

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

## COMMISSIONERS' MEETING

### MINUTES

March 22, 2010

The Board of Cumberland County Commissioners Malory O. Shaughnessy and James F. Cloutier convened a meeting at the Cumberland County Courthouse in the Peter J. Feeney Conference room. Chairman Feeney was not in attendance.

Acting Chair Shaughnessy called the meeting to order at 5:35 PM and the following business was conducted.

Minutes of the Cumberland County Commissioners Regular Meeting of March 8, 2010 were read and were approved unanimously in favor 2-0.

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

The County Manager reported he recently attended the National Association of Counties (NACo) Annual Legislative Conference and meetings of the National Association of County Administrators in Washington, D.C. He noted these meetings were very productive and positive. Commissioner Shaughnessy and the Assistant County Manager Bill Whitten also attended the conference. (Commissioner Shaughnessy is on the NACo Board of Directors from Maine and the county manager is the northeast vice president for the National Association of County Administrators.) The county manager noted as a county government we have taken the approach of trying to learn as much as we can about what other counties in the nation are doing and bring back information that is helpful to our citizens and communities. He noted that in advance of the conference the assistant county manager had set up meetings with members of the congressional delegation to discuss issues important to Cumberland County Government and the region, which were highly productive and should prove beneficial. As a result of the conference the county is following up on a number of opportunities, including broadband technology and funding for coastal communities that can help our region in the future.

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

##### **Commissioner Cloutier:**

Commissioner Cloutier recently attended a meeting having to do with the schools recommendations that came out of Cumberland County's 2006-2010 Strategic Plan. One idea to follow up on in particular is our interest in enlarging and extending the education reform process that has been active in the State for the last few years. This process has been focused on consolidation by offering an alternative to the education establishment in Cumberland County and to do things in a joint effort. Through our discussions, it is hoped the county can be a constructive force to save some money and try to improve education.

### **Commissioner Shaughnessy:**

Acting Chair Shaughnessy reported on the following: 1) With regard to the trip to Washington, D.C. and attending many informative county meetings, one of the highlights was the visit with the delegation members; Senator Snowe's staff, Senator Collins herself, and Chellie Pingree and her staff. 2) We discussed in the delegations meetings ways to help us continue the evolution of our Regional Communications Center through Homeland Security funds that are available. The assistant county manager sent out an inquiry to interested parties before we went down to D.C. for issues that are important and current and overwhelmingly it was infrastructure and roads. We had a very interesting conversation about the possibility of trying to do something with the federal transportation dollars and do some targeting to high traffic areas and rural roads, which could include a meeting with Chellie Pingree and our communities. 3) Representatives from the Maine County Commissioners Association and Maine Association of County Clerks, Administrators and Managers met with Alan Caron of the Envision Maine Group to discuss ways of reinventing government, including regional services and how to achieve the right level of cost efficiencies. 4) On Wednesday, March 31<sup>st</sup> at 6 PM at One Longfellow Square there will be a one hour film followed by a panel discussion with local experts and activist entitled "*One City's 30-year Struggle To Define Itself*". This is open to the public and presented by the Trust for Public Land with a grant from the Maine Association of Planners.

### **Chair Feeney:**

Chair Feeney was not in attendance.

### **Comments from the Public:**

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

**Acting Chair Shaughnessy asked for a Motion to go into Executive Session. Commissioner Cloutier made a Motion, seconded by Acting Chair Shaughnessy at 5:45 PM to discuss Title 1 MRSA § 405 (6) (D) to discuss Collective Bargaining with Cumberland County Communications Association.**

**Acting Chair Shaughnessy asked for a Motion to go back into regular session. Commissioner Cloutier made a Motion, seconded by Acting Chair Shaughnessy at 5:52 PM.**

### **INFORMATIONAL: Cumberland County Energy Audit**

Acting Chair Shaughnessy asked Elizabeth Trice, Grants and Special Projects Coordinator to present the information.

Ms. Trice reported Cumberland County is eligible to receive \$606,400 in Federal (EECB) Energy Efficiency and Conservation Block Grant funds. We received our approval on December 21<sup>st</sup> and our plan for spending the funds is due April 20.

Bruce Tarbox, Facilities Manager and Ms. Trice have worked to develop a slate of facility and community projects. We have already requested \$5,000 to pay for grants staff time and \$7,000 for the Siemens Co. auditors. It is being requested to accept the proposed project list. The list is as follows:

