their operation on a regular basis, which is all documented. If the jail decided to become ACA compliant, Aramark's information would be accessible to the Administration as management to help them to do that. He said that he had contacted the other three jails and the administration there all said that not only are they extremely pleased with their service, but they have met all of their projected savings, and in some cases exceeded it. He added that as far as the problem Mr. Nessinger mentioned of getting bad staff, you can have that problem no matter what the position is. The jail administration has final approval over all staff coming into the jail.

Commissioner Maines asked if the food services employees would be able to individually negotiate with Aramark for their pay. Sheriff Dennison responded yes.

Commissioner Maines said that she had seen something about employees making \$8.50 an hour. Mr. Sidorakis stated that the labor rates are significantly higher than that and not far from what the employees make now. He said that Aramark feels that they have a very competitive employee benefits package. Aramark does not pay for employee's benefits; most companies do not. There are multiple changes on the horizon with the national health care program coming out, but he didn't know what that will be just yet. Commissioner Maines asked if Aramark offers the same benefits across the board. Mr. Sidorakis said yes. As far as the pay goes, Mr. Sidorakis said that it depends on the market in the location.

Commissioner Parent asked what would happen to the current program of the jail raising produce at the jail and using in the kitchen if Aramark takes over the food services. Major Hinkley responded that Aramark has agreed to use anything the jail already has in place. That was already figured into the

prices Aramark provided. He added that the jail has enlarged the gardens, which are producing very well. There is a small building on the property for storing some of the produce.

Commissioner Moody asked for Aramark's perspective on hiring the current employees. Mr. Sidorakis replied that Aramark operates many jails in the country and are happy to interview the current employees. He said that in many cases, it's a positive for Aramark to hire them. He said that he wasn't looking to alienate anybody but was here because the County put out an RFP and Aramark answered it. Aramark operates in state and county corrections facilities around the country. He said that they consider a menu a contract.

Commissioner Moody asked what happens if the jail experiences a mission change and there end up being less inmates, or there's some other big change. Mr. Sidorakis replied that Aramark put together what they call a sliding scale. Aramark bid a price just for the first year and it would be looked at annually. The County would negotiate with Aramark for a revised contract. Aramark would look at CPI increases for the employees and possibly make a menu change to keep costs level. The level of service can be changed based on what the jail's needs are.

Commissioner Maines asked if there was anything that could happen that would cause the contract to be terminated within the three years. She asked what would happen if the County had replaced a bunch of equipment all at once and was slowly paying it back but the contract was terminated. Mr. Sidorakis stated that if there are changes at the jail, the contract can be amended. He noted that Aramark has good buying power because of the size of the company and the amount of equipment the company buys so it probably wouldn't increase the food cost that much at a time.

Major Hinkley commented that the Board of Corrections is pushing the counties to all be contracting out to get all of the jails operating the same.

Mr. Sidorakis commented that the menu the Commission had been given wasn't exactly the Kennebec County menu, though similar. The menu is designed based on what the County wants. If the County wanted condiments available to the inmates, that's up to the County to decide. The menu is based on the requirements that the County gave Aramark in the RFP.

Major Hinkley explained that the RFP was based on nutritional value and what the County had spent on food services in 2012. He said that the decision to support awarding the bid to Aramark wasn't just made on the financial savings alone. Aramark has other things that they do or provide that make their proposal attractive. Aramark will have the commissary be electronic so family members can deposit money for an inmate, and since it's all done electronically, County staff won't have to spend so much time on that. He added that both the County and Aramark keep a percentage of the sales on commissary stuff, but that is no different than how the Canteen in the jail is currently run.

