

Maine
Cumberland **County**

CUMBERLAND COUNTY COMMISSIONERS' MEETING

MINUTES

February 10, 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
Naldo Gagnon, Chief Deputy, Sheriff's Office
Travis Kennedy, Director of Public Affairs
Alex Kimball, Deputy Manager – Finance & Administration
Barbara Owens, Executive Assistant/Deputy Clerk
Steve Butts, Captain, Sheriff's Office

The meeting was held at 5:30 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, January 13, 2020.

County Manager James Gailey asked for an amendment to the minutes under Action Item 20-008 Approval of the establishment of a Regional Aid Reserve Policy. Mr. Gailey asked that we add the words "***and the transfer of \$27,000 into that account***" to that item. Commissioner Chair asked if there was any discussion on this amendment. There was none. All Commissioners voted unanimously in favor of amending the minutes under Action Item 20-008, 5-0.

County Commission Chair Thomas Coward asked for a motion approving the Regular Meeting Minutes ***as amended*** for Monday, January 13, 2020 and asked if there was any further discussion on the minutes. Commissioner James Cloutier so moved, on the main motion to approve the Regular Meeting Minutes ***as amended*** for Monday, January 13, 2020, Commissioner Susan Witonis, seconded the motion. All Commissioners voted unanimously in favor, 5-0.

INFORMATIONAL REPORTS/PRESENTATIONS

There were no informational reports/presentations this month.

COMMENTS FROM THE PUBLIC

Eric Sawyer, a resident from Freeport, Maine, addressed the Commissioners with regard to the EMA Training and Exercise Coordinator position that he applied for. He urged the Commissioners to have staff review the compensation for this position.

CONSENT AGENDA APPROVALS

- 20-012** Approval of the Cumberland County Emergency Communications service contract with the Town of Cumberland from July 1, 2020 to June 30, 2023.
- 20-013** Approval of the Cumberland County Emergency Communications service contract with the Town of New Gloucester from July 1, 2019 to June 30, 2022.
- 20-014** Approval of Sheriff's Office Commissions for February 2020.

Commission Chair Coward asked the Deputy Clerk to read all Consent Agenda Items, then he asked for a motion to approve Consent Agenda Items 20-012 thru 20-014. Commissioner James Cloutier so moved, Commissioner Susan Witonis seconded. All Commissioners voted unanimously in favor, 5-0.

ACTION ITEMS

- 20-015** Award bid to Radio Communications Management, Inc., of Portland, Maine for the replacement of the County's Primary and Secondary Microwave system.

County Manager Jim Gailey discussed this action item as detailed in his position paper. He shared this is the first step of two motions that will be made. In this motion he was asking that the Commissioners to award the replacement of the Primary and Secondary Microwave system to Radio Communications Management, Inc. of Portland, Maine, in the amount of \$290,194.00, while waiving Administrative Regulation #5 Procurement Policy IX (D) allowing a sole source bid.

Commission Chair Thomas Coward asked for a motion to approve Action Item 20-015 awarding the replacement of the Primary and Secondary Microwave system to Radio Communications Management, Inc. of Portland, Maine, in the amount of \$290,194.00, while waiving Administrative Regulation #5 Procurement Policy IX (D) allowing a sole source bid. Commissioner Neil D. Jamieson, Jr., so moved, Commissioner James Cloutier seconded. All Commissioners voted unanimously in favor, 5-0.

- 20-016** Authorization of Cumberland County's application to the Maine Bond Bank for the Radio Microwave Project.

Deputy Manager of Finance & Administration, Alex Kimball, discussed the application and working with the Maine Bond Bank. He just needs their authorization to complete the application for proceeds which won't actually be distributed until May. He asked that the Commissioners make a motion to authorize the County Manager to submit the application in the amount of \$290,194 to the Maine Bond Bank for the purpose of Microwave Replacement.

Commission Chair Thomas Coward asked for a motion to approve Action Item 20-016 authorizing the County Manager to submit the application in the amount of \$290,194 to the Maine Bond Bank for the purpose of Microwave Replacement. Commissioner James Cloutier so moved, Commissioner Neil D. Jamieson, Jr., seconded. All Commissioners voted unanimously in favor, 5-0.

- 20-017** Authorizing the County Treasurer to refinance the 2012 General Obligation Bond for the Cross Insurance Arena and County Capital.

Deputy Manager – Finance & Administration, Alex Kimball discussed in summary the background information in the staff report at length and asked that someone read out the resolution authorizing the County to capitalize on this while we have the rates we do. County Manager Gailey added one of the reasons why we think this move to go to the private side is that Federal

Regulation over the last couple of years changed and does not allow public general obligation bonds to be refinanced anymore, so if we are going to re-finance this bond to get it down to a lesser interest rate, only the private side is the allowable track for us to take so was one of the reasons why we are looking to the private side in addition to the reasons why Alex just mentioned.

Commissioner Cloutier asked, we can authorize this tonight and if we get out three weeks and do not like the looks of things will this authorization carry forward until we do. Alex shared that it is good for 90 days.

Commission Chair Thomas Coward made a motion as written, entitled “RESOLUTION OF THE BOARD OF COMMISSIONERS OF CUMBERLAND COUNTY, MAINE AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$27,580,000 2020 GENERAL OBLIGATION REFUNDING BONDS (FEDERALLY TAXABLE) and he hereby incorporates the rest of the document with his motion, Commissioner Neil D. Jamieson, Jr., seconded. All Commissioners voted unanimously in favor, 5-0.

