

*Maine*  
**Cumberland County**

**CUMBERLAND COUNTY COMMISSIONERS' MEETING**

**AMENDED MINUTES**

**January 13, 2020**

**CALL TO ORDER – 5:30 pm**

**Commissioners in Attendance:**

Thomas Coward, Chair  
Stephen Gorden, Vice Chair  
Neil D. Jamieson, Jr.  
James Cloutier  
Susan Witonis

**Staff in Attendance:**

James Gailey, Cumberland County Manager  
Don Brewer, Human Resource Director  
Kevin Joyce, Cumberland County Sheriff  
Travis Kennedy, Director of Public Affairs  
Alex Kimball, Deputy Manager – Finance & Administration  
Barbara Owens, Executive Assistant/Deputy Clerk  
Naldo Gagnon, Chief Deputy, Cumberland County Sheriff's Office  
Steven Butts, Captain, Cumberland County Sheriff's Office

The meeting was held at 5:35 PM at the Cumberland County Courthouse, First Floor, Peter Feeney Conference Room, 142 Federal Street, Portland, ME 04101.

**PLEDGE OF ALLEGIANCE / APPROVAL OF THE MINUTES**

County Commission Chair Thomas Coward asked for a motion to approve the Regular Meeting Minutes for Monday, December 9, 2019. Commissioner James Cloutier so moved, Commissioner Neil D. Jamieson, Jr., seconded the motion. All Commissioners voted unanimously in favor, 5-0.

**INFORMATIONAL REPORTS/PRESENTATIONS**

Cumberland County's incoming Commission Chair Thomas Coward thanked Commissioner James Cloutier for his service in 2019 as Chair of the Board of Cumberland County Commissioners. He presented him with a plaque in appreciation of a great year of service.

**COMMENTS FROM THE PUBLIC**

There were no comments from the public.

## CONSENT AGENDA APPROVALS

- 20-001** Renewal of the Mutual Cooperation Agreement with Cumberland County HOME Consortium.
- 20-002** Award a three-year contract to Consolidated Communications for phone system upgrade at Courthouse to VOIP
- 20-003** Establishment of a Vehicle Reserve Account
- 20-004** Award the bid for 10G Wave Service & Internet Agreement to Consolidated Communications.
- 20-005** Appointment of Diane Smith Howard to the Midcoast Maine Community Action Board of Directors representing County Commissioner District 3.
- 20-006** Re-Appointment of the Board of Assessment Review Committee Members

Commission Chair Coward asked the Deputy Clerk to read all Consent Agenda Items, then he asked for a motion to approve Consent Agenda Items 20-001 thru 20-006. Commissioner Neil D. Jamieson, Jr. so moved, Commissioner James Cloutier seconded. All Commissioners voted unanimously in favor, 5-0.

## ACTION ITEMS

- 20-007** Approval of Acquisition of Surplus Property Policy

County Manager Jim Gailey presented staff's proposal for a Surplus Property Policy, stating that the County Commissioners during the budget process requested staff to develop and present such a policy at an upcoming meeting. An amended policy was passed out to the Commissioners, which took into account a few comments he received after the agenda packet was sent out last week. The Policy will amend Administrative Regulations #7 Surplus Material & Sale of County Property – Acquisition of Surplus Property. The Commissioners offered discussion on this item.

Commission Chair Thomas Coward asked for a motion to approve Action Item 20-007 -- the newly amended version -- of the Acquisition of Surplus Property Policy. Commissioner Neil Jamieson, Jr., so moved, Commissioner Susan Witonis seconded. All Commissioners voted unanimously in favor, 5-0.

- 20-008** Approval of the establishment of a Regional Aid Reserve Policy

County Manager Jim Gailey reported on staff's proposed Policy for the Regional Aid Reserve account as requested by the Commissioners at the December 9, 2019 meeting during that time the Commissioners established the Reserve Account - **and the transfer of 27,000 into that account.** Commission Chair Thomas Coward asked for a motion to approve Action Item 20-008 approving the establishment of a Regional Aid Reserve Policy. Commissioner James Cloutier so moved, Commissioner Susan Witonis seconded. All Commissioners voted unanimously in favor, 5-0.

