

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

COMMISSIONERS' MEETING

MINUTES

January 11, 2010

The Board of Cumberland County Commissioners, Malory O. Shaughnessy, Richard J. Feeney and James F. Cloutier convened a meeting at the Cumberland County Courthouse in the Peter J. Feeney Conference room.

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

Minutes of the Cumberland County Commissioners Regular Meeting of December 21, 2009 were read and were approved unanimously.

Comments from the County Manager:

The County Manager reported on the following: 1) He thanked Commissioner Shaughnessy for her leadership as the Chair for the Board of Commissioners this past year and the other Commissioners for all the hard decisions that had to be made for the 2010 Budget. 2) He attended a hearing last week that was held before the Appropriations Committee at the Legislature where Neal Duffett, Board of Corrections Chairman, spoke about the request by the county jails for funding for the new unified correction system. The Governor has put in his FY11 Budget \$3.5 million for the county jails, which represents flat funding. The county jails have requested \$3.2 million above that and we are in the process of trying to reduce that requested amount. It is important that we receive adequate funding for the county jails. Assistant County Manager Bill Whitten will be talking with legislators on this issue and will be working with the delegation in Augusta as the County's lobbyist. We have our work cut out for us.

Comments from the Commissioners:

Commissioner Feeney:

Commissioner Feeney thanked Commissioner Shaughnessy for her leadership and refrained from further comments due to the length of the meeting.

Commissioner Cloutier:

Commissioner Cloutier indicated he too wants to thank Commissioner Shaughnessy for her leadership.

Chairperson Shaughnessy:

Chair Shaughnessy noted: 1) George Jabor, President of the Maine County Commissioners Association, also spoke on behalf of us last week before the Appropriations Committee and the Criminal Justice & Public Safety Committees and stressed the fact that the counties and County Commissioners have been trying to support this whole endeavor of the One Maine System. 2) She thanked all for their kind comments and noted it has been a pleasure to serve as the Chairperson for the Board of Commissioners.

Comments from the Public:

Chairperson Shaughnessy asked if there were any comments from the public. Hearing none we moved onto the Actions Items.

Action Items:

09 – 001 Approval, 2010 Commissioners Nominations

Chair Shaughnessy nominated Commissioner Feeney for the 2010 Chairperson for the Board. Commissioner Cloutier seconded the Motion. All Commissioners voted unanimously in favor 3-0.

Chair Feeney asked for the Nomination Motions.

Commissioner Cloutier made a Motion that the list of nominations that are presented be approved as indicated:

- **Chairperson Feeney as Liaison to the Board of Trustees for the Cumberland County Civic Center**
- **Commissioner Shaughnessy as Liaison for the PROP Board of Trustees**
- **Commissioner Cloutier as Liaison for the Chief Local Elected Officials (CLEO)**
- **Commissioner Shaughnessy Maine County Commissioners Association (MCCA) Risk Pool Liaison**
- **Commissioner Shaughnessy Maine County Commissioners Association (MCCA) Board of Directors**
- **Commissioner Cloutier as Liaison for the Cooperative Extension Services Board of Trustees**
- **Commissioner Cloutier as Liaison for the Local Emergency Planning Committee**
- **Commissioner Feeney as Liaison for the Municipal Oversight Committee (CDBG) Community Development Block Grant**
- **Commissioner Shaughnessy as Liaison for the Cumberland District Public Health Council**
- **County Manager Peter Crichton as Liaison for the Council of Governments Metro Regional Coalition**

Commissioner Shaughnessy seconded the Motions. All Commissioners voted unanimously in favor 3-0.

10 – 002 Approval, Cumberland County Civic Center Trustee Appointments

Chair Feeney requested to place the candidate names of Robert Kahn, Bill Troubh, Dan Mahoney and James Cohen for District #1 which covers Portland and Long Island; Anthony Armstrong, Christopher Lynch, Wayne Ross and Linda Boudreau for District #2 which covers South Portland and Cape Elizabeth; and Beth Edmonds for District #5 which covers Pownal, Brunswick, Freeport, Harpswell, and New Gloucester on the agenda and vote for one candidate for each District 1, 2 and 5. A discussion followed.

Commissioner Cloutier nominated Beth Edmonds for District #5. Seconded by Commissioner Shaughnessy. All Commissioners voted unanimously in favor 3-0.

Commissioner Shaughnessy nominated Bill Troubh for District #1. Seconded by Commissioner Cloutier. All Commissioners voted unanimously in favor 3-0.

Commissioner Shaughnessy nominated Linda Boudreau for District 2. Seconded by Commissioner Cloutier. All Commissioners voted unanimously in favor 3-0.

