

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

## **COMMISSIONERS' MEETING**

### **MINUTES**

**March 10, 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 Special Commissioners Meeting for February 25, 2008, the Regular Commissioners Meeting of February 11, 2008 were read and were approved unanimously.

Chairperson Clenott stated that we are very fortunate to have two directors who will speak about something that is very unfortunate. Faye Luppi, Director of the County's Domestic Violence Intervention Partnership and Lois Galgay Reckitt, the Executive Director of Family Crisis Services will report on the impact of proposed Federal/State Budget cuts on domestic violence services. The County Commissioners recently sent a letter to the legislature expressing their concern on the Governor's Budget which will have not only a financial impact on the judicial system but also a human impact on the domestic violence programs and human services. She introduced Ms. Luppi and Ms. Reckitt.

Ms. Luppi thanked the Commissioners for their long term support of this program and will explain how this "perfect Storm" of virtual elimination of state funds for domestic violence victims is occurring at the same time as several federal budget cuts which will impact our community. It is understood that the process is underway to get a balanced state budget passed and that difficult decisions must be made. Nevertheless, thousands of abused women and their children throughout the state will have no other place to turn if Family Crisis Services and other domestic violence programs in Maine cannot help them. Although the State has faced huge deficits in the past, never before has any Maine department, legislature or governor concluded that eliminating services for victims of domestic violence and their children was an option for balancing the budget. Ms. Luppi introduced Ms. Reckitt.

Ms. Reckitt reported about 60% of Family Crisis Services (FCS) funding comes from federal grants, which are also on the chopping block in the federal FY2009 budget being proposed. FCS received \$169,972 for this year from the Victims of Crime Act. These funds go directly toward direct client advocacy services – safety planning, court advocacy and other direct

services. The President's Budget proposes eliminating the balance of the VOCA fund. \$141,285 comes to FCS from the Family Violence Prevention and Services Act/Battered Women' Shelters funding. This money provides lifesaving emergency services for victims and families who are fleeing abuse. In 2005, FCS provided 3,410 bed nights to 248 clients at their shelter. This fund is expected to be cut significantly in the proposed FY09 budget. The Social Services Block Grant (SSBG) provides \$401,924 in funding to Family Crisis Services. This funding is also in jeopardy. The President's proposal eliminates SSBG in 2010.

Ms. Reckitt read a letter from a lady who was a victim of abuse and attended one of the workshops for abused women and has since begun to take her life back. She and her children have found a safe place to live and she has noticed a big change in her children. Ms Reckitt noted that the impact of an abusive relationship is very substantial on children. There are also support groups that are held at the Cumberland County Jail because 95% of the women inmates are victims of sexual or physical abuse. They are also doing work with women at the Windham Corrections Center and the Threshold Center to help women of abuse. Ms. Reckitt asked Ms. Luppi to talk about the Federal impact.

Ms. Luppi stated 60% of Family Crisis funding comes from Federal grants. Finally, the Violence Against Women Act – which we know as VAWA, funds \$160,318 of the FCS budget. VAWA programs are at the core of the response to victims. The President's FY 09 budget proposed a crippling \$120 million cut in funding for VAWA programs and the creation of a block grant. VAWA funds some very important services in Cumberland County including legal services for victims through Pine Tree Legal Assistance, youth advocacy, child protective liaisons and since 1999 has provided \$2,345,834 to the VIP project of Cumberland County Government.

The following is just a partial example of what VIP provided last year to the citizens of Cumberland County:

### **Violence Intervention Partnership 2007**

- 1546 people trained about DV (judges, ADA's, police, advocates, clergy, students, etc.)
- 396 special underserved population victims served (elder victims, and incarcerated victims)
- 450 stalking kits distributed
- 135 DV offenders received intensive probation supervision (1218 contacts)
- 40 victims received interpreter/language line services in 9 languages
- 167 people attended faith/DV conference: clergy comment: "My whole perception of domestic violence changed. I now will have a much better understanding of the life they have lived and how I can help them."
- Maine Pretrial Services DV case manager supervised 106 DV offenders in the community who would have been incarcerated at CCJ, for a savings of 8483 bed days (x \$104/day= a savings of \$882,232 to the County, at a cost of \$26,452.)

