Cumberland County

Commissioner Workshop

Meeting Agenda - Final

Meeting Location: Feeney Conference Room

Workshops are for Commissioner review; items are informational only unless otherwise directed by the Board. The public is welcome to attend; public comment will not be received unless invited by the Board.

Monday, February 26, 2024	**6:00 PM**	**County Courthouse** **205 Newbury St** **Portland, ME 04101**

The Workshop will immediately proceed the Executive Session.

CALL TO ORDER

ROLL CALL

NEW BUSINESS

REV 24-01 2024/25 Budget Wrap-up

Attachments: PP - 2024-2025 Budget Wrap up
Maine Paid Family and Medical Leave
2024-25 Budget Manager Wrap-Up

REV 24-02 Update the County Commissioners on 27 Northport Drive

Attachments: PP - 27 Northport final floor plans

REV 24-03 Discussion on creating a County Land Bank

Attachments: PP - Land Bank Workshop

ADJOURNMENT

Cumberland County

142 Federal St
Portland, ME 04101

Position Paper

File #: REV 24-01 **Agenda Date:** 2/26/2024 **Agenda #:**

Agenda Item Request:

Work with Commissioners on the 2024/25 budget.

Background and Purpose of Request:
Requestor: James H. Gailey

Please refer to the attached Position Paper and updated spreadsheets for information regarding the 2024/25 budget.

Presentation: Yes

Maine
Cumberland County
POSITION PAPER FOR AGENDA ITEM

TO:	Cumberland County Commissioners
FROM:	James H. Gailey
DATE:	February 26, 2024
SUBJECT:	2024/2025 Budget Wrap-Up

Requested Action:

Work through 2024/25 budget in preparation of a public hearing on March 19, 2024.

Background & Purpose of Request:

In December, staff presented the Manager's 2024/25 budget to the County Commissioners. At that meeting the Commissioners remanded the budget to the Finance Committee for further review and recommendation. The proposed Manager's Budget in December was up 4.86% over the current year budget.

The Finance Committee has met four times from December to February. The Committee brought in different departments to present and have dialog on their budgets. The Finance Committee held their wrap-up meeting on February 20th. At that meeting, staff presented some changes to the December budget for consideration by the Finance Committee. The changes are as follows:

Additional Funding for SO Patrol Vehicles	-$40,000.00
Reduction of the Tax Anticipation Note Costs	-$40,000.00
State Family Medical Leave Jan 1, 2025 Costs	-$60,000.00
Savings from staff changes at EMA	+$36,000.00
Adjustment of revenue in Parking Garage	+$15,000.00

The outcome of these changes results in a proposed Needs from Taxes budget of 4.89% over the current year. Up slightly from the proposed budget presented in December.

The Finance Committee has made a favorable recommendation for the County's 2024/2025 budget to the Commissioners.

