

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

COMMISSIONERS' MEETING

MINUTES

June 9, 2014

PLEDGE OF ALLEGIANCE

The Board of Cumberland County Commissioners, Chair James F. Cloutier, Thomas S. Coward, Susan E. Witonis, Mark D. Grover and Neil D. Jamieson, Jr. convened this meeting in the Peter J. Feeney Conference Room at the Cumberland County Courthouse. Also in attendance were:, Alex Kimball, Finance Director, Wanda Pettersen, HR Director, Peter J. Crichton, County Manager, Bill Whitten, Assistant County Manager and Brian Dudley, Trustee from the Cumberland County Civic Center.

APPROVAL OF THE MINUTES

Chair Cloutier asked for a Motion to approve the Special Minutes of the May 12, 2014 and the Regular Minutes of May 12, 2014 noting the following typographical error. "Commissioner Grover made a Motion to approve Item 14-040 the FY15 Jail Draft Budget. Chair Cloutier seconded the Motion. The word "He" should be replaced with "Commissioner Grover" would like to reserve the option to speak against the item. So, granted." Commissioner Witonis made a Motion and Commissioner Jamieson seconded the Motion. All Commissioners voted in favor 5-0.

COMMENTS FROM THE PUBLIC

Hearing none, we moved on.

INFORMATIONAL

There were no informational presentations. We moved onto the Consent Items.

CONSENT AGENDA APPROVALS

Chair Cloutier asked for a Motion to approve the Consent Agenda Items. The County Manager concurs with the Consent Agenda Items.

Commissioner Jamieson made a Motion to approve Consent Agenda Items: 14-041, CCSO, Town of Chebeague Island Summer Contracts (2014); 14-042 CCRCC Board of Directors Appointments and 14-043 CCCH HVAC Compressor Replacement. Commissioner Witonis seconded the Motion.

Chair Cloutier asked for comments. Hearing none all the Commissioner voted unanimously in favor, 5-0.

COMMENTS FROM THE COUNTY MANAGER

Chair Cloutier asked the County Manager for his comments.

The County Manager yielded his time to the Assistant County Manager Bill Whitten for an update on several initiatives he is involved with.

Mr. Whitten reported on two topics. 1) The work Nadeen Daniels is doing on grants and special projects. One of the grants is the Tiger Grant which is a \$200,000 Planning Grant for a feasibility study of the restoration of the Mountain Division Rail Line. We are working with Bill Ferguson of the Ferguson Group on this grant. It is coming down to the final few weeks of decision making through the Federal Department of Transportation. We have sent out letters requesting support from businesses in Vermont and New Hampshire and along the Mountain Division Rail. A conference call was made today to Senator Justin Alford to see if he would make a call to Senator Collins and Senator King informing them of the importance and value to the County for this grant. Later this afternoon Senator Alford sent an email to Mr. Whitten indicated he had set up appointments with both senators. It is one of two planning grants; the other is for the passenger rail line from Portland to Auburn which is for over \$1,000,000. 2) Ms. Daniels is also working with the Cumberland County Clean Water Council. Their first meeting was held with 12 invitees representing EMA, Soil & Water Conservation, Cumberland County Soil & Water Conservation Group, state representatives from EPA, US Army Corp of Engineers, ME Bureau of Land & Water Quality, and USDA, and Region One (Boston) federal representatives from FEMA and EPA. Subcommittees were formed and have started to conceptualize a plan for a county-wide educational effort. These invitees agreed to become a member of the CCCWC. The Spirit of Blue Foundation Grant submitted a \$20,000 equipment grant for the Cumberland County Jail. The grant would purchase five individual "Move Team" uniforms and equipment, which would be used during the "move" of violent and/or non-cooperative inmates. Ms. Daniels also is involved with the LEPP Grant (Local Found Promotion Grant) which is a group of 14 farmers who either participate in or conduct a farmers market in the county to make them aware of this grant availability and offered to assist with grant submission. Ms. Daniels has done a great job getting numerous people involved in various opportunities. 2) Amy Fickett, PR Assistant, has been strengthening media contacts and relationships with the major publishing companies, the weekly and daily newspapers, and the radio/ television stations. We are working on the redesign of the County brochure; she has also scheduled speaking engagements for the County Manager with the Rotary and Kiwanis. Facebook, Twitter and the website is continuing to improve.

