

KNOX COUNTY COMMISSION

Regular Meeting

Tuesday – July 11, 2023 – 2:00 P.M.

The regular meeting of the Knox County Commission was held on Tuesday, July 11, 2023, at 2:00 P.M., at the County Courthouse, 62 Union Street, Rockland, Maine.

Commission members present were: Edward B. Glaser, 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, HR Manager Amber Christie, Finance Director Kathy Robinson, Airport Manager Jeremy Shaw, Sheriff Patrick Polky, Chief Deputy Curt Andrick and Communications Director Robert Coombs.

Absent: IT Director Zach Greene, Prosecutorial Assistant/Investigator Shane Riley, Register of Probate Elaine Hallett, Register of Deeds Madelene Cole, Jail Administrator Robert Wood and District Attorney Natasha Irving.

Regular Meeting – Agenda Tuesday – July 11, 2023 – 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. 2:05 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 June 13, 2023.
 - iii. Monthly Written Departmental Reports.
 - iv. Warrants
 - v. Reserve Withdrawals.
- IV. 2:10 Action Items**
 - 1. Act to Approve and Authorize the County Administrator to Sign an Agreement Between Knox County and Volunteers of America (VOA) for the Connect & Protect Grant.
 - 2. Act to Approve and Sign the Collective Bargaining Agreement (CBA) Between the County of Knox and AFSCME Council 93 for January 1, 2023 – December 31, 2025.
 - 3. Act to Appoint a New Fire Representative (Chief Jason Peasley) to the KRCC Executive Board to Fill the Unexpired Term of Chief Chris Farley to Expire December 31, 2024.
- V. 2:25 Discussion Items**
 - 1. Discussion of LD 2005 – An Act to Eliminate the Aircraft Excise Tax.
 - 2. Discussion of County Properties Identified for Potential Sale.
 - 3. Update on Projects.
 - 4. Other Items.
- VI. 2:35 Other Business**
- VII. Adjourn**

I. Meeting Called to Order

Commissioner Glaser called the regular meeting of the Knox County Commission to order at 2:01 P.M.

- II. Public Comment** - Public Comment during other portions of the meeting will only be granted by permission of the Chair.

None

III. Consent Items

1. Approve Consent Items as Presented:

- i. Agenda - Non-Agenda Items Only Permitted if Emergency in Nature.
- ii. Minutes of Regular Commission Meeting of June 13, 2023.
- iii. Monthly Written Departmental Reports.
- iv. Warrants.
- v. Reserve Withdrawals

- *A motion was made by Commissioner Parent to approve the Consent items 1-5 as presented. The motion was seconded by Commissioner Pohlman. A vote was taken with all in favor.*

IV. Action Items

1. Act to Approve and Authorize the County Administrator to Sign an Agreement Between Knox County and Volunteers of America (VOA) for the Connect & Protect Grant.

The attached agreement has been vetted by Peter Marchesi, legal counsel for VOA, VOA, Sheriff, Chief Deputy Andrick, Kathy Robinson and Administrator Hart. There have been many amended versions, since the initial draft, and this is the final version to be approved by the Commission and to further authorize Administrator Hart to sign on behalf of Knox County. The Sheriff and Chief Deputy will be present to answer any questions that you have.

- *A motion was made by Commissioner Parent to Act to Approve and Authorize the County Administrator to Sign an Agreement Between Knox County and Volunteers of America (VOA) for the Connect & Protect Grant. The motion was seconded by Commissioner Pohlman. A vote was taken with all in favor.*

2. Act to Approve and Sign the Collective Bargaining Agreement (CBA) Between the County of Knox and AFSCME Council 93 for January 1, 2023 – December 31, 2025.

