

*COMMONWEALTH OF MASSACHUSETTS*

Barnstable, ss.

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

**Board of the Barnstable County Commissioners:**

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

**Staff Present:**

Jack Yunits, Jr.	County Administrator
Owen Fletcher	Executive Assistant

**Call to Order**

Commissioner Flynn called the meeting to order at 2:08 p.m.

**Pledge of Allegiance**

**Moment of Silence**

Commissioner Flynn noted that Commissioner Lyons was participating remotely in accordance with the Open Public Meetings Act. She also noted that there was a quorum present in the room.

**1. Public Comment**

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

## 2. General Business

- a. **Amendment of action taken by County Commissioners under Item 2c at the December, 14 2016 meeting clarifying the temporary assignment of duties and authority of the Director of Cape Cod Water Protection Collaborative after vacancy beginning on January 3, 2017.**

*Motion made by Commissioner Cakounes to amend the action taken on December 14, 2016 under item 2c by removing the term “and the Chair of the County Commissioners” so the new language will read “... the County Administrator to...”, 2nd by Commissioner Lyons, approved 3-0-0.*

Commissioner Cakounes expressed concern that having all Commissioners involved with decisions would be too cumbersome. Commissioner Lyons suggested that all Commissioners would benefit from being involved. Commissioner Flynn asked if it might be better to appoint a sole commissioner as designee, whether they were Chair or not. Commissioner Cakounes reminded the Commissioners that they were only appointing someone to take on the duties of the Executive Director on a temporary basis. Ronald Beaty stated his concern that the Commissioners already had a liaison to that Board. The Commissioners reached a consensus that the County Administrator would be responsible for the actions of the Executive Director on a temporary basis.

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

- a. **Proclamations for members of the Assembly of Delegates vacating their elected seats as of January 1, 2017.**

*Motion made by Commissioner Cakounes to approve and execute the proclamations prepared for the Assembly of Delegates Members which will be vacating their elected seats as of January 1, 2017, in recognition of their service to the County for presentation at today’s Assembly meeting, 2nd by Commissioner Lyons, approved 3-0-0.*

## 4. Commissioners’ Actions

- a. **December 7 and December 14, 2016 meeting minutes.**

*Motion made by Commissioner Cakounes to approve the minutes of the regular session meeting of December 14 2016 as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

The minutes of the December 7, 2016 meeting were tabled due to technical concerns interfering with their preparation.

- b. **Extension of Cape Cod Development Council terms of: John Kilroy for a term of January 1, 2014 to December 31, 2019; Allen White for a term of January 1, 2014 to December 31, 2019; and David Willard for a term of January 1, 2014 to December 31, 2019. Appointment of Susan Moran for a term of January 1, 2017 to December 31, 2019.**

*Motion made by Commissioner Cakounes to approve the following appointments to the Cape Cod Economic Development Council: John Kilroy; Allen White; David Willard;*

*and Susan Moran; for terms to expire on December 31 2018, 2nd by Commissioner Lyons, approved 3-0-0.*

Commissioner Cakounes expressed his concern that appointments should be opened up to more individuals to ensure greater participation. Mr. Beaty suggested that the Commissioners table the appointments until a mechanism is found to open up the nominating process to greater participation. Commissioner Flynn spoke regarding her participation in the Council and its efforts to recruit new members from the Community. Commissioner Lyons suggested that the Board revisit the appointment process during budget hearings. Felicia Penn, from the Council, argued that appointments are made per the County's Administrative Code. She also stated that they were needed now due to concerns regarding obtaining a quorum to meet. The Commissioners reached a consensus to appoint members for shorter terms until the process could be examined.

- c. Reappointment of Victoria Goldsmith as an at-large member of the Barnstable County HOME Consortium for the term of February 1, 2017 through January 31, 2020.**

*Motion made by Commissioner Cakounes to approve the appointment of Victoria Goldsmith as the at-large member of the Barnstable County HOME Consortium for a term to expire January 31, 2020, 2nd by Commissioner Lyons, approved 3-0-0.*

- d. Jack Yunits timesheet for the payroll period of 11/27/16 – 12/10/16.**

*Motion made by Commissioner Cakounes to approve the timesheet for Jack Yunits for the payroll period of November 27, 2016 to December 10, 2016 as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

- e. Jack Yunits employee reimbursement request for 12/9/2016.**

*Motion made by Commissioner Cakounes to approve the employee reimbursement request for Jack Yunits for 12/9/2016, as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

- f. Grant agreement between the Massachusetts Department of Environmental Protection and the Department of Health for the development of best management practices for passively removing nitrogen from onsite septic systems.**

*Motion made by Commissioner Cakounes to approve and accept the Grant between the Massachusetts Department of Environmental Protection and the Department of Health for the development of Best Management practices for passively removing nitrogen from onsite septic systems and execute necessary documents as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