COMMENTS FROM THE COMMISSIONERS:

Chair Cloutier asked for Comments from the Commissioners:

Commissioner Grover:

Commissioner Grover reported on the following: 1) At a previous Commissioners meeting, he mentioned that the Threshold to Maine RC&D Coalition was seeking to join with the other RC&D's nationwide to fund a website to do sponsored projects and then get some fees as income to sustain that group. That turned out to be not realistic. A few of the regional RC&D's may participate in a smaller effort and Commissioner Grover will let us know what their decision will be. 2) With respect to public health, it was decided at the Strategic Planning meeting held recently that Commissioner Grover would attend the next executive meeting with the public health group and come up with some recommendations for the Board of Commissioners. He will report back to the Board. 3) Commissioner Grover appreciates and values the Strategic Planning session which the Commissioners held recently. This was not televised but looks forward to the public written report as was prepared last year.

Commissioner Coward:

Commissioner Coward had no comments.

Commissioner Witonis:

Commissioner Witonis asked Brian Dudley, Trustee of the Cumberland County Civic Center for an update on the Civic Center graduations. She reported she attended the VIP graduation recently held in Standish for six new volunteers who assist the Cumberland County Sheriff's Office. She asked Sheriff Joyce for an explanation of what the VIP's assist with. The Sheriff indicated the VIP's help out the Sheriff Office with anything that is non-law enforcement but provides a service to Cumberland County, such as parking, 5K runs, provides senior neighborhood awareness and they help out with charity events. They do about 4,000 hours a year of volunteer time. They are very much appreciated.

Brian Dudley, Trustee of the Cumberland County Civic Center, reported on the following. 1) He indicated May and June is the time for graduations and they were very busy and successful. 2) There will be the professional wrestling event (WWE) on Saturday, June 28th followed by a concert in July and a Disney Live event in August. September is when the Civic Center starts off their new season with Circus Solei. 3) The Civic Center is going through a review of their whole management at the Civic Center with the retirement of Steve Crane who has been the General Manager of 30 years. They are deciding whether to go with a private or public management firm to handle the process. The marketing efforts are going very well and he will keep us updated.

Commissioner Jamieson:

Commissioner Jamieson reported he attended the Scarborough High School graduation and the event went off very smoothly with a very professional staff. He also wanted to wish all the graduates a wonderful future, be safe, have a great summer and good luck with all your future endeavors.

Commissioner Cloutier:

Chair Cloutier thanked the Commissioners for attending and providing ideas at the Strategic Planning session. He feels it is what a Strategic Planning session needs to be to look past at what will happen in the next 90 days and develop directional thinking for the next couple of years. He feels it was a very productive session.

OLD BUSINESS

Chair Cloutier asked if there was any Old Business.

NEW BUSINESS

ACTION ITEMS

Chair Cloutier asked for the Action Items 14-044 Approval, Transfer of Jail Fund Balance and 14-045 Approval, CCSO 2nd Amended 2014-15 BOC Jail Budget be presented by Alex Kimball, County Finance Director. The County Manager concurs with the recommendation.

Finance Director Kimball reported when the Board of Corrections was formed in 2009, all county jails were required to separate their jail fund balances from other county operations, and to establish a July-June fiscal year for the jails. Fund Balances from county and jail operations were then kept separate, with no fund balance transfers allowed in either direction.

A separate audit for the jails was also to be performed. In the case of Cumberland County and most other counties, this has been done by RHR Smith. However, RHR Smith held off on completing their 2012-13 audits for all of their counties this winter, given the possibility that the Board of Corrections would cease to exist and their audits would no longer be needed.

Following the successful override of the governor's veto, RHR Smith released draft audits for a number of counties, including Cumberland. Our audit shows an increase in jail General Fund balance of \$300,553, offset by a CIP fund decrease of \$55,519, for an overall increase in Fund Balance of \$245,034. As a result, the jail General Fund had a balance of \$950,277 and the CIP fund \$332,739 as June 30, 2013. The county also received a \$428,000 reimbursement from Corizon in early 2014, which will further add to fund balance for FY 13-14.

