



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.

Monday, October 20, 2025

5:30 PM

**Sebago Meeting Room, 27 Northport
Dr, Portland ME 04103**

In person with the option to view online: www.cumberlandcounty.org/live

CALL TO ORDER

The Board of Commissioners met for their regularly scheduled meeting at the Cumberland County Courthouse in the Sebago Cove Conference Room, the meeting was called to Order by Chair Stephen Gorden at 5:30 PM.

ATTENDANCE

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

County Staff:

James Gailey, County Manager
Breana Gersen, Deputy County Manager
Theresa Grover, Director of Finance
Kevin Joyce, County Sheriff
Katharine Cahoon, Admin and Special Projects
Courtney Kemp, Community Development Manager
Jessica Spaulding, Register of Deeds
Alexis Guy, Healthy Eating Active Living Promotion Team Lead
Jennifer Annis, Violence Intervention Partnership Project Manager

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

[CD 25-023](#) Approval of the minutes, September 15, 2025, meeting of the Board of Commissioners

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

[CD 25-024](#) Approval of the minutes, October 14, 2025, meeting of the Board of Commissioners

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

INFORMATIONAL REPORT/PRESENTATIONS[CD 25-025](#) Informational Presentation on Deed Fraud from the Register of Deeds

Register of Deeds Jessica Spaulding gave a presentation on deed fraud trends in Cumberland County.

This Presentation was PRESENTED.

[CD 25-026](#) Informational Report FY26 Budget vs Actual Expenses Q1

Finance Director Theresa Grover gave an overview of budgeted expenditures. Commissioner Smith asked if the hardware purchase order impacted the budget, Finance Director Grover explained that funds were encumbered but not spent, throwing some of the budget percentages off. Commissioner Smith asked why the revenues for Registry of Deeds' copies were down, Finance Director Grover explained that this was unknown, but that in January 2026 the Registry of Deeds would no longer be able to charge for copies. She added that maybe customers were accessing copies online instead of in person. Chair Gorden asked about the cost of garage repairs, Finance Director Grover explained that the repairs were due to a vehicle accident and costs are being reimbursed through insurance. Chair Gorden asked about revenue from parking spaces available to the public, Finance Director Grover explained that it would not be reflected in this period due to restricted parking from construction of the courthouse HVAC.

This Report was RECEIVED AND FILED.

[CD 25-027](#) Informational Presentation - Mobility, Access and Transportation Insecurity Phase II grant.

Healthy Eating Active Living Promotion Team Lead Alexis Guy and Zoe Miller, Executive Director of the Moving Maine Network, gave a presentation on the Mobility Access and Transportation in Security (MATI) grant project.

Commissioner Caterina asked if existing buses and routes would be utilized and whether the program targets current bus users who cannot afford the service or those unaware of the option. Healthy Eating Active Living Promotion Team Lead Guy confirmed that the program aims to support both groups, including individuals who would access transit if supported and those who don't know it's an option. Executive Director of the Moving Maine Network Miller added that research shows such programs increase trip frequency, reduce isolation, and enable more social activities. Commissioner Cloutier asked if the study would evaluate transit adequacy. Executive Director of the Moving Maine Network Miller responded that feedback will be gathered for this phase. She noted that the feedback from the previous phase showed an interest in longer hours. More frequent service could compete with car usage, potentially saving individuals significant money. Commissioner Cloutier asked about data for similar areas, Executive Director of the Moving Maine Network Miller stated it wasn't part of the scope of the current project but confirmed the data exists and is available through the Greater Portland Council of Governments. Chair Gorden asked if the project would address intermodal transportation, such as bus to train connections. Executive Director of the Moving Maine Network Miller responded

that the project specifically focuses on making transit more affordable. She noted the importance of increased ridership since federal funding is tied to ridership numbers. Commissioner Smith asked for clarification on the timeline, Executive Director of the Moving Maine Network Miller explained that phase two begins now, with the program launch planned for early spring of 2026. Commissioner Smith stressed the importance of bus shelters, especially given Maine's weather. She emphasized the valuable work and the Department of Public Health's involvement to address transportation as a barrier. She shared that in a study of the 2007-2008 financial crisis, cities with better transportation rebounded faster, and allowed people to access jobs.

