



# Cumberland County

## Board of Commissioners

### Meeting Minutes - Action Results

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

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**Monday, December 9, 2024**

**5:30 PM**

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

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#### CALL TO ORDER

#### County Staff:

James Gailey, County Manager  
Alex Kimball, Deputy County Manager  
Travis Kennedy, Director of Public Affairs  
Sandra Warren, Compliance and Audit Manager  
Katharine Cahoon, Admin and Special Projects  
Theresa Grover, Director of Finance  
Amy Jennings, Director of Human Resources

#### ATTENDANCE

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

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF THE MINUTES

[CD 24-027](#) Approval of the minutes, November 18, 2024, meeting of the Board of Commissioners

Commissioner Gorden requested that the minutes be amended to include Commissioner Elect Jean-Marie Caterina and Commissioner Elect Tom Tyler as Staff in Attendance as well as present in both of the Executive Sessions. There were no objections.

*A motion was made by Commissioner Witonis, seconded by Commissioner Jamieson, that this Minutes Report be APPROVED AS AMENDED. The motion carried by a unanimous vote.*

Chair Cloutier requested that Item 24-126 under New Business be discussed out of order. There were no objections.

[24-126](#) Authorization for County Manager to accept the Department of Justice Grant Award to the Cumberland County District Attorney's Office for the Cumberland County Sexual Assault Kit Tracking and Testing Initiative for the amount of \$2,496,072.00

District Attorney Jacqueline Sartoris spoke on the application of the grant and introduced Assistant District Attorney Tina Panayides to implement one of the State of Maine’s first programs to do a full inventory of a backlog of untested sex assault kits. She noted that she is incredibly proud that Cumberland County will be the first County in Maine to track and do a full inventory to test kits where appropriate and then investigate and vigorously prosecute cases. District Attorney Sartoris thanked County staff for their support with the application and noted there was a lot of hard work and partner coordination.

Assistant District Attorney Tina Panayides thanked county staff for guidance with the grant process. The whereabouts of 80% of kits is unknown and only 20% of the kits are tested at the lab. She stated that she had been working with directors in the Department of Justice (DOJ) with guidance about what is needed. Specifically, a prosecutor in Cleveland, Ohio, about best practices for implementing the grant. The first step is to do an inventory, the second step is to create a tracking system. The tracking system will piggy back off of a current Lab tracking system. The third step is to test any applicable kits. She explained that “anonymous” kits were untested and held in the local jurisdictions at hospitals. Historically, if cases did not go to trial, then kits were not tested due to limited resources. However, she stated that studies show that 25% of kits have a DNA hit, there is a match to another crime, a robbery or a homicide. Handouts with statistics were distributed and attached to these minutes. District Attorney Sartoris stated that it's a three year grant that includes hiring a part-time prosecutor and one investigator. All lab test results will be uploaded and stored in the national Federal DNA database, CODIS.

Commissioner Smith expressed gratitude for the hard work that County staff has done. She asked how long they expect the inventory to take, ADA Panayides estimated that it should take about 6 months and meet the DOJ standards. The next step of the grant cannot be completed until an inventory is completed. The DA’s office assured Commissioner Smith that they will update them with their progress over the next three years.

Commissioner Gorden asked about 90 percent of jail inmate populations that are pretrial. DA Sartoris stated that she will go before the Board of Commissioners in February to discuss the pretrial therapeutic facility similar to York County. The goal is to address substance use and mental health use disorders to reduce recidivism, the jail is holding repeat offenders where the cause for their conduct is not being addressed with the current judicial system. This is going to be demonstrated in the future with a cost benefit analysis.

*A motion was made by Commissioner Jamieson, seconded by Commissioner Smith, 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

**INFORMATIONAL REPORT/PRESENTATIONS**[CD 24-028](#) Registry of Deeds - Informational Report

Register of Deeds Jessica Spaulding spoke about the filing fee changes sponsored by the Maine Register of Deeds Association. She gave an overview of the different changes going forward. The bill is being sponsored by Senator Rick Bennet from Oxford County. With passage, there would be a 65% increase in fees that would go to the County General Fund.

