

KNOX COUNTY COMMISSION

Regular Meeting

Tuesday – February 8, 2022 – 2:00 P.M.

The regular meeting of the Knox County Commission was held on Tuesday, February 8, 2022, at 2:00 P.M., at the County Courthouse, 62 Union Street, Rockland, Maine.

Commission members present were: Dorothy G. Meriwether, Commissioner District #1, Richard L. Parent, Jr., Commissioner District #2 and Sharyn L. Pohlman, Commissioner District #3.

County staff present included: County Administrator Andrew Hart, Administrative Assistant Wendy Galvin, Sheriff Tim Carroll, Finance Director Kathy Robinson, Airport Manager Jeremy Shaw, Communications Director Robert Coombs, Chief Deputy Patrick Polky, Systems Administrator Mike Dean, EMA Director Ray Sisk and Human Resources Laurie Bouchard, Prosecutorial Assistant/Investigator Shane Riley, Register of Probate Elaine Hallett, Register of Deeds Madelene Cole, Jail Administrator Bob Wood, and District Attorney Natasha Irving

Regular Meeting – Agenda

Tuesday – February 8, 2022 – 2:00 P.M.

Due to the prevalence of the COVID-19 Omicron variant in Knox County and the inherent risk to the health and safety of our employees and the public from it, the Chair of the Knox County Commissioners determines there is an emergency situation that requires the Knox County Commission to hold its public meetings remotely via Zoom video conference on an ongoing basis until further notice, as allowed under the Knox County Commission Remote Participation Policy and 1 M.R.S. Section 403-B.

- 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. 2:05 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 11, 2022.
 - iii. Monthly Written Departmental Reports.
 - iv. Warrants
 - v. Reserve Withdrawals.
- IV. 2:10 Action Items**
 1. Act to Approve an Expenditure of State Forfeiture Funds in the Amount of \$3,750.00 for Professional Services to Achieve Accreditation Through the Maine Law Enforcement Accreditation Program (MLEAP) for the Knox County Sheriff's Office.
 2. Act to Award Bid for One (1) New Vehicle for Use by the Sheriff's Office Airport Security Unit.
 3. Act to Call for Nominations to Fill Three (3) Seats on the Airport Public Advisory Committee (APAC) and Approve the Nomination/Appointment Timetable and Press Release.
 4. Act to Authorize the County Administrator to Sign Master Settlement Agreements for the Nationwide Settlements to Resolve all Opioids Litigation Brought by States and Local Political Subdivisions.
 5. Act to Set the Mil Rate for 2022.
 6. Act to Set the Interest Rate on Delinquent County Taxes for 2022.
- V. 2:25 Discussion Items**
 1. Discussion of Audio Visual Equipment Proposal With Options for the Commissioner's Hearing Room.
 2. Update on the KCPSB Floor Repair Project.
 3. Update on the Jail HVAC Project.
 4. Update on Airport HVAC Project
 5. Other
- VI. 2:30 Other Business**
- VII. Adjourn**

I. Meeting Called to Order

Commissioner Meriwether called the regular meeting of the Knox County Commission to order at 2:02 P.M.

II. Public Comment

Commissioner Chair Meriwether asked if there was any public comment. There was none.

III. Consents 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 11, 2022
- iii. Monthly Written Departmental Reports
- iv. Warrants
- v. Reserve Withdrawals

- *A motion was made by Commissioner Parent to approve the consent items 1-3 as presented. The motion was seconded by Commissioner Pohlman. A vote was taken with all in favor.*

#1. Warrant Authorization for January 2022 Effective December 2021 in the amount of \$1,186,982.15.

Please find enclosed all of the background for this Warrant Authorization. The motion would be to approve the Warrant Authorization for January 2022 Effective December 2021 in the amount of \$1,186,982.15.

- *A motion was made by Commissioner Pohlman to Approve the Warrant Authorization for January 2022 Effective December 2021 in the amount of \$1,186,982.15. The motion was seconded by Commissioner Parent. A vote was taken with all in favor.*

#2. Warrant Authorization for January 2022 in the amount of \$949,239.11.

Please find enclosed all of the background for this Warrant Authorization. The motion would be to approve the Warrant Authorization for January 2022 in the amount of \$949,239.11.