This Presentation was PRESENTED.

COMMENTS FROM THE PUBLIC

The Board Chair will limit comments to three (3) minutes per speaker, the Public Comment period is limited to one (1) hour.

Prior to opening the public comment period, Chair Gorden explained that it was for comments on non agenda related items. Public comment was opened by Chair Gorden at 6:05 p.m.

Members of the public spoke: Stephen Sharp of Portland, Bob Mittel of Portland and Carrie of Cumberland County.

Chair Gorden closed the public comment period at 6:12 p.m.

CONSENT AGENDA

Commissioner Cloutier requested that Item 25-107 be moved from the Consent Agenda to New Business. There were no objections.

Approval of the Consent Agenda

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

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

No: 0

[25-104](#) Sheriff's Office Commissions August 2025

This Order was APPROVED.

[25-105](#) Sheriff's Office Commissions September-October 2025

This Order was APPROVED.

[25-106](#) Authorization for a Law Enforcement Services contract between Cumberland County, The Cumberland County Sheriff, and the Inhabitants of the Town of Gray from July 1, 2025 to June 30, 2026 for the amount of \$312,574.47.

This Order was APPROVED.

[25-108](#)

Appoint the following slate of Cross Insurance Arena Trustees to a three-year term.

This Appointment was APPROVED.

[25-109](#)

Authorization to enter into an grant extension agreement between Cumberland County and the University of Minnesota's Center for Transportation Studies for Mobility, Access, and Transportation Insecurity program (MATI) funding for Phase II in the amount of \$700,000 for two years.

This Order was APPROVED.

NEW BUSINESS

[25-107](#)

Appointment of the following amended slate of elected officials to the 2025-2026 Finance Committee for a three-year term representing the following districts: District 5, Sarah Michniewicz; and District 5, Ben Grant.

Commissioner Cloutier outlined the three appointments from Portland City Council to District 4 and District 5 of the Cumberland County Finance Committee.

Public Comment was received from Stephen Sharp of Portland.

Commissioner Smith proposed that given the uncertainty regarding the precinct that Councilor Sykes represents, the appointment should be removed from agenda item 25-107 until the Board could determine which Portland precinct, 5.1 or 5.2, is part of Cumberland County's District 4. County Manager Gailey explained that waiting for the next meeting to confirm District 4's appointment would not overlap with the Cumberland County Finance Committee meetings.

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

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

No: 0

[25-107](#)

Appointment of the following amended slate of elected officials to the 2025-2026 Finance Committee for a three-year term representing the following districts: District 5, Sarah Michniewicz; and District 5, Ben Grant.

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

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

No: 0

25-110

Proclamation to Recognize October 2025 as Domestic Violence Action Month

County Manager Gailey explained that the presenter of 25-110 was not present and requested that item 25-110 be tabled and introduced later in the meeting. There were no objections.

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

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

No: 0

25-094

Approval of the HOME-ARP Funding Recommendations. First Public Hearing on September 15, 2025 and Final Public Hearing on October 20, 2025.

Community Development Manager Courtney Kemp spoke on the second public hearing for HOME ARP program funds. She stated that the site plan and permitting for the Youth and Family Outreach was approved without issue.

Public comment was opened at 6:23 p.m. George Rheault of Portland spoke about his concerns regarding the destruction of the 170 year old Preble St Church. He criticized the City of Portland's lack of historical preservation and treatment of the West Bayside area.

Commissioner Cloutier asked if there was awareness of the information shared. Community Development Manager Kemp stated that the project had completed the approval process and gone before the Portland City Council for approval. Guidance from Historic Preservation was already received. She explained that HUD posted public notices and Maine State Housing posted public notices. Commissioner Cloutier asked about the City of Portland's Historic Preservation awareness, Community Development Manager Kemp responded that that's not something that she could speak to and noted that the project was approved by the Portland Planning Board and their City Council. The final piece of the project is the issuance of a Findings of No Significant Impact. Commissioner Cloutier stated that he did not have any reluctance to approve the item.

