

*COMMONWEALTH OF MASSACHUSETTS*

Barnstable, ss.

At the regular meeting of the County Commissioners held in the Superior Courthouse in Barnstable, on the seventh day of December A.D. 2016.

**Board of the Barnstable County Commissioners:**

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

**Staff Present:**

Jack Yunits, Jr.	County Administrator
Owen Fletcher	Executive Assistant
Justyna Marczak	Assistant Human Resources Director
Mary McIsaac	Director of Finance/Treasurer
Joanne Nelson	County Accountant

Commissioner Flynn called the meeting to order at 10:05 a.m.

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

**I. Public Comment**

Commissioner Flynn asked if anyone would like to speak under public comment. There was no public comment offered.

**II. General Business**

**a. Discussion of Fiscal Year 2017 first quarter financial reports.**

Mary McIsaac, Director of Finance/Treasurer, and Joanne Nelson, County Accountant, appeared before the Board. They gave a presentation to the Commissioners on the Fiscal Year 2017 first quarter financial reports and answered their questions.

- b. Discussion and motion to modify the salary of the Barnstable County Register of Deeds, commencing in Fiscal Year 2017, for services rendered as register and assistant recorder of the land court, to be equivalent to the Barnstable County Register of Probate, as set out in MGL Chapter 217, 35A.**

*Motion made by Commissioner Cakounes to modify the salary structure and compensation rate of the Register of Deeds position for services rendered as Register and assistant recorder of the Land Court by making it equivalent to the Barnstable County Register of Probate as set out in MGL Chapter 217, section 35A Registers; salaries, 2nd by Commissioner Lyons, approved 3-0-0.*

Commissioner Cakounes explained that the position of Barnstable County Register of Deeds is not hired or fired by the County and is an elected position. This action by the Commissioners would relate the position's salary to State standards for similar positions and would tie any increase to State action. In response to questions from Commissioners Flynn and Lyons, both Commissioner Cakounes and Mr. Yunits spoke in support of the action explaining that the current Register agreed with the changes.

- c. Discussion and potential vote regarding an updated Barnstable County Sexual Harassment and Discrimination Policy.**

*Motion made by Commissioner to adopt the Barnstable County Sexual Harassment and Discrimination policy as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

Commissioner Lyons asked about the process for this policy as well as the Protected Class Harassment policy. Ms. Marczak, Assistant Human Resources Director, answered that the language of the policies came from language recommended by the State, as well as from State requirements, and had been reviewed by an attorney.

- d. Discussion and potential vote regarding the establishment of a Barnstable County Protected Class Harassment Policy and Procedures.**

*Motion made by Commissioner Cakounes to adopt the Barnstable County Protected Class Harassment Policy and Procedure as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

- e. Discussion and possible vote regarding the swearing in of County Commissioners by the Cape Cod Regional Government Clerk.**

*Motion made by Commissioner Cakounes to approve and forward to the Assembly of Delegates the proposed Ordinance 16-\_\_ (to be numbered) which states; "Section 1. The Clerk of the Regional Cape Cod Government is hereby authorized to swear into office any and all elected or appointed officials of the Cape Cod Regional Government." as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

Commissioner Cakounes explained that the purpose of this ordinance was to clarify that the Clerk of the County could swear in both elected officials and other County officials. The Commissioners discussed also swearing in members of other County boards and committees. Commissioner Lyons stated that this would reinforce their

responsibility. Commissioner Flynn stressed that it was especially important for boards and committees that handled funds. Mr. Ronald Beaty stated his concern that officials could only be sworn in by Commissioners to qualify Oaths of Office.

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

The Commissioners conducted no new business not reasonably anticipated by the Chair.

### IV. **Commissioners' Actions**

#### **a. Approval of the November 30, 2016 meeting minutes.**

*Motion made by Commissioner Cakounes to approve the minutes of the regular session meeting on November 30, 2016 as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

#### **b. Appointment to the Executive Committee of the Cape Cod Hoarding Task Force of: Erika Woods for the term of December 1, 2016 through November 30, 2017; Paul Wild for the term of December 1, 2016 through November 30, 2017; Beth Albert for the term of December 1, 2016 through November 30, 2017; Lori Miranda for the term of December 1, 2016 through November 30, 2018; Kevin Grunwald for the term of December 1, 2016 through November 30, 2018; Lynn Mulkeen for the term of December 1, 2016 through November 30, 2018; Deborah Scavotto for the term of December 1, 2016 through November 30, 2019; and Kalliope Egloff for the term of December 1, 2016 through November 30, 2019.**

*Motion made by Commissioner Cakounes to approve the following appointments to the Barnstable County Cape Cod Hoarding Task Force: term to expire November 30, 2017: Erika Woods, BCDHE representative; Paul Wild, Elder Services representative; Beth Albert, BC Human Services representative, terms to expire November 30, 2018: Lori Miranda, Animal Control representative; Kevin Grunwald, Council on Aging representative; Lynn Mulkeen, BCDHE representative, terms to expire November 30, 2019: Deborah Scavotto, Smooth Moving for Seniors representative; and Kalliope Egloff, Cooperative Extension representative; as presented; 2nd by Commissioner Lyons, approved 3-0-0.*

#### **c. Approval of Jack Yunits timesheet for the payroll period of 11/13/16 – 11/26/16.**

*Motion made by Commissioner Cakounes to approve Jack Yunits timesheet for the payroll period of 11/13/16 through 11/26/16 as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

#### **d. Approval of extension of vacation carry over requests for Mary McIsaac and Joanne Nelson.**

*Motion made by Commissioner Cakounes to approve the request of vacation carryover for Mary McIsaac & Joanne Nelson as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

Commissioner Flynn asked a question regarding the County's vacation day policy. Commissioner Lyons as well as Mr. Yunits explained that there is a policy in place to ensure that only a certain amount of days could be carried over per year.