10 – 003 Approval, Cumberland County Courthouse Natural Gas Conversion

Chair Feeney asked Bruce Tarbox, Facilities Manager, to present the item. The County Manager concurs with the recommendation.

Mr. Tarbox reported Cumberland County has two boilers in the old section of the courthouse with Webster burner fronts that can be either oil or gas fired. The current connection to the boiler fronts are for oil only. The object of this bid was to provide the building with two options of fuel based on cost. Natural gas was requested as a second option.

The bid provides valves, piping and set-up from the exterior utility meter. In the fall, Unitil ran a 2” high pressure gas line which gives us the ability to replace oil with gas in the future. By changing to gas, we will be able to shut down the oil pumps for electrical savings. Gas is also cleaner than oil and considerably cheaper at the time per BTU.

There were two companies that bid:

- Mike Marquis Mechanical \$34,759.00
- Mechanical Services, Inc. \$22,900.00

The money to pay for this project will come from the Facilities budget #11-105 -6806. He put \$89,950 in our fuel oil account and used \$66,061.67 last year for #2 heating oil with the changeover to natural gas, projection of cost should exceed these savings. He recommended Mechanical Services, Inc. in the amount of \$22,900. They met all the specifications and attended the required walk-thru. A discussion followed.

Commissioner Cloutier made a Motion to pass the item. Commissioner Shaughnessy seconded the Motion. All Commissioners voted unanimously in favor 3-0.

10 – 004 Approval, Cumberland County Parking Garage Repair

Chair Feeney asked Bruce Tarbox, Facilities Manager, to present the item. The County Manager concurs with the recommendation.

Mr. Tarbox reported that two studies over the past 10 years have been provided for a structural evaluation of the parking garage. The bid request was to address problems identified from these studies. The bid had a base requirement which consists of the replacement of one stair tower, structural steel replacement, and repair of the second stair tower. Included in this bid were allowances consisting of 10 categories required to repair the garage flooring up to 2 levels. It takes all 10 categories to complete a per square foot allowance for repair.

His main goal was to replace the stair tower and two levels of flooring, but after the bids came in he realized that we only have enough finances to do the towers and one floor. Allowances 1-10 were divided in half. To repair and/or replace the stair/towers is a cost of \$152,278 and to repair one level of flooring is \$116,348 for a total of \$268,626.

We had 7 bidders:

	<u>Stair Tower & 1 Floor</u>
• Hascall & Hall	\$268,626.00
• Glen Builders	\$272,235.50
• Doten’s Construction	\$349,325.00
• Fletchers Sandblasting & Painting	\$353,737.00
• HardyPond	\$324,756.00
• Knowles Industrial	\$365,538.00
• J.J. Welch & Company, Inc.	\$478,064.50

This money will be taken from:

CIP account 71-705-7523	\$289,698.61
CIP account 71-705-7534	\$ 11,496.82
CIP account 71-705-7556	<u>\$ 12,449.10</u>
	\$313,644.53

The balance of the money will be used for architect fees and contingency funds. Based on his review, he recommended Hascall & Hall in the amount of \$268,626. They have done work for us in the past and Mr. Tarbox is familiar with the quality of their work. A discussion followed.

Commissioner Cloutier made a Motion to pass the item. Commissioner Shaughnessy seconded the Motion. All Commissioners voted unanimously in favor 3-0.

10 – 005 Approval, Cumberland County Emergency Management Agency Animal Response Team Grant Award

Chair Feeney asked Jim Budway, Director of the County Emergency Management Agency, to present the item. The County Manager concurs with the recommendation.

Mr. Budway reported the Cumberland County Emergency Management Agency (CCEMA) has formed a CCART of over 50 volunteers. The CCART's primary mission is to shelter pets (domestic and some exotics) in close proximity to their owners at shelters when people have to evacuate their homes during time of emergency or disaster. Establishing the pet portion of the shelter is important because many people won't evacuate if they can't take their pets. When pet owners fail to heed evacuation orders, this jeopardizes the pet owner's safety and the safety of first responders called upon to assist them. A secondary mission of the CCART is performing large animal rescue, such as extricating horses or like-sized animals stuck in mud or that have fallen through the ice on a body of water.