This Order Requiring a Public Hearing was INTRODUCED FOR PUBLIC HEARING.

25-111

Award of bid to McGovern Auto Group/MHQ in the amount of \$558,513.00 for the purchase of Sheriff's Patrol Replacement Vehicles

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

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

No: 0

[25-112](#)

Authorize the County Manager to provide notice no later than December 1, 2025, to amend the U.S. Marshals Prison Operations contract to reflect the exclusion of Immigration and Customs Enforcement (ICE) detention.

Commissioner Smith made a motion to amend the agenda item and insert, “no later than December 1, 2025” after “notice”. Commissioner Smith stated that the date would allow staff to have time to plan for any budget impacts.

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

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

No: 1 - Commissioner Tyler

[25-112](#)

Authorize the County Manager to provide notice no later than December 1, 2025, to amend the U.S. Marshals Prison Operations contract to reflect the exclusion of Immigration and Customs Enforcement (ICE) detention.

Commissioner Caterina made a motion to amend the agenda item and remove the sentence, “and furthermore; relinquish financial reimbursement from the holding of Immigration detainees” after “detention”. Commissioner Caterina clarified that should the main motion pass, the county will not agree to board detainees for free.

Public comment was received from, Bob Mittel, Portland; Mark Leshetz, Portland; EB Shields, Portland; Fred Clark, Portland; and Jordan Singh, Portland.

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

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

No: 1 - Commissioner Tyler

At 6:55 p.m. Commissioner Smith made a motion for a recess and Commissioner Caterina seconded. The meeting resumed at 7:08 p.m.

[25-112](#)

Authorize the County Manager to provide notice no later than December 1, 2025, to amend the U.S. Marshals Prison Operations contract to reflect the exclusion of Immigration and Customs Enforcement (ICE) detention.

Public comment was opened at 7:09 p.m.

Public comment was received from Bob Mittel, Portland; Dylan Pugh, Portland; Mathew Hoyt, Portland; Jennifer Bogs, Portland; Rodrigo Arcibar, Cape Elizabeth; Marpheen Chan, Portland; Joan Murray, Falmouth; Michelle Rebronz, Michelle Lesperance, Portland; Jordan Signh, Portland; Sam Davies, Falmouth; Grayson Lookner, Portland; Judah Leeman, Scarborough; Scott Vonnegut, Portland; Brendan McQuade, Portland; Larry Adrian, Falmouth; Emanuel, Portland; Katya Fromouth, Yarmouth; Jordan King, Portland; Ruben Torres, Portland; Cheena Ramui, South Portland; Hannah Tanhouser, South Portland;

Alison, Portland; and Stephen Sharp, Portland.

At 8:03 p.m. Chair Gorden closed the public comment period.

Commissioner Caterina stated that she documented her comments to address several key points. She thanked those who consistently attended the meetings since June. She appreciates the phone calls and emails that represent views on both sides, while the majority favors terminating the contract. She served as an elected official in 2012, in municipal government and now as a County Commissioner, she stated that this topic has been one of the most challenging decisions for two reasons. The first reason is amending the contract with the Federal Marshals to exclude ICE. She noted that Maine law mandates that jails accept any individual presented by law enforcement at the county jail. She stated that the county would likely continue to receive ICE detainees without the federal compensation. She explained that the federal government provides \$150 per day, whereas the State of Maine compensates \$25 per day. The potential loss of \$2 million in jail operating funds could potentially increase property taxes for her constituents. She noted that jail operating costs are fixed and property taxes are inherently regressive, based on property values. This could be devastating for many residents and she has an obligation to these constituents. Her second reason is the State Statute 25 MRSA section 1502 and the jail standard P32 require cooperation when law enforcement presents individuals for custody. She interprets the statute to imply that the law enforcement agencies bringing persons to the jail must be legitimate and operate within the confines of the U.S. Constitution. She observed that the Immigration and Customs Enforcement Agency is not following due process compared to local law enforcement. In her opinion, ICE's conduct when detaining individuals has been unprofessional. As a former Latin teacher, she appreciates the root of "Latin" meaning "following the law." She stated that humanity must be the first consideration. She explained that she will vote to exclude ICE from the terms of the county contract with the U.S. Marshals Service. She encouraged those who agree to contact their state legislators and the Governor's office, and ask the State to fully compensate counties for the operational costs of jails. This would help address budgets and minimize the necessity of cooperation with an agency exhibiting the current characteristics of ICE.

