

Maine
Cumberland County

CUMBERLAND COUNTY COMMISSIONERS' MEETING

MINUTES

May 13, 2019

CALL TO ORDER – 5:30 pm

Commissioners in Attendance:

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

Staff in Attendance:

James Gailey, Cumberland County Manager
Don Brewer, Human Resources Director
Alex Kimball, Deputy Manager– Finance & Administration
Naldo Gagnon, Cumberland County Deputy Sheriff
Timothy Kortes, Cumberland County Jail Administrator
Barbara Owens, Executive Assistant/Deputy Clerk
Kristin Styles, CDBG Director
Joseph Chappell, EMA Director

The meeting was to be held at 5:30 PM at the Cumberland County Courthouse, Peter Feeney Room, 142 Federal Street, Portland, ME 04101.

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

County Commission Chair James Cloutier asked for a motion for approval of the Regular Meeting Minutes for April 8, 2019; continuation April 11, 2019. Commissioner Neil Jamieson so moved, Commissioner Stephen Gorden seconded the motion. All Commissioners voted in favor, 4-0. Commissioner Witonis abstained from voting as she was not at the first half of the meeting.

INFORMATIONAL REPORTS/PRESENTATIONS

Cumberland County EMA Director Joseph Chappell took the opportunity to present information on the Youth Fire Safety Program/Cumberland County Juvenile Fire Safety Collaborative. Windham's Fire Chief Brent Libby; Brunswick's Deputy Chief Jeff Emerson and Scarborough's Fire Chief Michael Thurlow were all in attendance. Chief Thurlow spoke with regards to the program in York County and its high success rate. Commissioners asked questions with regard to how students are referred to this program. County Manager Jim Gailey added that one of the aspects of this partnership is to bring on an employee and that employee will be housed in EMA. That employee will also be a County employee, working 10 hours a

week. County Manager Gailey's hope this evening was to bring this item forward to give the Commissioners an introduction. He stated this is something we are going to continue to work with the fire chiefs in our region and you will see it come September when we present the budget for the County for 2020 as we will have to start folding these expenses into our budget next year.

COMMENTS FROM THE PUBLIC

There were no comments from the public this month.

CONSENT AGENDA APPROVALS

- 19-029** Approval of Sheriff's Office Commissions for April/May 2019
- 19-030** Approval of Sheriff's Office's Town of Harpswell - Marine Patrol Contract
- 19-031** Approval of the Sheriff's Office's Town of Harpswell - Patrol Contract
- 19-033** Approval of the Sheriff's Office's Town of Frye Island – Summer Patrol Contract

Commissioner Chair James Cloutier asked for a motion to approve Consent Agenda Items 19-029, 19-030, 19-031 and 19-033 as Commissioner Gorden requested Consent Agenda Item 19-32 be pulled aside for discussion. Commissioner Thomas Coward so moved, Commissioner Neil Jamieson, Jr. seconded. All Commissioners voted unanimously in favor, 5-0.

- 19-032** Approval of the Sheriff's Office purchase of a 2019 Ford Utility Police Interceptor

Commissioner Gorden asked with regard to this item, why the purchase of a 2019 Ford Utility Police Interceptor was only from a dealer out of state. Deputy Chief Naldo Gagnon stated that there are no more cars available as they stopped making them earlier on in the year. MHQ, in anticipation of their not making more vehicles, bought several and if we wait for the next production model we are talking several thousand dollars more. Also Commissioner Gorden asked who would get the vehicle, Deputy Chief Gagnon shared that it is a transport vehicle.

Commissioner Chair James Cloutier asked for a motion to approve Consent Agenda Item 19-032, the purchase of a 2019 Ford Utility Police Interceptor, Commissioner Steve Gorden so moved, and Commission Chair Cloutier seconded. All Commissioners voted unanimously in favor, 5-0.

NEW BUSINESS

- 19-034** Acceptance of the 2019 County Commissioners Strategic Priorities Report

In summary, County Commission Chair Cloutier shared, and asked County Manager Gailey to confirm, that the intention of this item is to adopt the report that has been prepared related to the staff and Commissioners' strategic planning session which was held a few weeks ago and then have that become a policy outline for use by the staff and the Commission going forward. County Manager Gailey shared that by adopting it or accepting it – it makes it a little more formalized and creates a good road map for

staff to move forward over the next one to three years as we work towards the recommendations as set forth in our strategic planning exercise back in March.