In addition to providing an important service- these federal funds helped improve the bottom line for Cumberland County. As reported in the Portland Press Herald news updates today, Maine Attorney General Steve Rowe estimates that DV costs Maine approx. \$1.3 billion each year- in health care costs, substance abuse treatment programs, law enforcement, court system,

and additional education costs for children who live in violent homes. These costs will only increase if our prevention, outreach, and shelter budgets are cut. Ms. Luppi asked Ms. Reckitt for informational contacts so the public can help support these very important services and help prevent devastating cuts.

Ms. Reckitt asked the public to contact our Maine State Senate and Representatives to show support for these very important services. To find your House and Senate Representative; follow this link: <http://janus.state.me.us/house/townlist.htm> to search by your town. To then call and leave a message for a member of the House call 800-423-2900 or 287-1400; and to leave a message for a member of the Senate call 800-423-6900 or 287-1540. The link also provides email information.

Chairman Clenott thanked Ms. Luppi and Ms. Reckitt for their presentation and indicated that when Commissioner Shaughnessy was in Washington at the NACO Conference she brought back information on the Maine Can Do Better Coalition.

Commissioner Shaughnessy indicated the list is growing daily across the state endorsing all social services. She wants the Maine Can Do Better petition read into the Minutes and then will make a Motion to sign the Petition. The following was read into the Minutes:

### **Petition to Maine Legislators**

**We're all in this together.** Maine people care about our neighbors and communities. When some people face difficulties, the fabric of the community is weakened unless the rest of us step in to help.

**Current state budget proposals would weaken our communities and harm many Maine people.** Shared investment in community basics like safety, health, housing, education, and natural resources keeps costs low, community participation strong, and individual performance high.

**When communities share costs, everyone wins.** Investing in communities is far less expensive than paying for individual needs after something has gone wrong. Emergency room visits, nursing home care, and jail time are all inefficient and expensive outcomes when community investment is put off or falls short. When community costs are shared through tax payments, everyone saves money in the long run.

**Paying taxes is about sharing resources for everyone's benefit.** It is about investing in our neighbors and our communities. And it is about taking responsibility for the place we live.

**Federal policies have let us down.** Priorities have been flawed and resources have been squandered. We have lost opportunities to invest in our economy. Now states are left to pick up the pieces.

**Every time the buck gets passed, the price goes up.** If Maine lawmakers don't take action today and maintain needed public investment in our communities, higher costs will just be shifted to the local level.

**Maine Can Do Better!**

**Commissioner Shaughnessy made a MOTION that the County Commissioner sign off to that Petition. Commissioner Feeney seconded the MOTION. All voted unanimously. (This will be item 08 -040).**

**If you have not yet signed the Maine Can Do Better petition, please do so by navigating to:**  
[www.MaineCanDoBetter.org/takeaction.html](http://www.MaineCanDoBetter.org/takeaction.html)  
<<http://www.maineandobetter.org/takeaction.html>>

**Comments from the Commissioners:**

Commissioner Shaughnessy indicated when she and Peter Crichton were at the NACO Conference in Washington she was able to talk with some folks from across the country and our legislators concerning the issue of budget cuts and how it is affecting the programs that are so vital. Another huge issue is the Medicaid program's rules and regulations which are also being affected as to the inmates who enter jail, lose their benefits, leave jail and are without benefits for a period of 60 to 90 days. The Federal government has to work together with the State government and in turn work with the local government and we have to work together instead of passing the buck. She reported that at the National Association of Counties she was the new member appointed to the National Board of Directors from the State of Maine. She also sits on the Board of People's Regional Opportunity Program and participated in that conference as well while in Washington. There were many important issues addressed which was very beneficial to share. She will bring before the Board more information to share with the public.