Commissioner Tyler thanked those who attended the meetings and reached out to him. He represents District Two of Cumberland County, which encompasses nine municipalities, spanning from Harrison in the northern part of the county down the corridor to Falmouth.

He noted that he has been a 40 year member of Cumberland Farmers Club and volunteer at the fair and the Fryberg Fair. He spoke with numerous individuals outside of the greater Portland area and noted that his district is more conservative. He does not approve of the methods utilized by ICE, and has reservations about their procedures. He stated that a question remains unanswered, is entering or residing in this country illegally a crime. He explained that according to federal statutes, it is, constituting a minimum of a misdemeanor offense. He is concerned about individuals being here unlawfully and compared it to someone trespassing and entering and occupying your home without permission. There must be action taken to address that situation, if ICE is executing this correctly is a separate matter. He has concerns about canceling the contract and believes that ICE will relocate many of the current detainees

elsewhere. He is concerned about the twenty-something detainees reportedly from the greater Portland-Lewiston-Auburn area currently housed in the jail. If those individuals are moved out of state, they will lose access to their families and various legal avenues available to them. He believes that immigrants strengthen the nation, when they arrive through legal channels. He is a former State Representative and served on the Criminal Justice Committee and believes the State needs to start compensating the jails. He recalled that Governor LePage once suggested the State take over the jails, to which he warned the Governor that he knew at least two Sheriffs who would immediately deliver the keys to him. Commissioner Tyler said that despite his considerations, he will not vote to terminate the contract. He believes that negotiations and discussions with ICE may be a path toward resolution. He has done research on numerous legal pathways for lawful immigration, and researched immigration judges and found that voluntary departure allows for a legal application to return. He emphasized that there are established legal procedures for achieving citizenship and he has been honored to attend many naturalization ceremonies over the years.

Commissioner Cloutier acknowledged the amendments made to the text of the order presented to the Commission. He stated his understanding that the County Manager was being authorized to discuss with the U.S. Marshals Service the removal of ICE from the list of agencies permitted access to the county jail. He noted that, as a standalone proposition, this authorization did not necessarily mandate further action. As a practical matter, every member of the Commission has great confidence that County Manager Gailey would execute the intended direction of any action taken now or in the near future. Commissioner Cloutier observed that there is an ongoing controversy that has persisted for several months and has been the subject of both public meetings and significant research by the Commissioners. He stated that the Commission is facing a very unpleasant and largely unacceptable situation. He noted the history of U.S. immigration law and referenced Maine's past, including the influence of the Ku Klux Klan in the 1920s which was a very conservative climate, and has very recently begun to change in greater Portland. He remarked that limited reforms, such as DACA, had failed for reasons known to policymakers, regardless of party, resulting in a continued neglect of immigration issues at the federal level. Commissioner Cloutier stated that the current federal administration appeared to be reactionary and seeking to exploit the suffering of vulnerable populations for political gain. He noted that while immigrants were presently the primary targets, those targets could shift over time. Given the situation, the County should, to the extent legally permissible, restrict ICE access in Maine. However, he expressed reservations. His first reason is that communication through the internet has amplified the politicization of immigration issues. Second, he noted that approximately twenty detainees that are Maine residents were currently detained in the county jail. He voiced concerns over allegations of inappropriate communication between corrections staff and ICE and hoped that jail leadership disapproved of such practices. Commissioner Cloutier stated the importance of ensuring that detainees who are Maine residents have access to their families and to consistent, effective legal representation. He indicated that he had discussed with the County Manager possible ways to establish a process to address perceived injustices. He also referenced recent media reports highlighting ACLU concerns that ICE was bypassing certain legal safeguards in immigration enforcement. Commissioner Cloutier expanded on Commissioner

