

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, 2014

PLEDGE OF ALLEGIANCE

The Board of Cumberland County Commissioners, Chair James F. Cloutier, Susan E. Witonis, Mark D. Grover, Neil D. Jamieson, Jr., and Thomas S. Coward convened this meeting at the Cumberland County Courthouse. Also in attendance were: Alex Kimball, Finance Director, Wanda Pettersen, HR Director, Peter J. Crichton, County Manager, and Barbara Buckley, Deputy Clerk. Assistant County Manager Bill Whitten was not in attendance.

APPROVAL OF THE MINUTES

Chair Cloutier asked for a Motion to approve the Special Minutes of the February 12, 2014 meeting and the Regular Minutes from the meeting of February 12, 2014. Commissioner Grover so Moved and Commissioner Witonis seconded the Motion. The Commissioners voted unanimously in favor 5-0.

COMMENTS FROM THE PUBLIC

Hearing none, we moved onto the approval of the Consent Items.

CONSENT AGENDA APPROVALS

Commissioner Grover asked to hold off on Items 14-011 Forfeiture of U.S. Currency Seized In Drug Investigation and 14-012 CCSO – MOU of the County Jail.

The County Manager concurs with the Consent Items.

Chair Cloutier asked for a Motion to approve Consent Items: 14-010, Cumberland County Finance Office – Interest on Delinquent County Taxes for 2014; Item 14-013, Vehicle Bid for 2014 Ford Police Interceptor Sedan – Unmarked; 14-014 CCEMA Homeland Security Grant Program (HSGP) Award; 14-015 New Generator – Cumberland County Regional Communications Center and 14-016 Cumberland County Finance Office -2014 TAN Review. Commissioner Jamieson so moved and Commissioner Coward seconded the Motion. All Commissioners unanimously voted 5-0.

Chair Cloutier asked for comments from Commissioner Grover regarding Item 14-011 CCSO – Forfeiture of U.S. Currency Seized in Drug Investigation.

Commissioner Grover indicated he could not find stated in the documentation anywhere that the person had been convicted. Chair Cloutier indicated it is not required. Chair Cloutier indicated they could be acquitted and the seizure could still go through. The other attorneys on the Board agreed that is the law. Chair Cloutier asked Commissioner Grover about his concerns with 14-012, CCSO MOU of the County Jail. Commissioner Grover asked about the rate not covering our costs and he would therefore not support this item. The County Manager indicated the rate is out of our control, it is established by the Board of Corrections and there is nothing we can do about the rate and by passing this item, the County would get paid. Commissioner Coward suggested voting on the item tonight because the Department of Corrections is already in arrears at approximately \$100,000. At the next Commissioners meeting, the Sheriff would be invited to give the Commissioners more background information.

Chair Cloutier asked for a Motion. Commissioner Jamieson made a Motion to accept Item 14-012, CCSO MOU of the County Jail regarding the daily rate. Commissioner Witonis seconded the Motion. The Commissioners voted in favor, 4-1.

Chair Cloutier asked for a Motion on Item 14-011, CCSO Forfeiture of U.S. Currency Seized In Drug Investigation. Commissioner Jamieson made a Motion to accept Item 14-011. Commissioner Witonis seconded the Motion. The Commissioners unanimously voted in favor, 5-0.

COMMENTS FROM THE COUNTY MANAGER

Chair Cloutier asked the County Manager for his comments.

The County Manager reported on the following subjects: The first subject is in regards to federal, regional and state initiatives. Nadeen Daniels, HR Specialist, will address this subject. The second subject noted was his attendance at the NACo Legislative Conference last week in Washington, D.C. He had a chance to go to the hill with Bill Ferguson, whom the County is doing a pilot project for the County and the region in Washington, D.C. The Ferguson Group has been established for 30 years and does federal advocacy for cities and counties. Peter Baldacci from Penobscot County and Rosemary Kulow, Executive Director of the MCCA, joined Peter and visited with Senator King, Senator Collins, Rep. Michaud and they also met with a staff member from Rep. Pingree's Office. It was a very successful visit.