Commissioner Parent noted that in the minutes from the 8/13/13 Commission Meeting, Administrator Hart had stated that Finance Director Robinson was going to project out 3 to 5 years. Commissioner Parent asked if Director Robinson had done that. Administrator Hart responded by saying that when the County put out the RFP, the numbers were based off the 2012-2013 FY budget. After that, Bruce Sheaff implemented savings but those changes haven't been in place a whole year yet – it's just been since March. He said that Mr. Sheaff had projected savings, and when comparing that to the Aramark numbers, the savings from Aramark seemed a lot less. Administrator Hart noted, however, that Bruce Sheaff's numbers are based on the time of year when the jail is growing produce. What about the rest of the year? He stated that although Mr. Sheaff claims he took that into account, he hasn't submitted anything to the administration show how that was calculated. The numbers have changed several times and it's been difficult to compare apples to oranges.

Commissioner Parent asked how Administrator Hart, Sheriff Dennison, and Major Hinkley could decide to make a change if they couldn't compare dollars to dollars. He said that the savings Aramark

said they could provide was based on what the County *used* to spend on food services. He added that Administrator Hart was saying that he was unable to say what the County is doing the services for right now because the changes haven't been in place for a year yet.

Major Hinkley stated that the County hired him to operate the jail to the best of my ability. In his past employment he has inspected jails all over the state. He stated that he believed that the County would greatly benefit from going with Aramark. The current provider (the current food service staff) cannot provide the other services that Aramark can provide. He said that he recommend that the County award the bid to Aramark and that he hoped the Commission would support his recommendation.

Administrator Hart commented that it's very common to go out to bid to multiple companies and only get one bid back. It's happened to the County a lot.

Commissioner Moody stated that the face of jails in Maine is going to change. How they run and operate is going to change. The state can't fund the jails because there's not enough money. He said that he didn't know what's going to happen to Knox County's jail. It could very well close down at some point. The Commission has to do their due diligence to help corrections in Maine and think regionally. The longer things stay the way that they are, the County may be shooting itself in the foot.

Commissioner Maines asked Commissioner Moody if he was saying that he didn't want to do a contract for three years.

Commissioner Moody noted that the Commission had previously authorized the administrator to sign the contract, but he felt that the Commission may want to rethink that and review the contract themselves before it's signed.

Commissioner Maines asked if the Commission should even be entering into a contract if no one is certain what the status of the jail will be in the coming spring.

Mr. Abbott suggested that the Commission give Bruce Sheaff a year to see how much savings he's really implemented. The County could always go out to bid again later. He asked the Commission to give the employees a chance to prove themselves.

Virgil Anderson introduced himself as the husband of employee Varna Anderson. He said that he was not questioning anyone's honesty but he was questioning possible bias. Aramark has been contacted more than three times. He asked the Commission to give Mr. Sheaff another 9 months so he can prove that the changes he implemented can compare with Aramark. He added that he was not saying that Aramark is bad, even though he had seen some stuff online that isn't very complimentary.

Mr. Nessinger stated that Major Hinkley had said earlier in the meeting that Aramark didn't provide a proper bid. He asked why Aramark was given another chance. He also stated that the decision was not financial alone, but he asked how that was not a major factor in what needs to happen. He stated that ACA accreditation of the kitchen really means nothing to the jail because the rest of the jail is not ACA accredited. He said that he worked in corrections for 21 years. The facility he worked in had standardized meals for diabetics, different religions, etc. so he asked why that was not happening now. He said that the jail can do the commissary on their own and didn't need Aramark for that. He added that Aramark may have a program to help inmates get jobs after leaving the jail, but that he hadn't seen any information on Aramark's recidivism rates.

Major Hinkley responded by saying that he never said that Aramark didn't bid correctly. It wasn't that Aramark bid wrong – the County had asked them to bid on the mid-level menu, which is what they did. The County then later asked Aramark to bid on the lower-level.

Mr. Nessinger asked if Aramark was required to have a corrections certificate to oversee inmates. Major Hinkley said no.

Mr. Nessinger asked who is paying the activation fees on the release master cards used by the inmates. Mr. Sidorakis replied that it's not something that the County pays.