- *A motion was made by Commissioner Pohlman to Approve the Warrant Authorization for January 2022 in the amount of \$949,239.11. The motion was seconded by Commissioner Parent. A vote was taken with all in favor.*

#3. Reserve Withdrawal Authorization for January 2022 in the amount of \$41,707.25.

Please find enclosed all of the background for this Reserve Withdrawal Authorization. The motion would be to approve the Reserve Withdrawal Authorization for January 2022 in the amount of \$41,707.25.

- *A motion was made by Commissioner Pohlman to Approve the Warrant Authorization for January 2022 in the amount of \$41,707.25. The motion was seconded by Commissioner Parent. A vote was taken with all in favor.*

#4. Reserve Withdrawal Authorization for January 2022 in the amount of \$2,616.80.

Please find enclosed all of the background for this Reserve Withdrawal Authorization. The motion would be to approve the Reserve Withdrawal Authorization for January 2022 in the amount of \$2,616.80.

- *A motion was made by Commissioner Pohlman to Approve the Reserve Withdrawal Authorization for January 2022 in the amount of \$2,616.80. The motion was seconded by Commissioner Parent. A vote was taken with all in favor.*

IV. Action Items

1. **Act to Approve an Expenditure of State Forfeiture Funds in the Amount of \$3,750.00 for Professional Services to Achieve Accreditation Through the Maine Law Enforcement Accreditation Program (MLEAP) for the Knox County Sheriff's Office.**

The Sheriff would like to request the use of State Forfeiture Funds for professional services to align the Sheriff's Office with getting accredited through the Maine Law Enforcement Accreditation Program (MLEAP). Dirigo Safety, LLC is the Sheriff's Office current training provider for all academy online training. They have a program that has been adopted by many agencies throughout the state, to do the same as they wish to be accredited.

The total cost is \$7,500, but is broken down into two year increments of \$3,750 each year. The Sheriff would be asking for the \$3,750 for this year and then again in 2023. Accreditation typically is about a 2-year process. This program prepares the Sheriff's Office for it. Essentially, they align them better to create administrative and operational policies specific to the Sheriff's Office that meet Federal Department of Justice, Maine Legislative, and Police Standards & Training Council mandates.

State Forfeiture Funds do not have specific requirement as far as what the funds have to be spent on, only Federal Funds do. The balance in thaw State Forfeiture Account is \$8,218 as of the end of December 2021.

- *A motion was made by Commissioner Parent to Act to Approve an Expenditure of State Forfeiture Funds in the Amount of \$3,750.00 for Professional Services to Achieve Accreditation Through the Maine Law Enforcement Accreditation Program (MLEAP) for the Knox County Sheriff's Office. The motion was seconded by Commissioner Pohlman. A vote was taken with all in favor.*

2. **Act to Award Bid for One (1) New Vehicle for Use by the Sheriff's Office Airport Security Unit.**

A RFP was sent out to for one (1) new vehicle to six (6) vehicle vendors on Thursday January 20, 2022. Bids were due back on Wednesday February 2, 2022 at 2:00 PM, at which time they were publicly opened. Four (4) vendors submitted bids. The bid results sheet is enclosed for your review. The Sheriff in conjunction with the Airport Manager will be reviewing the bid results, and will make a recommendation of which vendor to award the bid to.

- *A motion was made by Commissioner Pohlman to Award Bid for One (1) New Vehicle, a 2022 GMC Sierra from Quirk in Rockland in the amount of \$42,615.00, for Use by the Sheriff's Office Airport Security Unit. The funds are to be paid for out of Airport Reserves Account. The motion was seconded by Commissioner Parent. A vote was taken with all in favor.*

3. **Act to Call for Nominations to Fill Three (3) Seats on the Airport Public Advisory Committee (APAC) and Approve the Nomination/Appointment Timetable and Press Release.**

Every year, three (3) or four (4) of the ten (10) APAC seats require reappointment. This year the Commercial Pilot Seat, the Owls Head Seat, and the Flying Club Seat need to be reappointed. The Commercial Pilot Seat is currently filled by Katie Shaw, and she is completing her third full term and is not eligible to be reappointed. The Owls Head Seat is filled by Adam Philbrook, and he is not interested in serving another term. Ron Vanosdol is in the Flying Club Seat and also has indicated that he does not intend to serve another term. The APAC has reviewed the timetable and the press release

and recommended the Commission approve both. The Airport Manager will send out informal notifications to the appropriate interests, asking them for nominations.

