

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

COMMISSIONERS' MEETING

MINUTES

January 28, 2008

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

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

Minutes of the Cumberland County Commissioners Regular Meeting of January 22, 2008 and the Special Commissioners Meeting of January 24, 2008 were read and both were approved unanimously.

Comments from the County Manager:

Peter Crichton, County Manager, indicated he will dispense with his comments and defer to the Commissioners because the most relevant issue right now is the Governor's proposal to take over the jails.

Comments from the Commissioners:

Commissioner Feeney:

Commissioner Feeney reported that everybody knows since August there has been a proposal by the State to take over the county jails. There has been a blending of the Governor's proposal with the one submitted by the Maine County Commissioners Association. Today, we were in Augusta for the majority of the day attending the Criminal Justice Committee and hearing from some of the players. There has been a committee formed to represent counties made up of Sheriff Dion of Cumberland County, Sheriff Storey of Waldo County, Commissioner George Jarbar of Kennebec County and Rev. Carlson of Penobscot County. More meetings are planned for the coming week before the Criminal Justice Committee commences its process on February 4th in Augusta. If everything goes as planned there should be significant savings for the taxpayers.

Commissioner Shaughnessy:

Commissioner Shaughnessy stated a few key points that might be of interest to the public. The State has at this point in this agreement of principals agreed to cap the property tax assessment toward the jails and start covering the increased costs as they come in. In exchange, they will have access to beds for the State overflow from the prisons which should pan out to savings to the taxpayers of Cumberland County. They have also agreed to step up and look at taking over the debt service the County is now carrying for those facilities. That money can go into a pool for reinvestment into the County facilities for the needs that we do have and possible programming. It is remarkable progress that the State and the Counties have all come together in a unified way to say what is best for the people in the State of Maine and what is the best way for diverting folks who are in the facilities out into the communities with treatment. Also with other resources we can hopefully reinvest some of those funds to expand programs which will bring down the population in the jails and the prison, get more people out into the communities to become more productive citizens, and meet their needs. The biggest drivers in the cost going up are not just the need to talk together but the need to deal with these issues of mental illness and substance abuse addictions because that is what is driving up the prison population costs and impacting everybody. It is very heartening that we are at this stage.

Chairperson Clenott:

Chairperson Clenott reported the meeting today was amicable when we appeared before the Criminal Justice Public Safety Committee because previously it was kind of tough. The State wanted to take over the jails entirely and the County Commissioners believe they know how to run their county jails and need to have a separate system because our inmates are not the same kind of inmates as in the prisons. The County Commissioners have a great committee and have done a superb job along with Commissioner Magnusson in trying to iron out the difficulties that we each have seen going into it. The County needs to run our jails and the State needs to have part of it. We will all meet again and have conference calls to keep up with each other.

Informational Item

Chairperson Clenott asked if there were any comments from the public. The County Manager indicated he wanted to introduce Lt. Col. Michael Vitiello, Jail Administrator for York County and Chairman of the Jail Administrators Association. The Association decided it would be beneficial to the counties to get them to work together to try and get a better agreement on the revenues we take in from the telephone use by the inmates. In Cumberland County, we take in approximately \$250,000 annually, with the revenues going for inmate programs. The County Manager complimented Lt. Col. Vitiello for the work that he has done and the Association in taking the initiative to try and do something that is beneficial for the counties. They formed a committee and went out to bid. Genie Beaulieu, Fiscal Officer for the Sheriff's Office, has been participating from Cumberland County on the committee. It would increase our revenues if achieved. The County Manager asked Lt. Col. Vitiello for comments.

Lt. Col. Vitiello reported the Maine Jail Administration, on behalf of 13 counties, went out to bid and selected a vendor, Inmate Telephone Incorporated out of Pennsylvania because of the technical package they are offering. The increase would be 6.5% over the existing contract and that would amount to a projected revenue increase to Cumberland County of \$32,500 based

on the call history. It is a three year contract and the counties have the option to extend their contract. A discussion followed.

The Commissioners instructed Lt. Col. Vitiello to go forward.

Action Items:

Chairperson Clenott asked for the first item.