Commission Chair James Cloutier asked for a motion to approve New Business Item 19-034 of adopting and accepting the 2019 County Commissioners Strategic Priorities Report. Commissioner Thomas Coward so moved, Commissioner Susan Witonis seconded. All Commissioners voted unanimously in favor, 5-0. Discussion was had by Commissioners.

OLD BUSINESS

19-035 Authorizing the County Manager to submit the 2019 CDBG and HOME Annual Action Plan to the Department of Housing and Urban Development

Commission Chair Cloutier opened the floor to the public for the 2nd public hearing on Cumberland County's Annual Action Plan for our HUD entitlement funding. There were no comments from the public. Commission Chair closed the public hearing.

Director of Community Development, Kristin Styles gave information on the County's CDBG Program as well as the HOME Funds budget. Discussion was had.

Commissioner Chair James Cloutier asked for a motion to authorize Cumberland County Manager Jim Gailey to submit the 2019 Annual Action Plan for the County's CDBG Program and HOME Funds. Commissioner Neil Jamieson, Jr., so moved, Commissioner Thomas Coward seconded. All Commissioners voted unanimously in favor, 5-0.

COMMENTS FROM THE COUNTY MANAGER

County Manager Jim Gailey had a question for the Commissioners. Our June meeting typically falls on the Annual Peter J. Feeney Memorial Golf Tournament that Cumberland County has hosted for a number of years and in some instances it is tough for Commissioners if they attend and staff to get from the festivities in the afternoon to the meeting. So he was wondering whether the Commissioners would have any desire to maybe move the June Monday meeting to Tuesday or Wednesday. He will send out a subsequent email polling everyone. He just wanted to put it in your thoughts at this point whether you would be interested in doing that.

As Commissioner Witonis talked about - we are talking amongst staff about picking some communities to do our Road Show. Last year we were out on the road May, June, July and September. This year we have June, July and September or July and September. We typically take August off that is why you are not hearing him say August. So that is something that he will also accompany in that email about moving the June date. We will talk about what July and September look like.

Talking about dates, looking at May 28th, which is a Tuesday after Memorial Day, which falls that Monday. The May 28th will be a workshop setting. I would request the opportunity to present the jail budget and the

Cross Insurance Arena budget to the Commissioners in a workshop session that evening. In anticipation of moving both budgets to the June meeting for further review and hopefully final acceptance.

Lastly the County Manager just wanted to put on the radar, and will have further discussions around this but there is legislation up at the State right now around guardianships and representation around guardianships; that is going to bring a lot more complexity and workload onto the Probate Office. The Register of Probate just wanted him to introduce that item to you this evening and it may take ramping up another staff person because of the type of legislation and the complexity of the responsibility that will be coming down the road if that legislation is passed in Augusta this year which all seem to think that is heading down that path.

COMMENTS FROM THE EXECUTIVE STAFF

Alex Kimball is going to channel Travis just a little bit, based on conversations with the Manager as well, this is typically the point in the year that we are all starting to get super stressed about jail funding and the good news he has to report there is that at this stage in the game the debate is really just about exactly how the funding model is going to work. Will it be pure formula based or will it be based formula plus losses from the prior year. We are prepared to work with whatever direction it goes accordingly and we are keeping an eye on the jail budget for the current year along those lines. That's where we stand much less dyer news than usual which is nice to hear.

Human Resource Director Don Brewer and Executive Assistant Barbara Owens had no comments for this month.

COMMENTS FROM THE COUNTY COMMISSIONERS

Commissioner Susan Witonis had no comments for this month.

Commissioner Neil Jamieson, Jr. wanted to congratulate the Cumberland County Sheriff's Department for obtaining a recent grant, one of 16 in the nation, to educate and train staff members in opioid and drug use. Kudos to all the staff members and leadership in the Sheriff's Department that made that happen as well as the Executive Department that helped with the grant. That is certainly a good kudos for our County. It's a busy time of year, lots of sports teams out there and wanted to send a best wishes to all our spring athletes and students participating in activities; graduations are coming up and a lot of special times for many families so send that call out to all our County residents who are in that situation.