- *A motion was made by Commissioner Parent to Act to Call for Nominations to Fill Three (3) Seats on the Airport Public Advisory Committee (APAC) and Approve the Nomination/Appointment Timetable and Press Release. The motion was seconded by Commissioner Pohlman. A vote was taken with all in favor.*

4. Act to Authorize the County Administrator to Sign Master Settlement Agreements for the Nationwide Settlements to Resolve all Opioids Litigation Brought by States and Local Political Subdivisions.

The Commission approved back in February 2019, to adopt a resolution authorizing Knox County to join a lawsuit against Opiate Drug Companies. The Commission further authorized Administrator Hart, as the County Administrator to engage the services of Napoli Shkolnik PLLC and Trafton, Matzen, Belleau & Frenette, LLP to pursue legal claims to recover the costs incurred by Knox County due to the opioid crisis. There have been updates provided via e-mails from Shayna Sacks of Napoli Shkolnik PLLC. Administrator Hart has also signed a few participation forms as well. This would authorize him to sign any future settlement agreements brought forth by Napoli Shkolnik to be signed by Knox County. As you have seen, there is usually a quick turnaround needed to sign execute and sign these documents/instruments.

- *A motion was made by Commissioner Pohlman to Authorize the County Administrator to Sign Master Settlement Agreements for the Nationwide Settlements to Resolve all Opioids Litigation Brought by States and Local Political Subdivisions. The motion was seconded by Commissioner Parent. A vote was taken with all in favor.*

5. Act to set the Mil Rate for 2022.

The Commission will be asked to set the mil rate for 2022 now that the state valuations have been finalized/certified by Maine Revenue Services. The Budget Committee and the Commission voted to set the Total Municipal Tax Assessment for 2022 at \$8,807,500 as compared to \$8,612,782 for 2021. Therefore, Administrator Hart is recommending to the Commission for their approval to set the mil rate for 2022 at 0.00106261, as compared to the mil rate for 2021 at 0.0010865807. The overlay figure is \$130,160, as compared to the overlay figure of \$168,878 for 2021; this represents 1.5%, which is below the 2% maximum that is allowed by statute.

- *A motion was made by Commissioner Parent to Approve the Mil Rate for 2022 at 0.0010865807%. The motion was seconded by Commissioner Pohlman. A vote was taken with all in favor.*

6. Act to Set the Interest Rate on Delinquent County Taxes for 2022.

Pursuant to 36 MRSA § 892-A, the County Commission may charge and collect interest on delinquent taxes. The rate of interest is established by the State Tax Assessor and shall be specified by a vote of the County Commissioners and notify the towns that they will be charged late fees if they do not pay their taxes on time. This is noted in several places in the tax bills and dispatch fees bills when they are sent to the towns. The county tax is due September 1, 2022, but late payment charges do not begin until November 1, 2022 as defined by statute. The rate of interest established by the State Tax Assessor for 2022 is 4% simple annual interest. From 2009 through 2017, it was at 7%. For 2018, it was at 8%. For 2019 it was 9%. For 2020 it was 8%. For 2021 it was 4%-6%. The Commission voted to set the Interest Rate for Delinquent County Taxes in 2021 at 4%.

- *A motion was made by Commissioner Pohlman to Act to Set the Interest Rate on Delinquent County Taxes for 2022 in the Amount of 4%. The motion was seconded by Commissioner Parent. A vote was taken with all in favor.*

V. Discussion Items

1. Discussion of Audio Visual Equipment Proposal With Options for the Commissioner's Hearing Room.

Administrator Hart has enclosed Geoff Parker's proposal that consists of three (3) options for your review. Systems Administrator Dean and Administrator Hart have not had time yet to thoroughly discuss this proposal and to discuss what actually needs to be done in the Commissioner's Hearing Room. Administrator Hart really feels that he, the Commission and Systems Administrator Dean need to discuss what we feel we need to resolve and potentially what problems we are attempting to resolve. Systems Administrator Dean and Administrator Hart have also discussed that after we discuss this proposal with the Commission, that we consider a RFP, so that we are being transparent as well as getting the best option for the best price. Systems Administrator Dean is also certainly willing to discuss this with the Commission individually.