*This Presentation was RECEIVED AND FILED.*

[24-113](#) Informational: 2025 Calendar Year Board of Commissioners Meeting Schedule

County Manager shared that the changes to the schedule should be considered and voted on at the January meeting in 2025.

Commissioner Smith asked about scheduling 2 meetings in a month. County Manager Gailey recommended that extra meetings should be scheduled the first of the month and third Monday of the month. Commissioner Gorden stated that he supported meetings on the third Monday and agendas could be sent on the previous Wednesday. County Manager Gailey said that staff will give it their best effort.

*This Order was REFERRED to the Board of Commissioners due back on 1/6/2025*

[24-115](#) Informational: 2025 Board of Commissioners Committee Assignments

County Manager Gailey stated that committee appointments will also be finalized in January.

*This Order was REFERRED to the Board of Commissioners due back on 1/6/2025*

**RECOGNIZE OUTGOING COMMISSIONERS**

Commissioner Jamieson and Commissioner Witonis

Chair Cloutier stated the two outgoing Commissioners have committed years of experience and effort to shape the county. Both have had a steady and firm hand in the development and notably, there is a higher attendance at the Civic Center which benefited from the efforts of both of them in the renovation process that was undertaken after the voters approved to rehab of the facility. It's now an integral part of County government as opposed to its previous status. Chair Cloutier presented Commissioner Susan Witonis and Commissioner Neil Jameson each with a card and congratulations. He invited them to speak about their service to the County.

Commissioner Witonis thanked Chair Cloutier and noted that the moment was bittersweet for her. She served 14 years and often questioned why she became a County Commissioner with all of the challenges that were presented over the years. She noted that it was often hard because she found herself on the opposite side of the vote. After 14 years on the Board of Commissioners, she has learned a lot about County Government especially being on the Civic Center Committee for the \$31.2

million bond, she was initially very against it. However, after the bond vote her district supported it, and she jumped on board. She stated that with Commissioner Jamieson, the committee was able to advocate for certain renovations. She thanked County Manager Gailey for his leadership and thanked staff for their hard work to shape the county and make it what it is today. She looks forward to seeing the new administration building once it's complete.

Commissioner Jamieson thanked Commissioner Witonis for her kind words and named previous leaders and their contributions. He stated that his tenure was 13 years and he started drafting the County Charter in 2008 when he was elected. The charter was passed in 2010 and was one of the most notable changes to the County. The Charter expanded the Board of Commissioners from three Commissioners to five Commissioners so that each district had roughly 55,000 constituents. He highlighted other significant accomplishments which included the Cross Insurance Arena renovations, restructuring leadership positions, creation of the Public Health Department, adding a regional assessing program and the expansion of other regional programs, renovating the dispatch center and renovating the County Jail Medical Wing using American Rescue Plan Act funds. The ARPA funds have been the most significant investment in the county and reflect an investment of \$57 million that will have lasting effects for 10 to 15 years. He encouraged the public to be involved and attend meetings.

Commissioner Gorden spoke and thanked Commissioners' Jamieson and Witonis for all of their contributions. He noted that the aim of the Board of Commissioners' is to assist the public and make the future better for the county.

**COMMENTS FROM THE PUBLIC**

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

Chair Cloutier opened public comment.

Jean-Marie Caterina, commissioner elect from South Portland, spoke. She spoke highly of Commissioner Jamieson and thanked him for his service to the Cumberland County Board of Commissioners.

**CONSENT AGENDA**

**Approval of the Consent Agenda**

*A motion was made by Vice Chair Gorden, seconded by Commissioner Jamieson, to approve the Consent Agenda. The motion carried by the following vote:*

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

**No:** 0

[24-116](#) Appointment Ed Getty to the County's Board of Assessment Review for a Term of 2024-2027.