- g. Sub-recipient agreement with the University of Rhode Island for the Southeast New England Coastal Watershed Restoration program.**

*Motion made by Commissioner Cakounes to approve and execute the sub-recipient agreement with the University of Rhode Island for the Southeast New England Coastal Watershed Restoration program, as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

**h. Agreement with the Town of Falmouth for a septic systems' demonstration project through December 31, 2018.**

*Motion made by Commissioner Cakounes to approve the agreement with Town of Falmouth for the Septic System Demonstration Project through December 31, 2018, subject to funding, 2nd by Commissioner Lyons, approved 3-0-0.*

**i. Bid award to Lee Hamilton to provide services for Continuum of Care Planning to the Department of Human Services.**

*Motion made by Commissioner Cakounes to approve the bid Award to Lee Hamilton to provide services for Continuum of Care Planning to the Department of Human Services as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

**j. License Agreement with the Town of Orleans to provide access to Putnam Farm.**

*Motion made by Commissioner Cakounes to approve the Licenses Agreement between the Town of Orleans and Barnstable County to provide access to the town owned land known as the Putnam Farm, as presented and contingent upon the execution of Item 4k, herein labeled the "Tri-Party Licenses Agreement", 2nd by Commissioner Lyons, approved 3-0-0.*

**k. Tri-Party License Agreement between Barnstable County, Eversource, and the Town of Orleans.**

*Motion made by Commissioner Cakounes to approve the Tri-Party Licenses Agreement between Barnstable County, Eversource, and the Town of Orleans in conjunction with the access to Town owned land known as the Putnam Farm, as presented and contingent upon the execution of Item 4j, herein labeled "License Agreement", 2nd by Commissioner Lyons, approved 3-0-0.*

Commissioner Cakounes informed the Board that this agreement was necessary due to sections of the License Agreement in Item 4j.

**l. Legal Services agreement with SL Environmental Law Group PC and Kennedy & Madonna LLP.**

*Motion made by Commissioner Cakounes in accordance with the Administrative Code Section 2.3 to hire SL Environmental Group PC and Kennedy & Madonna LLP for legal services related to a class action suit as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

Mr. Yunits explained the need for the agreement. He informed the Board that this item was necessary as the County examined filing suit against producers of certain products that are the subject of the lawsuit between the County and the Town of Barnstable. He stressed that there would be no cost to the County because the fees in the agreement are contingent on recovery. He also stated that County Counsel reviewed the agreement.

**m. New fund for a grant from Cornerstone Charitable Foundation to the Department of Human Service for a 9-1-1 Good Samaritan Video and Public Service Announcement Production.**

*Motion made by Commissioner Cakounes to approve the creation of new fund for a Grant from Cornerstone Charitable Foundation to the Department of Human Service for a 911 Good Samaritan Video and Public Service Announcement Production as presented, 2nd by Commissioner Lyons, approved 3-0-0.*

**5. Commissioners' Reports**

The Commissioners offered no reports.

**6. County Administrator's Report**

- Mr. Yunits informed the Commissioners that no meeting was expected the following week.
- He also brought up several upcoming issues including: a new grant policy; an examination of a unified County policy on employee raises; the new public records law; and presentation to the Board from County boards and committees.

**7. Notice of Executive Session Pursuant to MGL Chapter 30A, 21 (a) (3):**

The Executive Session was postponed to a later date due to scheduling conflicts.

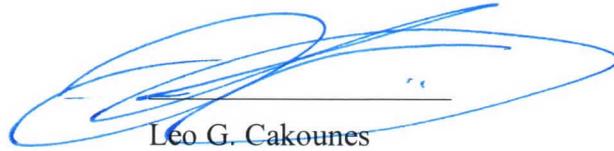
**Adjournment**

*Barnstable, ss. at 3:06 p.m. on this seventh day of December, A.D. 2017, Commissioner Cakounes made a motion to adjourn, 2<sup>nd</sup> by Commissioner Flynn, approved 2-0-0.*

Attest:

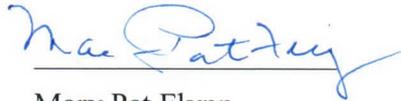
  
County Clerk

The foregoing records have been read and approved.

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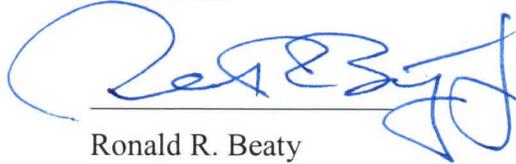
Leo G. Cakounes

Chair

A handwritten signature in blue ink, written in a cursive style.

Mary Pat Flynn

Vice-Chair

A handwritten signature in blue ink, featuring a large circular loop on the left and several vertical strokes on the right.

Ronald R. Beaty

Commissioner