- Administrator Hart state that we are still trying to understand what we want to do with that room. It is a large area and not set up ideal. Also need to determine who will be in charge of the equipment during the meeting if we go that route. The discussion is ongoing.
- Systems administrator Dean stated that Mr. Parkers proposal would bring us up to "studio quality". If his proposal is the route we want, then we need to get an RFP in order. His proposal is competitive but he doesn't think that's what Knox County needs. He feels further or more detailed discussion is needed.
- Commissioner Meriwether agrees with putting this out to bid by RFP. She just feels she cannot support the dollar amount that is being proposed. It the hybrid meetings that she is concerned about. She will be gone May – July and is concerned about the quality of the meetings if she patches in. When herself or another Commissioner has been out of town prior meetings have been frustrating.
- IT Director Dean stated another issue we run into is how people sit in that room. Right now the Commissioners look at the audience and that makes it difficult to find a single point for projections. For those that are sitting in the room it has to be comfortable for them to be able to see the screen of the person who is not in the room. Whatever is projecting your image, everybody in the room will need to be able to see that as well. That is also part of the problem with that room; you have audience and participants focused on two different directions so we end up needing two (2) screens. One suggestion he proposed to help with the hybrid meeting situation was to purchase two (2) T.V.'s and some projection then we should be golden for a lot less money. If we want full audio visual we are looking at an RFP, and that hearing room brings on a lot of challenges. It would require engineering and Mr. Parkers expertise. The owl is only half of the solution. We still need something to broadcast the person that is remote. To purchase a T.V. is that simple.
- Geoff Parker stated that what was installed at the library costs just shy of \$70,000.00. The cameras are a big thing. They are the expensive part.
- IT Director Dean has purchased a meeting owl for the Airport. He will come up with a proposal and bring to the Commissioners.

2. Update on the KCPSB Floor Repair Project.

ServPro started in the EMA office on Monday. Right now they are cleaning the outside of everything. They should finish first of next week. The duct work is done. Once EMA is done then they will complete the test. If the test passes then EMA employees can

reoccupy space. Same will be done with the Sheriff's Office. We still have not received an answer whether or not Risk Pool will cover this.

3. Update on the Jail HVAC Project.

Majority of systems are installed.

4. Update on the Airport HVAC Project.

Walk thru to see if any items need to be finalized.

5. Other

Administrator Hart stated there is a bill before the Legislature regarding Lasell Island. We had a meeting last week with State and reps from Waldo County. Spoke with Don Richards at no cost to look over documents regarding this issue. No decisions have been made. We did come to one agreement that Lasall Island is in Waldo County. To date, we cannot find any documents that Lasell Island is located in Knox County. It was discussed that the State Planning Office used to draw up maps, but now that department is defunct. So, now we are trying to find out who is supposed to take care of that. The Legislature is only one who is authorized to draw boundary lines on maps. We will meet in another month with Knox and Waldo reps as well as Don Richards. This whole issue will probably not be finalized until 2023 when the Legislature is back in session. As was reported in the local newspaper, this is not a dispute we are just trying to figure out boundaries.

- Commissioner Meriwether based on the recommendation from the APAC about the property what is the status of that going forward? What is the next step?
- Administrator Hart stated that last night at the two (2) hour meeting they agreed not to move forward.
- Commissioner Meriwether said her concerns were not satisfied by the discussion. She said the vote was 4-2 to purchase to not to purchase.
- Administrator Hart said he's not really sure where we are at with the property. Airport Manager Shaw has been working on that with Stantec and some others. He needs to find out if the Commissioners want to talk in Executive Session about the property. This is a piece of property and we if we are looking at purchasing a piece of property we usually discuss what we are going to offer for it in Executive Session so that does not get out in Public and we lose our negotiation rights. He will follow up with Airport Manager Shaw and see if he wants it on the March or April agenda for discussion to see if the Commissioners are interested in moving forward with it.
- Commissioner Meriwether stated yes she would be more comfortable with that.
- Administrator Hart said the APAC can make a recommendation but ultimately it is the Commissioners decision.
- Commissioner Meriwether asked what if the Commission disagrees with the APACs recommendation. That is something we should talk about at some point, not right now though.
- Administrator Hart stated that about 99% of the time the Commissioners agreed with the APAC on things.