The County Manager asked Ms. Daniels for an update on our latest federal, regional and state initiative. Ms. Daniels indicated there are four grants. 1) Assistance to Firefighter Grant. This grant is for \$231,000. The Cumberland County Regional Communications Center (CCRCC) in partnership with Member Fire Departments applied for Assistance to the Firefighter Grant to improve emergency response rates and communications. The paging system and additional dispatcher computers and radios requested will improve CCRCC's interoperability and facilitate quicker response times. 2) The Second Chance Act Grant. This grant is for \$600,000 over two years. The Cumberland County Jail in partnership with a team of ten community social service organizations, have partnered to request the Second Chance Act Reentry Program for Adult Offenders with Co-Occurring Substance Abuse and Mental Health Disorders. The goal of the

grant is to provide a holistic continuum of care approach which will reduce recidivism among high-risk, repeat offender inmates with co-occurring disorders. Through intensive case management that begins at intake, the Jail and its partners will work to stabilize select inmates through medical and behavior treatment, as well as, provide social and vocational support to ensure a successful transition back into the community while at the same time reducing financial burdens on the Jail. 3) The TIGER Grant is in partnership with the Greater Portland Council of Governments to assist them in seeking TIGER funds to assist local community efforts in planning, preparing, designing and/or implementation of local transportation projects that provide more transportation choices, enhance economic competitiveness and promote livability principles. This grant has no budget figures at the present time. 4) There is a collaborative strategy to address countywide stormwater and water quality issues. The Army Corps of Engineers' (USACE) Planning Assistance for States Grant will be used to fund an effort to establish a coordinated strategy dealing with stormwater, including an outreach and education effort, designed to bring together communities with common problems to address permit obligations throughout Cumberland County. The County, in partnership with the Interlocal Stormwater Working Group, The Solid and Water Conservation District, the Casco Bay Estuary Partnership and federal agencies, including USACE, USDA and EPA, will host a day long educational/information session for participating communities in the fall to initiate the design of an overall strategy to deal with stormwater and water quality issues. Urban communities have already begun to respond to the federal stormwater regulations and smaller communities will be faced with meeting these regulations in the next five to ten years. The goal is to work collaboratively in order to achieve greater water benefits and efficiencies which will attract federal assistance in order to accomplish compliance with federal mandates. This grant has no budget figures at the present time.

Ms. Daniels indicated the Ferguson Group has been excellent to work with. Working on this project made her realize there are numerous grants out there that we could be tapping into with a good effort. Ms. Daniels will keep us updated. The County Manager thanked Ms. Daniels for her great job on this initiative and for her presentation.

The third subject the County Manager reported on involves the Jail Commission. He, Alex Kimball, Finance Director and Amy Fickett, Public Relations Assistant, attended the Criminal Justice Committee session today at the State House. He complimented Director Kimball and Ms. Fickett for the work they have been doing with David Flanagan, Chairman of the Blue Ribbon Task Commission. The County will continue to be involved and engaged with the legislation regarding this bill. Director Kimball commented that we are now getting down to the nitty-gritty of it which involves the money. There has been a lot of discussion about changes to the cap on property taxes and how to handle the boarding revenue methods.

COMMENTS FROM THE COMMISSIONERS:

Chair Cloutier asked for Comments from the Commissioners:

Commissioner Grover:

Commissioner Grover gave an update on the Cross Jurisdictional Sharing Project, which is a project that has been continued from last year and will end this year in December. It is a grant analyzing and then providing a proposal for how to provide public health services

throughout the county. It has gotten to the point where various organizational models are being discussed. Some of the ideas are as follows: 1) A County Public Health department; 2) A combination City of Portland/County Public Health department; and 3) A Regional organization, strictly for public health. It was discussed that these three suggestions would not be able to be funded. The fourth option, which will be explored over the next few months, is an incremental approach which is similar to what the County has done by incrementally providing services and having the municipalities sign up for these. This would either be the County offering public health services on a contractual basis with the municipalities or the City of Portland offering the same thing, or even the municipalities contracting with each other. This would presumably solve the funding problem because it would all be voluntary by the towns and those towns would benefit because they would select the services that they are most interested in. It was a healthy discussion with representatives from all over the County.

Commissioner Witonis:

Commissioner Witonis reported the Civic Center is now open with several big events scheduled. On March 14th and 15th the Monster Truck X Tour will take place, on March 19th the VIP Grand Opening Tour and on March 22nd will be Family & Friends' Day with lots of activities; March 23rd the Harlem Globetrotters; March 29th the Darias Rucker concert; and on April 19th the Stars on Ice show. She invited the public to attend the Civic Center for their events.