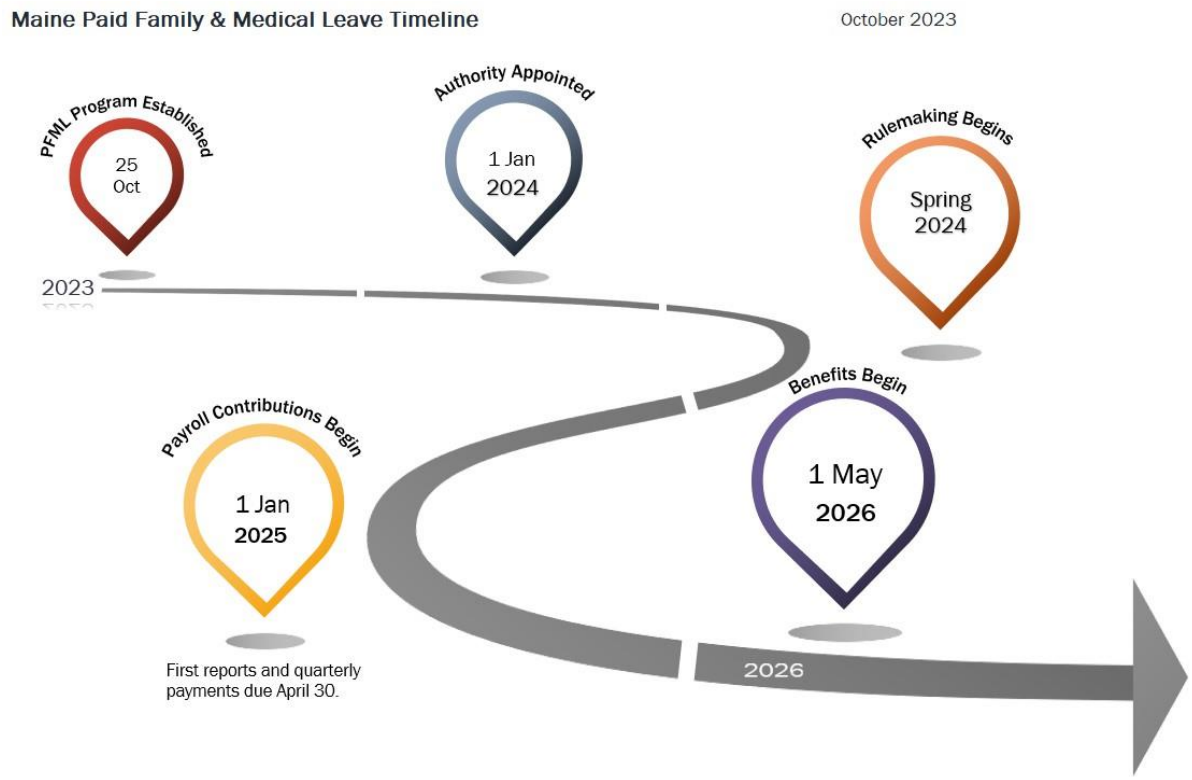
Working through the budget on Monday night and finalizing this budget will be utmost important. Staff needs to prepare the documents for the March 19th Commissioners meeting for adoption and towns are looking for their Warrant amount so they can incorporate the County's Warrant in their budgets.

Attachments: Revised overall spreadsheet for General Fund, Jail and Cross Insurance Arena.

Maine Paid Family and Medical Leave

Below is the lead paragraph and associated graphic on the MDOL website regarding this program.

On July 11, 2023, Governor Mills signed an historic budget that includes the creation of a paid family and medical leave program, making Maine the 13th state to establish one. Beginning in 2026, eligible workers in the private and public sector will have 12 weeks of paid time off available to them for family or medical reasons including illness, to take for a relative, or for the birth of a child.



In many ways, the graphic says more about the state of this program than the lead paragraph, at least for employers attempting to budget for this law.

The current plan is for employers and employees to both start contributing up to .5% of their wages each towards the program, in anticipation of actual benefits being paid out beginning May 1, 2026, or 16 months later. However, the graphic also shows a critical step before those two final steps, and that is rulemaking scheduled to begin in the spring of 2024, with a completion deadline of 12/31/2024, or one day before deductions are scheduled to begin. Here are the things that will thus need to be decided and implemented before that time.

- **Exactly which wages are and are not included**. For example: Are extra stipends included? Is overtime included? Are seasonal and part-time wages included? Do J-1 Visa employees have to pay in?
- **What options exist for employers already offering similar programs?** What similar programs will and won't be allowed? For example, will employers who pay for IPP programs for their employees be able to use those amounts as an offset? Similarly, will employees who pay into IPP programs be able to reduce the amounts they are required to pay?
- **How will this program interact with federal FMLA laws?** It is already known that this act is far less restrictive that federal laws, but what will occur when an employee is eligible for Federal FMLA? Is eligibility concurrent, or does it stack?
- **What will the exact eligibility requirement be?** This is a huge one, as the current broad parameters of the statute give great latitude in the definitions of important areas such what is considered family, and what is considered an eligible condition. Also, are seasonal and J-1 employees even eligible?
- **What will the actual percentage paid in be?** Another quite large open question. The current statute states "up to" 1% split between employees and employers, but proponents of this program are currently stating that the number could be .86% total based on their prior analysis.
- **How will this program be administered?** At present, this program appears to consist of a bare bones staff of a few people. In order to properly administer a program through which 1% of ALL wages (or however this is defined) paid within the State of Maine will pass, a very large and complex infrastructure will need to be created from scratch. It will then need to oversee and manage payments from all employers within the state, and also determine eligibility and payments amounts for any employee in the state who applies. This will become one of the larger and more complex agencies within the state almost immediately.
- **Will the state instead choose to outsource all administration to a private entity?** That will be greeted by employees throughout the state with glee, I'm sure.