*This Appointment was APPROVED.*

[24-117](#) Review recommendations for changes to the Non-Union Personnel Policy of Article V., Section 9.5; Article VI, Section 6.17; Article IX, Section 9.4; Article IX Section for authorization from the County Commissioners.

*This Order was APPROVED.*

[24-118](#) Amendment of the Non-Union Personnel Policy Article VI. Section 6.15 Travel and Administration Regulation #4 Meals & Travel Allowance.

*This Order was APPROVED.*

[24-119](#) Acceptance of up to \$79,760 in pre-approved formula rebate funds through the Federal Department of Energy’s Energy Efficiency and Block Grant program.

*This Order was APPROVED.*

[24-124](#) Authorization for the Sheriff’s Office to apply for an AKC Reunite grant to pay for the 75% of the estimated \$10,000 cost to purchase of a Sheriff K-9 replacement and use the Canine Supplies account for the 25% match requirement of \$2,500.

*This Order was APPROVED.*

[24-125](#) Authorization for the County Manager to enter into a contract between Cumberland County and Town of Gray to provide part-time General Assistance services from July 1 2024 - June 30, 2024.

*This Order was APPROVED.*

**ARPA BUSINESS**

[24-120](#) Approval COR Office Furniture and DIRTT Modular Construction Solutions Contracts for 27 Northport building using ARPA funds.

County Manager Gailey introduced two ARPA agenda items. The first is for the modular wall systems that consists of two contracts at the 27 Northport Admin building. One contract with COR for the conference rooms and workstations for the amount of \$844,282.76 and the second contract for wall systems for \$727,254.45 for a total amount of \$1,571,537.21. Commissioner Smith commented that she supports the item that it’s a very thoughtful design and is adaptable so that it can accommodate future needs. Deputy County Manager Alex Kimball stated that he wanted to acknowledge two staff members that facilitated a lot of the design and electrical concepts, Facilities Director Bill Trufant and IT Director Aaron Gilpatric.

*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

[24-121](#) Approve and Adopt the Final ARPA budget to align with the Treasury Departments Final Rule “obligated”

Compliance and Audit Manager Sandra Warren spoke about finalizing the ARPA budget for the Treasury. All ARPA Funds are being contractually obligated and the Commissioners will need to approve the final obligated funds prior to December 31, 2025. The deadline for spending down ARPA funds is December 31, 2026. Commissioner Jamieson thanked Compliance and Audit Manager

Warren for her hard work and tracking all of the \$56 million of ARPA funds. Chair Cloutier asked about the projects with unspent funds, could they be allocated elsewhere, Compliance and Audit Manager Warren stated that they would go to a similar scope of work for interoffice or interagency contracts depending on the contract language. Commissioner Smith thanked Sandra Warren for her conscious management of the ARPA funds and for updating the Commissioners.

*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

[24-122](#)

Approve and Award the Commissioning Agent Bid for the Cumberland County Capital Improvements Project to Sparhawk Group in the amount of \$74,182.00.

Compliance and Audit Manager Sandra Warren spoke about the need for hiring a commissioning agent. The Sparhawk Group was selected after responding to a request for proposal. The commissioning agent will guarantee that all of the components installed in the Northport Admin building work together and function correctly.

Chair Cloutier asked Facilities Director Trufant about EV chargers, are they going to be installed? Facilities Director Trufant stated that yes, EV chargers have been purchased and will be installed at the Northport Admin Building.

*A motion was made by Vice Chair Gorden, seconded by Commissioner Smith, 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**

[24-123](#)

Authorize the County Manager to enter into a contract with Maine Solar Solutions for a solar array at 27 Northport Drive.

Public Affairs Director Travis Kennedy shared that the County received a Department of Energy Block Grant. The Northport Roof was selected as a site for solar panels. Maine Solar Solutions was selected based on their experience and they have proposed solar panels for the existing rooftop space and suggested expanding the rooftop space to support more solar arrays. The engineering will be coordinated through WSP to craft a proposal for roof expansion that would not exceed the grant and the 30% federal rebate credit, an estimated amount of \$114,000. Commissioner Smith asked if there was an estimate of cost savings? Public Affairs Director Kennedy stated that it was unknown at this time, depending on the rooftop build. However, he was told that there would be a guarantee that the county would see a return on its investment and then some. The solar energy that is unused will be banked and credited to

the county during the less sunny months.