Tyler's statement that crossing the border is typically a misdemeanor but seeking asylum is not a crime. He emphasized the complexity between asylum seekers and individuals who had not applied for asylum, and the need for public understanding of both. He stated that restricting ICE access could inadvertently harm Maine detainees by increasing the likelihood that they would be transferred out of state. This would separate them from available services and support systems. He strongly objects to ICE's management and tactics. The County must prioritize the welfare of detainees and provide as much assistance as possible. Commissioner Cloutier stated that he will work with County Manager Gailey to establish a committee focused on future steps related to this issue. He stated he does not support termination of the contract. He stated the decision was very difficult but that he did not believe the immediate harm to specific individuals justified such action.

Sheriff Joyce stated that he wanted to clarify a previous comment about notifying ICE had been taken out of context. He explained that officers have discretion in their operations and that jail staff do not independently notify ICE. He stated that inmate information is shared once a week with ICE, with DHHS, the ACLU and now the university. He explained that the jail is legally obligated to accept inmates under multiple statutes, including Title 3A subsection 1510, Title 3-A subsection 1554, Title 25 MRS subsection 502, and Maine Department of Corrections Standard P32. He stated that this has been standard practice for 30 years, and the current operations are non-discretionary. Sheriff Joyce addressed concerns about due process, noting that the jail does not interfere with legal proceedings. Those are managed by attorneys, prosecutors, and judges. He stated that he has been upfront about the current process and will continue to hold ICE detainees in accordance with the law until it is changed or a court rules otherwise.

Commissioner Smith thanked members of the public for their comments, phone calls, and emails over the past few months, noting that public engagement on this issue is essential. She also acknowledged her fellow Commissioners for their work and stated that courtesy and respect had been maintained despite disagreements. She urged all Commissioners to carefully consider their vote. She stated that, had she been aware of how ICE agents would exercise their authority when the contract was renewed, she would not have supported it. She described recent outcomes as harmful, potentially racist, possibly illegal, and inconsistent with the U.S. Constitution. Commissioner Smith noted that recent changes in ICE operations have created mistrust of law enforcement, causing division within the community. She stated that the contract has tangible, daily consequences and that Maine law requires the jail to accept all prisoners, making it uncertain how a vote could end ICE activity in Cumberland County. She explained that most detainees are not residents of Cumberland County or Maine, but from other states, and raised concerns about the use of tax dollars to house out-of-state detainees. Commissioner Smith highlighted issues with monitoring the jail, including whether detainees are held lawfully, safety concerns due to understaffing, lack of training in federal immigration law, and potential legal liability. She stated that continuing the contract with ICE is detrimental, harmful, and irresponsible. She urged the Commission to consider the risks and vote to terminate the contract, noting it would not solve all problems, but would be a necessary first step.

Chair Gorden stated that many of the points he had intended to make had already been addressed, and he therefore wished to summarize his position. He agreed with Commissioner Smith, the importance of considering the feedback received from members of the public. Chair Gorden expressed that every Commissioner present was concerned by the actions and operational methods of ICE. He stated the need for caution, explaining that the Commission operates as a governmental entity bound by law. Chair Gorden explained that County Commissioners do not have the legal authority to prevent ICE from housing detainees in the county jail and no state law grants such power. He explained that this responsibility is assigned to the Maine Department of Corrections. He said that MDOC Standard P32 falls strictly under the jurisdiction of the Sheriff's Department, which operates under the Governor's Office rather than under the County Commissioners. He concluded that ICE's actions are beyond the control of the Commission. Chair Gorden explained that revoking the County's federal jail reimbursement contract would not prevent ICE from housing detainees in the county jail. Instead, such an action would shift the financial burden from the federal government to county taxpayers. He estimated an increase in County costs of more than \$2.5 million annually and require a 5% to 7% rise in county property taxes. He warned that an increase would be devastating for median- and low-income families and could result in residents being displaced from their homes. He stated that attempting to prevent ICE from using the county jail through this proposed Commission action would be futile and lead to higher property taxes for residents. Chair Gorden concluded that if the community wished to address this issue, they should advocate directly to the appropriate authorities to avoid financial harm to county residents. He stated that was his view. He reiterated that he was appalled by ICE's actions and noted that he had contacted Maine's federal representatives to express his concerns.

