



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.

Monday, January 8, 2024

5:30 PM

The Meeting Will Be Held On Zoom

www.cumberlandcounty.org/live

Instructions to participate are on the agenda.

Send public comments to gailey@cumberlandcounty.org

CALL TO ORDER

The Board of Commissioners met for their regularly scheduled meeting via Zoom, the meeting was called to Order by Chair James Cloutier at 5:35 pm.

ATTENDANCE

County Staff:

James Gailey, County Manager

Alex Kimball, Deputy Manager

Travis Kennedy, Director of Public Affairs

Jacqueline Sartoris, District Attorney

Paul Aranson, Judge of Probate

Katharine Cahoon, Admin and Special Projects

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

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

[CD 24-001](#) Approval of the minutes, December 11, 2023, meeting of the Board of Commissioners

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

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

No: 0

INFORMATIONAL REPORT/PRESENTATIONS

COMMENTS FROM THE PUBLIC

There were no comments from the public.

CONSENT AGENDA[24-001](#)

Re-appoint Sam Surprise to the Cross Insurance Arena Board of Trustees for a term of 2024-2027.

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

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

No: 0

ARPA BUSINESS**NEW BUSINESS**[24-002](#)

Authorization to dedicate the Cumberland County's new Victim Witness Waiting Room as the "Lois Galgay Reckitt Victim Witness Waiting Room."

District Attorney Jacqueline Sartoris spoke about the County's new Victim Waiting Room. Nationally courtrooms are adding waiting rooms for Victim Witnesses and it is now considered a best practice. The waiting room provides a space for victim-witnesses who are testifying in trials or waiting to be called back. As the space for the new waiting room was being completed, Lois Reckitt passed away. Lois was an advocate for justice for victims and supporter of survivors for domestic violence. To commemorate the Victim Waiting Room it is being designed in shades of green which was Lois's favorite color.

Commissioner Jamieson stated that he knew Lois for many years and it's fitting to name the space reserved for Victim Witnesses after Lois. He stated that his time at the Courthouse he has seen the need for a separate space especially for people who are less fortunate.

Commissioner Smith supported the item and glad to know that it was a best practice and good use of space. It's a nice way to honor Lois's legacy who contributed to the betterment of society and dedication of public spaces helps further the civic knowledge of the community.

Commissioner Gorden supported the motion and noted that when working with her in the legislature she was always very kind toward everyone.

Commissioner Cloutier supported the motion and that he knew her for decades and was a legislature for South Portland. She was a stellar and thoughtful individual. He stated that while he usually believes that public spaces should not be named after individuals until five years after their passing, he felt that the dedication is appropriate and supports the concept. He thanked District Attorney

Sartoris and her staff for facilitating the project.

District Attorney Sartoris thanked the Board of Commissioners for their support and invited them to the dedication ceremony in February.

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, Commissioner Gorden, Commissioner Smith, and Chair Cloutier

No: 0

[24-003](#)

Authorization for the County Manager to enter into a contract amendment between Cumberland County and Maine Public Employees Retirement System and Provide MainePERS Special Plan 3C to the following non-union Law Enforcement Officers who regularly work more than 20 hours per week and who are not seasonal or temporary: Sheriff, Chief Deputy, Captains of CID/Patrol and Support Services Captain for service rendered after January 31, 2024. Service rendered from July 1, 2008 and January 31, 2024 for these officers remains under Special Plan 2C and service rendered before July 1, 2008 remains under Regular Plan AC.

Commissioner Witonis asked if the item had to be a consistency of over 20 hours worked or up to 20 hours worked? County Manager Gailey stated that it is over 20 hours and does not pertain to per diem staff.

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

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

No: 0

[24-004](#)

Authorization for the County Manager to enter into a contract amendment between Cumberland County and Maine Public Employees Retirement System to provide MainePERS Special Plan 2C to certain non-union Cumberland County Regional Communications Center (CCRCC) employees who regularly work more than 20 hours per week and who are not seasonal or temporary: Director of the CCRCC and Deputy Director of the CCRCC for service rendered after January 31, 2024. Service rendered by these CCRCC employees before February 1, 2024 remains under Regular Plan AC.

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

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

No: 0

COMMENTS FROM THE COUNTY MANAGER

County Manager Gailey gave an update on the Cross Insurance Arena. There was basketball game; boys basketball with Monteverde Academy. It was standing room only and the game was phenomenal. Other shows with high attendance included Disney on Ice and Maine Mariners Hockey games. An RFP for furniture at the new admin building in 27 Northport Dr is being released and will go before Commissioners for approval at the February Board Meeting. Other updates included that the structural engineers determined that the roof for 27 Northport cannot support solar panels. The contract for the Community Corrections building to be used by the State D.O.C. is close to being finalized. The one outstanding item is that the showers will need to be modified so that they are ADA accessible and he is proposing that the cost be split with the State of Maine.

COMMENTS FROM THE EXECUTIVE STAFF

Deputy Manager Alex Kimball stated that the audit is still continuing.

Finance Director Theresa Grover stated that she is also wrapping up the end of the year and finalizing W-2s and W-9s.

Public Affairs Director Travis Kennedy gave an update on the Legislature and their work. Commissioner Cloutier asked about the proposal for enhanced rural patrol, does that relate to the County. Public Affairs Director Kennedy stated that it is being monitored. Commissioner Gorden commented that there was an original proposal to have Maine State Police authorized positions unfilled for rural patrol to fill them or contract with the County for a deputy patrol. At the last minutes that proposal was changed as a result of lobbying. The new proposal is that it goes before the taxation committee and increase property transfer fees that would support the costs. It was ultimately denied and went to square one. He commented that the issue does not pertain to Cumberland County. But it could based on the information provided by the Cumberland County Sheriff regarding community contracts that there are areas that need more patrol but communities are not interested.

At 6:04 p.m. Commissioner Jamieson lost service and exited the meeting.

COMMENTS FROM THE COUNTY COMMISSIONERS

There were no comments from County Commissioners.

EXECUTIVE SESSION

During Executive Session Commissioner Jamieson returned to the meeting.

[24-005](#)

For the Board of County Commissioners to enter into Executive Session under 1 M.R.S.A. §405(6)(A) for the discussion of compensation of the Cumberland County Probate Judge.

Time Into Executive Session: 6:10PM

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

Yes: 4 - Commissioner Witonis, Commissioner Gorden, Commissioner Smith, and Chair Cloutier

No: 0

Absent: 1 - Commissioner Jamieson

Time Out of Executive Session: 7:29PM

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

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

No: 0

[24-006](#)

Enter into Executive Session pursuant to 1 MRSA §405(6)(A) and (D) to discuss the evaluation of Arena Management in accordance with the Management Agreement; and update on the Portland Hockey LLC contract.

Time Into Executive Session: 6:10PM

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

Yes: 4 - Commissioner Witonis, Commissioner Gorden, Commissioner Smith, and Chair Cloutier

No: 0

Absent: 1 - Commissioner Jamieson

Time Out of Executive Session: 7:29PM

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

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

No: 0

ADDED IN SESSION

[24-007](#)

Accept the 2022-2023 Financial Incentive Calculation in accordance with the contract between OVG360 and the Cumberland County Commissioners in the amount of \$114,916.61. (Added in Session)

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

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

No: 0

[24-008](#)

Accept the recommendation of the Cross Insurance Arena Trustees and submit payment in the amount of \$296,794.00 in accordance with the financial subsidy agreement between the Portland Hockey LLC and the Cumberland County Commissioners. (Added In Session)

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

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

No: 0

Next Meeting: Monday, February 12, 2024

ADJOURNMENT

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