



Cumberland County

Board of Commissioners

Meeting Minutes - Action Results

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

Tuesday, February 18, 2025

5:30 PM

Feeney Conference Room, County
Courthouse, 205 Newbury St,
Portland ME 04101

CALL TO ORDER

The Board of Commissioners met for their regularly scheduled meeting at the Cumberland County Courthouse in the Peter Feeney Conference Room, the meeting was called to Order by Chair Stephen Gorden at 5:33pm.

ATTENDANCE

County Staff:

James Gailey, County Manager
Alex Kimball, Deputy County Manager
Katharine Cahoon, Admin and Special Projects
Theresa Grover, Director of Finance
Amy Jennings, Director of Human Resources
Don Goulet, Labor Relations Specialist, Human Resources

Present: 4 - Chair Stephen Gorden, Vice Chair Patricia Smith, Commissioner James Cloutier, and Commissioner Jean-Marie Caterina

Excused: 1 - Commissioner Tom Tyler

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

[CD 25-002](#) Approval of the minutes, February 3, 2025, meeting of the Board of Commissioners

A motion was made by Commissioner Cloutier, seconded by Commissioner Caterina, that this Minutes Report be APPROVED. The motion carried by a unanimous vote.

[CD 25-003](#) Approval of the minutes, January 6, 2025, meeting of the Board of Commissioners

Commissioner Cloutier requested that the Minutes of January 6, 2025 be amended so that the original text, "Commissioner Cloutier commented that he had seen the City of Portland Chief of Police participate in mass arrests in Portland." be changed to, "Commissioner Cloutier commented that he had seen the City of Portland Chief of Police prohibit Portland Police participation in mass arrests conducted by ICE in Portland."

The amendment request has been attached to these minutes.

Commissioner Cloutier stated that the Police Chief Mike Chitwood was against the idea of local law enforcement administering Federal Immigration law practices. Commissioner Cloutier commented that he recalled what Mike Chitwood had said because he observed the current Sheriff delivered a similar message at the previous meeting.

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

Yes: 4 - Chair Gorden, Vice Chair Smith, Commissioner Cloutier, and Commissioner Caterina

No: 0

Excused: 1 - Commissioner Tyler

INFORMATIONAL REPORT/PRESENTATIONS

[CD 25-004](#) Information Presentation - Facilities Department

Director of Facilities Bill Trufant presented a power point overview of the Facilities Department. Facilities Director Trufant explained that the goal of the Facilities Department is to create a safe and positive experience for visitors, provide a suitable workplace for County and State Courthouse employees, maintain existing buildings and infrastructure, and maintain county fleet vehicles for Sheriff's Office and other staff employees. Director Trufant gave an overview of Facilities Department staff and services which include the Facilities Division, Electrical Division, and Fleet Services. Director Trufant explained each Division's allocation of staff and resources to County locations such as the County and State Courthouse, Newbury Street Parking Garage, Sheriff Department, County Jail, Windham Emergency Management Agency, 27 Northport Admin Building, and the Cross Insurance Arena.

Commissioner Smith commented that one full time staff member overseeing 150 vehicles for the Sheriff's Department is a lot of oversight for just one person. Director Trufant agreed and explained that there is currently a vacancy for another fleet technician position. He explained that the vehicles are rotated and are not worked on all at once. Commissioner Smith replied that she was glad to hear that the vehicles are being maintained and prolonged since so much county money is invested in them. Commissioner Smith asked Facilities Director Trufant if he uses software to track assets, he explained that they are using spreadsheets for tracking purposes but they are limited. He added that the asset software they're hoping to purchase is an agenda item tonight.

Commissioner Cloutier asked the total number of employees in the Facilities Department, Director Trufant estimated 26 employees. Director Trufant explained that there is a lot of space to cover and that he is fortunate to have a mix of new and existing employees that can learn from each other.

Commissioner Caterina thanked Director Trufant for his presentation and

operation of his department.

This Presentation was RECEIVED AND FILED.

[CD 25-005](#)

Informational Report Finance Department Fiscal Year 2025 Quarter 2 Budget Report

Finance Director Theresa Grover stated that the County Budget was on track for the second quarter, half way through the fiscal year. She noted that IT is a little over due to the cost of their subscriptions.

Commissioner Smith asked if anything jumped out as a trend, Director Grover noted that cleaning expenses and Probate Fees are a little higher than usual. Commissioner Smith asked what some of the anticipated fees would be related to the utilities as the County moves to a new building. She added that she wanted staff to be aware as utility costs increase and will follow up in the next quarter, Deputy Assistant Manager Alex Kimball stated that costs are being monitored and will know more when they enter the third quarter of the fiscal year.

