

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

At the regular meeting of the County Commissioners held in the Commissioners Chambers on the tenth day of June, A.D. 2015.

Board of the Barnstable County Commissioners:

Mary Pat Flynn	Present
Sheila Lyons	Present
Leo Cakounes	Present

Staff Present:

Michael Brillhart	County Administrator
Alisa Lucas-McLaughlin	Administrative Assistant
Bob Lawton	Interim Finance Director

List of Documents:

- Weekly actions taken by the County Administrator dated May 29 2015 – June 5, 2015.
- Barnstable County Proposed Ordinance 15-___, presented by the Human Rights Commission. This document will be available on the Barnstable County Meeting Center Web page.
- FY2016 Capital Improvements Bond Authorization Ordinance 15-___, presented by the Barnstable County Assembly of Delegates. This document will be available on the Barnstable County Meeting Center Web Page.
- Letter of Support for Petition requesting NOAA and the Massachusetts Division of Marine Fisheries (DMF) to Extend the Near Coastal Protection Zone, presented by Barnstable County. This document will be available on the Barnstable County Meeting Center Web Page.
- Barnstable County Fire & Rescue Training Academy Building Needs Assessment Committee Memo, presented by West Barnstable Fire Department. This document is available on the Barnstable County Meeting Center Web Page.

- Barnstable County Commissioners' Summer 2015 Meeting Schedule. This Document is available on the Barnstable County Meeting Center Web Page.

Chair Lyons called the meeting to order at 1:02 p.m.

The Commissioners recited the Pledge of Allegiance followed by a Moment of Silence.

I. Public Comment

Chair Lyons asked if there is any public comment to which Commissioner Cakounes replied with his public comment below.

Commissioner Cakounes alerted all present that he will be keeping his phone on vibrate for the duration of the meeting due to the possibility of having to excuse himself from the meeting to take a phone call regarding "sheep shearing day" at his farm.

II. A Proclamation for Michelle DeSilva as the Recipient of the Mercy Otis Warren Woman of the Year Award for 2015.

Recipient DeSilva was not present; Chair Lyons proposed to move this item down to end of meeting.

III. A Proclamation for Brenda Boleyn on Her Service to the Barnstable County Lyme-Tick Borne Diseases Task Force.

Commissioners Lyons called Brenda Boleyn up to front while she gave a description of Brenda Boleyn's work. Commissioner Lyons explained that Ms. Boleyn is the person who brought to the forefront the danger and threat of Lyme Disease on the Cape and by fostering relationships with Dr. Sam Donta and people at the state she has created the model for the rest of the state. Commissioner Lyons continued with Ms. Boleyn's work being used to aid in the creation of a State Task Force under Public Health, as well as raise public awareness.

Bill Clark, Director of the Cape Cod Commission Cooperative Extension, spoke and thanked Brenda for her hard work and accomplishments.

Commissioner Flynn commented on the importance of bringing the problem of Tick Born Illnesses to the attention of the state and getting them to fund some of the projects, and Ms. Boleyn praised their support and endorsement of educational materials prepared by the county. Ms. Boleyn then stated Dr. Alfred Demaria Jr., has labeled Barnstable County a model for the state.

Commissioner Lyons read proclamation in its entirety to audience.

Motion made by Commissioner Cakounes to execute proclamation as presented for Brenda Boleyn for her service to the Lyme-Tick Born Disease Task Force, 2nd by Commissioner Flynn, approved vote 3-0-0.

IV: Discussion and Motion to Approve Proposed Ordinance 15- Specific to the Purchase & Sale Agreement and Conservation Restriction for the Aquacultural Research Corporation (ARC) Project in the Town of Dennis – Bill Clark, Director of Cooperative Extension

Commissioner Cakounes gave a brief explanation of request and expressed apologies on behalf of proponents who wanted to be here, but because of middle of day meeting time were unable to make it, as many are fishermen. Commissioner Cakounes gave synopsis beginning with the requirement put forth by the federal government for gill netting (the practice of dragging a net behind a boat and capturing everything within the net) which requires the practice take place 30 miles off coast. This requirement is practiced from Maine to other side of Cape; however, Zone 1 area of Cape Waters find regulations of only 3 miles off coast and just outside that 3 mile protection zone is where the baitfish, which are crucial to our local fishing trade, are being gill netted by large fisheries. This request is to extend the 3 mile regulation out to a 12 mile limit.

Commissioner Cakounes expressed Cape Cod Fisherman's Alliance full support of request per his discussion with Executive Director of Cape Cod Fisherman's Alliance.

Commissioner Cakounes referenced conversations with Senator Daniel Wolf and Representative Sarah Peek, who are awaiting copy of signed letter, if approved, by fellow commissioners.