Thus far, the new agency has conducted 3 "listening sessions" regarding all these topics. During the sessions, concerned parties are able to voice their suggestions and concerns, but no answers or responses were given at the time. The questions being asked at these sessions are pointed and somewhat disconcerting, to be honest. They speak to the massive decisions that will need to be made during rulemaking, and the enormous task of creating such a large agency from scratch. The questions also repeatedly refer to the 1 day gap between completion of rulemaking, and starting to take a percentage of employee wages. If a detailed plan to actually get this enormous program up and running exists at present, it has not been shared as of yet.

This all leaves employers throughout the state, and in particular governmental entities who budget well in advance, in something of a bind. After viewing the listening sessions thus far, knowing the immense task ahead of the rule-making committee, and knowing how extremely difficult it will be for the State of Maine to even find enough employees capable of staffing such a large program, it seems inconceivable that this program will be fully baked a little over 10 months from now, and that delayed implementation is absolutely necessary. However, only the deductions from wages actually begin January 1, 2025, and the state will then have another 16 months to presumably get up to speed. It is on this gap that the proponents of immediate implementation will likely hang their hats.

So, Counties and Municipalities have a difficult decision ahead of them during their budget process. Do they budget according to the letter of the new law as it currently stands, knowing that even the amounts to be deducted are likely to change following their budget process? Or, do they bank on the fact that this program will take far, far more time to get up to speed than currently projected, and hold off on adding to taxes for the 24-25 budget year?

Below is a chart of potential costs to both employees and employers assuming 1% total contributions.

Base Pay	Employee Portion	Employer Portion	Total	Per Week Employee
$50,000	$250	$250	$500	$4.81
$75,000	$375	$375	$750	$7.21
$100,000	$500	$500	$1,000	$9.62

COUNTY OF CUMBERLAND: FC Budget 2024-25

DEPARTMENT	23-24 ADOPTED BUDGET	2022 ACTUAL EXPENSES	24-25 BUDGET REQUEST	Dollars over 23-24	Manager Adjustments	24-25 MGR	24-25 FC RECOMM	24-25 FINAL Budget	% Increase over 2022
Emergency Mgmt Agency	773,675	640,611	762,746	(10,929)	(23,000)	739,746	707,849	-	*-4.39%*
District Attorney	2,426,685	1,974,968	2,691,956	265,271	(132,310)	2,559,647	2,559,647	-	*5.48%*
Facilities	2,655,653	2,611,045	3,032,989	377,336	(198,990)	2,833,998	2,833,998	-	*6.72%*
Registry of Deeds	799,280	704,119	834,365	35,085	-	834,365	834,365	-	*4.39%*
Registry of Probate	834,602	769,003	895,677	61,075	(2,000)	893,677	893,677	-	*7.08%*
Finance	690,200	610,088	580,147	(110,053)	(1,000)	579,147	579,147	-	*-16.09%*
Communications	3,808,714	3,448,081	3,877,577	68,863	(26,614)	3,850,963	3,850,963	-	*1.11%*
Executive-Admin	882,561	798,964	1,075,884	193,323	(6,000)	1,069,884	1,069,884	-	*21.22%*
Facilities-Garage	241,219	293,532	138,316	(102,903)	-	138,316	138,316	-	*-42.66%*
Information Technology	1,072,464	1,014,799	1,102,330	29,866	-	1,102,330	1,102,330	-	*2.78%*
Human Resources	676,313	565,576	868,874	192,561	(4,735)	864,139	864,139	-	*27.77%*
Sheriff-Admin	*1,454,231*	*1,307,767*	*1,617,188*	162,957	(40,000)	*1,577,188*	*1,577,188*	-	*8.46%*
Sheriff-Law Enforcement	*6,735,301*	*6,060,575*	*7,453,021*	717,720	(169,200)	*7,283,821*	*7,323,821*	-	*8.14%*
Sheriff-Civil	*412,428*	*335,544*	*416,693*	4,265	-	*416,693*	*415,943*	-	*1.03%*
Debt Service-Principal	705,305	599,753	814,638	109,333	-	814,638	814,638	-	*15.50%*
DebtService- Interest	153,387	124,200	174,697	21,310	-	174,697	174,697	-	*13.89%*
Debt Expense - TAN Loans	191,000	84,476	161,000	(30,000)	(40,000)	121,000	81,000	-	*-36.65%*
					-	-			
Grants & Human Services	263,000	275,500	288,700	25,700	(20,700)	268,000	268,000	-	*1.90%*
Pension Life- Retirees	6,000	11,063	6,000	-	-	6,000	6,000	-	*0.00%*
Contingent Account	45,000	15,000	45,000	-	-	45,000	45,000	-	*0.00%*
Sal./ Ben./ Term. Pay	435,000	435,000	435,000	-	-	435,000	435,000	-	*0.00%*
Maine Family Medical Leave							60,000		*#DIV/0!*
Unemployment Insurance	20,000	631	5,000	(15,000)	-	5,000	5,000	-	*-75.00%*
Regional Projects and Public	95,000	49,192	95,000	-	-	95,000	95,000	-	*0.00%*
Regional Public Health	95,000	-	160,000	65,000	-	160,000	160,000	-	*68.42%*
Capital Improvement Res.	298,100	1,265,800	376,600	78,500	-	376,600	376,600	-	*26.33%*
							-		
Total Expenditure Summary	25,770,118	23,995,286	27,909,397	2,139,280	(664,549)	27,244,848	27,272,202	-	*8.30%*
Change			*2,139,280*	*2,139,280*		*1,474,731*	*1,502,084*	*(25,770,118)*	