Since July 1, 2013, the county has embarked on or authorized a number of CIP Projects, such as:

- \$339,414 spent for new cameras and door controls
- \$122,022 spent to replace the dishwasher
- \$280,000 authorized to repair the masonry and roof
- \$200,000 authorized for electronic medical records
- \$140,000 authorized for a new transport bus

All these projects will draw from the CIP fund, which will thus need a fund transfer to stay positive. The Finance Director is recommending to transfer the \$600,000 from the Jail General Fund Balance to the CIP fund, to cover completed and authorized capital projects. He noted we

have healthy fund balances in both our CIP and General Funds. Everything that is jail has to stay jail funds. This is a fund balance transfer, and thus has no cash impact.

Chair Cloutier asked for comments. Hearing none, he asked for a vote to approve Item 14-044.

Commissioner Witonis so moved to approve Item 14-044 Transfer of Jail Fund Balance and it was seconded by Commissioner Jamieson.

Chair Cloutier asked for any discussion. Commissioner Grover asked does the Board of Corrections get involved with transfers at all. Finance Director Kimball indicated they do not get involved within the jail funds.

All Commissioners voted unanimously in favor, 5-0.

Chair Cloutier asked the Finance Director to present Item 14-045 CCSO 2nd Amended 2014-15 BOC Jail Budget. The County Manager concurs with the recommendation.

The Finance Director reported as we move into summer, it is becoming increasingly apparent that the new version of the Board of Corrections will be more efficient and effective than the old one. A smaller Board and a more empowered Executive Director are having the expected impact. The BOC will wield more authority, and will use that authority both to question the county FY 15 budgets, and also to advocate better for passage of successful FY 16 and 17 budgets in the fall.

As a result, it now seems most prudent to adopt a budget for FY 14-15 that utilizes a few one-time circumstances to get by requesting the same Investment Fund amounts as prior years. As a result, the FY 15 budget will not be sustainable, but it will enable Cumberland County to turn its focus to creating successful budgets for FY 16 and 17, both of which are due in the fall.

This budget closes the funding gap in the following ways:

- The county is expecting a large reimbursement from our medical provider in the fall of 2014. This will be used to reduce Contract Special Services by \$200,000.
- Because the jail does have a suitable fund balance at present, reducing the Fixtures line in the Capital Outlay section by \$50,000 will not cause any issues this year.
- Federal Boarding Revenues will go from the \$2.47 million budgeted back in 2012-13 to \$2.85 million. This is no longer a conservative estimate, but because the new legislation discourages conservative estimates, a more middle of the road amount makes more sense.
- For one year, the jail will utilize its existing Fund Balance to close the gap. This will eliminate the remaining difference of \$217,000 between the FY 13 and FY 15 need from the BOC.

Finance Director recommends that while this is not a sustainable budget, it does enable the jail to continue to run effectively through 2014-15. In addition, it enables Cumberland County to focus on the biennial budget deadlines, instead of fighting over an additional funding request that would be needed for the current year. For these reasons, I recommend passage of this budget.

This budget will reduce the Jail fund balance by \$217,000 at a minimum, and quite likely more. As such this is not a budget that will be able to be repeated. It is a necessary move for the current year and we have enough money in the existing Capital Improve Fund for the Jail. Commissioner Grover wanted to confirm that we have enough money for this just one time. Director Kimball indicated yes just for this one time. Commissioner Grover also asked would we normally attach a cover letter explaining the circumstances of this being a one-time budget to the BOC. The Manager indicated due to the presence of Director Kimball at the meetings and the new legislation, the BOC recognizes and understands and that we will be coming back to the BOC with an FY 16-17 Budget that is realistic for us. A discussion followed. The Sheriff supports this effort.

Please see the attached projected funds for the County Jail FY 14-15 Budget.

Chair Cloutier asked for a vote.

Commissioner Jamieson made a Motion to approve the second amended budget as drafted by Director Kimball. Commissioner Witonis seconded the Motion to approve Item 14-045 CCSO 2nd Amended 2014-15 BOC Jail Budget. All Commissioners voted unanimously in favor, 5-0.