Activity	Cost		
Install automated heating and cooling in Deeds and Administration areas. Relieves window air conditioners and costly inadequate heating. This would be accomplished by installing a energy recovery system with air exchange. The system ( a varible volume refrigerant heat pump ) would allow waste heat from one space to be used to heat other areas. The system would also provide the heating and cooling for the existing city water cooled units in the DAs area. Recovery unit would be sized to except additional future areas of concerns. The more heat load we get off the existing boilers the quicker we can phase them out. (Courthouse)	\$ 260,000	<p style="text-align: center;"><b>Timeline</b></p> <p>12/21/2009 Award Date</p> <p>4/20/2010 Project Activities Submission Deadline</p> <p>8/18/2010 Latest Approval Date by DOE (120 days from deadline)</p> <p>6/14/2011 Funds must be committed (18 months from Award Date)</p> <p>12/5/2012 Projects must be completed (36months from Award Date)</p>	
Install instant hot domestic hot water at each sink location and remove existing gas fired hot water tank. Hot water is only generated when used instead of maintaining constant temperature 24hrs a day. (Courthouse)	\$ 29,000		
Lighting retrofit in the library to include controls per row and occupancy sensing (Courthouse)	\$ 16,000		
Motion control and CO2 for offices. Occupancy control of both lighting and temperature. Integrated control system upgrade. (Courthouse)	\$ 46,000		
Motion control and CO2 for offices. Occupancy control for both lighting and temperature (Communications)	\$ 9,000		
Motion controls and CO2 for offices. Occupancy control for both lighting and temperature. Control change to eliminate HW reheat zones in the summer. (LEC-Jail Campus)	\$ 37,000		
EMA Complex Install CO2 based control for the main fresh air system. Install new HVAC air handler with energy recovery from heat returns. Occupancy control for both lighting and temperature. (Windham)	\$ 54,400		
Feasibility Study on partnerships and expectations of construction of a Co-Generation Facilities on Site at the jail complex. If not at this location smaller unit at Windham. (Jail Campus)	\$ 17,000		
Purchase high efficiency motors on exhaust fans, pumps, etc. Install V.F.D.'s on motors with variable load patterns. (Courthouse)	\$ 16,000		
<b>Total Facilities</b>	<b>\$ 484,400</b>		

		<b>Proposed Energy Saved And/or Renewable</b>	<b>Proposed GHG Emissions Reduced (CO2</b>	<b>Jobs Created</b>	<b>Jobs Retained</b>
<b>Pick up to three projects to be funded at between \$30,000-\$50,000. All of these projects would accept as little or as much as Commissioners choose to contribute.</b>	<b>Estimated Cost</b>				
Fund a 1/2 time Cumberland County Regional Energy Coordinator at GPCOG to staff a Regional Energy Working Group and to write a Regional Energy Plan which will create a strategy to reduce energy consumption and greenhouse gasses 10% by 2012.	\$ 60,000	5.9 Trillion btu (10% regional energy)	420,000	0.3	
Fund RTP to purchase two vehicle that can be used for transit in the Lakes Region starting by summer of 2011	\$ 50,000	7,800 gallons of gas	75,000	5	25
Cost of Energy Audit	\$ 7,000	0	0	0.1	0
Grants and Special Projects Coordinator	\$ 5,000	0	0	0.1	0
Facilities Projects Recommended	\$ 484,400				
<b>Total Recommended</b>	<b>\$ 606,400</b>			<b>5.5</b>	<b>25</b>
Total Amount Available	\$ 606,400				

"2010 EECBG Project Ideas.xls" draft 03/19/10

A discussion followed whereby acting Chair Shaughnessy suggested a workshop time permitted be held on Monday, April 5, 2010 to discuss this further.

**Action Items:**

**10 – 036      Approval, Cumberland County Jail – Pod Floor Painting**

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

Mr. Tarbox reported, to continue the appearance and safety of the jail, this request is for the repair and painting of two pod floors. An RFP went out with the capability of accepting alternates to the specified paint. References and a meeting with product representatives were required in order to accept an alternate. Material and paint needed approval for a jail environment. The bidders were asked to review and accept paint and material. The paint needs to be easily applied and repairable around the pod environment. To keep the cost down, all prep work would be performed by in-house staff and inmate labor.

There were eight (8) companies that bid:

- Theodore Logan & Son                      \$ 1.25 per square foot
- Briggs & Son                                      \$ 3.50 per square foot
- Tito Masonry & Construction, LLC      \$ 3.95 per square foot
- Clark Painting, Inc.                          \$ 5.00 per square foot
- Hascall & Hall                                    \$ 5.42 per square foot
- Marston Industrial                            \$ 5.90 per square foot
- CCB, Inc.    \$11.40 per square foot
- Fletcher’s Sandblasting & Painting    \$11.48 per square foot

The money to pay for this project will come from Jail Account # 11-106-07-7410

He recommends Briggs & Son at \$3.50 per square foot. The low bidder, Theodore Logan & Son, provided a product that was not acceptable for our use within the pod. Therefore, the bid is recommended to the next bidder which had an approved product. The total cost of the project is \$35,700. This price represents 10,200 square feet @ \$3.50 square foot cost. A discussion followed.

**Commissioner Cloutier made a Motion to approve the request. Acting Chair Shaughnessy seconded the Motion. All Commissioners voted unanimously in favor 2-0.**

**10 – 037      Approval, Cumberland County Courthouse Granite Sign**

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

Mr. Tarbox reported in order to provide a visual locator for the Cumberland County Courthouse and Government Center, plus follow the requirements designed by the City of Portland Historical Committee, a walk through was conducted on February 3, 2010 at 5:00 PM to confirm placement, size and materials to be used. All were in agreement. These requirements are met with this proposal and generate the cost presented. The cost of the sign is \$9,115 by C.R. Gray, Stone Carver. The cost of the sign lighting is \$410 for materials and will be done in-house.