Commissioner Cloutier added that if the vote failed to authorize County Manager Gailey as proposed, he had many follow-up issues. He proposed that by the next meeting, the Commission identify a process or individual to serve as an independent Ombudsman in the county jail to assist detainees and ensure access to attorneys, the law school clinic, and other resources. He noted the cost would be a worthwhile expense. He highlighted concerns regarding jail staffing, particularly the availability of probationary corrections officers to escort detainees for meetings with the Ombudsman or attorneys. He noted the need for changes to Maine law. Commissioner Cloutier suggested establishing an expert committee to monitor evolving legal decisions and assist with emerging issues. He stated that if these actions were successfully implemented, his position on the current proposal would remain unchanged, but failure to make progress could alter his perspective. Acting to cancel the contract could potentially lead to the remote incarceration of Maine-related detainees. He also expressed concern for U.S. citizen children under age five who could be affected by ICE actions. Commissioner Cloutier concluded that he is not satisfied with the motion, he remains committed to pursuing an alternative to the agenda item.

Commissioner Smith expressed appreciation for the creative ideas. She noted that she had researched the concept of a jail Ombudsman. Legislative Document 1962, introduced in March 2025, had been tabled until another session. She stated that implementing a jail Ombudsman requires rules, regulations, and guidelines that are not established. While this function exists in other states, it is currently absent in Maine. Commissioner Smith explained that

without action, the necessary knowledge to determine next steps would not be gained. She asked the Board to take the first step now and vote.

Commissioner Caterina asked, if not now, when?

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

Yes: 2 - Vice Chair Smith, and Commissioner Caterina

No: 3 - Chair Gorden, Commissioner Tyler, and Commissioner Cloutier

Commissioner Cloutier made a motion to RECONSIDER Item 25-112, seconded by Commissioner Smith.

Commissioner Cloutier explained that he is not intimidated by the need for state-created requirements for an Ombudsman. He noted that other states have such arrangements and the process still has a long way to go. He cautioned against making a hasty decision, suggesting they shouldn't start out by taking out a bat and swinging in a way they could regret in a few weeks. He explained he was moving to table the motion for reconsideration, and allow it to be brought back next month.

Chair Gorden reminded the commission that the current vote should be the final action. He stressed that tabling the motion could complicate the budget process. Commissioner Cloutier added that his central concern was the need for an assurance of income. Commissioner Cloutier clarified that counting speculative revenue could lead to an unnecessary increase in the budget, this approach would be tertiary at best.

Commissioner Cloutier made a motion to TABLE the motion to RECONSIDER for 30 days or until the next meeting, seconded by Commissioner Tyler. The vote passed (3-2) with Commissioner Smith and Commissioner Caterina opposed.

A motion was made by Commissioner Cloutier, seconded by Commissioner Tyler, that the Motion to Reconsider be TABLED for 30 days or until the Board of Commissioners, due back on 11/17/2025. The motion carried by the following vote:

Yes: 3 - Chair Gorden, Commissioner Tyler, and Commissioner Cloutier

No: 2 - Vice Chair Smith, and Commissioner Caterina

At 8:55 p.m. the Board recessed, at 9:00 p.m. the Board resumed the meeting.

[25-110](#)

Proclamation to Recognize October 2025 as Domestic Violence Action Month

Handout is attached to these minutes.