*A motion was made by Commissioner Witonis, 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

24-114

Appointment of Chair and Vice Chair for the Board of County Commissioners for 2025

Commissioner Stephen Gorden was nominated as Chair and Commissioner Patricia Smith nominated as Vice Chair.

*A motion was made by Chair Cloutier, 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 thanked Chair Cloutier for leading the Board of Commissioners for 2024. County Manager Gailey thanked Commissioner Witonis for her 14 years of service and Commissioner Jamieson for his 13 years of service to the county. He stated that he was sorry to see them go especially since they have been great supporters of staff. Both commissioners oversaw a lot of the transition of the county through different policy changes. He thanked them for their guidance with the distribution of the ARPA funds, budget development and approval and working through two and a half years of Covid. He noted that the HR Department appreciated the support for increasing recruiting efforts and purchase of new software. He thanked them for their support and trust in the county staff as they progressed.

**COMMENTS FROM THE EXECUTIVE STAFF**

Deputy County Manager Alex Kimball recalled his first meeting participating in a Cross Insurance Arena Board of Trustees meeting with Commissioner Jamieson and Commissioner Witonis and hockey team negotiations. He appreciated how much they have always fought for the country.

Finance Director Theresa Grover reported that the finance software is being customized and she and her staff are looking forward to implementing it.

Human Resources Director Amy Jennings thanked the Commissioners for their support and her staff really appreciates it. Last year the County hired 80 new employees and this year it's close to 100, however due to attrition rates, employees are still leaving. It's a lot of work for all departments, finance, IT and facilities. Negotiations have begun for Dispatch and Corrections and in February the LEC and Corrections Supervisors negotiations will begin.

Public Affairs Director Travis Kennedy thanked Commissioners Jamieson and Witonis for their support and noted that he learned a lot about county government from them.

Commissioner Gorden asked HR Director Jennings if the average age of the workforce is lowering. HR Director Jennings said that yes, it is, more employees are seeking work life balance. Commissioner Gorden asked what the drivers are for leaving, HR Director Jennings stated that is the major reason. This is particularly true at the jail. In order to be able to offer that work life balance schedule, it would require 15 to 20 people being hired. Exit reviews have been completed for outgoing employees and she would be happy to share the results.

## **COMMENTS FROM THE COUNTY COMMISSIONERS**

Commissioner Smith wished the public happy holidays. She thanked Commissioner Jamieson and Witonis for their guidance and feels like she has completed her two year degree in learning about county government. She stated the transition from municipal government to county government was a huge leap but it was made possible by those two (Commissioner Jamieson and Wltonis).

Commissioner Gorden commented the MCAA is crafting Legislation for statewide jail budgets, so that 35% of total counties jail budgets will be supported by the state. This will have a significant impact on property taxes. Jails are a service of last resort, and he is looking forward to working with DA Sartoris.

Chair Cloutier thanked Commissioners for their comments. Since the passage of the Charter, he has viewed the commissioners as a board of directors, silent and supportive.

Commissioner Jamieson wished the public a happy holiday, Merry Christmas and Happy Hanukkah. He congratulated the new commissioners, especially Jean-Marie Caterina. This has been the best public service job that he has had in his 35 years of public service.

Commissioner Witonis said that when she started, there were three commissioners on the board and then five commissioners. She noted that she was the only female and faced multiple opinions but feels that she stood her ground on important issues. She thanked everyone.

**Next Meeting: Monday, January 13, 2025**

## **ADJOURNMENT**

*A motion was made by Commissioner Witonis, seconded by Commissioner Jamieson, to ADJOURN the meeting at 7:00pm. The motion carried by a unanimous vote.*