1. Welcome and introductions

Amy Kuhn called the meeting to order at 12:03 pm and welcomed everyone.

2. Acceptance of minutes from the February 11, 2020 and 3-26-20 meeting

Virginia Wilder-Cross moved acceptance of the minutes from the February 11, 2020 and March 26, 2020 MRC meetings, seconded by Matt Sturgis. A unanimous roll call vote passed the motion.
3. Regional COVID response

Chris Hall presented a summary of GPCOG’s member services work to date in response to the Covid-19 crisis, including

- **Regional Advocacy.** Staff arranged a 3/27/20 meeting with the Governor, in which Westbrook, Portland, Scarborough, Naples, and Falmouth participated. Participants requested a regional stay-at-home order and described various conditions on the ground relative to short-term rentals, vacation homes, and gatherings of small crowds. The Governor issued a statewide stay-at-home order on 3/31/20.

- **Public Transit Funding.** With leadership from METRO, GPCOG staff worked with PACTS to communicate with our Congressional delegation about the need for emergency funding for public transit. The recent stimulus bill included $25B for transit nationwide. Of this, PACTS transit agencies can be reimbursed up to $53M for expenses related to COVID-19. PACTS is working this week to help determine how to use these funds.

- **Support for Remote Public Meetings.** With the passage of LD2167 (now P.L. Chapter 617), public meetings were allowed to be held remotely for the first time. On Thursday, April 2, GPCOG held a “Coffee with COG” to train our members. GPCOG also established an online meeting support “strike team” to assist members with setting up and running online public meetings on Zoom.

- **Economic relief and innovation.** GPCOG has deferred all payments for its small business borrowers in our revolving loan fund program and is also establishing a ‘rapid response’ loan offering of up to $15,000 for small businesses. Additionally, staff is working to establish a Resiliency Exchange for the region, dedicated to matching available resources with public and private needs arising from the COVID crisis. Portland is partnering in the Exchange and the new loan offering.

- **Information for our members.** Almost immediately after the crisis took shape GPCOG created a “COVID-19 Resources” landing page containing many sources of information.

Members asked for more information about the new GPCOG loan offering for small employers – information will be shared as soon as the program is approved by our Revolving Loan Fund Committee later this week.

4. Regional COVID response – next advocacy priorities

Chris Hall summarized emerging advocacy priorities for local government in two broad categories:

- Municipal fiscal relief from federal and state government

- Additional municipal flexibility and clarity for the duration of the emergency

Please see the attached power point shared during the meeting for reference.
Members discussed each of the identified advocacy opportunities and made the following comments and observations:

- Regarding the CARES Act, members appreciated the chance to ask the Governor to use the state’s share of the Act’s $150 billion dedicated to state and municipal Covid response costs to provide municipal fiscal relief by directing federal funds into existing state-local distribution programs including revenue sharing, general purpose aid for education, etc.

- Regarding the new Federal Reserve Bank lending program for states, and large counties and municipalities, (the Municipality Liquidity Facility), members were cautious about using debt to cover cash flow needs at this point. The Facility allows state government to act as an intermediate borrower to make low cost funds available to municipalities, but this was not seen as a priority at this point.

- Regarding the prospects for a second CARES Act, members were forceful in stating the need for new federal emergency funding going directly to municipalities to offset existing and future revenue losses associated with the crisis.

- Regarding flexibility and clarity for municipal property tax commitments, lien filing timelines, due dates and interest, members agreed that the Governor should act by executive order to provide a uniform set of guidance and flexibility during the crisis that allows each municipality to exercise local judgement on all matters related to property tax issuance and collection.

- Regarding flexibility and clarity for municipal elections during the crisis, members supported absentee-only elections as urged by the Maine Town & Cities Clerks Association and MMA. They also asked that the Governor act to clarify timing and fiscal impacts of moving spring elections into July and offer support for protecting (or replacing) Covid-vulnerable election workers (especially senior volunteers). Finally, members agreed that budget validation elections should be waived for one year by the Governor.

- Regarding the use of TIF funds for Covid response, members in attendance did not see that as a priority or a viable option for their communities. Other communities may be able to work with DECD to convert unspent TIF funds to a revolving loan to support Covid-impacted businesses.

In addition to the advocacy topics identified above, members also discussed other issues including:

- Jim Gailey shared that the County Commissioners are in discussions around postponing their shift of fiscal years – members were grateful for the consideration. Jim also shared that the County will receive additional Community Development Block Grant funding as a part of the CARES Act and will be working with communities to determine how to best deploy those funds.