Administrator Hart has included a final version (as this is a new contract between both parties for the Union at the Airport) of the Collective Bargaining Agreement (CBA) that was negotiated between the representatives of the AFSCME Council 93 and the Management team that consisted of Jeremy Shaw, Kathy Robinson, Commissioner Parent, Amber Christie, Peter Marchesi and Administrator Hart. AFSCME has agreed to a 3-Year CBA. The Commission will sign two (2) originals, and then this will be provided it to the officers of AFSCME to sign both originals and keep one for their files and return one signed original to Knox County for our files. Jeremy, Amber, Kathy, or Administrator Hart can answer any questions at the meeting. If the Commission has any specific questions in regards to this, please don't hesitate to call Administrator Hart to discuss.

- *A motion was made by Commissioner Parent to Act to Approve and Sign the Collective Bargaining Agreement (CBA) Between the County of Knox and AFSCME Council 93 for January 1, 2023 - December 31, 2025. The motion was seconded by Commissioner Pohlman. A vote was taken with all in favor.*

3. Act to Appoint a New Fire Representative (Chief Jason Peasley) to the KRCC Executive Board to Fill the Unexpired Term of Chief Farley to Expire December 31, 2024.

Chief Chris Farley submitted his request to resign from the KRCC Executive Board as the Fire Representative on Sunday June 11, 2023 as per the attached e-mail. He had spoken to Rockport Fire Chief Jason Peasley about serving on the KRCC Executive Board to fill Chief Farley's vacancy (unexpired term). The KRCC Users Group who serves as the Nominating Committee and recommends

all new members to serve on the KRCC Executive Board, including members who resign, that results in a vacancy and recommends those members to the Commission and County Administrator for appointment. The KRCC User Group met on Wednesday June 28, 2023 and unanimously voted to recommend that Jason Peasley be the Fire Representative to the KRCC Executive Board filling the unexpired term of Chief Chris Farley to expire December 31, 2024.

- *A motion was made by Commissioner Parent to Act to Appoint a New Fire Representative (Chief Jason Peasley) to the KRCC Executive Board to Fill the Unexpired Term of Chief Farley to Expire December 31, 2024. The motion was seconded by Commissioner Pohlman. A vote was taken with all in favor.*

V. Discussion Items

1. Discussion of LD 2005 – An Act to Eliminate the Aircraft Excise Tax.

- **Airport Manager Shaw** – Went to an Advisory Board meeting in Augusta a couple of months ago. There's a problem with Airports charging excise tax, and there are Airports that do not charge excise tax. They feel it would be more competitive if they eliminate aircraft excise tax all together. Out of \$150,000 in aircraft excise tax that was collected last year or the year before, \$130,000 was from Knox County. Knox County is one of very few in the State still collecting excise tax. It's a good revenue stream. It's a user fee and without excise tax we would be transferring the burden of operating the Airport on to the taxpayer instead of the actual users of the Airport. It is an unfair proposition to strip away those user fees. Especially where it's supposed to be part of the assurance that Airports will do what they can to be self-sufficient. The State has given them a mechanism to do that through aircraft excise tax. This was brought to light about LD 2005, and there is a movement to eliminate aircraft excise tax within the State to make it an even playing field apparently. Administrator Hart did some research, it was sent to Taxation and they said they would bring it up in January. I thought it would be a good idea to have a discussion with our community, and come up with a response that is pro-excise tax. It makes no sense to charge other things excise tax & not aircrafts especially for people that can afford it.
- **Administrator Hart** – The House and Senate met on May 30th, and they referred it to the Committee on Taxation. I looked up who's on the Committee of Taxation, and Representative Ann Matlack, who is one of our Representatives, is on that Committee. So, I emailed her and said can you give me any information on this. She said she would keep me posted, but there is nothing slated until January 2024. At this point we don't have anything else. We have to wait until the Committee meets in January.
- **Commissioner Parent** – You said it impacts Knox County Airport more than any other Airport?
- **Airport Manager Shaw** – There are only a few Airports that are assessing a fee, and most Airports aren't collecting the excise tax.
- **Commissioner Parent** – So the State doesn't have any fingers in this?
- **Airport Manager Shaw** – No. There would be no way for them to keep track of who was coming and going at the Airports. There are thirty-two (32) Airports in Maine & just a handful are collecting the excise tax. The arguments from one of the southern Airports is that we're losing customers because we charge excise tax. A lot of the other Airports don't have the attraction for the larger aircraft. So, they feel like they're getting the raw end of the deal but the reality is if everyone is charging the excise tax there's no unfair advantage. This is an important fee for the Airport. If this goes through, we'll lose over \$100,000 per year in revenue. Aircraft owners are one of the people who can handle that tax more than anyone.
- **Commissioner Pohlman** – I have a meeting tomorrow with Maine County Commissioners Association (MCCA). We have legislative updates, and there is a legislative lobbyist to help track bills and why or why not bills are a good idea. I thought it was a State mandated fee. The Airports that aren't charging taxes in essence are losing revenue and the taxpayers are having to pick up for the jets coming in. I am happy to follow up on this.
- **Commissioner Glaser** – Airports that aren't charging the excise tax still have the same costs. So, it is possible they are passing it onto taxpayers, or it could be possible that they are passing this on in