Commissioner Jamieson:

Commissioner Jamieson reiterated the comments of Commission Witonis regarding the Civic Center's grand new look and encourages everyone to attend the March 22nd Family Day or a coming event. Your resources were spent on renovating the Civic Center but we definitely got the biggest bang for the buck. Congratulations to all the basketball tournaments, especially the Portland boys and the Lake Region girls' championships. He feels it will be a showcase for the City of Portland and Cumberland County.

Commissioner Coward:

Commissioner Coward reported on his recent tour of caucuses where he spoke to the attendees about jail financing being a major part of our taxes and the County budget, the importance of the citizens support for the Civic Center and the efforts of the County with regard to regional services. The attendees had no idea the County was responsible for so many efforts.

Commissioner Cloutier:

Chair Cloutier noted the Commissioners will be planning the Board Retreat soon. Emails will be sent out to coordinate the available date and time.

INFORMATIONAL REPORT:

Update from Aaron Shapiro, Director of the CDBG Program

Chair Cloutier asked Director Shapiro to present his report.

Director Shapiro reported 2014 marks the eight year of the Community Development Block Grant program and the third year of our five-year consolidated Plan period. They will be holding public hearings on the selection of our new 2014 program year grantees. Program applications for 2014 have been reviewed by the Review Team with recommendations forwarded to the Municipal Oversight Committee. The MOC will be meeting March 13th and 27th to review and discuss grant applicants and their projects before providing their recommendations to the Commissioners. The CDBG allocation is still unknown for at least another week or two so at this point any information on grant awards is very much preliminary and speculative. Director Shapiro is estimating the allocation might be \$1,457,500. That's a 5% reduction from last year's allocation of \$1,534,022. The CDBG program does have a small amount of funds in the amount of \$38,100 available to re-program. A few communities turned back small amount of funds that were not used, the projects were successfully implemented but had modest cost savings. The following is an approximate distribution of funds and projects:

Cumberland County grants - \$765,000
South Portland set-aside – \$400,000
Bridgton set-aside – \$180,000
County Administration - \$142,000

The selection process is similar to the past 4 or 5 years.

- 1) Application process reviewed last summer by a small committee
- 2) Applications distributed in late October
- 3) Application workshop session mid-November
- 3) Pre-applications received just before Christmas
- 4) Final applications received January 31st
- 5) Presentation and Q & A session with applicants and the Review Team February 27th.
- 6) Applications scored and ranked by Review Team members.
- 7) Final deliberation, selections and recommendations made the Review Team March 4th.
- 8) Municipal Oversight Committee review & discussion – March 13th
- 9) Municipal Oversight Committee deliberation and recommendation vote – March 27th

The following recommendations of the Review Team for County activities (non-Bridgton, non- South Portland) are listed below. Please note these have not been presented to, discussed or reviewed by the Oversight Committee.

- 2 sidewalks: Steep Falls Village Standish; Upper Little Falls Village Gorham
- Engineering for recreation development on the Presumpscot River in downtown Westbrook

- Food Pantry Renovations, Falmouth (also serves Westbrook)
- Energy Audit & Weatherization program, Freeport

Housing Rehabilitation Program (primarily heating system replacements) – Opportunity Alliance

3 Social Services Programs

- Family Crisis Services – Cape Elizabeth
- Homelessness Prevention - OA
- Health Program for Immigrant Women in Westbrook

2 Planning Grants

- Study EMS in Harpswell
- Study potential of business incubator in Raymond

Director Shapiro noted, they are still early in the process.

Commissioner Grover asked if the funding for last year was cut by 5% also. Director Shapiro indicated last year the CDBG program went up from \$4.32 million to \$5.2 million. He is not sure why this happened but the CDBG program was the only program that went up. Commissioner Grover then asked who makes up the Oversight Committee. Director Shapiro indicated it is made up of one representative from each of the 25 participating towns, (not Portland or Brunswick) those representatives are town managers, town planners, typically economic development professionals and selectmen/former selectmen. Of the 25 participating towns, 20 actually send folks to represent their towns. The off shore islands do not typically participate. The Commissioners thanked Director Shapiro for his update and will see him at the next meeting on April 7th.

