

**CALL TO ORDER 5:30 PM**

The Board of Commissioners for Cumberland County, Maine met for their regularly scheduled meeting at the Cumberland County Courthouse in the Peter Feeney Conference Room, the meeting was called to Order by Chair Susan Witonis.

**PLEDGE OF ALLEGIANCE****ATTENDANCE****Present:**

Commissioner Susan Witonis, Chair  
Commissioner James Cloutier  
Commissioner Stephen Gorden  
Commissioner Thomas Coward  
Commissioner Neil Jamieson

**Absent:****County Staff:**

James Gailey, County Manager  
Alex Kimball, Deputy Manager of Finance and Administration  
Don Brewer, Director of Human Resources  
Katharine Cahoon, Administrative & Special Projects Coordinator  
Kristin Style, Director of Community Development  
Naldo Gagnon, Chief Deputy

**County Guests:**

Stephen Woods, Cross Insurance Arena Trustee

**APPROVAL OF THE MINUTES**

Chair Witonis requested a motion to approve the Meeting Minutes of April 11, 2022. A motion was made by Commissioner Jamieson and seconded by Commissioner Cloutier.

A vote was called and the motion passed unanimously in favor, 5-0.

Yes: Commissioners, Coward, Cloutier, Gorden, Jamieson and Witonis

**INFORMATIONAL REPORT/PRESENTATIONS**

2021 Cumberland County Emergency Agency Annual Report

2021 Cumberland County Human Resources Annual Report

## COMMENTS FROM THE PUBLIC

There were no comments from the public.

## CONSENT AGENDA

A motion was made by Commissioner Cloutier and seconded by Commissioner Jamieson to approve the consent agenda.

A vote was called and the motion passed unanimously in favor, 5-0.

Yes: Commissioners, Coward, Cloutier, Gorden, Jamieson and Witonis

- 22-041** Authorize the County's Assessing Contract with the Town of Gorham, July 1, 2022 – June 30, 2025.
- 22-042** Authorize the extended MOU between the York County Jail and Cumberland County Jail for June 1, 2022 to June 1, 2023.
- 22-043** Approve the bid award to Quirk Auto for the purchase of (2) two Jail Transport Vehicles for \$33,707.00 per vehicle by the Jail Transport Department.
- 22-044** Approve the appointment of Stephen M. Woods to the Cross Insurance Arena Board of Trustees, to represent District #1.
- 22-045** Approve the appointment of Eric Sylvain, Deputy Fire Chief of the Town of Freeport, to the Cumberland County Regional Communications Board.

Trustee Stephen Woods stood up and thanked the Commissioners for his appointment and stated that he was pleased that he could draw on his extensive marketing experience.

## ARPA BUSINESS

- 22-046** **Amendment to Item #22-014 for the purchase of the Cross Insurance Arena Half House Curtain for a revised contract amount of \$100,821.61 which will be funded with ARPA.**

A motion was made by Commissioner Cloutier and seconded by Commissioner Jamieson to approve the amendment to Item #22-014 for the purchase of the Cross Insurance Arena Half House Curtain for

a revised contract amount of \$100,821.61 which will be funded with ARPA.

A vote was called and the motion passed unanimously in favor, 5-0.

Yes: Commissioners, Coward, Cloutier, Gorden, Jamieson and Witonis

**22-047 Approve the appointment of Joseph Zamboni to the ARPA Advisory Committee.**

Commissioner Gorden noted that the Joseph Zamboni would represent District 5 and not District 3.

A motion was made by Commissioner Cloutier and seconded by Commissioner Jamieson to approve the appointment of Joseph Zamboni from District 3 to the ARPA Advisory Committee.

A vote was called and the motion passed unanimously in favor, 5-0.

Yes: Commissioners, Coward, Cloutier, Gorden, Jamieson and Witonis

## **NEW BUSINESS**

**22-036 Approve the Community Development 2022-2026 Five Year Consolidated Plan which includes the updated Citizen Participation Plan and 2022 Annual Action Plan, second read and final action.**

Director Kristin Styles handed out a contingency plan for the Community Development 2022 Annual Action Plan Summary based on the anticipated award from HUD. The green highlighted is the County, the blue highlighted is for South Portland, and the Yellow highlighted is for Bridgton. A copy is attached to these minutes.

There were no comments from the public for the final approval. A motion was made by Commissioner Cloutier and seconded by Commissioner Jamieson to approve the Community Development 2022-2026 Five Year Consolidated Plan, including the updated Citizen Participation Plan and the 2022 Annual Action Plan.

A vote was called and the motion passed unanimously in favor, 5-0.

