

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

## **COMMISSIONERS' MEETING**

### **MINUTES**

**March 31, 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 6:10 PM and the following business was conducted.

Minutes of the Cumberland County Commissioners Regular Meeting for March 10, 2008, were read and were approved unanimously.

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

Peter Crichton, County Manager, commented on 3 topics. 1) We have been devoting a great amount of time in Augusta with the legislature regarding the jails/criminal justice issue. It is a very important issue for a partnership with the state, the counties, and the municipalities which includes the possibility of having the cost for municipalities freeze after 2008. The State would pick up the increased cost, and there would be a Board of Corrections formed, made up of State, County, and municipal officials. This has been a long process and we need to change the status quo in terms of how we are doing business with the jails. We need to have a more efficient, effective, and unified county system. 2) An update on what we are doing with our regional initiatives to try and provide ways to reduce the burden to our taxpayers and provide services more effectively: Assistant County Manager Bill Whitten and Grants Special Projects Coordinator Elizabeth Trice have been working very creatively with two groups having to do with assessing along with Commissioner Shaughnessy with public health. In terms of assessing, which came out of our 2006 Strategic Plan, we are trying to work collaboratively with municipalities and the Greater Portland Council of Government to do assessing regionally through districts or through the County to save money. 3) Regarding public health, Commissioner Shaughnessy has been very involved in this process which tries to help provide relief to taxpayers and also provides services more cost efficiently.

## **Comments from the Commissioners:**

### **Commissioner Shaughnessy:**

Commissioner Shaughnessy reported on 2 topics. 1) Regarding public health, Cumberland County is a health district in of itself. There are 8 new districts in the State of Maine, Cumberland, York, and Aroostook are separate districts and then there are 5 multi-county districts in the new public health structure. We are well ahead of some of the other districts with setting up the people involved from the hospitals and dental associations and having everybody involved and inquire as to what municipalities are offering. 2) She has been contacted by the MaineShare group which is similar to United Way where you can make tax-deductible donations to Maine organizations through payroll contributions. They support a number of organizations across the State concerning education, cultural diversity, the Arts, economic development, and support many state-wide organizations. Both the United Way and MaineShare could be invited to come in and make a presentation to the employees if the Commissioners decide to start inviting organizations in to make presentations.

### **Commissioner Feeney:**

Commissioner Feeney reported on the Civic Center's financial statement for the month of February, which was fantastic. The Civic Center was used just about every day and generated \$248,133 in revenues as a result. The reported revenue was offset by \$161,538 in total expenses, leaving the Operating Income of \$86,595 for the month, which is very good. This represented \$40,000 over Budget and \$54,564 greater than that earned in February 2007. The financial picture two-thirds of the way through the fiscal year looks positive. The latest report of the Pirates raw game data comparison for the 2007-08 season after completion of 85% of the season the turnstile attendance averaged 3,375 per game. This is an average drop from last season of 655 per game. The events income was \$29,500 over Budget in February and \$51,898 more than that earned in February 2007. The Disney on Ice events produced the greatest revenue total of over \$19,541 for the month. Three rock concerts generated over \$17,767 and the five days of high school basketball generated over \$16,762. Events income is \$73,114 over budget for the year and \$92,044 higher than the eight month total last year. The spring is looking very positive with more concerts and the Pirates making the playoffs.

### **Chairperson Clenott:**

Chairperson Clenott reported on 3 topics. 1) Regarding to assessing, the Commissioners go out to the small towns that do not have a Board of Appeals for tax abatements hearings and how some towns have their own criteria. She indicated it would be better for all of us if we could have a comprehensive plan that would be suitable for our towns to handle. 2) Regarding the State and the Maine Municipal Association, she indicated that at the last meeting we talked a lot about Domestic Violence and we did a full report to all the legislators after the meeting and they reinstated the money for Domestic Violence. 3) Regarding getting along with the State, it is great that we are working together and we need to find more ways to collaborate.

## **Informational Item**

Chairperson Clenott asked if there were any comments from the public. Hearing none, she proceeded to the Action Items.

## **Action Items**

### **08 – 041 Approval, Interest on Delinquent County Taxes for 2008**

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

The County Manager stated this is something that has not been exercised over the years. This allows the County to charge interest on delinquent County taxes. The Finance Director Vic Labrecque will present the item.