This Report was RECEIVED AND FILED.

[CD 25-006](#)

Informational Report - United Way Investment Report 2023-2024

This Report was RECEIVED AND FILED.

Chair Gorden asked Human Resources Director Amy Jennings to provide an update on staffing.

HR Director Jennings stated there are 20 non-union positions open, the retention rate is good for the non-union. Patrol 4 deputies hired, the CAD captain is being hired. In Dispatch there are 2 openings and there is a good retention rate. In the Jail, 70 corrections officers of the funded 86 positions, 57 applicants that are in process, 11 are in physical stages and that is 80% hiring in that stage and remainder are in polygraph and background, 8 applied over the three day weekend and 14 additional candidates are being interviewed. There is usually a drop off in the beginning of year but she has not seen that hiring drop this year.

Commissioner Smith asked if there was anything that could be attributed to the success in hiring, HR Director Jennings cited the software application Jazz HR, marketing outreach with radio and refreshing job boards, and computer target ads. Commissioner Smith asked what the retention rates are nationally for the different hiring areas, she explained she's curious to know where the County is.

HR Director Jennings stated the county hired 80 people in 2023 and 100 people in 2024 which reflects some turnover. Commissioner Caterina echoed Commissioner Smith's request for retention rates and that she wanted to know how the salaries compared, HR Director Jennings stated that information could be provided.

Commissioner Cloutier confirmed that 70 of the funded 86 positions are filled, as it's 8 months through the fiscal year, is that typical? HR Director Jennings confirmed that that number stays fairly constant. Over the last year there has been significant turnover at the Jail and it's new hires and existing hires. Since 2022, 84 correctional officers have been hired of which 38 have resigned or terminated, almost half. Prior to Covid around 2020 to date, an additional 80 correctional Officers separate from Cumberland County for a total of 118 correctional officers that have departed from the county.

Commissioner Cloutier asked if there were 16 unfilled vacancies, is there a reluctance to recruit people to the funded levels. County Manager Gailey stated that the budget on the agenda proposes to increase the funded positions adding 9 positions for a total of 95 funded positions. Commissioner Cloutier confirmed that they were still unable to fund all of the 86 funded positions, County Manager Gailey confirmed that was correct.

Commissioner Caterina asked about the reasons for leaving, HR Director Jennings explained that information gathered from exit interviews to address turnover because there are a lot of resources from facilities, HR, and IT to train and orient new hires. Some of the reasons cited include work load and worklife balance, new hires who left also said they were leaving for positions with less pay to achieve worklife balance. Other reasons included lack of training, inability to change schedules, work culture, lack of communication, lack of updated policies, relies on rumor mill for information, lack of advancement, high cost of living and closer to family. Commissioner Caterina summarized that if those issues could be addressed, it could help staff retention rates and possibly reduce holdovers. Chair Gorden thanked HR Director Jennings for her time and efforts.

COMMENTS FROM THE PUBLIC

The Board Chair will limit comments to three (3) minutes per speaker.

William Doyle, NCEU Director, former elected official, sympathized with challenges of budget and needs of staff. Since 2011 the NCEU represents the correctional officers. He stated that the NCEU sent a letter in 2023 opposing the unfunded positions, the current proposed budget continues to have 48 unfunded positions but this may have changed in light of new information. Bargaining Unit Members deserve a better work life balance, and the exit survey does not include rate of pay as a question. He noted that there was a riot in New York and Massachusetts which created an estimated \$1million in damage. It's easy to blame Covid for staffing shortages but they existed prior to Covid. On behalf of the taxpayers, our members, and their families, he asked when the County Commissioners would be concerned with the safety and the security of the staff of the jail.

Giovanna Peruzzi, representative of NCEU, has reached out to management multiple times without a response regarding the situation at the jail. She emphasized the jail is understaffed and it is creating a dangerous situation and operating with a fraction of the staff it needs to function safely. There is a lack of progress to alleviate the staffing crisis despite the multitude of ways the NCEU has attempted to engage with the county. She has been told there are new hires in the pipeline and the HR Department is recruiting people but a pipeline of new hires does nothing to help if there's a parallel pipeline of seasoned correctional officers flowing out the back door. She stated she is no stranger to incarceration and it's ugly and scary no one wants to acknowledge what goes on in jails or think about the staff until something goes wrong. She emphasized that without correctional officers as the backbone of a lawful Society, there cannot be Law and Order in your community without a place to house and hopefully rehabilitate those who break society's laws. Ms. Peruzzi asked the Board of Commissioners to safely staff the facility and stop balancing the budget on the backs of the members.