Yes: Commissioners, Coward, Cloutier, Gorden, Jamieson and Witonis

**22-048 Proclamation for Law Enforcement Week, May 15 – May 21, 2022.**

A motion was made by Commissioner Cloutier and seconded by Commissioner Jamieson to approve the Proclamation for Law Enforcement Week, May 15 – May 21, 2022.

A vote was called and the motion passed unanimously in favor, 5-0.

Yes: Commissioners, Coward, Cloutier, Gorden, Jamieson and Witonis

**22-049 Resolution declaring a public health emergency in Cumberland County, Maine, as a result of the latest COVID infection rates.**

County Manager explained that the declaration was necessary to be in place enabling the Board of Commissioners to meet remotely per the County's remote meeting policy. IT is in the process of installing cameras and microphones to meet in a hybrid capacity.

A motion was made by Commissioner Cloutier and seconded by Commissioner Jamieson to approve the Resolution declaring a public health emergency in Cumberland County, Maine.

A vote was called and the motion passed unanimously in favor, 5-0.

Yes: Commissioners, Coward, Cloutier, Gorden, Jamieson and Witonis

**COMMENTS FROM THE COUNTY MANAGER**

County Manager Gailey stated that the ACE Awards for employees demonstrating Acts of Commitment and Excellence took place and the following recipients included, Scott Gibbons, Shawn Morrisette, Candace L'Heureux, Tom Paige, Wendy Spurling, Deputy Christian Stickney and Amy Jennings who was also the Employee of the Year. Congratulations to all!

Commissioner Gorden asked about the status of Faye Luppi, County Manager Gailey explained that Domestic Violence Intervention Coordinator is retiring in July and are planning to have her new hire shadow her prior to her retirement. Commissioner Gorden praised Faye Luppi for her hard work and knowledge.

**COMMENTS FROM THE EXECUTIVE STAFF**

Deputy Manager of Finance and Administration Kimball said that inflation has started to effect some of the expenses and they are being monitored. The auditors have

been doing compliance testing and that the current internal controls in place are very solid.

Human Resources Director Brewer stated that the Diversity, Equity and Inclusion training had been successfully rolled out in March and that a second training will take place in the fall with DEI expert Mandy Levine. There has been an increase in employees testing positive for COVID cases. Director Brewer praised Amy Jennings for her dedication to support employees with COVID and offering the latest CDC guidance. Hiring has been even with the number of people being hired equal to the number of people leaving. Hiring Recruiter Mary Payson is working with Corrections Officer Tom Witham to recruit County staff, they are taking a variety of approaches and identify technology that can be utilized. Background checks have been identified as a major barrier to hiring because of the lag time. Chair Witonis asked how the background check could be expedited. Director Brewer said that it varies one of the components is a polygraph performed by the Sheriff's Offices but there are so many steps involved that it causes delays. Chair Witonis asked about travel for employees given the higher cases of COVID. HR Director Brewer stated that essential training versus what could wait has been identified to reduce the spread. County Manager Gailey added that he is working with Department Heads to identify the trainings and associated level of risk.

Director of Public Affairs Travis Kennedy was not present but submitted a report on Broadband installation that was requested by Commissioner Cloutier at the previous April meeting. A copy of the report is attached to the minutes.

## **COMMENTS FROM THE COUNTY COMMISSIONERS**

Commissioner Cloutier commented on high school sports and hoped that the COVID cases would not impact upcoming games.

Commissioner Coward encouraged the public to continue to mask with the recent spike and he is looking forward to getting outside.

Commissioner Gorden urged people who are eligible to get another booster shot. He also expressed concern that Maine State police are withdrawing from their rural patrols which will put a burden on the Sheriff's office to cover more territory. The new legislature is starting and would like to start thinking about things to bring forth in the upcoming session. He is also glad to hear that the finance is aware of the effects of inflation especially with the impact it will have on energy use in the summer.

Commissioner Jamieson congratulated the county's new high school graduates. He also commended Faye Luppi on her hard work with domestic violence intervention and her dedication to help those who have experienced things that no one should ever have to experience or witness. Good luck to all of the spring athletes and be aware of the recent spike of COVID which should hopefully go down soon.

**22-050 Executive Session –**

**The County Commissioners will enter into Executive Session in accordance with 1 M.R.S.A §405 (6) (D) for the opportunity to discuss contract negotiations.**

At 6:18 pm Chair Witonis requested a motion to go into executive session, a motion was made by Commissioner Cloutier and seconded by Commissioner Gorden to go into Executive Session for the discussion of contract negotiations between the County and the Cumberland County Communications Association.

A vote was called and the motion passed unanimously in favor, 5-0.

Yes: Commissioners, Coward, Cloutier, Gorden, Jamieson and Witonis

During Executive Session, Commissioner Coward needed to leave for a family matter and left the meeting at 7:00 pm.