20-018 Authorizing the County manager to transfer 2019 year-end fund balance to 2020 to cover capital projects.

County Manager Jim Gailey discussed his position paper on this item in detail. Chair Coward asked if there were any questions. Commissioner Stephen Gorden shared he would like the commission to have a discussion on the fund balance amount that we have. Chair Coward stated that item could be put on an agenda for a future workshop. Alex Kimball answered more questions of the Commissioners.

Commission Chair Thomas Coward asked for a motion to approve Action Item 20-018 Authorizing the County Manager to transfer \$599,000 from the 2019 year-end fund balance to the Strategic Planning Reserve. Commissioner James Cloutier so moved, Commissioner Neil D. Jamieson, Jr., seconded. All Commissioners voted unanimously in favor, 5-0.

20-019 Amending the County Commissioner By-Laws dated December 2011, First Reading.

County Manager Jim Gailey discussed this action item and the necessity to amend the By-Laws due to the County changing from a calendar year budget to a fiscal year budget (July – June). The County Manager read aloud the suggested Amendment. He stated that the By-Laws do take two readings for formal amendment. He asked the Commissioners to approve first reading this evening and set March 9, 2020 as second reading and final action.

Commission Chair Thomas Coward asked for a motion to approve Action Item 20-019 amending the County Commissioner By-Laws dated December 2011 at this First Reading. Commissioner James Cloutier so moved that this be considered the first reading of the proposed By-Law Amendment has been made at the public hearing at that the final action be scheduled for March 9, 2020, Commissioner Neil D. Jamieson, Jr., seconded. All Commissioners voted unanimously in favor, 5-0.

Steve Gorden reminded the Commissioners that every ten years the governing documents shall be re-codified and the By-Laws are one of them. Commission Chair stated this would be another item to be put on the agenda for a future workshop.

OLD BUSINESS

There were no Old Business items this month

NEW BUSINESS

There were no New Business items this month.

COMMENTS FROM THE COUNTY MANAGER

Jim notified the County Commissioners that his monthly article for the February 2020 Crews News stressed filling vacant positions within the County and shared the increased bonus incentives for position referrals by employees.

COMMENTS FROM THE EXECUTIVE STAFF

Deputy Manager of Finance & Administration, Alex Kimball, shared that at this point in time all employees should have received their W2s, the 1099s are also out for any of the contractors, the 1095C forms should be out in the next week or so, and then we will turn our attention to the audit.

HR Director Don Brewer reminded everyone that Cumberland County is now hiring for a number of positions; notably Corrections Officers would be at the top of the list and noted that the new Leadership Engagement and Development (LEAD) Series has started. The first class was held in January on Sexual Harassment and their second class is scheduled to be held this month.

Director of Public Affairs, Travis Kennedy, shared that new state laws make investing in solar power compelling, especially at the Cross Insurance Arena. We are considering a few different avenues to invest in solar, with no upfront costs and both short and long term financial benefits. Travis said there is more to come on this subject.

COMMENTS FROM THE COUNTY COMMISSIONERS

Commissioner James Cloutier shared that he has recently attended a couple of the Maine Mariners' hockey games. He said that he was very encouraged to see how very improved the facility is. It was a lot of fun.

Commissioner Neil D. Jamieson, Jr. shared that 26 of the 28 communities in Cumberland County participate in our CDBG Program and the HUD grant from four years ago that made an investment in Habitat for Humanity has just completed its 13th home in Scarborough. He felt it was a good use of CDBG funds. He also shared that he attended Fuel Rally on February 8th and we need to be mindful of our senior sources to help with the cost of heat in the winter; Project Grace and LIHEAP (Low Income Home Energy Assistance Program). He reminded all of February hockey tournaments and wished all sports teams good luck.

Commissioner Stephen Gorden shared that the MCCA may discuss the issue of one county/one vote; may be an increase of dues – changing the amounts per County. He shared we need a larger voice in decisions made. He wanted to thank the County Manager and HR Director for their trying to fill positions and wanted to reiterate on Commissioner Jamieson's topic of the fuel heat as well as remind everyone that the food pantries can definitely use our help.

Commissioner Susan Witonis wanted to thank the Sheriff's office for putting on a 2-hour "Active Shooter" training recently that she attended. She noted that as of right now we are the only state that nothing has yet happened. She also wanted to thank HR Director Don Brewer for the Sexual Harassment Training class she recently attended and suggested that other towns contact our HR department to be a part of these classes.

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 James Cloutier so moved, Commissioner Neil D. Jamieson, Jr., 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 Commissioner James Cloutier so moved, Commissioner Neil D. Jamieson, Jr., seconded. They came out of Executive Session at 7:01 pm.

ADJOURN

Commission Chair Thomas Coward asked for a motion to adjourn the meeting. Commissioner Neil D. Jamieson, Jr., moved to adjourn the meeting, Commissioner James Cloutier seconded. All commissioners voted unanimously in favor, 5-0. The meeting adjourned at 7:02 pm.

Next Commissioners' Public Hearing meeting: Monday, March 9, 2020, in the Peter J. Feeney Conference Room, Cumberland County Courthouse, 142 Federal Street, Portland, ME at 5:30 PM.