Tax Calculation	2021 BUDGET	2022 BUDGET	23-24 BUDGET	24-25 BUDGET REQUEST	24-25 MGR	24-25 FC RECOMM	24-25 FINAL Budget	
COUNTY								
Total Estimated Expenditures	**23,141,940**	**24,092,634**	**25,770,118**	**27,909,397**	**27,244,848**	**27,272,202**	**-**	
Total Estimated Revenues	**(6,504,408)**	**(6,423,573)**	**(6,956,734)**	**(7,159,414)**	**(7,144,414)**	**(7,159,414)**	**(7,159,414)**	***3%***
Tax Stabilization Reserve	**(200,000)**	**(200,000)**	**(200,000)**	**(200,000)**	**(200,000)**	**(200,000)**	**(200,000)**	
Tax Revenue Required	**16,437,532**	**17,469,061**	**18,613,384**	**20,549,984**	**19,900,435**	**19,912,788**	**(7,359,414)**	
Net Dollar Change		**1031529**	**1,144,323**	**1,936,600**	**1,287,051**	**1,299,404**	**(25,972,797)**	
Percent from prior year		**6.28%**	**6.96%**	**10.40%**	**6.91%**	**6.98%**	**-139.54%**	

Jail Budget

Tax Calculation	2021-22	2022-23	23-24	24-25	24-25 MGR	24-25 FC RECOMM	24-25 Final Budget		
Total Estimated Expenditures	21,517,069	22,405,905	22,405,905	20,500,570	20,869,148	20,869,148			
Total Estimated Revenues	(6,752,000)	(7,050,233)	(7,050,233)	(4,530,672)	(4,899,250)	(4,899,250)			
Tax Revenue Required	14,765,069	15,355,672	15,355,672	15,969,898	15,969,898	15,969,898	-		
	14,765,069	15,355,672	15,355,672	15,969,898	15,969,898	15,969,898	-		
	Amount fixed by statute			614,226	614,226	614,226	(15,355,672)		

Cross Insurance Arena Budget

Tax Calculation	2021 BUDGET	2022 BUDGET	23-24 BUDGET	24-25 BUDGET REQUEST	24-25 MGR RECOMM	24-25 FC RECOMM	24-25 Final Budget		
Bond Principal	1,178,966	1,295,793	1,390,241	1,440,000	1,440,000	1,440,000	-		
Bond Interest	887,020	826,568	739,387	688,462	688,462	688,462	-		
Prior CIA Debt Service	614,488	464,378	439,075	432,045	432,045	432,045	-		
Operational Subsidy	750,000	564,271	730,000	648,000	648,000	648,000	-		
Tax Revenue Required	3,430,474	3,151,010	3,298,703	3,208,507	3,208,507	3,208,507	-		
Net Dollar Change		(279,464)	147,693	(90,196)	(90,196)	(90,196)	(3,298,703)		
Percent from prior year		-8.15%	4.69%	-2.73%	-2.73%				

