Cumberland County

Board of Commissioners

Meeting Minutes - Final

27 Northport Dr
Portland, ME 04103

The Board meets on the third Monday of each month at 5:30pm in the Sebago Lake Room unless otherwise noted.

Tuesday, January 20, 2026 **5:00 PM** **Sebago Meeting Room**
27 Northport Dr
Portland, ME 04103

*** Special Meeting - The public is welcome to attend. General public comment will not take place unless the County Commissioners, through a majority vote, authorize the Chair to hold a general public comment period.**

Meeting will be streamed online: www.cumberlandcounty.org/live

CALL TO ORDER

The Board of Commissioners met for their regularly scheduled meeting at 27 Northport Drive, Portland, in the Sebago Lake Conference Room, the meeting was called to Order by Chair Patti Smith at 5:00 p.m.

ATTENDANCE

Present: 5 - Chair Patricia Smith, Commissioner Jean-Marie Caterina, Vice Chair Tom Tyler, Commissioner Stephen Gorden, and Commissioner James Cloutier

County Staff:
James Gailey, County Manager
Breana Gersen, Deputy County Manager
Theresa Grover, Director of Finance
Amy Jennings, Director of Human Resources
Donald Goulet, Labor Relations Specialist

PLEDGE OF ALLEGIANCE

NEW BUSINESS

26-007 Authorization of the 2026 General Obligation Bond in the amount of $3,974,000.00.

County Manager Gailey explained that the change to the bond schedule was due to the addition of another project within the bond schedule. Once the amendment is approved, the $3.9 million bond that was approved last year will go out to sale in March of 2026. He requested that the motion also remove Section 16 of the bond order. He introduced bond adviser Dick Ranagan who was available for questions.

Dick Ranagan introduced himself as the bond council of the county and responsible for putting together it's bond issues.

Chair Smith asked about the bond rating of 3.5%, are there any market fluctuations between now in March? Dick Ranagan stated that he receives that question every time he appears before a town council or a county commission. He stated that he does not know and that anything could happen. He added that the market is relatively steady and if it gets to a point where things go absolutely crazy, the county could always pull back and wait for smoother waters.

A motion was made by Commissioner Cloutier, seconded by Vice Chair Tyler, that the Order be APPROVED AS AMENDED. The motion carried by the following vote:

Yes: 5 - Chair Smith, Commissioner Caterina, Vice Chair Tyler, Commissioner Gorden, and Commissioner Cloutier

No: 0

26-008 Adoption of Successor Collective Bargaining Agreement with the National Corrections Employees Union (NCEU).

HR Director Amy Jennings gave some background on negotiations with NECU which had started in September of 2024. In February, the union filed for mediation resulting in a tentative agreement that was presented to the board in October of 2025, and the Union rejected the agreement. The agreement was eventually accepted in the beginning of this month in January. Following the commissioner's guidance, there is a two-year agreement starting in July 2025. She highlighted the financial goals of the agreement which included a 5% increase that will go retro and a 4% increase in 2026. Additional steps were front-loaded in the wage table and the current retirement plan was moved from 2C to 3C. Memorandums of agreement were also placed in the labor agreement as well as some language changes and a number of labor management discussions will begin when the contract is ratified.

A motion was made by Commissioner Cloutier, seconded by Commissioner Caterina, that the Order be APPROVED. The motion carried by the following vote:

Yes: 5 - Chair Smith, Commissioner Caterina, Vice Chair Tyler, Commissioner Gorden, and Commissioner Cloutier

No: 0

26-009 Acceptance of the FY25 Emergency Management Performance Grant award.

County Manager Gailey introduced the 2026 EMPG grant that the county receives through Maine Emergency Management Agency (MEMA). The Federal Emergency Management Agency (FEMA) funds pass through MEMA to support operations within the County Emergency Management Agency (EMA) Department. Typically the award is presented in October but was delayed and received just recently.

County Manager Gailey explained that some terms of the contract are not favorable to the county regarding immigration language and prohibition of DEI policies and efforts. The County was not willing to sign on to those terms and conditions and neither were other municipalities. Subsequently, there were lawsuits filed across the United States, specifically, one in Illinois and one in

Rhode Island protesting the terms and conditions. A recent court ruling from the Rhode Island case determined that the language proposed in the terms and conditions was unconstitutional and should be struck and removed from the terms and conditions.

The current language has not been modified but there is a provision, Article 63. MEMA is the subrecipient of the FEMA grant and has signed off on their contract. Article 63 within their contract makes reference to the Illinois court case and the Rhode Island case. FEMA, who writes the terms and conditions on the contract, did not modify the original language. However, the attorney has advised that the county should feel comfortable signing the contract with the Rhode Island court case as it stands. The Federal Government has appealed the Rhode Island and the Illinois cases and the result is currently unknown.

County Manager Gailey asked the commissioners to execute the contract and he will be sending a letter accompanying the contract that if any change to the legal outcomes of the Rhode Island case take hold, the County reserves the right to revisit the contract and remove the county from the contract.

Chair Smith opened public comment for the item.

Al Cleveland from Portland spoke.

Chair Smith closed the public comment period for the item.

Commissioner Cloutier asked if the Illinois and Rhode Island cases in federal court? County Manager Gailey confirmed that they were. Commissioner Cloutier asked what the effective time frame of this contract was, County Manager Gailey explained that it was October to September and could potentially affect next year's budget.

Commissioner Gorden stated that his concern is what gets spent or consumed during the project, is there any provision to stop a clawback? County Manager Gailey explained that the money is drawn down and not received all at once.

Commissioner Tyler asked if the County receives the money and spends it, does it need to be replaced or is it already spent? County Manager Gailey guessed that it would be considered money spent and they would forego the balance amount left in the grant.

Chair Smith asked for clarification, the language in the letter to FEMA states that the county will remove themselves from the contract, County Manager Gailey explained that the letter would need to be authorized by the board before being sent.

Chair Smith asked EMA Director Durkin if there was any way the spending could be spent down quickly, EMA Director Durkin stated that there is little wiggle room in that area because the funding is a flat just over 40% of the entire budget and 80% of the budget is staffing. He clarified that monthly spending was fairly consistent and mostly on staffing.

A motion was made by Commissioner Cloutier, seconded by Commissioner Caterina, that the Order be APPROVED. The motion carried by the following vote:

Yes:	4 -	Commissioner Caterina, Vice Chair Tyler, Commissioner Gorden, and Commissioner Cloutier
No:	1 -	Chair Smith

ADJOURNMENT

A motion was made by Stephen Gorden, seconded by Jean-Marie Caterina, to ADJOURN the meeting. The motion carried by a unanimous vote.

The Board of Commissioners Workshop will immediately follow the meeting.