- Food insecurity was identified as a worsening problem that may require regional action. Jim Gailey said that the County Commissioners have already made additional financial allocations in support of existing response efforts.

- Regional action as the economy re-opens was discussed. Members agreed to highlight further discussion in the May MRC meeting agenda.
5. Regional COVID response – next steps

Members asked GPCOG staff to draft a letter to Governor Mills making the following points:

- Municipalities are asking for an Executive Order granting them flexibility and clarity on all issues related to local property tax commitments, due dates, lien filing deadlines and interest charged on late payments. Because the interplay of state law, individual municipal charters and local timing can produce a wide array of specific barriers to local leaders giving residents property tax relief a broad executive order is requested giving municipalities maximum flexibility during the Covid crisis.

- Municipalities are asking for an Executive Order permitting absentee-only elections during the Covid crisis, as well as a one-year suspension of budget validation elections. Absentee-only elections will promote public health and avoid risks to vulnerable election workers. Suspension of budget validation elections will eliminate mandatory public meetings and accommodate the shifting timing of municipal and school budget approvals.

- Municipalities are asking for distribution of federal CARES Act emergency relief funding dedicated to state and local governments be used to preserve existing state commitments to funding levels in revenue sharing, general purpose aid and other state-municipal transfer programs.

Members agreed that this letter should be sent by the Metro Regional Coalition and signed by MRC Chair Amy Kuhn. Members will have a chance to review the letter on a very tight time frame.

Members also agreed to send a letter to Maine’s Congressional delegation urging passage of a second CARES Act with an emphasis on the urgent need for new federal emergency relief funding directly to municipalities designed to replace existing and future revenue losses suffered by municipalities as a result of the Covid crisis.

6. Adjourn

At 1:38 pm Amy Kuhn adjourned the meeting by unanimous roll call vote on a motion by Matt Sturgis, seconded by Tom Hall.

Upcoming Meetings

May 12, 2020
June 9, 2020
April 15, 2020

Governor Janet Mills  
1 State House Station  
Augusta, Maine 04333  

Re: Support for municipalities in our region  

Dear Governor Mills,  

I want to thank you for everything you are doing to lead our state through the COVID-19 emergency.  

The Metro Regional Coalition, a group of seven municipalities supported by the Greater Portland Council of Governments, includes the cities of Portland, South Portland and Westbrook, and the towns of Cape Elizabeth, Falmouth, Gorham and Scarborough.  

We deeply appreciated your willingness to meet with some of us, along with other GPCOG members, on March 27. We extend our gratitude for your subsequent statewide stay at home order. We have seen, on the ground, how this order has increased public acceptance of the steps necessary to flatten the curve and protect public health. Your actions are truly appreciated by all of us.  

As you consider additional steps to support municipal governments during the COVID-19 crisis, we have identified three areas where your help is needed: use of federal relief funds, property taxes, and elections.  

After consulting with municipal leaders throughout our region we can share the following requests for your consideration:  

- Regarding distribution of federal relief funds, municipalities in our region are asking for distribution of federal CARES Act emergency relief funding dedicated to state and local governments be used to preserve existing state commitments to funding levels in revenue sharing, general purpose aid and other state-municipal transfer programs. Any degree of municipal budget stability achieved through deployment of federal relief funds will support continuation of essential municipal services and staff.  

- Regarding property tax administration, municipalities in our region are asking for an Executive Order granting them flexibility on all issues related to setting local property tax commitments, tax payment due dates, tax lien filing deadlines and interest charged on late tax payments.
Because the interplay of state law, individual municipal charters and local budget timing can produce a wide array of specific procedural barriers to local leaders giving residents property tax relief, a broad Executive Order is requested giving municipalities maximum flexibility to administer property taxes during the COVID crisis.

- Regarding elections, municipalities in our region are asking for an Executive Order permitting absentee-only elections during the COVID crisis, as well as a one-year suspension of budget validation elections.

  Absentee-only elections will promote public health and avoid risks to vulnerable election workers. Suspension of budget validation elections will eliminate mandatory public meetings and avoid situations where budget validation votes may be required after the start of a new fiscal year.

Thank you for consideration of these requests that come to us from many communities in our region.

If helpful, we are always available to share information on the conditions that municipalities are experiencing and our challenges. We are also happy to discuss any of our requests with you or your staff at any time.

