

**The County of Cumberland is committed to providing quality services to all citizens equitably, in a responsive and caring manner.**

## **COMMISSIONERS' MEETING**

### **MINUTES**

**October 9, 2007**

The Board of Cumberland County Commissioners, Esther B. Clenott and Richard J. Feeney convened a meeting at the Cumberland County Courthouse in the Peter J. Feeney conference room. Commissioner Shaughnessy was unable to attend.

Chairman Feeney called the meeting to order at 5:30 PM and the following business was conducted.

Minutes of the Cumberland County Regular Meeting of September 24, 2007, were read and approved unanimously.

#### **Comments from the County Manager:**

Peter Crichton, County Manager, commented on 2 items: 1) The FY08 budget process. There have been four meetings at this point. The Budget Advisory Committee has been very diligent about their work and has met with all of the departments except for the Sheriff's department which is planned for tomorrow. The Sheriff's department is the largest department of the county. The public safety departments together represent about 85% to 90% of the operating costs of the county. The next process will be to have public hearings in November. 2) There is a noontime meeting tomorrow at the Greater Portland Council of Governments having to do with an assessing project that the county has done in partnership with the municipalities. This suggestion came out of our Strategic Plan that we did last year. A report has been completed and will be discussed with municipal officials whether or not there should be change in how assessing is done. In Maine, municipalities do assessing which is not the norm across the country. In most areas of the country, counties are involved in doing the assessing. It will be interesting to see how this process develops.

#### **Comments from the Commissioners:**

##### **Commissioner Clenott:**

Commissioner Clenott commented on the issue of the proposed State takeover of the County jails and the fabulous article the Commissioners wrote for the newspaper. She wants to inform the public that the Maine County of Commissioners has a special committee that is meeting on jail issues which is made up of representatives from 16 counties. The committee is made up of commissioners, jail administrators, and sheriffs. We are very willing to discuss the

jail and prison issues with the State but believe there are several issues that must be discussed first. She is not sure the public knows, that under the State plan the counties would still be responsible for the costs of running the jails that they have assumed this year. That responsibility is not going to be taken away from us. What the State has said it will do is it will assume the responsibility for any new costs in ensuing years. We will continue to be responsible as counties for our debt. If the four jails are closed by the State, than those inmates would have to be transferred to other jails in the State of Maine and they would have to be transferred back and forth for court cases. The counties would be responsible for that transportation. The State houses inmates with serious crimes and are running out of beds. The counties house inmates of less serious crimes and we know that these inmates do not belong with the state inmates. She further indicated that as Commissioners we want to be sure that before the State assumes control of our jails, we know what is going to happen to our inmates. We need to talk about recidivism, probation violation, and split sentences. She does not see how the State is going to save us property tax. Also, the Cumberland County legislators have been invited to attend a meeting on November 7<sup>th</sup> at the Spring Meadows Golf Course to hear from the Concerned Partners for Cumberland County Government and discuss jail issues.

**Commissioner Shaughnessy:**

Commissioner Shaughnessy was not in attendance.

**Chairman Feeney:**

Chairman Feeney seconded Commissioner Clenott's comments regarding the jail which is something that has to be studied in depth; we just can't take the proposal of the Governor's at first blush and there is a lot of concern what the savings will be.

There was an open forum at the Civic Center a few weeks ago regarding the task force that was created with the idea of enlisting the talents of Janet Marie Smith, who is the architect that redesigned Fenway Park. She is in the process of doing that now.

**Informational Item**

Chairman Feeney asked if there were any comments from the public.

Robyn Chibroski, Executive Director, of the Ronald McDonald House was presented with a check from the proceeds of the Peter J. Feeney Memorial Golf Tournament in the amount of \$3,850. Ms. Chibroski thanked the Commissioners and golf participants for their generous donations to help house thousands of grateful mothers and fathers while their critically ill children were hospitalized or receiving medical treatment. Commissioner Feeney commented since the passing of his son, Peter, the tournaments have raised over \$35,000 for various charities around Portland. He looks forward to next year's tournament which will be held on June 16<sup>th</sup>. Bruce Tarbox, Facilities Manager, indicated there will be an inscribed four by eight inch brick placed in the courtyard's commemorative walkway at the Ronald MacDonald House acknowledging the donation.

**Action Items:**

**07 – 113      Approval, Exterior Wall Repair – CCCH New Section**

Chairman Feeney asked the County Manager for comments. He indicated Bruce Tarbox will present the items and concurs with the recommendation.