Commissioner Cakounes further discussed the need to be prepared for some adverse reactions, as this will affect larger commercial fishing vessels (100 ft.), but that the structure of request will most likely not affect those smaller vessels and the people here who fish out of Chatham and Barnstable Harbor. Commissioner Cakounes opened for questions from fellow commissioners.

Commissioner Flynn questioned who had the jurisdiction to extend it to the 12 miles. Commissioner Cakounes responded that NOAA Fisheries and a subcommittee who makes recommendations to NOAA & Division of Marine Fisheries work together to determine regulations.

Chair Lyons asked all present for comments. None given.

Motion made by Commissioner Cakounes to approve and execute the draft letter to NOAA Fisheries and Division of Marine Fisheries dated June 10, 2015 and distribute same. In addition Commissioner Cakounes requested of fellow commissioners to have ability to CC copies to Senator and Representative, 2nd by Commissioner Flynn, approved vote 3-0-0.

V. Motion to Approve a Text Revision to the Draft FY2016 Capital Improvements Bond Authorization Ordinance 15-__ – County Administration.

Michael Brillhart, County Administrator, gave description of revision for FY16 Bond Issuance. The actual Ordinance was approved at last week's meeting and is a requirement by Bond Counsel in order to be able to move forward for that particular fiscal year Capital Improvements. As part of the Ordinance that was approved and submitted to the Assembly of Delegates for their action at their meeting on the seventeenth of June, there was a recommended textual change under Section I, subsection B requesting the elimination of the term Cooperative Extension Department in exchange for Barnstable County. The bond will be in the name of Barnstable County and deals with the ARC project Conservation Restriction. Mr. Brillhart further explains they have taken out the name of the department that initiated the project and replaced it with Barnstable County.

Commission Lyons reiterated the purpose of the motion is just to approve amended text. Mr. Brillhart concurred.

Motion made by Commissioner Cakounes to approve the revise to the draft 2016 Capital Improvements Bond Authorization 15-___ (bond) as presented, to forward this revision to the Assembly of Delegates to make the proper Amendments to said Ordinance, 2nd by Commissioner Flynn, approved vote 3-0-0.

VI. Discussion on the Draft Recruitment Profile Being Developed by the UMASS Collins Center for the County Administrator Recruitment – Mr. Richard Kobayashi, the Collins Center.

Mr. Richard Kobayashi of the Collins Center discussed the 2nd working draft of Profile. Mr. Kobayashi wants Commissioners' input regarding two significant parts of Profile highlighted in document. The first stating the Commissioners are willing to engage in substantial delegation of Administrative Powers and duties to the new County Administrator. The second being the issue of resolving the matter of the Court Houses, leading to Mr. Kobayashi detailing an explicit leadership role for the County Administration in collaboration with the Commissioners to determine solution to Court House problem, being that Courthouses here are below typical standards for Trial Courthouses. Mr. Kobayashi continued saying this is an important issue for the courts, but also for financial sustainability for the County and needs top management attention on a sustained basis. Mr. Kobayashi wants feedback from Commissioners to be able to draft Profile to be voted on.

Commissioner Flynn pointed out that per Barnstable County Home Rule Charter, Commissioners can delegate more responsibilities to the County Administrator and feels it is clear the Commissioners are in a position to look at how important the Executive Authority is to the County Administrator. Commissioner Flynn further stated the importance of finding what the Executive Powers of the County Administrator should be.

Commissioner Flynn felt the Executive Powers should be strong to enhance role of County and will be easier understood by community if County Administrator had more authority to make Executive Decisions. She further felt it would be easier on County Employees to have an Administrator who can make decisions. Commissioner Flynn went on to say she is very much in favor of having a County Administrator with Executive Authority and appreciates Mr. Kobayashi's contributions.

Commissioner Cakounes felt the draft was well written. Additionally he thought it depicts the commissioners' expectation that as the chosen candidate shifts into the position and gains experience the

Commissioners would be open to hearing additional delegation. He felt this profile is an advertisement telling people we are open minded. He was also pleased with Trial Court section and appreciated Mr. Kobayashi's consideration of all the comments that he sent him.

Commissioner Lyons felt court system section was crucial and thought in the past there has been a strong structural deficiency of management, as the County Administrator only carries out functions already set. In the past the County Administrator has been dependent on Commissioners and needs to be more independent and autonomous. She felt executive function needs to be set as expectation from beginning. Commissioner Lyons inquired of Mr. Kobayashi if he feels there is anything missing/need to be added.

Mr. Kobayashi's answer was to ensure clarity of authorities, explicit duties of Executive Authority clearly defined and articulated with specificity.

Commissioner Flynn felt a key responsibility for the County Administrator is to be the Appointing Authority for personnel and stressed its importance to define those responsibilities.