- e. Approval of an Estoppel Certificate for the Dennis Community Housing Preservation Associates Limited Partnership, owner of the Melpet Farms Rental Development in Dennis.**

*Motion made by Commissioner Cakounes to approve and execute the Estoppel Certificate for the Dennis Community Housing Preservation Association Limited Partnership, owner of the Melpet Farms Rental Development located in Dennis Mass. as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

- f. Approval of an amendment to the contract with Desmond Well Drilling to provide well drilling services at the Fire Training Academy.**

*Motion made by Commissioner Cakounes to approve the amendment to the contract with Desmond Well Drilling for service provide at the Fire Training Academy as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

- g. Agreement with Provincetown Center for Coastal Studies for water quality monitoring of Cape Cod Bay, Buzzards Bay, and Nantucket Sound for fiscal years 2017 – 2019.**

Commissioner Cakounes expressed his concern regarding whether this agreement met the Chapter 30B procurement requirements in the Massachusetts General Laws. Mr. Yunits informed the Board that County Counsel needed one more week to review the issue. He also explained that given the resignation of Andrew Gottlieb, Executive Director of the Cape Cod Water Protection Collaborative (CCWPC), current projects need to be monitored more closely. He continued, explaining that there are revenue concerns going forward into the Fiscal Year 2018. Finally, Mr. Yunits explained that there would be monthly reports and that there was a large carryover of funds from the prior fiscal year, in response to a question regarding financing from Commissioner Flynn. Commissioner Lyons stressed the need to coordinate with the Cape Cod Commission on Section 208 wastewater issues, and the importance of the issue. Commissioner Cakounes highlighted that the agreement deals with monies from Fiscal Year 2017 but also affects funding for the next three years. He committed to meeting with the Cape Cod Commission, County Department of Health, and the CCWPC to come up with a new arrangement. Richard Delaney, President of the Provincetown Center for Coastal Studies, stated that he was pleased with the County's commitment. Commissioner Cakounes explained that there were several options to bring this matter back before the Board before the work would be interrupted. The Board postponed action on this item.

- h. Agreement with the Town of Eastham for water a quality monitoring and permeable reactive barrier investigation project for Eastham's Salt Pond from November 16, 2016 to June 30, 2018.**

*Motion made by Commissioner Cakounes to approve the agreement with the Town of Eastham for water Quality monitoring and permeable reactive barrier investigation*

*project for Eastham's Salt Pond from November 16, 2016 to June 30, 2018 as presented with County Counsel edits, 2nd by Commissioner Lyons, approved 3-0-0.*

Commissioner Cakounes expressed his support for this item, and the following item, with technical changes suggested by County Counsel, subject to appropriation. The Board agreed to approve them with edits to follow.

- i. Agreement with the Town of Falmouth for a water quality monitoring project for several Falmouth South Coast and West Falmouth locations through June 30, 2019.**

*Motion made by Commissioner Cakounes to approve the agreement with the Town of Falmouth for a Water Quality monitoring project for several Falmouth South Coast and West Falmouth locations through June 30, 2019 as presented with County Counsel edits, 2nd by Commissioner Lyons, approved 3-0-0.*

## V. Commissioners' Reports

Commissioner Cakounes:

- Mr. Cakounes spoke about the process for Commissioners approving ordinances after the Assembly of Delegates acts, and scheduling for the next Commissioners' meeting.

Commissioner Lyons:

- Ms. Lyons spoke about the success of the Coastal Conference she attended and the need for the County to stay committed to working on water issues.

## VI. County Administrator Report

- Mr. Yunits spoke to the Commissioners regarding needed action to respond to changes in the Public Records Act.
- He also spoke regarding plans to bring all County boards and commissions before the Board to give presentations at upcoming meetings.
- Finally, Mr. Yunits informed the Commissioners that the County was looking at the possibility of going out to bid for a second dredge.

*Barnstable, ss. at 11:16 a.m. on this seventh day of December, A.D. 2017, Commissioner Cakounes made a motion to adjourn, 2<sup>nd</sup> by Commissioner Lyons, approved 3-0-0.*

Attest:



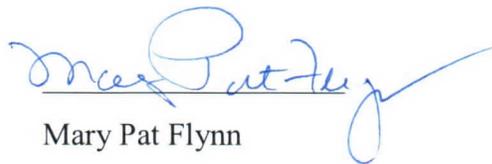
County Clerk

The foregoing records have been read and approved.



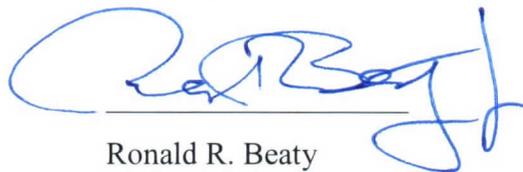
Leo G. Cakounes

Chair



Mary Pat Flynn

Vice-Chair



Ronald R. Beaty

Commissioner

List of documents:

- Fiscal Year 2017 first quarter financial reports.