Cody Belyea, Vice President of Jail Union, stated the Knox County Correctional Officers receive \$1.50 more and there are about 35 to 40 inmates in their jail. Cody read an email describing staffing levels, the late shift is below staffing levels that are considered safe, a supervisor is roving to give hospital detail breaks, intake is running below minimum, staffing while also giving breaks to the SHU which is also below minimum staffing. He stated that intake is fully open and accepting all arrests, one officer is handling checks, booking, and processing. There is no additional support if something happens. He appreciates the hiring efforts, but when stuck on shift for 16 hours on the weekends, staff deserves to

feel safe when coming to work. He spoke with lieutenants and asked how to operate tonight, they responded that they were told to give a call if anything happens. He asked, isn't that what we are doing now? We are calling and telling you that these Staffing levels are low. If the lieutenants were to call when something happens, it may be too late. His Corrections Captain has told him to call Portland PD who will be expected to assist with responses. Multiple new hires are missing family events because of low staffing. Chair Gorden thank Cody for his comments.

Bill Lawson, Cumberland County employee, at the jail for 28 plus years. The last 5 years have been very tiring and it hasn't stopped two plus forced overs a week. 5 years ago Sheriff Joyce gave an interview to Channel 6 and stated that it becomes less safe when you force people to work over. It is true, they're lucky they haven't had any more serious incidents happen. Last week they were told if you don't already have approved time off this summer then no time will be allowed. He believes he has earned the right to have five weeks off a year, and to not allow staff any summer vacation is wrong. He and other staff have warned that there's a shortage of qualified commissioned officers that are gun carriers to work transports and Hospital details. Because of the never-ending forced overtime, more give up their status as armed officers because there is more risk and little incentive to continue. They have been limping along the past year and a half, but it's critical to bolster the ranks with trained individuals since a number of officers are out. With no replacements available, now is the time for a tangible incentive to draw in and retain commissioned officers. There is a lack of trained armed officers and recruiting better quality trainees could be accomplished with a substantial raise. Standards and morale have dropped and there is little accountability as the retention of new people is more important than work quality and following the rules. Chair Gorden thanked William for his comments.

Robert Ryder, Cumberland County employee, employed for 34 years. He stated that he felt that the Board of Commissioners were not paying attention. He urged the Board to invest in the staff, stating that they make the place work and always make it work no matter how many staff they have. He noted that many employees are leaving to take jobs that allow them to be home. He has not left because he is invested in his career and retirement. He noted that new hires are under prepared for the culture and the amount of time they will be away from home. He volunteers to work and work a Monday and a Wednesday so that he can be safe and drive home safely. He highlighted concerns about professionalism and missing important family events as a result of being unable to take time off. He stressed that everyone should be treated with respect. Chair Gorden reminded Mr. Ryder that he was beyond his 3 minutes, Mr. Ryder continued to speak, Chair Gorden asked him to let someone else speak. Mr. Ryder relented and apologized to the Board of Commissioners.

Scott Gibbons, Cumberland County employee of 27 years, noted that his wife has urged him to quit; however he continues to work at the Jail. He stated that though Maine is a rural state, the County Jail is taking in inmates from out of state, federal prisoners, and traffickers who do not take the County Jail staff seriously. It's hard to create a positive culture and lie to new hires to get them to stay. Chair Gorden thanked Scott for his comments.

County Sheriff Kevin Joyce spoke, he wanted to recognize that the staff has kept the jail going for the last five or six years and can tell that they are tired and frustrated. He noted that going to a meeting with prosecutors, they want more from the jail, as do Judges. He explained that everyone wants the jail that they had pre Covid. He has a lot of respect for staff and they have the toughest beat in the criminal justice system. He is trying to keep the inmate count down, while the police departments and Feds want to bring everybody in. It's important that the Commissioners hear the staff's account of working conditions. The loss of institutional knowledge is significant and there are a lot of retirees. Most significantly, four retirees passed away in the last four months. He attended a Sheriff's Conference, and the hiring challenge of both law enforcement and Corrections officers is nationwide. He explained that staffing needs to be increased to get over the hump so that people aren't being held

two or three times a week. If they can succeed and retain more hires that's when mandated overtime can get reduced and can move toward a progressive culture.