Director Labrecque indicated this is a housekeeping issue and is done each year at the same time. The Maine Revenue Service advises the County that the 2008 rate set by the tax assessor is 12%. As per Title 36 section 892-A: "Interest shall accrue on all unpaid balances of the County tax that are then due, beginning on the 60<sup>th</sup> day after the date for payment set by the County Commissioners under Title 30-A, section 706. County taxes are not paid prior to the 60<sup>th</sup> day after the date for payment, are delinquent. The rate of interest shall be specified by vote of the County Commissioners and a notification of this rate shall be included in the Warrant to assessors required under Title 30-A section 706. The rate of interest may not exceed the rate of interest established by the State Tax Assessor under section 186". A discussion followed.

**Commissioner Feeney made a Motion that the Commissioners vote to set the delinquent tax interest rate at 12%. Commissioner Shaughnessy seconded the Motion. All voted unanimously.**

### **08 – 042 Approval, Cumberland County Regional Communications Center – Future Growth Plan**

Chairperson Clenott asked Cumberland County Regional Communications Center (CCRCC) Director Bill Holmes to present the item.

The County Manager asked the Assistant County Manager to give a few introductory remarks because he has worked very closely with Bill Holmes on this growth plan. He concurs with the recommendation.

Assistant Manager Whitten indicated this is a result of Bill Holmes and his communications department's great work for communication services. Several communities have requested proposals for emergency communications service. The following towns are presently receiving communications services: Baldwin, Chebeague, Cumberland, Frye Island, Gorham, Gray, New Gloucester, Harpswell, Long Island, the Cumberland County Sheriff's Office and the American Red Cross. The towns of Yarmouth and North Yarmouth will vote on joining soon. In addition, since the beginning of the year, we have received request for proposals and have had meetings with other communities such as Sebago, Brunswick and Scarborough.

Director Holmes has a meeting next week with Casco for the potential of their joining the communication services. Assistant Manager Whitten indicated as a result of commitments from some communities to join the CCRCC and probabilities of others to join in 2008 as well, it has become necessary to provide equipment and adjustments to the CCRCC to accommodate this growth and to provide for future growth. He asked Director Holmes to present the report.

Director Holmes reported the items necessary at and within the CCRCC include an expansion of the existing telephone system \$30,000; a bathroom build out \$20,000; additional Zetron radio card equipment \$29,000, IMC Hardware/Implementation; including consultant services \$40,000; and contingent \$15,000; totaling \$134,000. It was determined at a meeting with the department heads, the County Manager and Assistant Manager, Finance Director and Human Resource Director, that the current CIP accounts should be used to fund these projects. Director Holmes is recommending authorizing the transfer of \$64,603 from account 71-703-7313; \$25,333 from account 71-703-7316 and \$45,000 from account 71-710-7009 in the amount of \$134,936 to the County Communications department to support the purchase and installation of the items listed. A discussion followed.

**Commissioner Shaughnessy made a Motion that the Commissioners approve authorizing the transfer of \$134,936 from accounts 71-703-7313, 71-703-7316 and 71-710-7009 to the Cumberland County Regional Communications Center to the support the purchase of the installation of the 5 items listed above to accommodate the expansion at the CCRCC. Commissioner Feeney seconded the Motion. All voted unanimously.**

**08 – 043 Approval, Cumberland County Regional Communications Center – Radio Consultant Services**

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

Director Holmes reported the County of Cumberland is in the process of purchasing and installing a complete radio system upgrade to the Sheriff's Deputies radio infrastructure. The planned microwave radio system RFP has been distributed to prospective bidders for several months and a bidders meeting has been conducted.

Immediately after the bidders meeting, our consultant resigned from the process and we are in need of another consultant to guide the County through the bidding process and subsequent project management. We asked for consultant bids in two parts:

- A) Review the current radio system RFP and make adjustments as needed, review the RFP responses and make recommendations to the County.
- B) Project Management of the system installation.

The County has received 3 bids on the Consultant process:

- 1) CDCG-Communications Design Consulting Group \$17,650 for Part A
- 2) SSI- \$63,193 – both Part A and Part B
- 3) Kimball & Associates- \$30,088 for Part A

For Kimball and CDCG, we would negotiate Part B after Part A is complete.