At 7:06 pm a motion was made by Chair Witonis and seconded by Commissioner Cloutier to come out of executive session.

A vote was called and the motion passed unanimously in favor, 4-0.

Yes: Commissioners, Cloutier, Gorden, Jamieson and Witonis

**ADJOURNMENT**

A motion was made by Chair Witonis and seconded by Commissioner Cloutier to adjourn. The meeting was adjourned at 7:07 pm.

**Program Year 2022 Annual Action Plan Summary**

<b>Grantee</b>	<b>Activity</b>	<b>Request</b>	<b>Recommendation</b>	
<b>Public Infrastructure &amp; Facilities</b>			<b>\$ 931,526.00</b>	<b>Contingency Plan</b>
Gray	Village Area Loop Trail-Phase 2	\$ 66,877.00	\$ 66,877.00	
Harrison	Harrison Food Bank- Sprinkler System	\$ 176,000.00	\$ 176,000.00	
Westbrook	Downtown Pedestrian Safety & Mobility Improve	\$ 60,000.00	\$ 60,000.00	
Westbrook	Conceptual Plan for Outdoor Swimming Pool	\$ 20,000.00	\$ 20,000.00	
County	Prior Year Underfunded Construction Projects	n/a	\$ 156,006.00	
So. Portland Land Trust	Clark's Pond Land Trust	\$ 9,832.00	\$ 10,000.00	County, South Portland, & Bridgton will increase or decrease the highlighted project to match the final CDBG allocation.
City of South Portland			\$ 312,643.00	
Economic Development	Broadband Expansion	\$ 300,000.00	\$ 312,643.00	
Town of Bridgton	Elm St Sidewalk	\$ 136,886.00	\$ 130,000.00	
<b>Housing</b>			<b>\$ 145,000.00</b>	
County	Habitat for Humanity- Housing Rehab	\$ 90,000.00	\$ 90,000.00	
Gorham	Port-Resources Group Home Septic System	\$ 24,000.00	\$ 24,000.00	
Yarmouth	Senior Housing Repairs -Barlett Circle	\$ 31,000.00	\$ 31,000.00	
<b>Public Service</b>			<b>\$ 212,270.00</b>	
Multi-Community	Vet to Vet Peer Companion Project	\$ 25,000.00	\$ 25,000.00	County PS programs did not reach the 15% cap. No contingency plan is needed
County	TDD Domestic Violence Outreach Advocate Serv	\$ 25,310.00	\$ 25,310.00	
Westbrook	ICC - Family CARES	\$ 65,000.00	\$ 65,000.00	
Through These Doors	Domestic Violence South Portland	\$ 10,000.00	\$ 9,000.00	
The Opportunity Alliance	Resource HUB Admin Hours	\$ 25,000.00	\$ 20,000.00	
Quality Housing Coalition	Project HOME	\$ 24,939.20	\$ 12,000.00	Both South Portland and Bridgton will use up to the 15% public service cap. All programs will be increased or decreased equally.
Greater Portland Family Promise	Homelessness Prevention and Housing Stabilization	\$ 20,020.00	\$ 10,000.00	
City of South Portland			\$ 12,000.00	
Parks & Rec	Out of School Care	\$ 40,000.00	\$ 12,000.00	
City of South Portland			\$ 3,960.00	
Human Rights Commission	Uplift Plan	\$ 6,500.00	\$ 3,960.00	
Bridgton	Community Center Navigator Program	\$ 15,000.00	\$ 12,000.00	
Bridgton	Food Pantry	\$ 9,000.00	\$ 7,000.00	
Bridgton	Summer Rec Scholarships Program	\$ 12,600.00	\$ 7,000.00	
Bridgton	Community Help Winter Wear Program	\$ 8,500.00	\$ 4,000.00	
<b>Planning</b>			<b>\$ 20,000.00</b>	
Standish	Schoolhouse Arts Center Building Assessment	\$ 25,000.00	\$ 20,000.00	
<b>Program Administration</b>			<b>\$ 275,000.00</b>	
Bridgton	Administration	\$ 40,000.00	\$ 40,000.00	County, SoPo and Bridgton will decrease if needed to stay under the 20% cap, but will not increase.
South Portland	Administration	\$ 55,000.00	\$ 55,000.00	
County	Administration	\$ 180,000.00	\$ 180,000.00	

*Maine*  
Cumberland **County**

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**MEMO**

**From: Travis Kennedy, Director, Public Affairs**

**RE: Broadband activities in Cumberland County and Maine**

At the Commissioners' Meeting in April, Commissioner Cloutier asked for a report on the activities of Consolidated Communications in regards to new broadband internet service offerings in the region. Below is a summary of Consolidated's recent actions, as well as an overall summary of recent broadband activities across Cumberland County.