Jail Major Tim Kortes spoke, he stated that as a Corrections professional for 37 years, he noted that the staff work the toughest job and make it work every day no matter what the challenges are. He wanted to acknowledge that to the Board. Chair Gorden thanked Major Kortes for his comments.

Chair Gorden thanked the public for their comments about staffing challenges at the Jail, and explained that the concern is discussed frequently at Board meetings and closed the public comment period at 6:35pm.

CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Commissioner Cloutier, seconded by Commissioner Caterina, to approve the Consent Agenda. The motion carried by the following vote:

Yes: 4 - Chair Gorden, Vice Chair Smith, Commissioner Cloutier, and Commissioner Caterina

No: 0

Excused: 1 - Commissioner Tyler

[25-005](#) Approval of Sheriff's Office Commissions August - December 2024

This Order was APPROVED.

[25-006](#) Authorization for the Public Health Department to apply for SAMHSA Grant

This Order was APPROVED.

[25-007](#) Reappointment of Alex Coupe as a Board Member to the County Board of Assessment Review

This Appointment was APPROVED.

[25-008](#) Amend the Second Amendment Contract between Oak View Group and Cumberland County for the management of the Cross Insurance Arena.

This Order was APPROVED.

[25-009](#) Authorize the County Manager to sign an Memorandum of Understanding between Oxford County and Cumberland County for backup dispatch services

This Order was APPROVED.

ARPA BUSINESS25-010

Authorization for the County Manager to award bid and enter into a contract between Cumberland County and Bisson I&R Commercial Services for the Office Moving Services to 27 Northport Drive, Portland, to be funded with ARPA funds

The Moving Services Bid Award was introduced by Facilities Director Trufant who explained that moving to the new building will be done in phases. After review of the received bids, the county decided to select Bisson I&R Commercial Services. They were much more responsive than the other vendor to his questions about moving and coordination which will support the anticipated moving schedule.

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

Yes: 4 - Chair Gorden, Vice Chair Smith, Commissioner Cloutier, and Commissioner Caterina

No: 0

Excused: 1 - Commissioner Tyler

NEW BUSINESS25-011

Authorization for the County Manager to award bid and enter into a contract between Cumberland County and Bureau Veritas for the Facilities Condition Assessment (FCA) and design build a new Computer Maintenance Management System (CMMS) with Capital Asset Forecasting in the amount of \$93,000 using ARPA funding.

Facilities Director Trufant explained that an Asset Management system is needed to track the age and data corresponding to the County's assets. The Management system will assist with capital planning and improvements and will take 6 months to implement. Chair Gorden asked if the new system will be used to track the fleet vehicles, Facilities Director Trufant confirmed that it would be and can also be used by the Finance Department. The county currently uses iWorq and it does not meet current needs. Commissioner Smith commented that it's a predictive modeling software that has financial insight, Facilities Director Trufant confirmed that it could give a 40 year model for any asset.

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

Yes: 4 - Chair Gorden, Vice Chair Smith, Commissioner Cloutier, and Commissioner Caterina

No: 0

Excused: 1 - Commissioner Tyler

25-012

Authorization for the County Manager to award bid and enter into a contract between Cumberland County and Krisha Construction for the Vehicle Impact Repairs in the amount to be determined.

Facilities Director Trufant stated that the agenda item is to address the parking garage damages that were the result of a car hitting a barrier on the third floor parking garage almost a year ago. Commissioner Smith asked if costs will be reimbursed by insurance, Facilities Director Trufant confirmed that the county would be reimbursed for repair expenses paid.

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

Yes: 4 - Chair Gorden, Vice Chair Smith, Commissioner Cloutier, and Commissioner Caterina

No: 0

Excused: 1 - Commissioner Tyler

25-013

Authorization for the County Manager to award bid for Architecture and Engineering Services and enter into a contract between Cumberland County and Thornton Tomasetti for the Jail roof and courthouse window replacement for an estimated amount of \$5 million.

Facilities Director Trufant explained that the jail roof needs to be replaced but the replacement amount may be different. The selected bidder, Thornton Tomasetti estimates a cost of \$5 million.

Commissioner Cloutier asked if the percentage of the overall cost for the work has not yet been determined, Facilities Director Trufant confirmed that it is correct and would be a little of 7% of the cost. Chair Gorden asked if the windows are special order, Facilities Director Trufant confirmed they would be.

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

Yes: 4 - Chair Gorden, Vice Chair Smith, Commissioner Cloutier, and Commissioner Caterina

No: 0

Excused: 1 - Commissioner Tyler

Chair Gorden requested a break from 6:50pm. The meeting resumed at 6:55pm.