**20-009** Approve amended garage and surface parking rates for County Courthouse facilities

County Manager Jim Gailey went through the memo provided by Ray Saba, Cumberland County's Parking Garage Manager, outlining the parking rates on the Portland peninsula. Mr. Saba provided a survey of monthly, hourly and daily rates from other garages and recommended amending the County's rates starting March 2020. Commission Chair Thomas Coward asked for a motion to approve Action Item 20-009 approving the amended garage and surface parking rates for the County Courthouse facilities per staff's recommendation. Commissioner Neil Jamieson so moved, Commissioner James Cloutier seconded. All Commissioners voted unanimously in favor, 5-0.

**20-010** Acceptance of the 2020 Commissioner Committee Assignments

After much discussion and finalization of assignments, Commission Chair Thomas Coward asked for a motion to approve Action Item 20-010 approving the acceptance of the 2020 amended Cumberland County Commissioner Committee Assignments. Commissioner Neil Jamieson, Jr., so moved, Commissioner Stephen Gorden seconded. All Commissioners voted unanimously in favor, 5-0.

Commission Chair Thomas Coward asked for a motion to enter into Executive Session in accordance with 1 M.R.S.A. §405 (6)(D). to review wages and other terms of the Teamsters Local #340 Law Enforcement TA on a new three-year contract. James Cloutier so moved, Commissioner Susan Witonis seconded. All Commissioners voted unanimously in favor, 5-0. Commission Chair stated they will then come out of executive session and formally vote on contract.

Commission Chair Thomas Coward asked for a motion to come out of Executive Session in accordance with 1 M.R.S.A. §405 (6)(D). Commissioner James Cloutier so moved, Commissioner Neil D. Jamieson, Jr., seconded. They came out of Executive Session at 6:30 pm.

**20-011** Approval of Collective Bargaining Agreement with the Teamsters Local #340 Law Enforcement Unit

**EXECUTIVE SESSION**

Commission Chair Thomas Coward asked for a motion to approve Action Item 20-011 which was approval of the Collective Bargaining Agreement with the Teamsters Local #340 Law Enforcement Unit TA on a three-year contract. Commissioner Susan Witonis so moved, Commissioner James Cloutier seconded. All Commissioners voted unanimously in favor, 5-0. Commission Chair made the comment that this has been a remarkably productive negotiation. And he is thankful for all those that participated in it.

**OLD BUSINESS**

There were no Old Business items at this time.

**NEW BUSINESS**

There were no New Business items at this time.

## **COMMENTS FROM THE COUNTY MANAGER**

First, Jim wanted to thank Commissioner Cloutier for being Chair in 2019 and shared it was a smooth process working with Jim.

Jim Gailey shared about an incident last week on Tuesday where a gentleman tried to bring two handguns through security at the Cumberland County Courthouse. He was apprehended by the marshals with the help of the City of Portland police. Cumberland County staff had an active shooter training last Friday and more are scheduled for the future in the courthouse. He shared two detectives from the sheriff's office did an excellent job training staff on what to do if and when this should happen. It is going to start a continued dialog.

This week, Jim shared we will be sending out letters to the Town and City Managers as well as Chairs and Mayors of communities announcing the County's desire to go from a calendar year general fund budget to a fiscal year budget. That is all slated to begin a year from this month with the County creating a six-month budget from January to June 2021 and our first fiscal year budget will begin July 1, 2021 to June 31, 2022. We have been updating the managers for the last year yet now we are sharing the more particulars of how things are going to work.

We are currently accepting nominations for the 2020 Leadership Academy class. It's a terrific opportunity for employees and those from communities around the County. Classes start the second or third week of March.

Last, Jim Gailey wanted to congratulate Commissioner Cloutier and his wife Peggy for being selected as the 2091 STRIVE Volunteers of the year.

