



Cumberland County

Board of Commissioners

Meeting Minutes - Final

142 Federal St
Portland, ME 04101

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

Tuesday, October 15, 2024

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 James Cloutier at 5:30 pm.

ATTENDANCE

Present: 5 - Commissioner Neil Jamieson, Commissioner Susan Witonis, Vice Chair Stephen Gorden, Commissioner Patricia Smith, and Chair James Cloutier

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
Tim Kortez, Jail Major
Bill Trufant, Director of Facilities

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

[CD 24-021](#) Approval of the minutes, September 9, 2024 meeting of the Board of Commissioners

A motion was made by Commissioner Jamieson, seconded by Vice Chair Gorden, that this Minutes Report be APPROVED. The motion carried by a unanimous vote.

INFORMATIONAL REPORT/PRESENTATIONS

[CD 24-022](#) Informational Report Finance Department 1 Quarter Budget Report FY25

Director of Finance Theresa Grover presented a financial snapshot for the Board of Commissioners. She stated that county expenditures were on pace with the current month.

This Report was READ INTO THE RECORD.

[CD 24-023](#) Informational Report from County Emergency Management Agency

Emergency Management Agency (EMA) Director Michael Durkin presented an overview of the EMA's department operations. Director Durkin gave an overview of EMA accomplishments for the past year which included the completion of a Threat Hazard and Identification Risk Assessment. He reviewed Regional Partnerships with local, state and federal agencies. A lot of EMA's efforts have been focused on developing local partnership with municipalities, assisting with grant coordination and storm recovery assistance. Commissioner Gorden thanked EMA Director Durkin for his presentation and shared his concern about fires started by electric car batteries, EMA Director Durkin agreed and stated that that concern would be addressed in an upcoming tabletop exercise.

This Presentation was READ INTO THE RECORD.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

CONSENT AGENDA

Commissioner Gorden requested the Item 24-095 be removed from the consent agenda and discussed separately. There were no objections.

[24-094](#) Approval for the purchase and replacement of the Cumberland County Sheriff's issued side arms, lights, and holsters through various vendors at the jail for the amount of \$3,524.90.

A motion was made by Commissioner Jamieson, seconded by Commissioner Witonis, that this Order be APPROVED. The motion carried by a unanimous vote.

[24-095](#) Amend the County's Parking Garage Fee Schedule for 2025.

Commissioner Gorden commented that the Parking Garage should be a function of the county that supports itself instead of relying on tax dollars.

Chair Cloutier asked if the fees are in line with the current local parking fees. County Manager Gailey explained the monthly fees of \$160 and proposing an increase to \$180 a month among other increases. The \$180 is slightly lower than the surrounding parking garages and income received covers Parking Garage operations, the additional income received is going to be earmarked toward capital improvements in the garage. Chair Cloutier asked if there is a cash flow available to other departments? County Manager Gailey confirmed that there is additional revenue. Chair Cloutier commented that the City of Portland unfortunately sold their parking garage and realized their mistake too late.

Commissioner Witonis asked about the rates for the spots that will be freed up with the move to the new Administrative building. County Manager Gailey stated some would be monthly spots but mostly will be daily spots because they would generate more revenue. Commissioner Witonis asked if the parking garage is promoted by the Civic Center for events, County Manager Gailey stated no, that

the distance of the Parking Garage is too far away. Commissioner Witonis stated that it was easier to exit the Parking Garage versus the Spring St Garage and it might be an attractive option.

Commissioner Smith stated that she would like to see the rates remain affordable and attractive to the community. With the 40 spaces that will be freed up, could the monthly spots have higher rates instead of penalizing current long term customers with new rates. County Manager Gailey stated that future parking garage rate increases will be discussed more frequently in the future.

Commissioner Gorden asked if there was a profit and loss statement for the Parking Garage, County Manager Gailey said that he could make one available after the budget is passed.

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

Yes: 5 - Commissioner Jamieson, Commissioner Witonis, Vice Chair Gorden, Commissioner Smith, and Chair Cloutier

No: 0

ARPA BUSINESS

[24-096](#)

Approval to Award a Bid to Doten’s Construction, Inc. for the Cumberland County Courthouse AC-1 Replacement and Controls Upgrades in the Amount of \$3,524,000.00

Chair Cloutier recused himself from the vote, the Board agreed and Commissioner Jamieson made a motion recommending that Chair Cloutier abstain from voting, it was seconded by Commissioner Witonis and passed by unanimous vote.

Facilities Director Bill Trufant explained that the new Air Handler system required coordination with the leaseholders, the State of Maine, and there were only a handful of bids received. The project is going to be disruptive and coordinated with scheduling court trials, the contractor would like to start the project in February 2025 with an estimated completion date of the end of September 2025. The total project will be very disruptive physically and audibly, the final result will also change the stone facade. Currently, the system is compressed air and it is barely operable. The new system will enable Facilities personnel to spend less time managing the heating and cooling system and more time to address other issues. It will add onto the existing boiler system and be easier to regulate the temperature.