Chair Cloutier asked for Action Item 14-046 Corizon Contract prepared by Alex Kimball. The County Manager concurs with the recommendation.

The Finance Director's staff report indicated our current medical provider has served the Cumberland County Jail since 2007. They are seeking to renew and extend their original 2011-12 contract for FY 2014-15. The existing contract cost of \$2,822,517 is a slight decrease of \$6,406 from the prior year, so there are no monetary issues. The Finance Director is recommending to authorize the Fifth Amendment and Extension to the Cumberland County Health Services Agreement.

Chair Cloutier asked for a vote to approve Item 14-046, the Corizon Contract. Commissioner Coward moved to approve Item 14-046, the Corizon Contract. Commissioner Grover seconded the Motion. All the Commissioners approved unanimously in favor 5-0.

Chair Cloutier asked for Action Item 14-047, GPCOG Executive Committee Appointment and asked the County Manager for his comments.

The Manager indicated this is positive news. At the GPCOG's Annual meeting on June 18th the leadership of GPCOG is recommending to the membership that a Bylaws Amendment be approved that would make the County of Cumberland a voting member of the Greater Portland Council of Governments and a member of GPCOG's new executive committee. In anticipation of that change, the manager would like to recommend that one of the Commissioners be selected as the representative to GPCOG's new executive committee, with the County Manager as the alternate. A discussion followed.

Chair Cloutier asked for a vote.

Commissioner Coward moved to approve and appoint Commissioner Witonis be the representation and the Manager, Peter Crichton as the alternative to sit on the board of GPCOG. Commissioner Jamieson seconded the Motion. All Commissioners approved unanimously in favor, 5-0.

AGENDA PLANNING

- The next Commissioners meeting will be July 14, 2014 at the Cumberland County Courthouse in the Peter J. Feeney Conference Room at 5:30 PM.
- The UMaine Cooperative Extension meeting will be on July 16th at 6:00 PM.

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.

Chair Cloutier asked for a Motion to go into Executive Session.

EXECUTIVE SESSION

Chair Cloutier asked for a Motion for the Commissioners to go into Executive Session pursuant to Title 1 MRSA 405 (6) (D) to Discuss Collective Bargaining Agreements Between Cumberland County Commissioners and Cumberland County Jail Bargaining Units. Commissioner Grover so Moved and Commissioner Coward seconded the Motion. All Commissioners voted unanimously in favor, 5-0.

ATTEST:


Barbara M. Buckley
Deputy Clerk

The next Commissioners meeting will be on Monday, July 14, 2014 at the Cumberland County Courthouse in the Peter Feeney Conference Room.