During a meeting with the CCRCC technical committee which includes radio experts, members of the Board of Directors and members of the Sheriff's Office Teamsters Union, each of the three proposals were reviewed. The committee unanimously voted to recommend hiring Kimball & Associates based on 2 criteria:

- 1) Kimball provided the most comprehensive and professional proposal
- 2) Kimball was the original consultant in 2004 that recommend the radio project. In fact, our former consultants' radio system upgrade recommendation was actually "Option 2" of the original Kimball report. The committee felt that Kimball, based on their previous in depth analysis, would be more capable of recognizing the radio needs of the County and working with the bidders to select the best radio system solution.
- 3) Kimball & Associates could get working on the project almost immediately based on the fact that the original research for this project, engineering analysis and radio analysis was done by their company.

In addition, the CCRCC Board of Directors has reviewed this issue at their meeting on March 17, 2008. During this meeting the board also voted unanimously to recommend that the County hire Kimball & Associates as our consultant for this project. The board listed the same reasons for their recommendation.

The cost to hire Kimball & Associates to complete Part A of this project is \$30,088. Part B could possibly be negotiated with Kimball or other firms after the completion of Part A. We expect that Part B costs will be somewhat similar to the costs Part A.

The County Radio System Upgrade bond in the amount of \$1.7 million will be used to fund this project.

The Communications Director recommends the Commissioners approval to hire Kimball & Associates in the amount of \$30,088 to serve as our radio consultant for Part A of this project and to allow us to negotiate with Kimballs on a price to complete Part B of the project. Once part A has been completed and a price for part B has been negotiated, we will bring that issue before the commissioners for their consideration. A discussion followed.

**Commissioner Feeney made a Motion the Commissioners approve to hire Kimball & Associates in the amount of \$30,088 to serve as our radio consultant for Part A of the project. Once Part A has been completed, we will have bids brought back to the commissioners to review for Part B. Commissioner Shaughnessy seconded the Motion. All voted unanimously.**

**08 – 044      Approval, Cumberland County Sheriff's Office – Fatal Experience  
Program Grant (Fatal Vision)**

Chairperson Clenott asked Chief Deputy Kevin Joyce to present the item. The County manager concurs with the recommendation.

Chief Joyce reported the Cumberland County Sheriff's Office is seeking a grant to continue the Fatal Experience Program through the Bureau of Highway Safety. The program which began in 1998 has been widely received by many schools as well as in the private sector. The requested funding is \$9,600. The grant requires a 25% match which will be satisfied by in-kind services of the project director and in-kind services of patrol lieutenants to schedule demonstrations so there is no additional cost to taxpayers. The total grant funding is \$12,800 (\$9,600 + \$3,200 in-kind). A discussion followed.

**Commissioner Shaughnessy made a Motion that the Commissioners approve the submission of the Fatal Experience grant in the amount of \$9,600. Commissioner Feeney seconded the Motion. All voted unanimously.**

**08 – 045      Approval, Cumberland County Sheriff's Office – Chebeague Island Contract**

Chairperson Clenott asked Chief Deputy Kevin Joyce to present the item. The County Manager concurs with the recommendation.

The County Manager indicated for background information there are a total of 7 municipalities that we provide contract services to in the County. There are 13 that have municipal police departments. The County provides coverage to 15 communities out of the 28 municipalities. We have contracts with 7 of the municipalities to provide enhanced coverage and there are a total of 10 contracts that will be voted on at this meeting which totals \$1.2 million and in the case of Standish, the County is their full time police department.

Chief Joyce reported this is a second year contract in the amount of \$29,962.18. This contract is slightly different from other law enforcement contracts in that there is summer contract services plus limited deputy coverage starting September 8, 2008 and running through June 30, 2009. Starting July 1, 2008 and ending on September 1, 2008 (9 weeks) Deputy Scott Secord will be living on the Island and providing 40 hours a week of law enforcement coverage. From September 8, 2008 through June 7, 2009, the Sheriff's Office will provide law enforcement service to the Island for 8 hours per week. This coverage will be provided as an overtime assignment and will be filled by a patrol deputy. From June 7 through June 30, 2008, the Sheriff's Office will provide 40 hours per week of coverage. The coverage is based on Deputy Secord returning to the Island and paid at his regular rate of pay. Chebeague Island will directly pay for any costs associated with boat/barge cost to transport the patrol vehicle to and from the Island as well as mainland parking fees for the Deputy. The Island also will directly pay the cost for vehicle gasoline. A discussion followed.