Through the FY 2009 Department of Homeland Security (DHS) Grant process, the CCART was awarded \$7,250.00 to purchase equipment (food bowls, litter boxes, gloves, plastic aprons, brooms, etc.) and to provide training (pet first aid and CPR) to its team members. Accepting this grant award will assist the CCART in rounding out its mission capability and will facilitate Cumberland County's compliance with the law (Public Law 109-308 of Oct. 6, 2006, the Pets Evacuation and Transportation Standards Act. This Act amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act and requires the Director of the Federal Emergency Management Agency (FEMA) *to ensure that State and Local Emergency Preparedness Operational Plans address the needs of individuals with household pets and service animals prior to, during and following a major disaster or emergency*).

There is no fiscal impact to the County and he recommended that the Commissioners approve CCEMA Director Budway's signing of an MOU with the State (Maine Emergency Management Agency (MEMA)) to accept the grant award of \$7,250. A discussion followed.

Commissioner Cloutier made a Motion to pass the item. Commissioner Shaughnessy seconded the Motion. All Commissioners voted unanimously in favor 3-0.

10 – 006 Approval, Cumberland County Emergency Management Agency Hazard Mitigation Plan Rewrite

Chair Feeney asked Jim Budway, Director of the County Emergency Management Agency, to present the item. The County Manager concurs with the recommendation.

Mr. Budway reported a Hazard Mitigation Plan (HMP) is a "community-driven, living document that focuses on developing a strategy to reduce or eliminate long-term risk to its citizens and property from natural hazards." The County's initial version of the HMP plan was completed in December, 2005 at a cost of \$104,000.00 and it is required to be rewritten every 5 years. Thus, the target completion date for HMP revision is December, 2010. To complete the rewrite of the HMP will require \$65,000.00; 75% of it provided by the Federal government and a 25% match required by the County government. CCEMA is poised to receive \$48,750.00 in Federal funding and the County match (\$16,250.00) has been approved in the FY 2010 County Capital Improvement Program (CIP) portion of the County budget. All Cumberland County Municipalities will be required to participate in the development of the HMP and many have already contributed to the effort. Five years ago, the County contracted with the Cumberland County Soil and Water Conservation District to complete this project. We are inquiring with

them currently to determine if the funding is sufficient to once again employ them in this capacity. A discussion followed.

Commissioner Shaughnessy made a Motion to pass the item. Commissioner Cloutier seconded the Motion. The Commissioners further authorized Jim Budway to sign the MOU. All Commissioners voted unanimously in favor 3-0.

10 – 007 Approval, Cumberland County DHS Grant to Support Cumberland County Emergency Management Agency Planner Position

Chair Feeney asked Jim Budway, Director of the County Emergency Management Agency, to present the item. The County Manager concurs with the recommendation.

Mr. Budway reported on the following:

1. The Maine Emergency Management Agency (MEMA) recently completed the Fiscal Year (FY) 2009 Department of Homeland Security (DHS) competitive Grant process.
2. As MEMA processed FY 2008 Grant Applications, it determined that, in future years, grant funding of personnel support (planners) for Counties would be far more efficient than having Counties fund multiple contractors to tackle individual projects. As such, MEMA intends to set aside \$640,000.00 in grant funding annually to provide each County, on average, \$40,000.00 to fund (salary and benefits) a planner position.
3. Due to a broader scope of responsibilities and a higher cost of living in Southern Maine, MEMA and CCEMA came to agreement that the planner filling the Cumberland County position would be paid \$55,000.00 annually. It was also determined that the additional \$15,000.00 to supplement the base-line \$40,000.00 funding for the position could be pulled from the same \$640,000.00 funding line as some Counties would use only a fraction of their allocation.
4. Ron Jones' position as a CCEMA Program Coordinator (planner) is currently being funded through a 2008 DHS Grant award. The initial \$40,000.00 in DHS Grant funding for Mr. Jones' position in 2010 was awarded and approved for acceptance by Commissioners during September, 2009. The remaining \$15,000.00 addressed by this Staff Report was recently awarded and rounds out Mr. Jones' 2010 funding. Of the \$55,000.00 in funding, approximately 10% will be applied to Social Security and Workers Compensation deductions and approximately 8% will be allocated to administrative, travel and overtime costs. Because Mr. Jones is not a County employee, he receives no benefits.

The CCEMA has an aggressive emergency management program. Currently, Mr. Jones is integrally involved in H1N1 Flu vaccination planning. He developed Standard Operating Procedures (SOP) for and has begun recruiting membership for the County Incident Management Assistance Team (IMAT). He works with County school superintendents and assists in the development of school emergency plans and the conduct of school operational exercises. He also is authoring numerous sorely needed documents for CCEMA. These include the Emergency Operations Center SOP, the County Continuity of Operations Plan (COOP), the County Government Pandemic Influenza Plan, the CCEMA COOP, etc.