Commissioner Stephen Gorden asked the manager if he could consider creating a policy whereby they could have use electronic signatures.

## **COMMENTS FROM THE EXECUTIVE STAFF**

Deputy Manager of Finance & Administration, Alex Kimball, shared it is January so there is a lot going on. First he discussed the Tax Anticipation Note (TAN) which last Wednesday was opened. Morgan & Stanley Company won it with a 1.05% rate which was lower than expected and lower than last year by a pretty good chunk.

He noted that anyone getting a COLA or benefit change(s) for the start of the new year that should have gone into effect and he just wanted to mention the jail does their increases on a July to June basis so it will be a little different there.

He recently sent out an email with regard to the payroll tax table changes and the changes to the W-4 Forms. The new form looks very different than the prior form. The IRS is trying to be a lot more accurate with the new forms. They are focusing now on getting everyone out their W-2 forms and then the 1099 forms for the contractors and the 1095Bs and 1095Cs – Certificates of Health Insurance.

Director of Public Affairs, Travis Kennedy, discussed he recently had a meeting with seven towns with regard to establishing Wi-Fi hot spots and they are moving on to get engineering bids and will provide an update with a better idea of costs. He also updated the Commissioners that the Legislature is in session. He discussed the jail situation with the Legislature. He shared that 2019 was a very productive year.

HR Director Don Brewer shared that with regard to staffing – we have openings for Corrections Officers at the jail. We are sending teams to job fairs and recruiting for those positions. Also in January is our annual Sexual Harassment and other unlawful forms of Harassment Training that we do every January. Also in keeping with the Commissioners’ strategic initiatives to invest in staff training, we are launching a year-long training series for department heads, supervisors and managers on various items to enhance their skill sets. Every month will be a different topic.

Sheriff Kevin Joyce shared more about staffing and the needs there. On February 13<sup>th</sup> there will be a sleep deprivation expert coming in from Washington State to do two classes for union members/staff and some local law enforcement. It’s a problem for everyone not just a Cumberland County problem.

### **COMMENTS FROM THE COUNTY COMMISSIONERS**

Commissioners Witonis, Gorden and Jamieson had no comments this month.

Commissioner James Cloutier shared he was very grateful for having lots of choices in the Broadband study arena and wanted to mention he still would like to have some participation of the 200<sup>th</sup> anniversary of Maine becoming a State.

Commission Chair Thomas Coward shared about his last meeting as president of the Maine County of Commissioners Association last week. They introduced a new budget that their finances are being paid a little more by the larger counties. There was a speaker who spoke about Broadband from the State-wide community. He felt it may be a year where everyone is going in the right direction for Broadband. The State is putting significant resources toward that item. He also thanked Jim Cloutier for chairing the Board for this past year.

### **EXECUTIVE SESSION**

Commission Chair Thomas Coward asked for a motion to enter into Executive Session in accordance with 1 M.R.S.A. §405 (6)(D) to discuss NCEU negotiations and revised bargaining guidance. Commissioner Neil D. Jamieson, Jr., so moved, Commissioner Susan Witonis seconded. All Commissioners voted unanimously in favor, 5-0. Commission Chair stated there will be no motion associated with this Executive Session and that they will be adjourning afterward.

Commission Chair Coward asked for a motion to come out of Executive Session in accordance with 1 M.R.S.A. §405 (6)(D) Commissioner Neil D. Jamieson, Jr., so moved, Commissioner Susan Witonis seconded. They came out of Executive Session at 7:52 pm.

### **ADJOURN**

Commission Chair Thomas Coward asked for a motion to adjourn the meeting. Commissioner Jamieson moved to adjourn the meeting, Commissioner James Cloutier seconded. All commissioners voted unanimously in favor, 5-0. The meeting adjourned at 7:53 pm.

**Next Commissioners’ Public Hearing meeting : Monday, February 10, 2020, in the Peter J. Feeney Conference Room, Cumberland County Courthouse, 142 Federal Street, Portland, ME at 5:30 PM.**