08 – 009 Approval, Elevator Repair – Cumberland County Parking Garage

Chairperson Clenott indicated Bruce Tarbox was unable to attend the meeting to present this item and therefore it should be TABLED.

Commissioner Shaughnessy made a Motion to TABLE Item 08-009 until the meeting on Monday, February 11, 2008. Commissioner Feeney seconded the Motion. All voted unanimously.

**08 – 003 Approval, MCCA Risk Pool 2008 Assessment – Robert Howe,
Administrator MCCA Risk Pool – Vote to Remove From
TABLE**

Chairperson Clenott asked for a Motion to take the item off the TABLE.

Commissioner Feeney made a Motion that the Commissioners remove the item from the TABLE and place it on the agenda as 08 -003. Commissioner Shaughnessy seconded the Motion. All voted unanimously.

Chairperson Clenott asked the County Manager for comments. The County Manager indicated Malcolm Ulmer and Robert Howe of the Maine County Commissioners Association (MCCA) Self-Funded Risk Management Pool have come before the County Commissioners for a number of years to explain the relationship of the MCCA and the sixteen counties that participate in the risk pool. This is an important and significant issue because it has to do with the financial and legal liability of Cumberland County in terms of patrol, the jail and other activities. Currently, Cumberland County pays over \$400,000 annually to participate in the program. He asked Mr. Ulmer to present the item and recommends approval of the 2008 assessment.

Mr. Ulmer presented the Cumberland County Commissioners with a check in the amount of \$9,511.23 for partial return of the 2005 member assessment. He indicated the County received the check because Cumberland County was initially one of the core/founding members of the Risk Pool in 1989. He gave a brief history of the program and the purpose and benefits behind it. He indicated that seven members are receiving pricing reductions during 2008 including Cumberland County which has very good experience ratings. No members are receiving pricing increases greater than 5.62%. The average member increase for 2008 is .66% (less than 1%). Historically, the Risk Pool has not fully funded its Loss Fund in order to minimize expenses to its member entities and it has not been necessary for the Risk Pool to demand payment of the previously uncollected assessments at any point during its 18 year of operation. Whether this will

always be the case depends largely on the development of existing claims and claims experience in the future. A discussion followed.

Commissioner Shaughnessy made a Motion that the Cumberland County Commissioners authorize the payment of \$414,854.80 as Cumberland County's 2008 Risk Pool Assessment. Commissioner Feeney seconded the Motion. All voted unanimously.

08 – 010 Approval, Community Development Block Grant (CDBG) Program Update – Aaron Shapiro, Community Development Director

Chairman Clenott asked the County Manager for comments.

The County Manager concurs with this recommendation and indicated this program has been a dream of ours for many years. It took 5 to 6 years to get to the point where the communities voted to join in with the Cumberland County Community Development Block Grant program. The County Manager indicated Aaron Shapiro, CDBG Director, is doing a tremendous job. The program is being funded through the Federal Government and provides funds to communities that qualify for the CDBG program. Commissioner Feeney is Vice Chair of the Municipal Oversight Committee along with municipal officials. It is a genuine partnership that is working really well and is a model for us in terms of what we are doing with the municipalities. Cumberland County is the first and only county in New England to have an Urban Entitlement Program and receives these funds from HUD. He asked Mr. Shapiro to present his update.

Mr. Shapiro indicated HUD will fund \$1,458,650 for the 2008 CDBG program. This is only a \$3,000 reduction in our allocation for this program compared to the City of Portland which had a \$63,000 reduction and the State of Maine program which had a reduction of \$350,000. We added two new communities for 2008, which brings the total to 23 and may have helped us retain the HUD funding at this level.

Mr. Shapiro gave an update on the 2007 program highlights. He indicated the first year is progressing well. We were able to assist the following: 1) Regional Housing Rehabilitation, 97% of the \$180,000 grant for their 12 projects of which half are already completed. 2) Freeport Housing Replacement Program, 66% of program funds are committed, 3 new replacement manufactured homes are ordered with installation scheduled for this month. 3) Long Island & Harrison Playgrounds, the playgrounds are completed with both communities extremely pleased with the outcome. 4) Regional Homeless Services Program, Inaugurated in October 1st quarter activity has been extremely positive. 5) South Portland Community Development Program, the relationship between the County CDBG program and South Portland is working well. 6) Bridgton Sewer Improvement, detailed analysis of the existing sewage disposal system revealed more challenges and higher costs than anticipated. The community is focused on addressing the situation and developing a long-term plan and sustainable solutions. 7) Sebago Community Planning, Sebago hired GPCOG to conduct a survey of community needs focusing on the elderly and disable population.