Cumberland County Jail FY 14-15 Budget

		2012/13 Budget	2013/14 Projected	2014/15 Budget	\$ Difference	% Difference
	EXPENSES					
	PERSONNEL SERVICES					
5120	Wages & Salaries (FT)	\$8,092,712	\$7,629,154	\$8,222,603	\$129,891	2%
5401	Overtime	\$774,225	\$1,636,708	\$1,217,366	\$443,141	57%
5510	Health Insurance	\$1,713,920	\$1,777,791	\$1,892,263	\$178,343	10%
5520	Retirement	\$374,400	\$436,979	\$568,402	\$194,002	52%
5530	Social Security	\$678,321	\$688,439	\$720,781	\$42,460	6%
5540	Workers Compensation	\$280,000	\$240,000	\$240,000	-\$40,000	-14%
5560	Deferred Comp	\$55,000	\$45,931	\$47,000	-\$8,000	-15%
	TOTAL PERSONNEL:	\$11,968,578	\$12,455,002	\$12,908,415	\$939,837	8%
	OPERATIONS & MAINT.					
6130	Transportation & Lodging	\$8,000	\$5,422	\$8,000	\$0	0%
6131	Gas, Oil, & Grease	\$40,000	\$32,477	\$37,000	-\$3,000	-8%
6132	Vehicle Repair	\$10,000	\$28,280	\$25,000	\$15,000	150%
6231	Base Radio Repair	\$4,000	\$3,717	\$4,000	\$0	0%
6300	Audit Services	\$6,000	\$0	\$5,400	-\$600	-10%
6301	Professional Services	\$15,000	\$60,453	\$12,000	-\$3,000	-20%
6303	Contract Special Services	\$2,843,945	\$2,890,445	\$2,650,000	-\$193,945	-7%
6304	Security Services	\$2,400	\$815	\$750	-\$1,650	-69%
6400	Insurance - Building & Contents	\$85,000	\$87,550	\$91,052	\$6,052	7%
6401	Insurance - Liability	\$133,000	\$170,000	\$176,800	\$43,800	33%
6402	Insurance- Vehicle	\$16,000	\$16,500	\$17,160	\$1,160	7%
6500	Office Supplies	\$25,000	\$23,886	\$30,000	\$5,000	20%
6501	Training Supplies	\$7,000	\$6,334	\$7,000	\$0	0%
6502	Cleaning & Disinfecting Supplies	\$0	\$1,464	\$2,074	\$2,074	
6504	Maintenance Supplies	\$18,045	\$14,987	\$16,000	-\$2,045	-11%
6505	Printing & Engraving	\$350	\$787	\$500	\$150	43%
6506	Postal Exense	\$1,800	\$1,096	\$1,800	\$0	0%
6507	Advertising	\$7,500	\$4,884	\$5,000	-\$2,500	-33%
6508	Dues	\$1,100	\$661	\$1,550	\$450	41%
6509	Books, Periodicals, & Subscript.	\$500	\$79	\$250	-\$250	-50%
6510	Tools and Implements	\$700	\$124	\$750	\$50	7%
6511	Equipment Rental	\$17,000	\$9,072	\$13,000	-\$4,000	-24%
6512	Training, Education, & Seminars	\$220,000	\$36,771	\$220,000	\$0	0%
6514	Maintenance Contracts	\$46,500	\$48,182	\$45,000	-\$1,500	-3%
6600	Cleaning & Sanitary	\$49,000	\$77,145	\$49,000	\$0	0%
6601	Snow removal & Grounds	\$6,000	\$7,524	\$6,000	\$0	0%
6602	Lots & Grounds maintenance	\$0	\$5,027	\$0	\$0	
6603	Building & Structure Repair	\$13,400	\$8,841	\$13,000	-\$400	-3%
6604	Heating & Cooling (HVAC) Repair	\$27,000	\$35,082	\$30,000	\$3,000	11%
6605	Electrical Repair	\$22,000	\$20,232	\$20,000	-\$2,000	-9%
6606	Painting Repair	\$3,500	\$4,261	\$3,500	\$0	0%
6607	Plumbing Repair	\$7,000	\$7,285	\$7,000	\$0	0%
6609	Equipment Repair	\$22,000	\$23,886	\$22,000	\$0	0%
6800	Telephone & Communication	\$13,000	\$8,035	\$12,000	-\$1,000	-8%
6801	Electricity Utility	\$370,000	\$212,124	\$275,000	-\$95,000	-26%
6802	Gas Utility	\$150,000	\$230,240	\$200,000	\$50,000	33%
6803	Water Utility	\$18,750	\$17,716	\$19,785	\$1,035	6%
6804	Sewer Utility	\$140,000	\$130,637	\$140,000	\$0	0%
6805	Rubbish Removal	\$28,750	\$16,584	\$18,500	-\$10,250	-36%
6806	Fuel Oil	\$3,000	\$3,301	\$4,676	\$1,676	56%
6901	Medical, Surgical, Dental	\$3,000	\$5,717	\$0	-\$3,000	-100%
6900/02	Alternative Sentencing	\$4,000	\$3,199	\$2,975	-\$1,025	-26%
6903	Food & Groceries	\$600,000	\$600,000	\$615,000	\$15,000	3%
6904	Institutional Supplies	\$43,000	\$37,333	\$50,000	\$7,000	16%