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

Yes: 4 - Commissioner Jamieson, Commissioner Witonis, Vice Chair Gorden, and Commissioner Smith

No: 0

Recused: 1 - Chair Cloutier

[24-097](#)

Authorization for the County Manager to award the bid for 27 Northport Office Building Audio-Visual Renovations and enter into a contract with Connectivity Point for the equipment purchase and installation services in the amount of \$164,942.03.

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

Yes: 5 - Commissioner Jamieson, Commissioner Witonis, Vice Chair Gorden, Commissioner Smith, and Chair Cloutier

No: 0

NEW BUSINESS

[24-091](#)

Proclamation for Domestic Violence Action Month for October 2024

A motion was made by Commissioner Jamieson, seconded by Vice Chair Gorden, that the Proclamation be APPROVED. The motion carried by the following vote:

Yes: 5 - Commissioner Jamieson, Commissioner Witonis, Vice Chair Gorden, Commissioner Smith, and Chair Cloutier

No: 0

[24-098](#)

Authorization for the County Manager to accept the 2024 Improving Criminal Justice Response Grant Award from the Office on Violence Against Women for \$700,000 for 36 months.

Violence Intervention Project Coordinator Jennifer Annis thanked the Board of Commissioners for their support and thanked the Facilities Department for lighting the County Courthouse with purple lights in recognition of October as Domestic Violence Action Month. The program has helped many victims leave abusive situations. Project Coordinator Annis also thanked the Board for their ARPA funding to Through These Doors because it had the greatest impact by offering customized solutions tailored to individual needs. Commissioner Jamieson thanked Project Coordinator Annis for all of her hard work to address domestic violence.

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

Yes: 5 - Commissioner Jamieson, Commissioner Witonis, Vice Chair Gorden, Commissioner Smith, and Chair Cloutier

No: 0

[24-086](#)

Authorization for the Sheriff's Office to submit a grant application to the Maine Recovery Council for Medically Assisted Treatment Funding.

County Manager Gailey shared that the grant application had been approved by the County Grants Committee. However, he received an email from the Sheriff's Department formally requesting that the Agenda Item be withdrawn.

Chair Cloutier made a motion to Table Indefinitely.

The Commissioners had a discussion regarding the grant application and all of the work that went into the development of grant application and creation of a potential program. Commissioner Witonis asked if County Manager Gailey could clarify further, County Manager Gailey stated that he did not have any further information. Commissioner Smith asked the Board what would happen if they were to approve the agenda item, since the execution of the grant application was not the Board's responsibility. Commissioner Smith highlighted some of the prior concerns about the sustainability of the sublocade program and that she is ultimately in support of the agenda item. Commissioner Witonis also voiced her support for the agenda item.

Chair Cloutier shared that he had done some research based on Somerset County, Maine, but results were limited and impact would be small, 8 to 10 inmates versus a large population of inmates. He has trouble supporting a three year program that only supports 8 to 10 inmates and if it would be worthwhile in the future would need more discussion.

Chair Cloutier withdrew the motion to Indefinitely Table the item.

Chair Cloutier asked if Public Health Manager Liz Blackwell-Moore had been consulted as was recommended at the October meeting, County Manager Gailey confirmed that the Sheriff's Office had reached out to the Public Health Department and Brandon Irwin had consulted further.

Commissioner Gordon shared that in his research he learned that 7 out of 10 receiving sublocade do not return to jail and lowers the recidivism rate. He wanted to know what would be the total cost to 40% of the jail population versus the total cost of the current medical treatment program? Including the cost of employees to administer medication daily?

Commissioner Smith echoed Commissioner Gordon that the goal is to reduce recidivism rate for inmates and reenter society. While the initial concern was the funding mechanism which has been addressed, she is disappointed that after so much time spent reviewing the agenda item that it's not moving forward.

Commissioner Jamieson asked County Manager Gailey what the deadline for the application was, County Manager Gailey stated that he did not know. Commissioner Witonis stated that a lot of time was spent by the Grant Committee to review the application. She stated that having the item on the agenda and then not seeing it through was irksome. Commissioner Jamieson stated that the issue is very important and there is significance of having an impact on 10 people a year, could be 30 people whose lives would have positive outcomes.

Chair Cloutier would like to understand if the sublocade treatment would have the expected outcome, when looking at the cost of pills versus the cost of treatment by shots, it would ease the administration of the treatment in the Jail but it should not be the basis of the decision for supporting the program.

The Board agreed that postponing the agenda item would be the best course of action.

A motion was made by Commissioner Smith, seconded by Commissioner Jamieson, that the Order be POSTPONED INDEFINITELY. The motion carried by the following vote:

Yes: 5 - Commissioner Jamieson, Commissioner Witonis, Vice Chair Gorden, Commissioner Smith, and Chair Cloutier

No: 0

24-092

Authorization for the County Manager to Enter into a Contract Amendment with Securitas Technology to Include the Installation of Security Systems for the New Jail Medical Addition in the Amount of \$192,645

Facilities Director Trufant stated that Phase 2 of the project was not included in the RFP because there were unknowns, breaking the project into two phases is easier to implement.