Commissioner Cakounes asked through Chair Lyons if document presented to Mr. Kobayashi was a sample Search Committee Charge. Mr. Kobayashi replied it was. Commissioner Cakounes thought Commissioners should be moving forward with next steps and considering charge they will be incorporating to Search Committee.

Commissioner Lyons inquired of Mr. Kobayashi what the next step in the process would be, to which he provided a draft charge to present to the Screening Committee and recommended thinking about timing of hiring. He also stated the Screening Committee typically does not need to meet until two months into the process, putting us at August. He also recommended ensuring all Screening Committee Members present at every meeting. He will email schedule of events for Screening Committee to Commissioners. Commissioner Lyons suggested reaching out to Screening Committee to update them on current status of affairs, as well as get feedback from them as to their availability during crucial summer months.

Commissioner Cakounes inquired of Mr. Kobayashi the timing of the job search – Is July a good month to be advertising for a position like this?

Mr. Kobayashi said advertising for a position like this is acceptable. Getting a Screening Committee to have non-conflicting availability is difficult. He recommended having a joint meeting with him, the Screening Committee members and the Commissioners to talk through the process and the County Clerk can come and swear everyone in at the same time. Commissioners concur with Mr. Kobayashi's recommendation and will begin the process.

Motion made by Commissioner Cakounes, to approve the Draft, approve the Profile as amended and authorize UMass Collins Center, Mr. Kobayashi to proceed to the next step, 2nd by Commissioner Flynn, approved vote: 3-0-0.

Commissioner Lyons stated to Mr. Kobayashi that she had a few editorial changes to make to document and would send him the changes.

VII. Discussion and Motion to Approve Proposed Ordinance 15-__ as an Amendment to Adopted Ordinance 08-12 Specific to the Human Rights Commission and the Human Rights Coordinator Position.

Commissioner Cakounes voiced his concerns regarding Ordinance 08-12 and submitted several changes for the Ordinance; however, the Agenda item, as pointed out by Commissioners' Lyons and Flynn is specific to Amendments to Section 2 of adopted County Ordinance 8-12 and that his concerns relate to Ordinance 8-12 other than the section and amendments being addressed today per set agenda. Commissioner Cakounes felt that Agenda item 'f' gave a broader range for interpretation and he was within his rights as a Commissioner to address his issues. Commissioner Flynn and Lyons disagreed. Beth Albert, Director of the Human Services and John Reed, Chair addressed some of Commissioner Cakounes' concerns.

Commissioner Lyons asked Michael Brillhart to check with county council about what his advice or comments were on the particular job description related to doing legal representation.

Motion made by Commissioner Flynn to approve the Proposed Ordinance 15-___ as an amendment to adopted Ordinance 08-12 Specific to The Human Rights Commission and the Human Rights Coordinator Position., 2nd by Commissioner Lyons, approved vote 3-1-0 (Commissioner Cakounes opposed).

VII. Discussion on the June 3, 2015 Memo from the Barnstable County Fire & Rescue Training Academy Building Needs Assessment Committee extension.

Motion made by Commissioner Flynn to extend the time frame of the Fire Academy Needs Assessment Committee recommendations to the Commissioners from the first Wednesday in July, 2015 to the County Commissioners meeting on or before December 16, 2015, 2nd by Commissioner Cakounes, approved vote 3-0-0.

VIII: Discussion and Vote to Approve a Contract Extension for the Interim County Administrator.

Michael Brillhart stated that the suggestion was to have interim work be continued by Mr. Brillhart until a date specific or until the first day the permanent position is hired. The Commissioners extended their gratitude to Mr. Brillhart for continuing to provide his services.

Motion made by Commissioner Flynn that, we, Barnstable County Government, offer to extend the current contract and agreement with Interim County Administrator, Michael Brillhart, to November 4, 2015 or a mutually agreeable date, 2nd by Commissioner Cakounes, approved vote 3-0-0.

IX: Discussion on a Commissioners Meeting Calendar for the Summer of 2015.

The Commissioners reviewed proposed schedule and briefly discussed.

Motion made by Commissioner Cakounes to approve the County Commissioners Summer Meeting schedule as presented, 2nd by Commissioner Flynn, approved vote 3-0-0.

Commissioners' Summer Meeting Schedule is posted in Barnstable County Meeting Center.

X: A Proclamation for Michelle DeSilva as the Recipient of the Mercy Otis Warren Woman of the Year Award for 2015.

Commissioner Lyons gave brief description of Ms. DeSilva's accomplishments in supporting the troops, their families, those in hospitals, in addition to getting donations of school supplies, children's clothing and toys to be shipped to the children of Afghanistan and Iraq, building goodwill.

Motion made by Commissioner Cakounes to execute the Proclamation as presented for Michelle DeSilva as the recipient of the Mercy Otis Woman of the Year Award of 2015 and authorize the Chair to present it, 2nd by Commissioner Flynn, approved vote 3-0-0.