		2012/13 Budget	2013/14 Projected	2014/15 Budget	\$ Difference	% Difference
6906	Paper Goods	\$0	\$0	\$650	\$650	
6907	Clothing- Prisoners	\$55,000	\$45,000	\$50,000	-\$5,000	-9%
6908	Clothing- Uniforms	\$50,000	\$65,000	\$65,000	\$15,000	30%
6912	Booking Supplies	\$13,500	\$8,481	\$10,000	-\$3,500	-26%
6914	Non Food Items - Kitchen	\$34,000	\$38,653	\$36,000	\$2,000	6%
9220	TAN Interest	\$25,000	\$0	\$9,830	-\$15,170	-61%
6950	DOC 20% funds Pre Trial	\$199,452	\$293,833	\$190,000	-\$9,452	-5%
	TOTAL O&M	\$5,409,192	\$5,349,122	\$5,220,002	-\$189,190	-3%
	CAPITAL OUTLAY					
7305	Camera	\$3,578	\$3,416	\$4,000	\$422	12%
7325	Furniture & Fixtures	\$10,850	\$10,850	\$10,850	\$0	0%
7345	Vehicles	\$35,000	\$35,000	\$35,000	\$0	0%
7350	Office Equipment	\$2,500	\$3,000	\$3,000	\$500	20%
7355	Computer hardware	\$15,000	\$20,000	\$20,000	\$5,000	33%
7360	Safety Equipment	\$16,900	\$23,158	\$17,000	\$100	1%
7410	Fixtures/CIP	\$100,000	\$95,000	\$50,000	-\$50,000	-50%
	TOTAL CAPITAL OUTLAY	\$183,828	\$190,424	\$139,850	-\$43,978	-24%
	Total Expenses	\$17,561,598	\$17,994,548	\$18,268,267	\$706,669	4%
	NON TAX Revenues	2012/13 Budget	2013/14 Projected	2014/15 Budget	\$ Difference	% Difference
4100	Jail Misc revenue		\$1,541	\$2,400	\$2,400	
4600	Jail Term Reimbursements	\$30,000	\$61,673	\$75,000	\$45,000	150%
	BOP DOC INMATES	\$200,000	\$190,836	\$200,000	\$0	0%
40	BOP US Marshall Service-	\$2,476,538	\$2,940,130	\$2,850,000	\$373,462	15%
2.11	BOP INS Service-20		\$58,933	\$100,000	\$100,000	
	BOP Work Release	\$65,000	\$22,635	\$33,808	-\$31,192	-48%
	Use of Fund Balance			\$217,000	\$217,000	
	NON TAX Revenues	\$2,771,538	\$3,275,748	\$3,478,208	\$706,670	25%
	State Funding & CAP	2012/13 Budget	2013/14 Projected	2014/15 Budget	\$ Difference	% Difference
11001	Tax Cap County Taxes	\$11,575,602	\$11,575,602	\$11,575,602	\$0	0%
11001	BOC Tax payments	\$2,220,663	\$2,149,404	\$2,220,663	\$0	0%
10607	DOC 20% Funds	\$198,759	\$198,759	\$198,759	\$0	0%
10607	Dept of Correction Reimb	\$795,035	\$795,035	\$795,035	\$0	0%
	State Funding & CAP	\$14,790,059	\$14,718,800	\$14,790,059	\$0	0%
	Overall Budget	2012/13 Budget	2013/14 Projected	2014/15 Budget	\$ Difference	% Difference
	NON TAX REVENUES	\$2,771,538	\$3,275,748	\$3,478,208	\$706,670	25%
	STATE & CAP FUNDING	\$14,790,059	\$14,718,800	\$14,790,059	\$0	0%
	TOTAL REVENUES	\$17,561,598	\$17,994,548	\$18,268,267	\$706,669	4%
	EXPENSES	-\$17,561,598	-\$17,994,548	-\$18,268,267	-\$706,669	4%
	CASH FLOW NEEDS	\$0	\$0	\$0		
	<i>Property Taxes pro-rated on a monthly basis at \$964,634 (\$11,575,602)</i>					
	<i>Non Tax revenues are from boarding and work release in the Jail</i>					
	<i>State Funding is from the Investment Fund and CAP funding is from property taxes</i>					
	<i>Expenses are Jail expenses actually incurred on a monthly basis</i>					