Chair Cloutier asked Alex Kimball, County Finance Director to present his report of the TAN Results and Year End Summary.

Director Kimball reported on two items: 1) Because we altered the manner in which we processed the Tax Anticipation Notes this year, the Commissioners gave authorization to the Finance Director to issue the TAN to the lowest bidder, eliminating the need for a mid-day meeting to authorize the results. Because the meeting to learn the results no longer exists, this report is simply to update the Commissioners on the outcome of the bids. The results of the bids this year were even lower than last year. The bids were received for the \$10,000,000 at noon on February 13th. We received the bids from 8 bidders, with Morgan Stanley & Co. winning at a rate of .168803%. This is even better than last year's rate of .192%. However, it always is worth remembering that the rates for borrowing such as this are only as low as the prevailing short term yield rates. If we return to an inflationary period, rates and the corresponding expenses related to this issuance will increase considerably. The proceeds were distributed on February 25th as scheduled. Director Kimball asked the Commissioners if they wanted to continue authorizing the opening of the bids as they did this year going forward. Commission Grover indicated the Commissioners voted previously on delegating the opening of the bids on a year-to-year basis and the Commissioners will vote and decide whether they want to delegate the process for another year. It was decided the Commissioners will decide on the process in December. Director Kimball thanked everyone for their assistance in this process.

2) Director Kimball presented an overview of expenses, revenues and the overall gain/loss. With regard to the expenses of the departments, some of the departments went over budget but the overall expenses came in under budget by \$50,000. A discussion followed. Commissioner Grover inquired if it is a policy question, but he was surprised that some of the departments are allowed to overspend their budget and not come before the Commissioners to get approval. The County Manager indicated under the Administrative Rules and Regulations and Budget Policy, the County Manager has the authority to give the department heads the ability to extend their budgets. We did finish the year well and the adjustments we made to the 2014 Budget will put us even in a better place. The Commissioners do receive a monthly report on how each department is doing financially.

Commissioner Witonis noted the two departments that went over their budgets were the Sheriff's department and the Communications department. The County Manager indicated they went over their budgets due to overtime which is hard to predict. Commissioner Witonis asked with the start of the new budget for the overtime expenses, do you start at the ending figure and use that figure as a starting point for the new budget. The County Manager indicated typically when we put the new budget together he sits down with the Director of Finance in May/June and they look at the numbers and what the actual expenses are as compared to how we finished the previous year. The adjustments we have made with the overtime hopefully will help mitigate that problem.

Director Kimball explained the revenue information which indicated a loss of \$71,203. The net/grain (loss) information indicates a loss of \$21,105 out of a \$30 million budget is as close to a breakeven budget for this size. The Commissioners thanked Director Kimball for his summary and great explanation. The County Manager also thanked Director Kimball for doing a great job. The power point sheets attached to these Minutes will give a thorough breakdown of the expenses, revenues and the net/grain (loss) numbers.

NEW BUSINESS/ACTIONS ITEMS

Chair Cloutier asked for any new business or action items. Hearing none we moved on.

OLD BUSINESS:

Chair Cloutier asked if there was any old business. Hearing none, we moved on.

AGENDA PLANNING:

Chair Cloutier asked for a date to set the Board Retreat session and a location. The County Manager and Chair will meet to discuss the possible dates and check the availability with the Commissioners.

Chair Cloutier asked for the meeting to adjourn so they could go into their Executive Session Pursuant to Title 1 MRSA Sec 405 (6) (A) to discuss the appointment of Trustees of the Cumberland County Civic Center.

Chair Cloutier asked for a Motion. Commissioner Grover made a Motion and Commissioner Witonis seconded the Motion to enter into Executive Session after the Commissioners meeting adjourns. All Commissioners voted unanimously in favor, 5-0. ADJOURN:

There being no further business Commissioner Witonis made a Motion to adjourn the meeting at 6:45 PM. Seconded by Commissioner Jamieson. All Commissioners voted unanimously in favor, 5-0.

ATTEST:



**Barbara M. Buckley
Deputy Clerk**

The next Commissioners meeting will be on Monday, April 7, 2014 in the Peter J. Feeney Conference Room.