**Commissioner Feeney made a Motion that the Commissioners approve the 2008 – 2009 Town of Chebeague Island Patrol Contract in the amount of \$29,962.18. The Chairperson signs the contract. Commissioner Shaughnessy seconded the Motion. All voted unanimously.**

**08 – 046 Approval, Cumberland County Sheriff’s Office – Harpswell  
Law Enforcement Service Contract**

Chairperson Clenott asked Chief Deputy Kevin Joyce to present the item. The County Manager concurs with the recommendation.

Chief Joyce reported this is a renewal contract in the amount of \$317,957.58. This contract includes the 3 deputies and their benefit costs, operation costs and the following capital improvements: replacement cruiser, replace mobile radio, radar unit, rifle and a replacement computer. The law enforcement contract was developed to meet the specific law enforcement needs of the Town of Harpswell and approved at their town meeting. The contract for the time period is April 1, 2008 through March 31, 2009. A discussion followed.

**Commissioner Shaughnessy made a Motion that the Commissioners approve the Law Enforcement Services Contract for the Town of Harpswell for the period April 1, 2008 through March 31, 2009 in the amount of \$317,957.58. The Chairperson signs the contract. Commissioner Feeney seconded the Motion. All voted unanimously.**

**08 – 047 Approval, Cumberland County Sheriff’s Office – Harpswell  
Law Enforcement Services Contract for Marine Patrol**

Chairperson Clenott asked Chief Deputy Kevin Joyce to present the item. The County Manager concurs with the recommendation.

Chief Joyce requested this item be postponed because Captain Davis advised him to speak with the Fiscal Office Genie Beaulieu (who is on vacation) on one of the charges.

**Commissioner Shaughnessey made a Motion to postpone this item until the next meeting. Commissioner Feeney seconded the Motion. All voted unanimously.**

**08 – 048 Approval, Cumberland County Sheriff’s Office – Harrison Law  
Enforcement Services Contract**

Chairperson Clenott asked Chief Deputy Kevin Joyce to present the item. The County Manager concurs with the recommendation.

Chief Joyce reported this is a renewal contract in the amount of \$88,600.24. The 2008-2009 contract represents a decrease from the previous year. The primary reasons for the decrease are that a less senior deputy who is single and does not need family coverage has taken the bid and the contract does not include a vehicle. The contract does include upgrades to technology. The Town of Harrison chooses coverage for 40 hours a week and when that deputy is not in town the two deputies that cover Sebago, Raymond, Harrison, Baldwin, Casco and Naples are available. A discussion followed.

**Commissioner Shaughnessy made a Motion that the Commissioners approve the Harrison Law Enforcement Service Contract from 7/1/08 to 6/30/09 in the amount of \$88,600.24. The Chairperson signs the contract. Commissioner Feeney seconded the Motion. All voted unanimously.**

**08 – 049            Approval, Cumberland County Sheriff’s Office – Harrison Summer Contract**

Chairperson Clenott asked Chief Deputy Kevin Joyce to present the item. The County Manager concurs with the recommendation.

Chief Joyce reported this is a renewal contract in the amount of \$18,369.42. The Town of Harrison hires a second deputy to cover from Memorial Day weekend intermittently until mid-June and then 40 hours a week through Labor Day. A discussion followed.

**Commissioner Feeney made a Motion that the Commissioners approve the 2008 Harrison Summer Patrol Contract in the amount of \$18,369.42. The Chairperson signs the contract. Commissioner Shaughnessy seconded the Motion. All voted unanimously.**

**08 – 050            Approval, Cumberland County Sheriff’s Office – Gray New Gloucester High School Contract (SAD 15)**

Chairperson Clenott asked Chief Deputy Kevin Joyce to present the item. The County Manager concurs with the recommendation.