**Consolidated Communications, formerly Fairpoint**, announced early this year that they were unveiling Fidium Fiber, a gigabit- max-speed internet service product that the company is steadily rolling out in communities across New England.

Currently in Cumberland County, Fidium is available - or will be available soon - in parts of:

- Cumberland
- Falmouth
- Portland
- Scarborough
- South Portland
- Westbrook.

Fairpoint is expected to expand Fidium service further across the state, although plans are not currently available for future projects.

**GoNetSpeed, formerly OTELCO**, is a telecommunications provider serving areas of Maine, Alabama, Massachusetts, Missouri, Vermont, and West Virginia. The company has announced plans to build fiber internet for business and residential consumers in parts of the following Cumberland County communities:

- Brunswick
- Cape Elizabeth
- Falmouth (Foreside)
- Gray
- Gorham
- New Gloucester
- North Windham
- Scarborough
- Westbrook
- Yarmouth

In some cases, such as Gray, the buildout is significant and provides service to most residents. Projects in towns that are already heavily saturated with Charter/Spectrum - like Scarborough,

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Falmouth and Cape Elizabeth - are targeted to the neighborhoods with the highest density, where introducing competition is likely to attract enough customers away from the legacy provider to be worth the investment. Service is up and running in most of these communities already, and will continue to expand.

**Charter-Spectrum** is the primary legacy Internet Service Provider (ISP) in Maine, and does not have plans for major service expansion in Cumberland County as of this writing - although, the ISP has been increasing top speeds for its existing consumers in 2022, likely as a defense against the new competition listed above.

Noticeably absent from these new private sector projects are communities in the Lakes Region of Cumberland County, where access to high-speed broadband is a more common complaint. The study performed by Cumberland County in 2019, followed by several investigations into service in those areas by local advocates and competitive ISPs have revealed that Charter Spectrum is the dominant ISP and provides service of an adequate speed to the bulk of the population, but service quality is spotty in some areas, and gaps in availability exist that no other ISP has identified as cost-effective to serve with a competitive product.

There have, however, been some recent developments in the private sector to add service offerings in Western Cumberland County.

**Outer Reach Broadband** announced a new high-speed wireless internet product in January that will serve around 500 households around Long Lake in Harrison and Naples, where access to reliable internet has been a challenge of a large enough scale to attract private investment.

The Greater Portland Council of Governments (GPCOG) has been coordinating a coalition of volunteers from Cumberland County and Oxford County, representing Bridgton, Casco, Denmark, Fryeburg, Harrison, Naples, Raymond, Sebago, Standish, and Windham, to look for potential new broadband options.

That group has been working together in some form since before the COVID-19 pandemic to collect speed-data and build support for public action on internet service. In January, GPCOG submitted an application to the ConnectME Authority for a planning grant, to hire an engineering firm to develop a comprehensive service network - options could include working with existing service providers to expand and improve service, or over-building the existing network with a separate public product.

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Cumberland County was listed as a partner on that application, alongside Community Concepts Finance Corporation, and The Northern Forest Center. It failed to receive funding. The feedback from the ConnectME Authority in rejecting the grant application was the following:

*The application failed to demonstrate deep engagement of local community members and support from other leaders with authority to ensure planning will transition to infrastructure projects. While it's appreciated that ten communities were listed to be covered in this planning, the review team acknowledged that several of them have had significant planning projects funded; while the regional coordination that GPCOG brings is appreciated, the application didn't demonstrate any financial commitment on the part of the communities involved. The review team encourages GPCOG to narrow the focus of planning efforts to avoid duplication of planning projects previously completed or currently underway, engaging local communities to own more of the planning. It'll be essential to engage community members with the political will to transition from planning and the RFP process through into a infrastructure project. These recommendations would be important to demonstrate in the application for any future planning grants, or to prepare applications for future infrastructure grants. ConnectMaine staff will continue to support broadband planning and expansion in the region.*

This feedback aligns with County staff's assessment of the temperature for broadband investment in that region. We have not yet seen a commitment among elected officials or the communities at large for action on broadband, despite the significant efforts of the coalition members to build a head of steam and gain commitments from decision makers at the municipal level.

So far there is a lack of critical mass, desire, and agreement in the relevant towns that public broadband infrastructure investments are necessary.

Last week Andrew Butcher, the President of the Maine Connectivity Authority (MCA), reached out to County Executive Staff asking for a meeting in June to discuss "collaborative opportunities." The MCA is a quasi-governmental agency charged with achieving universal access of affordable high-speed broadband in Maine, and will be largely responsible for steering recent and future federal funds earmarked for broadband infrastructure in Maine. Staff are working with Mr. Butcher to secure a time the first or second week of June.

We'll continue to update you as the circumstances on broadband in the region progress.

Travis Kennedy