Commissioner Maines stated that since there have been some savings since Bruce Sheaff's changes were made in march, and everybody agrees that Mr. Sheaff's changes haven't had a year's worth of trial, and there is some confusion that the savings can be sustained throughout a year, she thought that the Commission should wait and see how well Mr. Sheaff's projections pan out. She said that the other reason she would like to wait to award a contract is because of what Commissioner Moody had said about the fact that there could be some significant changes coming in the near future for the jail. She said that a three year contract, even though it can be provided in the contract to be able to back out if need be, the disruption to the personnel made her want to hang back for now and see what will happens.

Commissioner Parent commented that what Commissioner Maines said made sense to him. He said that he would like to support the Major and the Sheriff as he always has, but he felt that it was hard to do that this time.

Commissioner Moody said that he agreed with the other two commissioners. He added that he believed that the Sheriff and Major's recommendation may be the right one for a long period of time, but things for the jail could be changing and he didn't believe the change benefits the employees.

- A motion was made by Commissioner Richard Parent to award the Jail Food Services contract to Aramark for three years. The motion was seconded by Commissioner Roger Moody.

Commissioner Moody expressed some concern over having the administrator sign the contract. He felt that the Commission needed to be the one to sign it.

Commissioner Parent withdrew his motion; Commissioner Moody withdrew his second of the motion.

- A motion was made by Commissioner Richard Parent to award the Jail Food Services contract to Aramark for three years with the commission chair to sign . The motion was seconded by Commissioner Roger Moody. A vote was taken with 0 in favor, and 3 opposed. The motion therefore failed.

Commissioner Maines asked Administrator Hart to track Bruce Sheaff's savings through December.

Administrator Hart commented that if the County goes back out to bid later, he didn't know if the County would even get any bids. He asked Mr. Sidorakis if Aramark would bid again. Mr. Sidorakis said he couldn't say if Aramark would bid again or not.

Commissioner Moody stated that it's the obligation of the current food services manager to come up with a plan that satisfies the Major and the Sheriff of the costs of the year. He stated that he was looking for a budget figure of \$250,000 for the year, which is \$30,000 less than the previous year's budget. If the food services manager can't come up with that budget through the changes and cuts he implemented, then at that point the Commission may need to make a change. He asked to have a report from Bruce Sheaff by October 31, 2013 so that the Commission can be assured that his efforts can meet the fiscal target.

Commissioner Maines asked the Major if Mr. Sheaff could do that. Major Hinkley responded that he didn't know. He said his concern is that even if Mr. Sheaff is able to save the County the same amount

as Aramark, by not going with Aramark, the County would lose out on all the other benefits that Aramark could provide.

2. Act to Reconsider Decision of August 13, 2013 on the Petition for Property Acquisition by Eminent Domain; Act to Dismiss the Petition by Jeffrey Northgraves and William O'Brien for Property Acquisition by Eminent Domain.

The Commission voted at the August 13th regular meeting to proceed with the taking of the easement on the Pollard property since that was the only property to not have accepted the easement amount. Since then, on August 20th, Mr. and Mrs. Pollard have accepted the offer through an Administrative Settlement as agreed to by the FAA. Attorney Jim Katsiaticas advised that Jeff Northgraves, as the petitioner, should write a letter to the Commission asking that the Commission reconsider its decision of August 13th and to dismiss the Petition as the taking is no longer necessary. Since Manager Northgraves is out of state at this time, Administrator Hart had written the letter. He noted that the amount at which the Pollards settled is not public until all of the settlements are closed.