XI: County Administrators Actions

- 1) Commissioner Cakounes relayed to Commissioners and audience that two more towns joined the Planimetrics: Mashpee and Bourne.
- 2) Commissioner Cakounes queried Cape Light Compact's subscription to the SNL financial in the amount of \$2500.00. Michael Brillhart explained the publication is a National Document that looks at changing rates for both municipal aggregates and public and private electrical providers and it allows Cape Light Compact to have an opportunity to see how rates are changing for kilowatt hours.
- 3) Commissioner Cakounes welcomed the new Administrative Assistant, Alisa Lucas-McLaughlin.

XII: Commissioners' Actions

Motion made by Commissioner Cakounes to approve the minutes of May 27th, 2015 and June 3rd, 2015, 2nd by Commissioner Flynn, approved vote 3-0-0.

Motion made by Commissioner Flynn to approve the following Summary of Actions, 2nd by Commissioner Cakounes, approved vote 3-0-0:

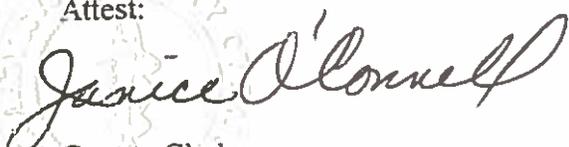
- 1) Executed the Contract between Barnstable County and the Commonwealth of Massachusetts, Department of Public Health in the amount of \$300,000.00 for the contract that Human Services Department received for Substance Abuse Prevention Collaborative services, with the execution through June 30, 2018.

- 2) Executed the Contract between Barnstable County and AECOM Technical Services to provide engineering and related services to the Cape Cod Commission in updating the area wide (208) water quality management plan, with the execution through June 30, 2016.
- 3) Executed the Contract between Barnstable County and WB Mason in the amount of \$23.27 per carton for bulk delivery of copy paper to schools in Barnstable County and Nantucket, as awarded at the May 20th, 2015 meeting.
- 4) Executed the Contract between Barnstable County and WB Mason for the supply and delivery of toners to Barnstable County and other political subdivisions, as awarded at the May 20th, 2015 meeting.
- 5) Executed the Contract Amendment between Barnstable County and the Commonwealth of Massachusetts, Department of Public Health for the duration change of the contract for Prevention and Wellness Trust Fund, extension from December 31, 2015 to June 30, 2016.
- 6) Executed the Contract between Barnstable County and Tree House for the supply and delivery of toners to Barnstable County and other political subdivisions, as awarded at the May 20th, 2015 meeting.
- 7) Executed the Contract between Barnstable County and WB Mason for the supply and delivery of Janitorial Supplies to Barnstable County and other political subdivisions, as awarded at the May 20th, 2015 meeting.
- 8) Executed the Contract between Barnstable County and Casey EMI for the supply and delivery of Janitorial Supplies to Barnstable County and other political subdivisions, as awarded at the May 20th, 2015 meeting.
- 9) Executed the Contract between Barnstable County and ERC Wiping Products for the supply and delivery of Janitorial Supplies to Barnstable County and other political subdivisions, as awarded at the May 20th, 2015 meeting.
- 10) Executed the Proclamation for Christine Austin, member of the Regional Network on Homelessness, upon her retirement.
- 11) Executed the Proclamation for Paul Hebert, member of the Regional Network on Homelessness, upon his retirement.
- 12) Executed the Proclamation for Diane Casey-Lee, member of the Regional Network on Homelessness, upon her retirement.

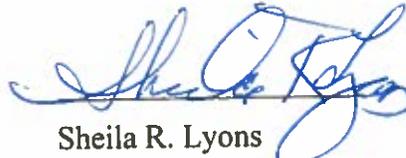
XII: Commissioners Reports

- Commissioner Cakounes reported things are moving forward with the Building Needs Committee and will be getting formal report soon. Agreement has been reached where Cape Light Compact will be moving and courts taking over Cape Light Compact's space here.
- Commissioner Lyons stopped by Children's Cove Golf Tournament on June 8th 2015, at the Ridge Club and reported they had a great group that attended. It was a good day and a successful outing.

Barnstable, ss. at 2:28 p.m. on this tenth day of June, A.D. 2015, Motion made by Commissioner Lyons to adjourn, 2nd by Commissioner Flynn, approved vote 3-0-0.

Attest:

County Clerk

The foregoing records have been read and approved.

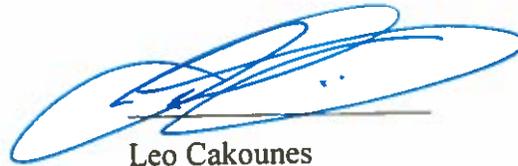

Sheila R. Lyons

Chair



Mary Pat Flynn

Vice-Chair



Leo Cakounes

Commissioner