Domestic Violence Intervention Project Manager Jennifer Annis gave an

overview of the previous and current grant work. She explained that the last grant ended in November 2024 and the current grant began December 1, 2024, with a projected end date of September 30, 2027. The current grant has an increased focus on responding to sexual abuse. She highlighted the formation of a new Sexual Assault Response Team, which is multi-disciplinary and works to improve services for survivors interacting with the criminal legal system and medical providers. Teams funded under the grant have attended national training, which have improved investigations, case review, and forensic interviews. A survivor advisory team has also been established to guide best practices. Domestic Violence Intervention Project Manager Annis described outreach efforts by Sexual Assault Response Services of Southern Maine to connect with communities and increase awareness of available services. The grant continues to support the High-Risk Response Team, a cross-jurisdictional Domestic Violence Court Case Coordination Advisory, justice-involved survivor safety initiatives, and specialized supervision through Maine Pre-Trial Services, including electronic monitoring and victim notification. Efforts also focus on language access, firearms relinquishment, and improving responses to lethal situations. She reported that, from January to June of this year, 15 training activities were held for 347 partners, with all evaluations indicating 100% increased knowledge of responding to domestic and sexual abuse. Domestic Violence Intervention Project Manager Annis highlighted ongoing Domestic Violence Action Month activities in Cumberland County. The activities are to show support for survivors and include the purple lights at the Courthouse and the Cumberland County Regional Communication Center, community events, and fundraising initiatives supporting Through These Doors.

Commissioner Smith asked if Maine still ranks number 10 in the U.S. for domestic violence. Project Manager Annis stated that she had not seen the ranking system but that 50% of Maine's homicides each year are still domestic violence related. Commissioner Smith acknowledged the importance of Domestic Violence Intervention Project Manager Annis's work based on this statistic.

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

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

No: 0

[25-113](#)

Final Reading of Proposed Amendments to the Cumberland County Government By-laws, Which Establish an Alternative Disbursement Warrant Authority and Incorporate the Board's Previously Approved Public Participation Policy into the By-laws.

The first is the text, the current process for over 9 years is that the Chair of the Board authorizes the weekly warrants for payroll and accounts payable. Auditors brought it to the attention of the Finance Department that this process is incorrect and the warrants should be an agenda item, approved and executed by all five commissioners. He explained that the By-Laws incorporate new language to address the process moving forward. Commissioners will vote annually on the individual who will be responsible for authorizing the warrants for payroll and accounts payable for that year.

County Manager Gailey explained that the second change to the By-Laws incorporate the public participation policy that was approved in September. The second for the By-Law changes will be at the November 17 meeting.

Chair Gorden asked if the By-Law amendments could be modified to specify that the Chair of the Board and their designee could be automatically authorized to execute the weekly warrants. Commissioner Caterina agreed, that was a process she had previously practiced when she was on the Scarborough Town Council. County Manager Gailey clarified that the designation would still need to be voted on annually. The Commissioners discussed electronically signing the warrant as an option. Assistant County Manager Breana Gersen stated that electronically executing a document is appropriate when two parties agree to sign a contract electronically, however in this case there is no second party.

Commissioner Cloutier asked what county warrants are used for, Assistant County Manager Gersen explained that County warrants authorize the county treasurer to disperse funds on behalf of the county. She emphasized that it is an official act that is made on behalf of the county. Commissioner Smith, if there is a liability implication by having a single signer, Assistance County Manager Gerson confirmed that there is, which is why there is language for the board to have the authority to take back the authority of one signer and allow the majority to sign. Ultimately, the language delegates one member to represent the board when they sign the warrants. She confirmed that all Commissioners have access to view the warrants, it is the authority of approval that the policy defines. Finance Director Theresa Grover explained that state statute dictates that the authorization must be a collaborative act of the board.

A motion was made by Commissioner Cloutier, seconded by Commissioner Caterina, that the Order be INTRODUCED ON FIRST READING to the Board of Commissioners, due back on 11/17/2025. The motion carried by the following vote:

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

No: 0

[25-114](#)

Amend the following sections of the Administrative Regulations & Policies: #3 "FOAA Schedule of Fees," and #4 "Meal & Travel Allowance," and adopt proposed Policy #22 "Unassigned Fund Balance Policy" (new admin reg).