fees to the airplanes rather than to through the excise tax? Are their fees higher if they're not collecting excise tax to make up for it?

- **Airport Manager Shaw** – No. They are omitting it completely. The State and Federal Government are picking up that slack. That is a burden on the Federal Government and State shouldn't have to pick up if the Municipalities or the Airport Operators were to collect it.
- **Commissioner Glaser** – They figure they make for it in volume? Do they think they're busier by not charging excise tax? If we got rid of the excise tax in Knox County, we'd have a problem.
- **Airport Manager Shaw** – Yes.
- **Commissioner Pohlman** – Perhaps the Citizens should get together and write a statement on why they would oppose this, and what it could mean to Knox County if we remove the excise tax. This would increase the traffic & noise and all the things we are collectively looking to limit.
- **Airport Manager Shaw** – I've reached out to some of the Citizens that are advocating against increased Airport noise and volume....
- **Commissioner Glaser** – It's not that we don't want a busy Airport, but we're trying to keep a balance. Keeping things, the way they are without stirring things up might serve us better.

2. Discussion of County Properties Identified for Potential Sale.

- **Administrator Hart** – Last year we talked to the Commissioners about some surplus property or access property at the Airport to maybe offer back to the neighboring Towns to get it back on the tax rolls. The last meeting, we talked a little bit about it. We then had a discussion with the FAA about the properties. One of the properties they were strongly opposed to us selling because they felt we really needed it down the road, as it made sense for the County to keep that property. The other two (2) properties they were fine with us moving forward if the Commissioners were. One property is just a small sliver of property, a seven (7) foot wide property to sell to a neighboring property owner. This is so they can be in compliance to place a garage on their property. The other property is a property we can dispose of because there is no need for us to have it. Whether that goes to a neighboring property or not we would not know that. If you agree, the next steps would be for us to get an appraisal and a survey of both properties. Then we can determine what the actual cost is of what we would request for the amount of those properties. We could then put them out to bid, and place a minimum amount that's required to bid on those. If we get bids, we get them, and if we don't then we don't. If we do, we would recover our costs to do that. It seems like on both properties we would get bids, at least one. We would do that, and have to provide the appraisal and survey to the FAA to get their approval before we proceed. Then we would bring it back to the Commissioners to award the bids.
- **Commissioner Parent** – Do you think this is a break-even proposition?
- **Administrator Hart** – We could make money. It depends if there are multiple people that want to provide pricing. If you look back at the Hangars, we didn't make a lot but did make some money on those. Our goal would be to break even, at least to recoup our costs. If you feel it would make sense then we'd start the process. There is some documentation we need to provide to the FAA as well. We would at least have the process started with the appraisals and survey done. Then we would prepare an RFP and send both properties out to bid.
- **Commissioner Pohlman** – Jeremy wrote in his report that the Benner Lane hangars that in April the Town of Owls Head will start receiving property taxes. That is another benefit for the Town.
- **Commissioner Parent** - Do you have a copy of the map?
- **Administrator Hart** – I provided a map to each of you, and I know it's hard to read.
- **Commissioner Parent** – Which properties are the ones that would be (inaudible).
- **Airport Manager Shaw** – The ones that are the closest together are the Crockett's Beach property, the Cemetery and the Dublin Road property. The property that is in the upper right-hand corner of the map is the one that's at the end of Runway 2. So, the one that is separate is the one that the FAA has required us to (inaudible).
- **Administrator Hart** – So the three (3) at the bottom, the one that has a twenty-two (22) circle on it that's the Crockett's Beach one that we can sell. The Cemetery one is in the middle, and has a fourteen (14) with a circle on it, which we are just about done with. That one is being approved at the

Town meeting. The other one to the right of that is the sliver piece of property. That one is 7 feet x so many feet.

- **Commissioner Glaser** – Asked the other Commissioners if they agree to give Administrator Hart the ok to move forward.
- All Commissioners agreed yes.

3. Update on Projects

- **Administrator Hart** – Paving at Jail & Public Safety Building Project - we're in holding pattern because of the weather. They do pretty much have the binder coat on almost everything. At this point we are waiting for the weather to cooperate.
- **Administrator Hart** – The project here at the Courthouse for the brick replacement, that is slated for the fall in either late August or beginning of September.
- **Administrator Hart** – The Jail project has been completed. There are a few punch-list items.
- **Airport Manager Shaw** – The Court denied the Counties Motion to Reconsider. So, last night we had a Planning Board Meeting. The Town of Owls Head was given advice by their Attorney to issue a Stop Work Order for the Hangar Taxilane Phase II. Through our Attorney we voluntarily agreed to stop the project. Most likely it will be the middle of August that we will be able to receive a permit to continue construction. That is a recent development that happened yesterday. So, we presented to the Planning Board last night. They were receptive of the application, understood the dynamics of it, but they were required to ask us to stop because we no longer had a valid permit. The project was demobilized this morning, and we will have to remobilize in mid-August or September depending on the Planning Board's decision. We have other projects that we'll be working on such as the Flying Club, Benner Lane and long-term parking (pavement) needs to be done by the same contractor. They will have this other work as this all gets resolved. The Courts decision came yesterday, and was a one-line judgement that the Motion to Reconsider was denied. This judgement came with no justification.
- **Airport Manager Shaw** – We had planned a meeting with Beta Technology this morning to have a kick off for the Electric Charging Stations, and that was delayed until next Tuesday.
- **Airport Manager Shaw** – A fence was laid out for Solar. The solar panels have been ordered, racking has been ordered, this should be going in the next forty-five (45) days or so, and the fence will be moved as well.
- **Commissioner Pohlman** – Thank you all. Very good efforts in moving forward with alternative energy sources for the environment and communities. The revenue generation in your report is showing approximately \$8,000 in electricity.
- **Commissioner Parent** – Are you going to have to remove any trees?
- **Airport Manager Shaw** – Yes. We will be removing four (4) or five (5) trees, but we will be planting 265 new ones to completely shield the array from the Public. We will have a ten (10) foot fence with privacy slats, and 265 new plantings along the edge. This will be the easterly and northerly edge. Anyone driving along Ash Point Drive will not be able to see this.
- **Commissioner Glaser** – Can you expound a little on the array that is going to be installed. Will this take up less room than we planned on? If we wanted to expand it how much more power would we be generating? How much would it cost? Where could we get that money from?
- **Airport Manager Shaw** – If everything stays as it is, the County will have surplus funds from the CARES Act money. We are generating revenue now. If it were years of accruing that sustainability we could do another array of the same size, double the output and double the revenue from it. It could be a year, it could be a couple years, it all depends on how the revenue streams come together. We are sustainable right now.
- **Commissioner Glaser** – We will have to have a discussion further or a vote at some point, but it seems to make sense to continue to look..... if we can double in size without changing footprint that's already approved, then we would want to continue to go in that direction.
- **Airport Manager Shaw** - I agree completely. Another opportunity is the AIP program (Airport Improvement Program). There is Legislature looking at including Solar Farms and (inaudible) so if that were the case then we could use AIP funds.

- **Commissioner Glaser** – Especially if we were looking towards providing charging stations for both vehicles and aircraft. Being able to provide those services to airplanes thru a solar array.
- **Airport Manager Shaw** – That’s why it’s so attractive.

4. Other Items

- **Commissioner Glaser** – I have a question for Finance. In the spending from Reserves it lists the account number and lists the amount that we are requesting, and talks about how much is currently in each reserve by the month. Is it possible to place a line to tell us how much is available in Reserves?
- **Finance Director Robinson** – You’re talking about on the Authorization page? Absolutely, I can add that.
- **Administrator Hart** – We are in negotiations with FOP, which is the Sheriff’s Office Union. We have had one (1) meeting and have two (2) more scheduled. The next dates are July 19th, which is Wednesday at 9:00 A.M., and our third meeting is scheduled for Monday, August 7th. NCEU which is our Corrections Union; a negotiations session is scheduled for Monday, July 24th at 9:00 A.M. We had a previous meeting to that, but it had to be rescheduled. Our other Union which is Dispatch, I talked to Labor Relations last week as there is nothing going on at this point. They are supposedly trying to get another Union rep. I checked with Labor Relations and they did not know anything about that and they haven’t received any paperwork. I will talk with Legal to see if County can get something going because this has been at a stand-still. This is actually impacting the County because we cannot offer a higher salary to try to attract people. This is really hindering the County from making any progress. The Charter Review Subcommittee is going to have their first meeting on Thursday, July 20th at 5:00 P.M. That is the first meeting of that subcommittee so it’ll be more of an organizational meeting at this point. They will decide how often they will meet, what is the role of the subcommittee, what’s the end goal and general discussions. I did provide copies of other County Charters to each member to look at in advance of that meeting. I will provide an update once they meet.
- There is a Joint Quarterly Commission & Budget Committee Meeting scheduled for August 10th at 5:00 P.M.
- **Website updates.** – Zach, Amber Wendy and myself have, met regarding getting new website. Zach took the lead on reaching out to some different website companies. We have had some ZOOM meetings and presentations from a few different companies. We have made a decision to make a change and to go with a different company. The company is called Revize. I signed a five (5) year agreement with them. They will be doing a complete redesign, and keep the website up for that time frame. This will be an increase but not as large of an increase as the current company we currently have. This is more user friendly for all. Once we have the finished product we will share with the Commission.
- **Commissioner Glaser** – Are there any other Towns we could look at.
- **Administrator Hart** – Yes. We are looking at a whole HR module on time & attendance. This is something we talked about during the Budget. Amber & Kathy have spent a majority of time of this. We are trying to get more away from paper and become modern & efficient. We are getting toward the end. This will be something that we will discuss with the Commissioners. The other part is, I talked to Amber about 2024 Budget do another organizational study. Things are modernizing and we are going to change some things. MRI is the one who did our last two (2) organizational studies. We did one in 2010 and the other in 2016. I have reached out to other vendors who complete this sort of study, but I haven’t received any responses back. I will reach back out but I believe MRI is the one vendor who does this sort of study the most.
- We have reached out to Camden regarding getting a new Budget Committee Member. They have a couple people interested, so their plan is to recommend someone to the County. If they have a name we can present this at the Commission Meeting on August 10th.

VI. Other Business

None

VII. 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 2:57 P.M.

Respectfully submitted,

Wendy Galvin
Administrative Assistant

The Knox County Commission approved these minutes at their regular meeting held on July 11, 2023.