Thank you again for all you are doing to lead our state. We look forward to working with you in the months ahead as we continue to manage this crisis on behalf of our communities.

Stay well,

Amy Kuhn
Chair
Metro Regional Coalition
April 13, 2020

Hon. Governor Janet Mills
1 State House Station
Augusta, ME 04333

RE:  July Primary

Dear Governor Mills:

I am writing as President of the Maine Town & City Clerks’ Association, a professional organization representing 811 members around the state. First, we want to commend and thank you for postponing the election date to July 14th. Our Association is comprised of municipal clerks from both large and small communities and although our populations may differ, our concerns are very similar in nature – the safeguarding of all voters, election workers and the election process itself. The purpose of this letter, however, is to convey our concerns to you so that you can fully understand the challenges we face with conducting the election in July. The following is a list of the greatest challenges we face:

- **Availability of Polling Places** – Many cities and towns have multiple polling places, some of which are not even available at this present time and it is uncertain if they will be available on July 14th. For example, Portland has one (1) facility that is currently being used to quarantine some of its homeless population, and Bangor has one (1) polling place that has been designated as an alternative care site. Many communities use school buildings as polling places and numerous schools have already conducted deep cleaning and disinfected with no current allowed admittance of personnel. This issue is further complicated by the fact that the statutory deadline for moving a polling place is currently April 14th (at least ninety (90) days before a scheduled election), and so it is too late to hold required public hearings and obtain approvals to move and/or consolidate polling places.

- **Availability of Election Workers** – As you aware, the majority of election workers throughout the state are in the CDC’s high risk age category and they have already indicated that they will not be able to work the Primary Election (even in July) leaving many communities without adequate staffing for their various polling places.

- **Availability of Personal Protective Equipment (“PPE”)** – As the virus is highly contagious and presents a serious risk to life and health, workers must be supplied with adequate protective equipment including N95 masks, gloves, and disinfectants for
cleaning up the voting booths after use by each voter. Currently, it is our understanding, that this equipment is not readily available for many workers throughout the state including, but not limited to, election workers.

In order to ensure the safety and well-being of the voters, election workers and election officials, we respectfully request that you amend your Executive Order No. 39 as follows:

1. Limit voting to only absentee ballots;
2. Allow municipal officers to approve a location designated by the municipal clerk to accommodate absentee voting and voter registration on Election Day that can be staffed by municipal employees along with a minimal number of party election workers for processing and counting ballots; and
3. Seek to ensure that municipalities are provided with appropriate and necessary PPE prior to the July 14th election date in order to keep voters, election workers and election officials safe while conducting and processing absentee voting.

On behalf of 811 members of the Maine Town & City Clerks’ Association, we thank you for your time and consideration.

Sincerely,

Katherine L. Jones

Katherine Jones, President
Maine Town & City Clerks’ Association

cc: Matthew Dunlap, Secretary of State
Fiscal Relief for Municipalities

- **CARES ACT – Coronavirus Relief Fund**

  $150 Billion for State, Local, and Tribal governments to cover costs incurred between 3/1/20 and 12/31/20 due to COVID-19 that were not accounted for in the entity’s most recent budget. The portion of funds distributed to each state is based on population.

- **CARES ACT - Federal Reserve Bank Municipal Liquidity Facility**

  Supports lending to U.S. states and large cities and counties. Maine state government may use the proceeds of the notes sold to the Fed to purchase similar notes issued by, or otherwise to assist, political subdivisions and instrumentalities of Maine.

- **CARES ACT 2?**

  In process with action in Congress anticipated after April 20, 2020.
Municipal Flexibility

- **Property Taxes**

  MMA seeking flexibility for Councils and Boards to alter 60-day lien notice requirements in state law, and to allow setting dues dates and interest rates on schedules other than required by state law.

- **Election Relief**

  MMA seeking absentee-only elections for the duration of the emergency order. GPCOG members have also suggested suspending budget ratification elections during the emergency.

- **TIF Utilization**

  Some members have explored asking for flexible use of TIF funds for emergency response while retaining the tax sheltering of TIF revenues under existing state law.
Next Steps

- **Federal delegation**
  Communications with our Congressional delegation urging fast action on CARES 2, including new aid to local governments offsetting lost revenues and other COVID impacts

- **Governor Mills**
  Request for a meeting to discuss priorities needing an immediate Executive Order, and fast implementation of federal relief programs

- **Regional action**
  Council/Board resolutions supporting federal and gubernatorial action