Chief Joyce reported this is a renewal contract for the high school in the amount of \$57,002.89. SAD 15 has chosen to have coverage 175 days @ 8 hours a day. There is no scheduled relief for the deputies benefit time taken, i.e. vacation, sick, personal and/or holidays. This contract includes an additional 20 hours at 1.5 overtime. This is additional coverage requested by the school to cover the school resource officer attending school meetings and other tasks as needed. A discussion followed.

**Commissioner Shaughnessy made a Motion that the Commissioners approve the 2008 – 2009 SAD 15 contract in the amount of \$57,002.89. The Chairperson signs the contract. Commissioner Feeney seconded the Motion. All voted unanimously.**

**08 – 051            Approval, Cumberland County Sheriff’s Office – Long Island Summer Contract**

Chairperson Clenott asked Chief Deputy Kevin Joyce to present the item. The County Manager concurs with the recommendation.

Chief Joyce reported this is a renewal contract for the 2008 summer in the amount of \$21,999.25. This is a 14 week contract starting May 2008 through the weekend after Labor Day. The changes to this contract represents a decrease over the previous year due to the Island picking up the charge for transporting the vehicle to and from the Island. A discussion followed.

**Commissioner Feeney made a Motion that the Commissioners approve the 2008 Town of Long Island Summer Contract in the amount of \$21,999.25. The Chairperson signs the contract. Commissioner Shaughnessy seconded the Motion. All voted unanimously.**

**08 – 052                      Approval, Cumberland County Sheriff’s Office – Naples Summer Contract**

Chairperson Clenott asked Chief Deputy Kevin Joyce to present the item. The County Manager concurs with the recommendation.

Chief Joyce reported this is a summer contract for 14 weeks, starting Memorial Day weekend and ending on Labor Day. There is a slight increase over the 2007 contract due to increased labor and insurance costs. The Naples 2008 contract is a foot patrol so there are no vehicle costs. A discussion followed.

**Commissioner Shaughnessy made a Motion that the Commissioners approve the 2008 Naples Summer Contract in the amount of \$19,153.78. The Chairperson signs the contract. Commissioner Feeney seconded the Motion. All voted unanimously.**

**08 – 053                      Approval, Cumberland County Sheriff’s Office – SAD #6 Contract (2008-2009)**

Chairperson Clenott asked Chief Deputy Kevin Joyce to present the item. The County Manager concurs with the recommendation.

Chief Joyce reported this is the annual contract for S.A.D. #6, the Bonny Eagle school system, which is due for renewal for the school year 2008-2009 in the amount of \$55,755.85. There is a slight increase over the current year contract. This contract is based on parameters set up for school resource officers: 177 days @ 8 hours a day, previously SAD 6 had in service days. As in previous years, there is no scheduled relief for the deputy’s benefit time taken, i.e. vacation, sick, personal and/or holidays. If the deputy is out of work on benefit time, the position will not be back filled. The 2008-2009 contract includes an additional 20 hours at 1.5 overtime. This is additional coverage requested by the school to cover the school resource officer attending school meetings and other tasks as needed. A discussion followed.

**Commissioner Feeney made a Motion that the Commissioners approve the 2008-2009 SAD #6 Contract in the amount of \$55,755.85. The Chairperson signs the contract. Commissioner Shaughnessy seconded the Motion. All voted unanimously.**

**08 – 054    Approval, Cumberland County Sheriff’s Office – Standish Law Enforcement Services Contract**

Chairperson Clenott asked Chief Deputy Kevin Joyce to present the item. The County Manager concurs with the recommendation.

Chief Joyce requested this item be postponed because there is an issue that needs to be resolved.

**Commissioner Shaughnessey made a Motion to postpone this item until a later date. Commissioner Feeney seconded the Motion. All voted unanimously.**

**08 – 055                    Approval, Cumberland County Sheriff’s Office Renewal Commission**

Chairperson Clenott asked for a vote to renew the commission.

**Commissioner Shaughnessy made a Motion to renew the commission for Jeffrey Davis CCSO Patrol Captain. Commissioner Feeney seconded the Motion. All voted unanimously.**

**There being no further business Commissioner Feeney made a MOTION to adjourn the meeting at 7:35 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, April 14, 2008 at the Cumberland County Courthouse in the Peter J. Feeney Conference Room.