- A motion was made by Commissioner Richard Parent to reconsider the Commission's decision of August 13, 2013 on the Petition for Property Acquisition by Eminent Domain and to dismiss the petition by Jeffrey Northgraves and William O'Brien for property acquisition by eminent domain. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

3. Act to Award Deeds Records Management System Bid.

Administrator Hart explained that the County sent out an RFP for a records management system for the Registry of Deeds to four vendors. All four vendors returned bids by the deadline. He said that he had spent some time reviewing the bids with Register of Deeds Lisa Simmons. Two of the vendors submitted their bid as an all-inclusive cost per item, while the other two submitted bids with complicated spreadsheets that showed costs per year and included the purchase of hardware, which is not what the county wanted and is outside the scope of the RFP. He stated that Register Simmons' recommendation is to award the bid to IQS and that he supported her recommendation.

Register Simmons commented that IQS had done a presentation for Knox County in April that was very impressive and Registers from other counties attended it. She said that she has been working with IQS since 2006 and have a very good working relationship. ACS, the current provider, was taken over by Xerox in 2010 and the customer service has been not very good. IQS has been consistently available whenever she needed help. She said that she would like to try IQS for a year, which is how it was stated in the RFP. If the County doesn't like IQS, the contract doesn't have to be continued past that first year. IQS has already digitized the County's records back to 1760 so the County won't have to pay extra to have it on the website. If the County went with ACS/Xerox, it would cost approximately an additional \$35,000 to do that.

- A motion was made by Commissioner Richard Parent to award the bid for the Registry of Deeds Records Management System to IQS for a bid total of \$55,720* for one year. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

**Note: The IQS bid was for \$3.98 per document. The figure of \$55,720 for one year came from multiplying \$3.98 per document by the estimated number of documents in one year (14,000).*

4. Act to Approve the Press Release for the Knox County Rx Discount Program.

EMA Director Ray Sisk explained that the amount saved by residents won't be known until mid-September. If the amount has not reached \$100,000 by then, he will defer the release of the press release until October.

- A motion was made by Commissioner Richard Parent to approve the press release for the Knox County Rx Discount Program. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

5. Act on the Communications Budget Review Process.

Administrator Hart explained that at the quarterly meeting of the Budget Committee in July, he had explained to the Budget Committee that he had County Attorney Peter Marchesi review the Charter and by-laws of the KRCC Executive Board. Attorney Marchesi found that since the Communications budget is based off an assessment and a user fee and is not funded by county taxes, it is not required to be approved by the Budget Committee. The KRCC Executive Board reviews the budget and then recommends it for approval to the Commission, and then the Commission votes to approve, or to approve with changes if needed. The Commission needed to decide if this was how they wanted to proceed with the Communications budget review process. He noted that Chief Farley, Camden's Fire Chief and the Chair of the KRCC Executive Board, was present.

Chief Farley commented that MRI (Municipal Resources, Inc.) is working with the Executive Board to write the bylaws. Commissioner Moody asked if MRI is charging the County a sum for that. Administrator Hart replied that it's being negotiated.

Administrator Hart noted that other counties in Maine with communications centers fund them through county tax, not user fees like Knox County does. He said that he was not sure how Knox's Center got set up that way.

- A motion was made by Commissioner Roger Moody to respect the County's legal opinion and approve the budget review process as spelled out in the bylaws, which is to have the KRCC Executive Board approve the budget in conjunction with the Commission. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

VI. Other Business

Meetings

Commissioner Moody stated that he had received an invitation to meet with the Hope Selectboard this month. Administrator Hart said the selectmen wanted to meet with Budget Committee member Bill Jones and Commissioner Moody since Hope is in both their districts. If they have a follow-up meeting with specific items to discuss relating to specific County department, the department managers could be invited to attend as well.

Commissioner Maines noted that Ken Wexler wanted to meet with her regarding several concerns of the Owls Head Airport Committee on September 20th.

Administrator Hart reminded the Commissioners about their October 4th Special Commission meeting to review the budget draft at 9 a.m.

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 5:20 p.m.

Respectfully submitted,

Candice Richards
Administrative Assistant

The Knox County Commission approved these minutes at their regular meeting held on October 8, 2013.