COMBINED TAX PRESENTATION

Tax Calculation	2021 BUDGET	2022 BUDGET	23-24 BUDGET	24-25 BUDGET REQUEST	24-25 MGR RECOMM	24-25 FC RECOMM	24-25 Final Budget		
Total Estimated Expenditures	47,151,594	48,760,713	51,474,726	51,618,474	51,322,503	51,349,857	-		
Total Estimated Revenues	(12,886,408)	(13,175,573)	(14,006,967)	(11,690,086)	(12,043,664)	(12,043,664)	(7,159,414)		
Tax Stabilization Reserve	(200,000)	(200,000)	(200,000)	(200,000)	(200,000)	(200,000)	(200,000)		
Tax Revenue Required	34,065,186	35,385,140	37,267,759	39,728,389	39,078,840	39,106,193	(7,359,414)		
Net Dollar Change		1,319,954	1,882,619	2,460,630	1,811,081	1,838,434	(44,627,172)		
Percent from prior year		3.87%	5.32%	6.60%	4.86%	4.93%	-119.75%		
Budget Requests	General County Impact			1,936,600				5.20%	Total
	Jail Impact			614,226				1.65%	
	Cross Insurance Arena Impact			(90,196)				-0.24%	6.60%
MGR Budget	General County Impact				1,287,051			3.45%	Total
	Jail Impact				614,226			1.65%	
	Civic Center Impact				(90,196)			-0.24%	4.86%
FC Budget	General County Impact					1,299,404		3.49%	Total
	Jail Impact					614,226		1.65%	
	Civic Center Impact					(90,196)		-0.24%	4.89%

Cumberland County

142 Federal St
Portland, ME 04101

Position Paper

File #: REV 24-02 **Agenda Date:** 2/26/2024

Agenda Item Request:

Update the County Commissioners on 27 Northport Drive.

Background and Purpose of Request:
Requestor: James H. Gailey, County Manager

Over the last three months staff has been working closely with the architects in designing the office layouts for the new county building at 27 Northport Drive. The office layouts have been completed and now we are entering the next stage in developing construction documents.
I thought it was an appropriate time to update the Commissioners on what has been done to date and what we are seeing lie ahead.

Presentation: Yes

Cumberland County Maine

POSITION PAPER FOR AGENDA ITEM

TO:	Cumberland County Commissioners
FROM:	James H. Gailey, County Manager
DATE:	February 26, 2024
SUBJECT:	27 Northport

Requested Action:

Information only

Background & Purpose of Request:

I thought it would be beneficial to update the Commissioners on the work staff has been doing with regards to the new building. We have completed the floor plan and the architects are now scheduling to begin the construction drawings so that we may go out to bid for renovations.

Cumberland County

142 Federal St
Portland, ME 04101

Position Paper

File #: REV 24-03 **Agenda Date:** 2/26/2024 **Agenda #:**

Agenda Item Request:

Discussion on creating a County Land Bank account.

Background and Purpose of Request:
Requestor: James H. Gailey

Please refer to the attached position paper for information regarding this request.

Presentation: Yes

Funding Amount and Source: ARPA Funds

Maine
Cumberland County

POSITION PAPER FOR AGENDA ITEM

TO:	Cumberland County Commissioners
FROM:	James H. Gailey, County Manager
DATE:	February 26, 2024
SUBJECT:	Creation of Land Bank

Requested Action:

None at this time

Background & Purpose of Request:

I am bringing up this item for conversation and guidance from the Commissioners.

The County is currently sitting on funding in support of affordable housing. With an ARPA deadline looming to put things under contract by December 2024, there will be some tough decisions that staff will need to make on the current ARPA funding allocations to subrecipients. The County also has money already designed for affordable housing.

It is my belief that the County is in a position to begin the conversation in establishing a land bank account through the use of these funds. Most times when you hear of a land bank account, you think open space preservation. In this case, I propose a land bank account for future use for affordable housing development. By the County acquiring land, the County can partner with affordable housing developers/managers to build housing in parts of the County that are currently lacking in available housing. A large source of affordable housing funding comes from MaineHousing. MaineHousing has a very competitive funding program and by the County partnering with affordable housing developers this may give their applications a point boost to become a funded project.

I'd like to open up a discussion around the County exploring available property for purchase using ARPA funds over the next year.

Jim