

*COMMONWEALTH OF MASSACHUSETTS*

Barnstable, ss.

At the regular meeting of the County Commissioners held in the Superior Courthouse in Barnstable, on the 9th day of November, A.D. 2016.

**Board of the Barnstable County Commissioners:**

Mary Pat Flynn	Present
Sheila R. Lyons	Absent
Leo Cakounes	Present

**Staff Present:**

Stacy Gallagher	Director, Children's Cove
Kara Mahoney	Interim Administrative Assistant
Jack Yunits, Jr.	County Administrator

Commissioner Flynn called the meeting to order at 10:00 a.m.

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

**I. Public Comment**

Chairman Flynn asked if anyone would like to speak under public comment. None offered.

**II. Executive Session**

- a. **Motion to enter into Executive Session under M.G.L., Chapter 30A, Section 21(a)(3) to discuss strategy with respect to litigation filed by the Town of Barnstable against the County and to Reconvene in Open Session.**

Commissioner Flynn announced the Board would not be taking up this item due to the inability of the attorney to be present at this meeting. Consideration of this item was postponed until the next regular meeting of the County Commissioners.

Commissioner Flynn called for a short recess to accommodate those expecting and Executive Session.

The meeting reconvened at 10:19 a.m.

### **III. General Business**

**a. Notice from Massachusetts Department of Conservation and Recreation (DCR) for planned purchase of 10 (+/-) acres of woodland bordering Nickerson State park.**

Jack Yunits explained in response to a question from Commissioner Cakounes that under DCR regulations in the Code of Massachusetts Regulations (CMR), when the State moves to dispose of or acquire public property they are supposed to notify the local elected officials. This is why the Commissioners as well as the Town of Brewster were notified. No action needs to be taken. The Commissioners or town officials have 120 days to react to the letter if desired. This State is purchasing the land from a private party to add to Nickerson State Park. Commissioner Cakounes expressed public concern that the land would be used for passive recreation which may not include hunting. He stated that he would seek out more information regarding the issue and report back. Commissioner Flynn suggested contacting State Representative Sarah Peake to get a sense of the Cape Delegation's opinion on the issue.

**b. Discussion on language for proposed Ordinance for County employee COLA's.**

Commissioner Cakounes stated his intention to draft an ordinance restoring the 2% Cost of Living Adjustment in the current FY17 budget because of the County's financial position at the close of FY16 and expected revenue from the new tax increase. Commissioner Cakounes suggested a motion to instruct staff to prepare an ordinance which would reflect restoring the 2% COLA in the FY17 budget for County employees at the next regular meeting of the County Commissioners. There was a discussion regarding whether the COLA would be retroactive to the beginning of the fiscal year or moving forward.

*Motion made by Commissioner Cakounes to instruct staff to prepare an ordinance which would reflect restoring the 2% COLA in the FY17 budget for County employees. Commissioner Flynn, 2nd. The motion passed, 2-0-0.*

### **IV. New Business – Other business not reasonable anticipated by the Chair**

#### **V. Commissioners' Actions**

**a. Motion to amend the vote of October 26, 2016 to correct the re-appointments of Paul Thompson, Rita Ailinger and Patricia Oshman from the Barnstable County Health & Human Services Advisory Council to serve on the Human**

**Rights Commission for three year terms beginning January 1, 2017 through December 31, 2019.**

*Motion made by Commissioner Cakounes to rescind the action taken by the Commissioners on October 26, 2016 under item 4(c) which appointed individuals to the Barnstable County Health & Human Services Advisory Council, furthermore to correct such action by appointing Paul Thompson, Rita Ailinger and Patricia Oshman to serve on the Human Rights Commission for a three-year term to begin January 1, 2017 through December 31, 2019, 2<sup>nd</sup> by Mary Pat Flynn, approved 2-0-0.*

- b. Appoint Sean O'Brien, Cape & Islands Health Agents Coalition, and Judith Repucci, Community Health Network Area, as alternate members to the Barnstable County Health & Human Services Advisory Council for the term of June 1, 2016 through May 31, 2017.**

*Motion made by Commissioner Cakounes to appoint Sean O'Brien, Cape & Islands Health Agents Coalition, and Judith Repucci, Community Health Network Area, as alternate members to the Barnstable County Health & Human Services Advisory Council for the term of June 1, 2016 through May 31, 2017, 2<sup>nd</sup> by Mary Pat Flynn, approved 2-0-0.*

- c. Authorize the County Accountant to establish a "Children's Cove Gift Account".**

*Motion made by Commissioner Cakounes to establish a "Children's Cove Gift Account", 2<sup>nd</sup> by Mary Pat Flynn.*

Stacy Gallagher, Executive Director of Children's Cove informed the Commissioners that she had met with Mary McIsaac, Director of Finance. They discussed setting up a Barnstable County gift account under Chapter 34 of the Massachusetts General Laws to receive contributions from community members who want to contribute to the cause of protecting children from sexual abuse and to Children's Cove. These contributions would function as a line item to supplement budget funds of Children's Cove. It would not be tax deductible, and expenditures from the fund would be approved by the County Commissioners. Commissioner Cakounes expressed concerns regarding the soliciting of funds and other legal matters related to the proposed fund. Mr. Yunits stated that staff would put together more background information, and the present Commissioners agreed to postpone consideration until a subsequent meeting.