Chairperson Clenott congratulated Commissioner Shaughnessy for her appointment. She noted that when we approach the legislators whether they are in city government, state government or national government, their focus unfortunately has to be on the budget and budget restraints but when it caucuses their ability to realize that there are people out in our communities that are suffering and need help, they have to bring that into focus. This is the issue we are facing trying to balance out the budget with the needs of the people.

**Commissioner Feeney:**

Commissioner Feeney reported on a letter he received from the Civic Center's Manager Steve Crane addressed to Sheriff Mark Dion. The letter states gratitude for the assistance from the Sheriff's Department on escorting Elton John from the airport to the Civic Center and back again.

**Comments from the County Manager:**

Peter Crichton, County Manager, commented being on the NACO Board of Directors is very important and having Commissioner Shaughnessy representing Cumberland County is great for the county and the State of Maine. It helps bring us forward in terms of what we are trying to do. There are many opportunities to help our region, the communities, and the citizens. There are opportunities by forming a Northeast Caucus for counties in the Northeast to work with our congressional delegations. The Northeast has generally been weaker in terms of County Government's ability to be able to attract funding from the federal level. Other county governments in the country in the south and west have a huge impact on what happens in

Washington, D.C. They have lobbyists that represent the counties. We need to have a united approach to go before legislature and focus on building a partnership in this region.

### **Chairperson Clenott:**

Chairperson Clenott noted for those citizens who might not have read the article in the Forecaster newspaper that she is not running for reelection. She expressed it has been fabulous to work for Cumberland County and will miss county government. Her whole belief is that we all need to work together and care for one another and hopes to get involved in education again. Earlier today, she was at the State Legislature and found out the County Days celebration scheduled for March 11<sup>th</sup> was canceled because of the budget issues. While up there, several people were recognized from the County and the Joint Resolution was read and can be viewed on the website.

### **Informational Item**

Chairperson Clenott asked if there were any comments from the public.

The County Treasurer Diane Gurney reported the Tax Anticipation Notes for the year has been completed. She stated that she attended the Maine Association of Counties (MACO) conference last week of which she is the Treasurer Representative. The conference was very informative.

Commissioner Shaughnessy noted she also sits on the MACO Board which is trying to build the State association of county voices at the State Legislature to move us forward, promote county government, and create ways for the county to save money and generate their own funds.

County Manager Peter Crichton noted Cumberland County Government is looking for ways to reduce the cost in delivering services and/or trying to provide them more effectively. MACO can help all the counties look in an organized way at what they can be doing in partnership with their municipalities to reduce the tax burden for citizens and help provide services more effectively.

Chairperson Clenott noted that for the first time in the 16 years since she has been with county government, we have finally recognized we are a unit and are beginning to work together. Similarly, as MACO, for the first time we are bringing in people from other departments - Deeds, EMA, Probate and Communications and we are all going to be working together.

### **Action Items:**

#### **08 – 036 Approval, Establishment of a Charter Commission and Election of 6 Voter Members in November, 2008**

Chairperson Clenott asked Commissioner Feeney to present the first item. The County Manager concurs with the recommendation.

Commissioner Feeney stated this is extremely important to the citizens of Cumberland County, the establishment of a charter committee. There have been some past attempts at providing a charter form of government within Cumberland County, most recently in 2003 which was narrowly defeated. Title 30-A, Section 1321, Sub-section 1, provides that the county commissioners, by order, can provide for the establishment of a charter commission. The only

election that needs to happen is the election of the 6 voter members, 2 from each Commissioner District, as provided for in Section 1322, Subsection 1, Paragraph. A. Therefore, basically all that is required tonight is a motion that we would put into affect by Order the establishment of a charter commission that members would be voted on in November.

He further noted the petitions and nomination requirement information is to be made available at the Cumberland County Government office. A minimum of 50 and maximum of 80 signatures must be obtained by each candidate. The petitions must be submitted to the applicable municipalities for certification of the registered voter status of the signers. The petitions are to be submitted to the municipalities for verification by May 27, 2008 at 5:00 pm. Thereafter certified petitions must be submitted to the Secretary of State office by June 2, 2009 at 5:00 pm.