- Administrator Hart announced that our 3rd ARPA meeting will be on February 17th. The plan would be to try to get through the rest of the departments that are on the list. We also have an ARPA meeting on March 3rd at 5:00 P.M.
- Commissioner Meriwether asked if there was going to be a way to review if we get through the department list quickly the nonprofits requests as a few have asked if they can attend the meeting to speak.
- Administrator Hart said it is hard to predict how quick we will go through the list. The last meeting one items lasted about an hour.
- Commissioner Meriwether stated that there was one thing that she thinks as Commissioners needs to be discussed is the final rule. A significant amount of expenditures that we are proposing in the departments are actually based on justification of loss of revenue. She wants to know how her fellow Commissioners feel about justifying department expenses through loss of revenue and the relaxed accounting that is now required from the final rule. We did not have loss of revenue and she is not comfortable claiming loss of revenue.
- Comm Parent said that he can't think of a case where revenue would suffer any loss because of Covid. In most cases revenue has increased, with the exception of the Airport.
- Finance Director Robinson stated that what Commissioner Meriwether is absolutely correct. We at Knox County did not suffer revenue loss. The final rule allows us to take the money that we have received and is allowing us more flexibility with what we do with our funds. If the decision for the Commissioners is that you don't want to be able to use that ruling in the final rule that would mean there are some projects on here that would come off the list. For example, for the Sheriff's Department and Corrections were the Tasers and Radios did not fall under the eligible criteria previously; with the new ruling they do. Those are two (2) items that we do not have in the budget, and we don't have the mechanism to pay for them. Under ARPA you could make the decision to move forward with them. There are some items on the list that departments feel are needed but don't have another of source of being funded right now.
- Commissioner Meriwether stated that every place she saw that referred to it was directly related to the loss of revenue. There was a lot of discussion and talked about revising the act to give the Counties the flexibility to spend up to \$10 million dollars however they want to but it has never happened.
- Commissioner Pohlman said that the final rule is being interpreted in different ways. She will check at her MCCA meeting tomorrow. She will talk with Peter Baldacci with NACO. She believes the ruling is pretty clear that they are giving us a lot of flexibility up to the \$10 million dollars. She is not entirely sure, and is not willing to pose anything further right now.
- Finance Director Robinson said that she can circle back and talk to our consultant who is a lawyer concerning the final rule. Her understanding is that they grouped it under the revenue loss and made it very liberal as long as it falls to a government service. Because of the lobbying done by certain agencies, one being law enforcement, items that were needed that could benefit the Public didn't fit within the criteria of what was out there for categories. This broadened it and allowed Counties to be able to broaden and meet more needs in the County. Under revenue loss that applies only to County related government services that is not broadened with the outside agencies.

- Commissioner Pohlman asked if she could and ask for the Lawyers interpretation of the final rule.
- Finance Director Robinson stressed that our consultant who is a Lawyer is fully aware that we did not suffer revenue loss. We can confirm that it is within our rights to move in this direction, but she thinks that the concern is if we are able to do it that you may not want to do it.
- Commissioner Parent understands that we do not revenue loss but we do have loss due to all the additional overtime we have had to pay that was caused by Covid.
- Finance Director Robinson said that she could define the list to projects that only fall under the interim rule.
- Administrator Hart stated that we have more requests than what we have for money. Some things will not be approved.
- Commissioner Meriwether asked if we should be attempting to reduce the budget with ARPA money.
- Finance Director Robinson ensured that the things on the list are not reducing the budget and are not in our budget.
- Finance Director Robinson stated the list presented last week will be reviewed and updated list will be presented for next week’s meeting. She will send out list prior to meeting.

VI. Adjourn

- *A motion was made by Commissioner Parent to adjourn the meeting. The motion was seconded by Commissioner Pohlman. A vote was taken with both in favor.*

The regular meeting adjourned at 4:32 P.M.

Respectfully submitted,

Wendy Galvin
Administrative Assistant

The Knox County Commission approved these minutes at their regular meeting held on March 8, 2022.