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

Yes: 5 - Commissioner Jamieson, Commissioner Witonis, Vice Chair Gorden, Commissioner Smith, and Chair Cloutier

No: 0

24-093

Authorization for the County Manager to accept the FY24 grant award from the Homeland Security Grant Program (HSGP) on behalf of Cumberland County for the amount of \$590,553.28.

County Manager Gailey explained that annual applications consist of community applications and then sent to MEMA. Commissioner Smith asked about the grant amount received compared to prior years, EMA Director stated that it was a 10% Federal cut that was passed through from MEMA whose funds are based on their spending targets for counties. Cumberland County exceeded the spending target, and they were anticipating a reduction of funds but the reduction was not as severe as anticipated.

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

Yes: 5 - Commissioner Jamieson, Commissioner Witonis, Vice Chair Gorden, Commissioner Smith, and Chair Cloutier

No: 0

COMMENTS FROM THE COUNTY MANAGER

County Manager Gailey stated that the next Board meeting the budget would be presented to the County Commissioners. The County Budget is taking shape and it is not looking good, there are two departments left to review. Commissioner Gordon asked what the increase was, County Manager Gailey explained that it was 6% to 8%. The biggest increases were insurance and workers comp, increased health insurance and increased costs of software subscriptions. The Board will also hear the final presentation of the Lakes Region Homelessness study at the next meeting.

COMMENTS FROM THE EXECUTIVE STAFF

Deputy Manager Alex Kimball shared that the walls for the new medical wing at the Jail are being erected. At the new Administrative Building at 27 Northport, the walls are being demoed.

Jail Major Tim Kortez shared that they're completing their budget and having Federal Inmates helps. They are still addressing staffing and have some suggestions for improving onboarding and the followup with new employees to improve the retention rate. They have also been reaching out to colleges for local recruiting and reaching out to retired employees. Commissioner Gordon asked about improvements, Major Kortez emphasized the followup at 6 months, employees are leaving to go to law enforcement agencies, it is a tight market. Regarding retention, a new hire will not know if they're a good fit until they're on the floor. Commissioner Witonis asked if it was crisis mode? Major Kortez stated that they were stable, efforts should be directed toward mentoring new hires first before sending them to the academy.

COMMENTS FROM THE COUNTY COMMISSIONERS

Commissioner Jamieson encouraged the community to support local sports teams and be cautious when driving in the dark and aware of children waiting at bus stops.

Commissioner Gorden shared that the Department of Corrections changes, the council which is created by Legislation and is an advisory committee to the Department of Corrections.

Changes include a Jail capacity cannot be exceeded but a Jail cannot refuse to receive prisoners. These requirements put on jails to pay for boarding out prisoners, or work with the DA to release prisoners. If Prison is at capacity, the prisoners would remain at the jail until transported to the DOC Prison. Which could be weeks. It is now a requirement of the jail and cost to the county, there is a hearing and MMA is writing a response. He recommended that the Board take the development under consideration.

Chair Cloutier asked if it was possible to change the Finance Committee requirement for members to be current elected municipal officials and open it up. He encouraged the public to vote and vote early if possible. Chair Cloutier also recognized the service of Commissioner Witonis and Commissioner Jamieson who are at the end of their term in December.

Next Meeting: Monday, November 18, 2024

EXECUTIVE SESSION

[24-099](#)

To enter into executive session pursuant to Title 1 M.R.S.A. §405(6)(E) for the consultations between the Cumberland County Board of Commissioners and its attorney concerning the legal rights and duties of the Board.

Time Into Executive Session: 7:25 pm

A motion was made by Vice Chair Gorden, seconded by Commissioner Jamieson, that the Executive Session be APPROVED. The motion carried by the following vote:

Yes: 5 - Commissioner Jamieson, Commissioner Witonis, Vice Chair Gorden, Commissioner Smith, and Chair Cloutier

No: 0

Time Out of Executive Session: 8:52 pm

A motion was made by Commissioner Smith, seconded by Commissioner Witonis, that the Executive Session be CONCLUDED. The motion carried by the following vote:

Yes: 5 - Commissioner Jamieson, Commissioner Witonis, Vice Chair Gorden, Commissioner Smith, and Chair Cloutier

No: 0

[24-100](#)

To enter into executive session pursuant to Title 1 M.R.S.A. §405(6)(C) for the discussion of the acquisition of real personal property permanently attached to real property.

Time Into Executive Session:

7:25 pm

A motion was made by Vice Chair Gorden, seconded by Commissioner Jamieson, that the Executive Session be APPROVED. The motion carried by the following vote:

Yes: 5 - Commissioner Jamieson, Commissioner Witonis, Vice Chair Gorden, Commissioner Smith, and Chair Cloutier

No: 0

Time Out of Executive Session: 8:52 pm

A motion was made by Commissioner Smith, seconded by Commissioner Witonis, that the Executive Session be CONCLUDED. The motion carried by the following vote:

Yes: 5 - Commissioner Jamieson, Commissioner Witonis, Vice Chair Gorden, Commissioner Smith, and Chair Cloutier

No: 0

ADJOURNMENT

A motion was made by Neil Jamieson, seconded by Susan Witonis, to ADJOURN the meeting at 8:52 pm . The motion carried by a unanimous vote.