Refinements to CDBG program for year #2 require the County to apply for funds for region-wide projects. The CDBG Application's due date is February 1, 2008. A discussion followed.

Commissioner Shaughnessy made a Motion that the Commissioners endorse the submittal of the 5 applications as regional activities through the CDBG program. As with all CDBG program activities, there is no fiscal impact directly to the County. Commissioner Feeney seconded the Motion. All voted unanimously.

08- 011 Approval, Grant Application – JAG Program

Chairperson Clenott asked the County Manager for comments.

The County Manager indicated John Joy, IT Director, will present the staff report. Mr. Joy is at the meeting to talk about the latest in technology and he is working at trying to secure a grant for wireless air cards for the patrol cars. The wireless air card would provide connectivity from the vehicle and provide a quick, reliable way for our Deputies to access information, file reports, and check e-mails without having to go to a sub-station to do so. He concurs with the recommendation.

Mr. Joy reported this item requests the Commissioner's approval to apply for a Byrne Memorial Justice Assistance Grant in the amount of \$25,000. He informed the Commissioners that the grant funding from the Federal Government to the State has been cut 65% and the State has withdrawn the grant. He indicated this opportunity may return in a lesser amount, but we have to wait to see what the State might do or if there is a different grant opportunity. Mr. Joy is requesting this item be tabled indefinitely. A discussion followed.

Commissioner Feeney made a Motion that the Commissioners TABLE the grant application for the Byrne Memorial Justice Assistance Grant in the amount of \$25,000 for an indefinite time to be used for the IP Mobile wireless air card because there is no grant available. Commissioner Shaughnessy seconded the Motion. All voted unanimously.

08 -012 Approval, CCRCC – Citywatch Emergency Notification System

Chairperson Clenott asked the County Manager for comments. He concurs with the recommendation.

The County Manager commented on the work Bill Holmes, CCRCC Director, has done since 2001. He indicated that Mr. Holmes has done a really good job working with the Board of Directors, Assistant County Manager Bill Whitten, and other folks in trying to upgrade the radio system, which the citizens approved in the recent referendum in November.

Mr. Holmes indicated the County has been using the Citywatch Emergency Alert Warning System for nearly 2 years. During that period, many communities in the County have relied upon the program to alert citizens in their communities about pending emergencies such as gas leaks, armed and dangerous felons, missing children and other events through the telephone

lines. In 2006, the County was awarded Homeland Security grant funding to support this important project. The County submitted a grant funding request this year as well to continue funding the project; the State denied the 2008 grant request. The State said that they provided funding to jumpstart the program in 2006 but cannot continue to fund its use on a yearly basis. Mr. Holmes is requesting to continue this program lease through the CIP account number Comm-4-003 (\$35,000) to support this program for FY2008 and 2009. There will be an enhancement through the coordination of Time Warner Cable at the end of February. You will see on the television station a public announcement that citizens can put in their cell phone to be notified for emergency messages and deaf citizens can put in their phone numbers in order to receive a text message of any emergencies. A discussion followed.

Commissioner Shaughnessy made a Motion that the Commissioners approve the use of CIP Acct # Comm-4-003 in the amount of \$35,000 to continue use of the Citywatch Emergency Alert Warning System for another 2 year period, March 2008 – February 2010.

08 – 013 Approval, Town of Baldwin Contract Renewal

Chairperson Clenott asked Mr. Holmes to present the item. The County Manager concurs with the recommendation.

Mr. Holmes reported the Town of Baldwin has contracted with the County for emergency communications service for many years. The contract is now up for renewal and will extend through December 31, 2009. The first year of the new contract the per capita price will not change for Baldwin. However, in the second year, 2009, the price will increase from \$5.01 per capita to \$5.47 per capita. This pricing structure is consistent with the recommendations of the County Finance Director and the CCRCC Board of Directors. For 2008 (\$5.01 per capita = \$6,463) and for 2009 (\$5.47 per capita = \$7,056). A discussion followed.