Mr. Tarbox reported on August 22, 2007 he presented a request on the assessment for the outside wall for the new section of the courthouse. The wall has been leaking into multiple areas on the north side of the building. After removal of a block in 5 test locations, it was discovered there is a problem with the flashing and weeps on each floor level. The discovery and tests were completed by Hascall and Hall. To resolve this problem within a small window of time due to temperature restraints of this project, an additional cost would be needed to close-in this wall if the temperature goes below 45°F. On August 22, 2007, \$41,700 was set aside for this project. The total cost for this part of the repair is \$20,454. He contracted with Allied Engineering and asked them to do a cost analysis on this work. They agreed that this was a fair price for the amount of work that needs to be done. Mr. Tarbox is recommending that the Commissioners vote to sole source Hascall & Hall to repair the flashing and weeps. Because of the possibility of temperature changes, he is recommending that we move forward with this project as soon as possible. A discussion followed.

**Commissioner Clenott made a Motion that the Commissioners vote to sole source Hascall and Hall to repair the flashing and weeps in the new section of the courthouse for the total cost of this part of the repair is \$20,454. There will be more work on a needed to be done basis for drywall, backup painting and caulking. Chairman Feeney seconded the Motion. All voted unanimously.**

**07 – 114      Approval, NACO Prescription Drug Program**

Chairman Feeney asked the County Manager for comments. The County Manager indicated this is the NACo Drug Prescription Program and will be beneficial to our citizens and concurs with the recommendation. He asked Elizabeth Trice, Grants and Special Projects Coordinator to present the report.

Ms. Trice reported the National Association of Counties is offering a discount prescription drug program through a partnership with Caremark, a prescription drug distribution company. Caremark provides coupon cards with the County's name and seal that can be used to obtain a discount on prescription drug purchases that are not covered by health insurance. The county in return would promote the program. Penobscot County is in its second year and is happy with the program that has saved residents utilizing the card an average of \$148 per year. In order to participate, the county must sign a contract agreeing to not participate in a similar program with another company for two years. Pat Dunn, the county attorney, and a representative of a Medicaid reimbursement company reviewed the contract and they did not see any problems with the contract. A discussion followed.

**Commissioner Clenott made a Motion that the Commissioners approve the County as being part of the NACo prescription drug program and authorize the County Manager to sign the contract. Chairman Feeney seconded the Motion. All voted unanimously.**

**07 -115 Approval, Teamsters Local 340 Law Enforcement Contract**

Chairman Feeney asked the County Manager for comments. The County Manager indicated the Human Resources Director will present the information. He commended Pat Dunn, the County attorney, who was the lead negotiator along with Wanda Pettersen, the HR Director, Vic Labrecque, the Finance Director and Chief Deputy Kevin Joyce who represented the Sheriff's Office. The key obstacle in terms of trying to reach an agreement on this contract was trying to find a way to be able to do a special retirement plan for our patrol deputies and stay within the budget. This was accomplished with the cooperation of the patrol deputies and the folks that are involved on the negotiation team for the union. They compromised on their cost of living increase for the second year of this contract for FY08 in order to achieve this special retirement plan. This retirement plan enables people to retire after 25 years with no age requirement and is a positive step.

Ms. Pettersen reported the Teamsters Law Enforcement Unit has voted to ratify this contract. It is a two year contract with a 3% retroactive back to January of 2007. In 2008 the retirement plan is going from our current retirement plan of AC to a special retirement plan 2C which is a 25 years no age retirement plan with a 1 ½% wage increase as of January 1, 2008. A discussion followed.

**Commissioner Clennot made a Motion that the Commissioners approve of the contract with the Teamsters Local 340 Law Enforcement and the contract should be signed by each of the County Commissioners. Chairman Feeney seconded the Motion. All voted unanimously.**

**07 – 116 Approval, Cumberland County Sheriff's Office Commission**

Chairman Feeney asked for a Motion.

**Commissioner Clenott made a Motion that Captain Jeffrey Davis be commissioned. Captain Davis took the vacated position of Captain Bill Rhodes. Chairman Feeney seconded the Motion. All voted unanimously.**

**There being no further business Commissioner Clenott made a Motion to adjourn the meeting at 7:00 PM. Chairman Feeney seconded the Motion. All voted unanimously.**

**ATTEST:**

**Barbara M. Buckley  
Deputy Clerk**

**The next regular Commissioners meeting will be held at 5:30 PM on Monday, October 22, 2007, in the Peter J. Feeney Conference Room, 1<sup>st</sup> floor Annex, at the Cumberland County Courthouse.**