The County Commissioners shall make appointive members within 30 days after the voter members have been selected. No more that 2 appointive members may be members of the same political party. One appointive member must be a commissioner, one must be a municipal officer and one must be either a Senator or Representative. Immediately after receiving notice of the members by the county commissioners, the county clerk shall notify the appointed and elected members of the charter commission of the date, time and place of the commissioner's organizational meeting. The clerk shall set the date, time and place and give at least 10 days notice of the meeting. The Assistant County Manager will put out a press release. Once the charter commission has been voted on in November, they will have up to a year to establish the articles to be contained within the charter if it is not within that year they have an option to extend it to another year until 2010. Commissioner Feeney asked Pat Dunn, the County Attorney for the wording of the Motion. A discussion followed.

**Commissioner Shaughnessy made a MOTION to establish a charter commission in an election of 6 voter members in November 2008 according to statutory procedures. Commissioner Feeney seconded the MOTION. All voted unanimously.**

**08 – 037 Approval, Cumberland County Regional Communications Contract with the Town of Cumberland**

Chairperson Clenott asked the Director of the County Regional Communications Center to present the item. The County Manager concurs with the recommendation.

Mr. Holmes reported the Town of Cumberland desires to enter into an agreement with the County for Emergency Communications service through the CCRCC. They would like the contract service to begin on July 1, 2008. In accordance with the Kimball study, approval by the Board of Directors and supported by the County Finance Director Vic Labrecque, the County would charge the Town of Cumberland \$15.74 per capita for the first year and \$16.22 per capita for the second year. Based on a population of 7,200 the costs would be: for July 1, 2008 to June 30, 2009 an amount of \$113,328 and for July 1, 2009 to June 30, 2010 an amount of \$116,784. The costs for additional years at 3% beginning 2010 would be as follows: 2010 @ \$16.70 per capita, 2011 @ \$17.20 per capita, 2012 @ \$17.72 per capita, and 2013 @ \$18.25 per capita. A discussion followed.

**Commissioner Feeney made a MOTION that the County Commissioners approve the two year Emergency Communications contract with the Town of Cumberland with the first from July 1, 2008 to June 30, 2009 for \$113,328 and for the second year July 1, 2009 to June 30, 2010 in the amount of \$116,784 and the authorize the Chairperson to sign the contract. Commissioner Shaughnessy seconded the MOTION. All voted unanimously.**

**08 – 018      Approval, Meal Reimbursement – Cumberland County Sheriff’s Office Vote to Remove From Table**

Chairperson Clenott asked for a vote to remove it from the TABLE.

**Commissioner Shaughnessy made a MOTION to remove it from the TABLE. Commissioner Feeney seconded the MOTION. All voted unanimously.**

Chairperson Clenott asked Finance Director Vic Labrecque to present the item. The County Manager indicated at the last Commissioners’ Meeting when this item was first presented, he asked the Finance Director to do some research on the costs. He concurs with the recommendation.

Mr. Labrecque indicated this is a housekeeping issue on what the County will reimburse on travel expenses for breakfast, lunch, and dinner. These expenses have not been adjusted for 15 years and need to be updated. Genie Beaulieu, the Sheriff’s Fiscal Officer, worked with the Finance Director and working with the IRS Publication 1542 – Per Diem Rates – revised in October 2007 they used the figures as a baseline and have a meals reimbursement rate for within the State of Maine and a meals reimbursement rate for authorized business outside the State. It is recommended that these are maximum reimbursements per meal and receipts are required for reimbursement:

Within Maine –  
Breakfast:     \$ 8.00 maximum  
Lunch:         \$10.00 maximum  
Dinner:        \$20.00 maximum  
                  \$38.00 Total

Outside of Maine –  
Breakfast:     \$10.00 maximum  
Lunch:         \$14.00 maximum  
Dinner:        \$30.00 maximum  
                  \$54.00 Total

The fiscal impact would be minimal to the County and would be divided among those departments whose employees would be eligible for meals reimbursement. Our best guess estimate if that County-wide the increase cost would be very minimal \$1,500 - \$3,500 annually because not many executives travel out of the State of Maine. A discussion followed.