County Manager Gailey explained that the Administrative Regulations (Admin Regs) were undated and a new Admin Reg was added. The updated Admin Regs includes streamlining the FOAA process so that it refers to the State Statute for guidance versus duplicating the FOAA statute within Admin Reg number 3. Admin Reg number 4, Meals and Travel, has been updated to clarify the meals and travel allowances.

County Manager Gailey explained that they are updating the assigned fund balance policy with a threshold of 8.7% of fund balance. The new proposal raises the unassigned fund balance threshold to 16.7%, not to exceed 20%, to meet the requirements of bonding agencies (Moody's and S&P) and GASB allowances. The policy dictates the methods for spending down excess funds and the steps necessary to restore the fund balance if it dips below 16.7%. He stated that with the Commissioners' review and acceptance, this would formalize

a new administrative regulation, Admin Reg #22, for better tracking and accessibility. Commissioner Cloutier asked what the current fund balance was, County Manager Gailey explained that it had not been identified yet but would be finalized on Item 25-115 because of the capital improvement projects.

County Manager Gailey explained if the fund balance is over 20% there are a significant amount of Capital Improvement Projects. Finance Director Theresa Grover explained that they will speak with auditors once the final number is released and request Commissioner approval to make adjustments to the 2025 funds before the audit is finalized. Commissioner Cloutier asked if there was anything significant that was flagged. Finance Director Grover explained that she had not been alerted to anything that was significant. She stated that the report would be finished at the end of November so that she could file it at the end of December.

Commissioner Cloutier asked if the county needs a bond rating, County Manager Gailey confirmed they do. County Manager Gailey explained that a bond rating is needed because the jail roof, parking garage, and courthouse windows are to be bonded in the next four months for close to \$4 million.

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

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

No: 0

[25-115](#) Transfer \$1,260,889.00 from the Undesignated Fund Balance to the Strategic Planning Reserve.

A motion was made by Commissioner Cloutier, seconded by Vice Chair Smith, that the Order be TABLED to the Board of Commissioners, due back on 11/17/2025. The motion carried by the following vote:

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

No: 0

COMMENTS FROM THE EXECUTIVE STAFF

Sheriff Joyce stated that the last staffing report of 50 was inaccurate. Sheriff Joyce explained that staffing levels fluctuate due to resignations and leave, noting that the department is currently operating near its budgeted positions around 102. He stated that staffing has improved compared to a year and a half ago. Regarding the concept of an ombudsman, he said a sergeant was currently working with ICE detainees, but that position is being posted. He explained that an ombudsman position could be an internal position. He noted that any outside ombudsman would still require security staff to oversee visits. He emphasized that the department has not denied anyone the ability to meet with ICE detainees and strives to accommodate groups such as ILAP, USM Law School, and the ACLU while following visitation rules. Sheriff Joyce highlighted efforts to maintain transparency, including tours for community leaders to show that detainees are housed in dormitory-style rooms rather than cages. He stated that staffing improvements are continuing and there are not as many vacancies as had been reported. He stated that they are taking steps to recruit and train personnel to fill vacancies.

Finance Director Grover explained that the finance department is busy and operating smoothly. She stated that the next goal is streamlining their software.

Assistance County Manager Gersen thanked Finance Director Grover, County Manager Gailey and staff for all of their guidance. She has been with the county for two months now and has been working on county policies. She shared that she has enjoyed the work so far.

COMMENTS FROM THE COUNTY MANAGER

There were no comments.

COMMENTS FROM THE COUNTY COMMISSIONERS

Commissioner Tyler stated that he hoped that the board made the right decision to table the decision because it does not feel like this meeting was the time to decide. Commissioner Cloutier stated that tabling the motion and asking staff to address is the best approach until it can be revisited.

Chair Gorden stated that though the public is disappointed, there needs to be a decision to close the matter.

Next Meeting: Monday, November 17, 2025

ADJOURNMENT

At 9:45 p.m. a motion was made by Tom Tyler, seconded by James Cloutier, to ADJOURN the meeting. The motion carried by a unanimous vote.