The cost of tree removal as recommended by the City of Portland for viewing of the sign is \$3,900. This is an allowance, to be competitively priced, if the project is approved. The total cost for the project is \$13,425.

Mr. Tarbox recommended to sole source C.R. Gray, Stone Carver for \$9,115. They have been part of this project from the beginning and have a lot invested to date. Also recommended is the approval of the balance to be set aside for the completion of this project. The funding will come from account # 11-105-7350, which is funded by the sale of land near the jail complex. A discussion followed.

**Commissioner Cloutier made a Motion to move passage of the item. Acting Chair Shaughnessy seconded the item. All Commissioners voted unanimously in favor 2-0.**

**10 – 038      Approval, Supreme Courtroom Restoration of Furniture**

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

Mr. Tarbox reported this request is in continuation of a bid that restored the Supreme Courtroom Bench. The courtroom is over 100 years in age and the goal has been to bring the finish back to its original beauty. The State has now secured financing to complete the remainder of this furniture, in order to continue with the same treatment of finish as described in the previous bid. The original process was extensive, consisting of interviews and much testing to come up with the treatment now being used. For this reason, the process to continue has to be sole sourced. The total cost of the project is \$38,000. The cost has been reviewed and felt to be fair and within budget. This project is funded 100 per cent by the State, using the county reimbursement procedures.

Mr. Tarbox is recommending Townsend Cabinetmakers in the amount of \$38,000. They were previously awarded the bid for the bench and have 25 years experience in this type of restoration. A discussion followed.

**Commissioner Cloutier made a Motion to move passage of the item. Acting Chair Shaughnessy seconded the item. All Commissioners voted unanimously in favor 2-0.**

**10 – 039      Approval, Between Cumberland County Commissioners and  
Cumberland County Communications Association Regarding the  
CCRCC**

Acting Chair Shaughnessy asked Wanda Pettersen, HR Director, to present the item. The County Manager concurs with the recommendation.

Ms. Pettersen reported the Cumberland County Communications Association's contract covering the term January 1, 2009 – December 31, 2009 is requested to be accepted. The changes to the contract were discussed at the Executive Session this evening. The contract included a 2% Cost of Living increase along with a number of housekeeping changes. Ms. Petersen is recommending the Commissioners move passage. A discussion followed.

**Commissioner Cloutier made a Motion to move passage of the item. Acting Chair Shaughnessy seconded the item. All Commissioners voted unanimously in favor 2-0.**

**10 – 040      Approval, Cumberland County Commissioners – US Marshall Rate Review**

**Acting Chair Shaughnessy asked Peter Crichton to present the item who concurs with the item.**

The County Manager reported the US Marshall's Service boards inmates at the Cumberland County Jail. We last negotiated a rate increase in 2003 to \$103.97 per day. New procedures have now been approved at the federal level whereby new rate agreements can be submitted reflecting both current and future projected jail operating expenses. All submissions are now created and submitted electronically and last for the next 36 months. The County Commissioners have approved the hiring of Greenburg & Taurig LLC to help the County negotiate a higher rate with the US Marshall's Service. The calculation process is underway.

The Corrections Working Group and the BOC are anxious to recognize a higher boarding rate, which would help to mitigate the challenging budget shortfall that lies before them for FY11. We are seeking a County Commissioner recommendation as to our "comfort zone" to suggest or recognize a new "rate range" before the negotiation process even begins.

Finance Director Mr. Labrecque noted that he, the County Manager, and Sheriff Dion spoke with Joe Summeril, our consultant, as to the wisdom of trying to suggest a rate range this early in the process. He does not favor increasing the estimated revenue and recommends that we continue with the some rate for budgetary purposes, until a new rate has been established. He has also indicated that these negotiations could take up to 4-5 months before we have a resolution on the rate.

It is recommended for approval that our Board of Commissioners make no changes in our rate to the CWG until such time that our negotiations have been completed and a new rate has been established. The County currently boards an average of 60 US Marshall Inmates per month at \$103.97, which yields \$2.2 million dollars per year to the BOC. An increase of approximately 40% in the current rate could yield another \$800,000 in additional revenue for FY11, but at this time there is no guarantee that we can achieve that final rate.

**Commissioner Cloutier made a Motion to move passage of the item. Acting Chair Shaughnessy seconded the Motion. All Commissioners voted unanimously in favor 2-0.**

**There being no further business Commissioner Cloutier made a Motion to adjourn the meeting at 6:30 PM. Seconded by Acting Chair Shaughnessy. All voted unanimously in favor 2-0.**

**ATTEST:**

**Barbara M. Buckley  
Deputy Clerk**

**The next regular Commissioners meeting will be held at 5:30 PM on Monday, April 12, 2010 in the Peter J. Feeney Conference Room, Cumberland County Courthouse Annex 1.**