*Motion to establish a "Children's Cove Gift Account" withdrawn by Commissioner Cakounes.*

- d. Authorize the County Accountant to transfer indirect cost reimbursements from special revenue funds to the Cape Cod Environmental Protection Fund (CCEPF).**

*Motion made by Commissioner Cakounes to transfer indirect cost reimbursements from special revenue funds to the Cape Cod Environmental Protection Fund, 2<sup>nd</sup> by Mary Pat Flynn, approved 2-0-0.*

- e. **Agreement with the Cape Cod Chamber of Commerce to provide Coordination and Marketing Services for the Cape & Islands License Plate funds (bid awarded on 8/17/16).**

*Motion made by Commissioner Cakounes to approve and execute the agreement with the Cape Cod Chamber of Commerce to provide Coordination and Marketing Services for the Cape & Islands License Plate funds (bid awarded on 8/17/16), 2<sup>nd</sup> by Mary Pat Flynn, approved 2-0-0.*

Commissioner Cakounes requested that contracts be reviewed by County Counsel before being presented to the Board for action. In response to a question regarding the term of the contract, Mr. Yunits informed the Board that the contract had been amended from three years in the bid, to one year with the option to renew in the agreement.

- f. **Discharge of Mortgage for J. Racine.**

*Motion made by Commissioner Cakounes to approve and execute the mortgage discharge for J. Racine, 2<sup>nd</sup> by Mary Pat Flynn, approved 2-0-0.*

- g. **Approval of Jack Yunits employee reimbursement request for the period of 9/19/16 – 10/25/16.**

- h. **Approval of Jack Yunits timesheet for the payroll period of 10/16/16 – 10/29/16.**

*Motion made by Commissioner Cakounes to approve the employee reimbursement request for the period of 9/19/16 – 10/25/16 and timesheet for the payroll period of 10/16/16 – 10/29/16 of Jack Units, 2<sup>nd</sup> by Mary Pat Flynn, approved 2-0-0.*

- i. **Certificate for Dissolving Septic Betterments (Chair only)**

*Motion made by Commissioner Cakounes to approve and authorize the chair to execute the certificates for dissolving septic betterments, 2<sup>nd</sup> by Mary Pat Flynn, approved 2-0-0.*

## **VI. Commissioners' Reports**

Commissioner Cakounes reported on the following:

- He congratulated the winners of the recent election for the Board of County Commissioners and thanked all the candidates for their participation.

## **VII. County Administrator Report**

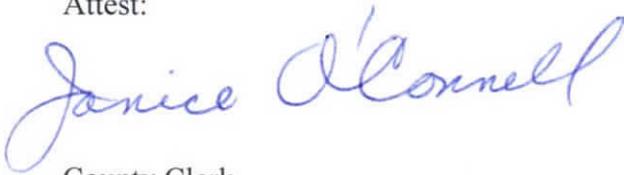
Jack Yunits reported on the following:

- Mr. Yunits informed the Commissioners regarding municipal concerns with help for assessors and assessments He is looking into possible help for towns with Mary McIsaac.
- There are still concerns regarding the dredge.

- He received an email from the town of Chatham thanking the County for help with their flood plain maps.
- The State has become more engaged on coordinating with the County on issues related to ticks

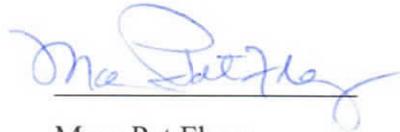
*Barnstable, ss. at 10:47 a.m. on this 9th day of November, A.D. 2016, Commissioner Cakounes made a motion to adjourn, 2<sup>nd</sup> by Mary Pat Flynn, approved 2-0-0.*

Attest:



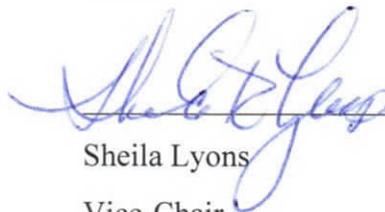
County Clerk

The foregoing records have been read and approved.



Mary Pat Flynn

Chair



Sheila Lyons

Vice-Chair



Leo Cakounes

Commissioner

List of documents: