

April 28, 2014

**Minutes of the Washington County Commissioners'
Special Meeting held
April 28, 2014
in the Commissioners' Conference Room
Machias, Maine**

**Attending the meeting were:
Commissioner Christopher Gardner
Commissioner John Crowley, Sr.
Commissioner Vinton Cassidy
Betsy Fitzgerald, County Manager
Carla Manchester, Administration
Barry Curtis, Cherryfield
Judith Alexander, Treasurer's Office
Valdine Atwood, Archives Committee
John R. Atwood, Interested citizen
Paul Cavanaugh, Calais / D.A.'s Office
Sharon D. Strout, Deeds
Lora Whelan, Quoddy Tides
Chris Chu, D.A.'s Office
Lyman Holmes, Probate
Carlene M. Holmes, Probate
Jeff Davidson, Neighbor
Ted Glessner, State Court Administrator
Honorable Robert Murray, Courthouse Renovation Committee Member
Jeff Henthorn, Director of Court Facilities
Mark Carter, North Peak Architect**

The meeting was called to order at 4:25 p.m.

Commissioner Gardner opened the meeting by stating that the specific purpose of the meeting was to hear a final presentation of the courthouse expansion / renovation project. The Commissioners' have been prudent with the decision to agree to the expansion to be sure it is the right decision for Washington County. The biggest concern is the cost allocations that would burden the limited tax base of the County. Commissioner Gardner asked for assurance from the State that there would be no burden on the County taxpayers. He pointed out that this is a State project, not a County project. Funding comes from a facilities bond passed by the Legislature.

Commissioner Gardner yielded the floor to State Court Administrator Ted

April 28, 2014

Glessner. Mr. Glessner concurred that the expansion is a State project. The addition will be on County property. The State will be leasing the land, building the addition and owning the addition. This project will be done as it has been done in other Counties such as Houlton and Dover Foxcroft. The addition and updates are needed to the facility in order to create a place with a higher level of safety for court business. Mr. Glessner introduced Mark Carter, Architect of the project, to give an overview.

Mark Carter displayed the preliminary building design and construction layout. He pointed out that all three levels of the courthouse will be divided into three zones; an "in custody" area; a public area; and an employee-only area. Commissioner Gardner pointed out that the District Courtroom will be shared space for the Commissioners and the Probate Office. Mark Carter completed his overview by stating that the addition would be done in a way to cause the least amount of disruption.

Commissioner Gardner asked about the entry to the building. Mr. Carter stated that once the project is complete, the entry will be on Cooper Street with screening for public only. Employees will not need to be screened but may enter the building from multiple secure entries with swipe cards.

Mr. Carter stated that he met with the Historic Preservation Commission for their perspective. The original courthouse was built in 1855 with an addition being added in 1962. There is a focus on blending the historical integrity of the original building with the new, proposed updated addition. The project plan received good comments and feedback from the Historic Preservation Commission. Commissioner Gardner sought Probate Judge Lyman Holmes' opinion. Lyman is known for his knowledge of the history of the Machias area. Lyman stated "this is good"!

Commissioner Gardner inquired as to the timeframe of the project. The project will be done in three phases. Adequate parking will be the first phase of the project with parking areas being constructed on Court Street and Cooper Street. Jeff Davidson stated his concern about the drainage on his property after the Court Street parking lot is constructed. Mark Carter responded that the parking lot will be graded in a way that there will be no drainage issues or problems for either Mr. Davidson's driveway or the county's storage building. Mr. Davidson asked for a timeframe that the parking lot will be done. Mr. Carter

April 28, 2014

stated that the parking lots should be completed by July of this year. Phase Two will be the construction of the new addition on the back of the building. The anticipated start of construction for this phase is mid-July to the first of August. Mr. Glessner made note that the funding of the project by the State includes the acquisition of parking area and the displacement cost for the Registry of Deeds. The Registry of Deeds will be moved to a new location for the duration of the construction period. This phase of the project will take approximately a year. The new addition will be sealed off until all construction is complete. The third and final phase is the renovation of the existing building. Phase Three will take approximately six months with a completion goal of December 2015. Bids for a General Contractor are out and will be opened Tuesday, April 29th.

Commissioner Gardner asked if there would be a problem with access to the sally port during the construction period and beyond. County Manager Betsy Fitzgerald responded that access to the sally port has been considered. Mark Carter added that fencing and adequate space is required during construction but ensured access to the sally port.

Commissioner Cassidy inquired about the security and screening of the building asking if there would be court security just on court days. Ted Glessner stated that the screening and security process would continue as it is now with screening being available on certain days regardless of court activity. Mr. Glessner did state that the goal is to have screening 100% of the time. Jeff Henthorn stated that screening may increase as it did in Dover-Foxcroft with the availability of sufficient courtroom space and judicial services.

In response to Jeff Davidson's question about the impact the noise of construction will have on daily business, Mark Carter stated that having the new addition sealed off during construction will help, but at times there may be a need to delay work until after hours. It was noted that should the construction cause disruption during a court trial, Judge Murray has the ability to request construction be stopped. Commissioner Gardner requested that Probate Judge Lyman Holmes be offered the same option. Jeff Henthorn and Ted Glessner both agreed.

Commissioner Gardner asked how the building addition would affect the major utilities and maintenance expense. Jeff Henthorn responded that he and County Manager Betsy Fitzgerald have been working on a draft for cost sharing. The goal is for the county share not to exceed what is already budgeted annually for buildings and grounds maintenance and

April 28, 2014

utilities. Commissioner Gardner reiterated his concern that the county cannot bear the cost of additional maintenance and the Commissioner's priority is to exercise prudence. Some consideration must be given to the loss of the State lease for office spaces currently used by the court system. Mr. Henthorn stated that he will put a document together for both the Commissioners and the State to review. He suggested that the document detailing the shared costs be one that can be reviewed after the first year, and then be reviewed every five years.

Commissioner Crowley asked if the new structure's heating and electrical systems would be separate from the existing building. Mark Carter responded that it would be.

Commissioner Gardner asked how a possible State "shut-down day" would impact regular county business days. The main entrance and public area to the building would be in the new addition and feed into the County workspace. Ted Glessner stated that the main entrance will need to remain open. Commissioner Gardner stated that this language would need to be in the agreement.

Commissioner Gardner summarized the three phases. He acknowledged that much of the details have been months in the making. The State and County Manager have done well to cover everything. He noted that when this facility was built more than 150 years ago those that constructed it anticipated all that they could. An addition was need in the mid 1960's bringing it up to date. An addition and update is needed once again and he is glad to see the resources here in Washington County. Commissioner Gardner stated that this is an hundred year decision. He feels comfortable with approving the Courthouse addition/renovation project.

***MOTION* Commissioner Crowley moved to approve the Courthouse construction project as discussed and laid out. Commissioner Cassidy seconded the motion which passed 3-0.**

There was no public comment.

An amendment was made to the previous motion.

***MOTION* Commissioner Crowley moved to authorize the County Manager to finalize any and all decisions and plans moving forward on the project. Commissioner Cassidy seconded the motion which passed 3-0.**

April 28, 2014

MOTION Commissioner Crowley moved to go into Executive Session pursuant to Title 1 MRSA § 405-A 6 E to discuss a legal issue. Commissioner Cassidy seconded the motion which passed 3-0. It was 5:05 p.m.

Commissioner Gardner stated that after executive session he anticipated signing the outlease agreement for the use of the Federal building for the purpose of the Registry of Deeds office space during the construction period.

MOTION Commissioner Crowley moved to come out of Executive Session. Commissioner Cassidy seconded the motion which passed 3-0. It was 5:12 p.m.

The Commissioners spoke with Ted Glessner about insurance needed by the County. Ted was requested to speak with Malcolm Ulmer of MMA Risk Pool in regards to the insurance needs.

MOTION Commissioner Crowley moved to go into Executive Session pursuant to Title 1 MRSA § 405-A 6 E to discuss a legal issue. Commissioner Cassidy seconded the motion which passed 3-0. It was 5:16 p.m.

MOTION Commissioner Crowley moved to come out of Executive Session. Commissioner Cassidy seconded the motion which passed 3-0. It was 5:33 p.m.

MOTION Commissioner Crowley moved to authorize the County Manager to negotiate and sign the outlease agreement for the Federal Building on behalf of the County. Commissioner Cassidy seconded the motion which passed 3-0.

Adjournment 5:35 p.m.

Attest: _____
Carla J.R. Manchester, Admin. Asst.