[25-014](#)

Approve the 2025/2026 General Fund, Jail and Cross Insurance Arena budgets from all Sources - Gross of \$74,491,013.

County Manager Gailey introduced the final budget as unchanged after review by the finance committee, made up of elected municipal officials, they recommended on January 21, 2025 for passage. He explained that total expenditures are up 6.22% according to needs from taxes which increase by just over \$3 million or 7.74%.

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

Yes: 4 - Chair Gorden, Vice Chair Smith, Commissioner Cloutier, and Commissioner Caterina

No: 0

Excused: 1 - Commissioner Tyler

25-017

Approval of Five (5) Year Capital Improvement Plan, including expenditures of \$299,600 in Non-Debt CIP. (Added In Session)

A motion was made by Commissioner Caterina, seconded by Commissioner Cloutier, that the New Business - Added in Session be APPROVED. The motion carried by the following vote:

Yes: 4 - Chair Gorden, Vice Chair Smith, Commissioner Cloutier, and Commissioner Caterina

No: 0

Excused: 1 - Commissioner Tyler

[25-015](#)

Authorize the issuance of the 2025/2026 Budget Cost of Living Adjustment of 3% to Elected Officials & Sheriff Appointment.

Commissioner Cloutier explained that the item includes elected officials and therefore needs a separate approval.

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 - Chair Gorden, Vice Chair Smith, Commissioner Cloutier, and Commissioner Caterina

No: 0

Excused: 1 - Commissioner Tyler

25-016

Approve the 2025-2026 Jail Budget to Exceed the 4% grown limitation factor.

Commissioner Cloutier explained that the State law is that Jail costs exceeding the set 4% requires a formal vote.

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 - Chair Gorden, Vice Chair Smith, Commissioner Cloutier, and Commissioner Caterina

No: 0

Excused: 1 - Commissioner Tyler

UNFINISHED BUSINESS24-115

2025 Board of Commissioners Committee Assignments

Commissioner Caterina requested that she represent the county on the EFSP Board (Emergency Food and Shelter Program). There were no objections.

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 - Chair Gorden, Vice Chair Smith, Commissioner Cloutier, and Commissioner Caterina

No: 0

Excused: 1 - Commissioner Tyler

COMMENTS FROM THE EXECUTIVE STAFF

Assistant County Manager Kimball shared that Federal Funding is unchanged and being monitored. The construction at the Northport Administration is progressing with deliveries and installations. Chair Gorden commented that the budget just passed may change so that the public understands that costs are limited and there may be an impact to the taxpayer.

HR Director Jennings said that there are four negotiations currently underway which include the National Corrections Employees which is currently going to mediation. The Teamsters Corrections Supervisors unit next week and the Teamster Patrol Unit. She noted that Dispatch is in the third session, she will be seeking guidance from the Commissioner in March and maybe April.

COMMENTS FROM THE COUNTY COMMISSIONERS

Commissioner Caterina stated that she and Chair Gorden have been following the Legislative changes and tracking jail funding. She is also working with MMA and Andre Cushing going forward and looking forward to future collaborations.

Commissioner Smith thanked the Sheriff and his staff for her recent tour of the jail. She thanked the County Manager and staff for all of the hard work that went into coordinating the budget and the finance committee for making a strong budget. She encouraged staff to keep working and that the

current situation is not normal but they do good work and serve Cumberland County.

Chair Gorden thanked the staff for their progress and incorporating new systems and allowing for more progress. He noted Facilities Director Trufant's new asset management staff and Finance Director Grover's new automated system. He encouraged other Department heads to automate other processes. Chair Gorden asked Sheriff Joyce if he could speak on the JIM system. Sheriff Joyce explained that he worked with Captain Frigon and Lt. Jordan to refine some of that information before it gets implemented.

COMMENTS FROM THE COUNTY MANAGER

County Manager Gailey shared that he joined the Regional Dispatch Director Fairbrother-Dyer on a visit to RCM. They received a tutorial of a portable dispatch radio system. This will allow offsite radio dispatch services to fairs or other locations. RCM is requesting feedback from the County. The Leadership Academy is being offered in March and in May at SMCC. There are 35 government employees participating and 12 are county employees. The Alford Workforce Development program has offered 100% tuition to the participants enabling SMCC to host two classes, municipalities will only be responsible for meal costs.

Next Meeting: Monday, March 17, 2025

ADJOURNMENT

At 7:25 pm a motion was made by James Cloutier, seconded by Patricia Smith, to ADJOURN the meeting. The motion carried by a unanimous vote.