Commissioner Stephen Gorden shared short remarks - he is seeing hope coming out of a legislature from a different direction. One of the good things he was seeing is some of the committees are beginning to take a number of the bills and either just moving them off the table or and in doing that pulling it together to create a study so that they can have a concept draft of a bill that covers everything. One example was the labor committee – they went thru and killed six bills with one smack of the gavel and to pull into a study like that. He hopes more and more of the legislative people do that. They realize that a number of these things are duplicative and it just doesn't work right. A couple of bills concern him – the one about binding arbitration. That has not died yet. He felt this was very inappropriate for governmental bodies. The appropriations

committee looks like the jail funding is safe. He hopes that continues on. Last, there is a bill for the surcharge of cell phones. They want to raise that and yet the Counties who provide most of that service gets none of the funding or they only get it through a capital thing not through operating. That is something that we are raising our eyebrows about and seeing if there isn't something that we could do with it.

Commissioner Coward was happy to report, from the legislative point of view at the Maine County Commissioners Association for the first time since he has been the delegate there they spend almost no time talking about jail funding because we have certainly advanced across the field tremendously from where we have been for the past five/six/seven years. Ironically it has caused not difficulty, not tension, but just this kind of a new era where they are having a hard time keeping track of all the other stuff that is going on all of the bills that have been mentioned. It's a new exercise to actually have to do something that does not have the word "jail" in it and to get out and figure out how to lobby the legislature because now it is not just two committees they have to worry about its probably half a dozen and its complicated by the fact the MCCA's Executive Director was out with a severe injury due to an accident and was out for the better part of a month. He feels much better about our legislative position than he has for a long time. Commissioner Coward reminded the Commissioners of the 2019 Convention of Maine Counties is being held at Point Lookout in Northport, ME. I really nice venue with a good line up of speakers. Would like to have a good turnout up there, it'll be interesting and a lot of fun.

Commission Chair Cloutier wanted to say congratulations all of the people who are taking their leave with diploma or degree in hand from all the area schools here in the next few weeks. Congratulations to them and to their parents. If they have the same sigh of relief that he was familiar with from what happened in his family this will be a moment of very low stress. Which is great. A few years ago, and then a couple of years ago we spent some time and effort talking with the judicial department, some of which are in this building, about the fact that Cumberland County really should try to support a second location for a Veterans' court. This was something that has developed actually in Maine and nationally recognizing some of the special problems that veterans returning from combat situations especially who leave the service may encounter as they are going along and there is a lot of speaking of stress, there is a lot of issues there that are sometimes associated with post traumatic and other issues. For quite some time it looked like a lack of resources was going to be a significant stumbling block; he sees that lately the judicial department has been able to implement a program here in Cumberland County and its all for the best. He has some partners that have dealt with the earliest incarnation of that which involved the Kennebec County court facility and it was an excellent program, it helped a lot, it diverted veterans who had to deal with some of their issues away from completely formalized criminal justice activity into more of a treatment modality and it worked and was very successful, but it was very burdensome for anybody in Southern Maine because part of the program involves intense interaction with a judge over a long period of time and with other professionals. That ride back and forth to Augusta in February is off the table now for some of our veterans. And that is an important facet for veterans in Maine. Little known fact is that among the adult population, Maine has almost twice as many veterans as residents as the national average. So the commitment to service has always been very deep in Maine. So that is a good addition. There is a workshop coming up.

EXECUTIVE SESSION

Commission Chair Cloutier asked for a motion to go into Executive Session. Commissioner Neil Jamieson, Jr., so moved the motion to go into Executive Session pursuant to Title 1 MRSA § 405 (6)(A) to receive bargaining guidance for contract negotiations with the NCEU Local 110, Corrections and NCEU Local 110, Jail Cooks Unit. Both collective bargaining agreements expire June 30, 2019 and negotiations have commenced. Commissioner Stephen Gorden seconded. All Commissioners voted unanimously in favor, 5-0.

Commission Chair Cloutier stated there will be no motion associated with this Executive Session and that they will be adjourning afterwards.

Commissioner Thomas Coward moved to come out of Executive Session pursuant to Title 1 MRSA § 405 (6) (A) and Commissioner Stephen Gorden seconded. All Commissioners voted unanimously in favor, 5-0. Session adjourned at 6:56 pm.

ADJOURN

Commission Chair James Cloutier asked for a motion to adjourn the meeting. Commissioner Stephen Gorden, moved to adjourn the meeting, Commissioner Neil Jamieson, Jr., seconded. All Commissioners voted unanimously in favor, 5-0. Meeting adjourned at 6:58 pm

WORKSHOP – Immediately Following Meeting

Discussion on Regional Assessing budget and staffing model.

Next Commissioners' meeting: Tuesday, June 11, 2019 – in the Peter J. Feeney Conference Room, Cumberland County Courthouse, 142 Federal Street, Portland, ME at 5:30 PM.