There is no fiscal impact to the County and it is requested that the Commissioners approve receipt of the remaining \$15,000.00 of Grant funding for the CCEMA Program Coordinator position and allow Director Budway to sign the Memorandum of Understanding with MEMA. A discussion followed.

Commissioner Shaughnessy made a Motion to pass the item and authorized Jim Budway to sign the MOU. Commissioner Cloutier seconded the Motion. All Commissioners voted unanimously in favor 3-0.

10 - 008 Approval, IRS Standard Mileage Decrease for 2010

Chair Feeney asked Vic Labrecque, County Finance Director, to present the item. The County Manager concurs with the recommendation.

Mr. Labrecque reported the County has always authorized mileage reimbursement using the IRS maximum guidelines. The Commissioners approved an increase in January 2009 to 55 cents per mile. As of January 1, 2010, the IRS published a new rate for the 2010 mileage reimbursement rate to 50 cents per mile, down from the current 55 cents per mile approved by the Commissioners. He is requesting the Commissioners approve the utilization of the amended 2010 IRS mileage reimbursement rate of 50cents per mile effective January 1, 2010. A discussion followed.

Commissioner Cloutier made a Motion to pass the item. Commissioner Shaughnessy seconded the Motion. All Commissioners voted unanimously in favor 3-0.

10 – 009 Approval, Tax Abatement Hearing for Barry Richardson, Town of Harrison

Chair Feeney asked for a Motion.

Commissioner Shaughnessy made a Motion to accept the Appeal of Barry Richardson, place it on file, and directed the Deputy Clerk to send out all the appropriate paperwork for a hearing at a later date. Commissioner Cloutier seconded the Motion. All Commissioners voted unanimously in favor 3–0.

10 – 010 Approval, Tax Abatement Hearing for Laurie Frizzell, Town of Naples

Chair Feeney asked for a Motion.

Commissioner Shaughnessy made a Motion to accept the Appeal of Laurie Frizzell, place it on file, and directed the Deputy Clerk to send out all the appropriate paperwork for a hearing at a later date. Commissioner Cloutier seconded the Motion. All Commissioners voted unanimously in favor 3–0.

10 – 011 Approval, Consulting Services for Landry & Associates

Chair Feeney asked the County Manager to present the item.

The County Manager reported on behalf of the Cumberland County Commissioners, he is seeking continuation of work on special projects associated with the County's 2006-2010 Strategic Plan. Valerie Landry worked with us in 2008 as a consultant on our Strategic Plan process and provided assistance to our Advisory Council, chaired by Dana Connors of the Maine State Chamber of Commerce Director with Pam Plumb, past President of the National League of Cities as the vice-chair. The opportunity that this presents is bringing together various levels of government to develop new strategies for delivering services. For example, as a result of the strategic plan, the County and municipal leaders began discussing the feasibility of providing assessing services on a regional as opposed to municipal basis. The group commissioned a cost-benefit analysis, which revealed that as much as \$1.5 million could be saved annually with a County Assessment office. The County remains interested in continuing these discussions to work through many issues associated with modifying the current approach. Another example pertains to the feasibility of working with area school districts to assist in the provision of back-office support.

The consultant will do the following: 1) support the efforts of the County by helping to develop agendas, provide facilitation, and perform the appropriate follow-up on initiatives as necessary; 2) convene and support workgroups pertaining to special projects as identified by the Commissioners and the Advisory Committee; and assist with opportunities to more broadly support the regional work of the county, such as grant proposals to state and national organizations. Assisting Ms. Landry will be Lisa Nolan, a professional writer, editor and policy analyst, with recently published work at the national level and served as a senior aide to Senate Majority Leader George Mitchell, in which she was responsible for fiscal strategies related to health care reform, economic issues, and governmental reorganization, as well as negotiations of governor Angus King. The expected timeline for the project is January 2010 through December 2010 and the consultant fee to create a project plan is not to exceed a total annual cost of \$24,000 at the rate of \$2,000 per month. A discussion followed.

Commissioner Cloutier made a Motion to pass the item at a rate of \$2,000 per month for January 2010 through December 2010. Commissioner Shaughnessy seconded the Motion. All Commissioners voted unanimously in favor 3-0.

There being no further business Commissioner Shaughnessy made a Motion to adjourn the meeting at 6:30 PM. Seconded my Commissioner Cloutier. All voted unanimously.

ATTEST:

**Barbara M. Buckley
Deputy Clerk**

The next regular Commissioners meeting will be held at 5:30 PM on Monday, January 25, 2010 in the Peter J. Feeney Conference Room, Cumberland County Courthouse Annex 1.