Commissioner Feeney made a Motion that the Commissioners approve the Emergency Communications contact with the Town of Baldwin as follows for the year 2008 at \$5.01 per capita = \$6,463) and for 2009 at \$5.47 per capita = \$7,056 and the Chair sign the contract on behalf of the Commissioners. Commissioner seconded the Motion. All voted unanimously.

08 – 014 Approval, Town of Gorham Contract Renewal

Chairperson Clenott asked Mr. Holmes to present the item. The County Manager concurs with the recommendation.

Mr. Holmes reported the Town of Gorham has contacted with the County for emergency communications service for 2 years. The contract is now up for renewal and will extend through December 31, 2009. He noted historically we have been using the 2000 census guide for the population of each community. Because the population has changed since 2000 it is the recommendation from CCRCC Board to use the current GPCOG population estimates. It has been done for each of the contracts that being presented tonight with the exclusion of the Town of Gorham, which is an oversight. The Town of Gorham's estimated 2000 population was 14,121 and the estimated population by GPCOG is 14,839 for a difference of 698 in the population so for year two there is \$11,000 difference in the contract. After discussing this with

the Board, they decided to leave the 2008 cost at \$209,852 but for 2009 the per capita will be \$240,688 because of the 698 population increase. A discussion followed.

Commissioner Shaughnessy made a Motion that the Commissioners approve the Emergency Communications contract with the Town of Gorham for 2008 at the price of \$14.84 per capita at \$209,852 and for the year 2009 at the price of \$16.22 per capita for a total of \$240,688 which includes the increase of the population of 698. The Chair of the Board sign the contract. Commissioner Feeney seconded the Motion. All voted unanimously.

08 – 015 Approval, CCRCC Town of Long Island Contract Renewal

Chairperson Clenott asked Mr. Holmes to present the item. The County Manager concurs with the recommendation.

Mr. Holmes reported the Town of Long Island has contracted with the County for emergency communications service for many years. The contract is now up for renewal and will extend through December 31, 2009. The first year of the new contract the per capita price will not change for Long Island. However, in the second year, 2009, the price will increase from \$5.01 per capita to \$5.47 per capita. This pricing structure is consistent with the recommendations of the County Finance Director and the CCRCC Board of Directors. For 2008 (\$5.01 per capita = \$1,012) and for 2009 (\$5.47 per capita = \$1,105). A discussion followed.

Commissioner Feeney made a Motion that the Commissioners approve the Emergency Communications contract with the Town of Long Island for 2008 at the price of \$5.01 per capita at \$1,012 and for the year 2009 at the price of \$5.47 per capita at \$1,105. The Chair of the Board sign the contract. Commissioner Shaughnessy seconded the Motion. All voted unanimously.

08 – 016 Approval, Town of New Gloucester Contract Renewal

Chairperson Clenott asked Mr. Holmes to present the item. The County Manager concurs with the recommendation.

Mr. Holmes reported the Town of New Gloucester has contracted with the County for emergency communications service for many years. The contract is now up for renewal and will extend through December 31, 2009. The first year of the new contract the per capita price will not change for New Gloucester. However, in the second year, 2009, the price will increase from \$5.01 per capita to \$5.47 per capita. This pricing structure is consistent with the recommendations of the County Finance Director and the CCRCC Board of Directors. For 2008 (\$5.01 per capita = \$24,925) and for 2009 (\$5.47 per capita = \$27,213). A discussion followed.

Commissioner Shaughnessy made a Motion that the Commissioners approve the Emergency Communications contract with the Town of New Gloucester for 2008 at the price of \$5.01 per capita at \$24,925 and for the year 2009 at the price of \$5.47 per capita at \$27,213. The Chair of the Board sign the contract. Commissioner Shaughnessy seconded the Motion. All voted unanimously.

There being no further business Commissioner Feeney made a Motion to adjourn the meeting at 7:15 PM. Commissioner Shaughnessy 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, February 11, 2008 at the Cumberland County Courthouse in the Peter J. Feeney Conference Room.