

*COMMONWEALTH OF MASSACHUSETTS*

Barnstable, ss.

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

**Board of the Barnstable County Commissioners:**

|                 |         |
|-----------------|---------|
| Mary Pat Flynn  | Present |
| Sheila R. Lyons | Present |
| Leo Cakounes    | Present |

**Staff Present:**

|                    |                                                    |
|--------------------|----------------------------------------------------|
| Jack Yunits, Jr.   | County Administrator                               |
| Kara Mahoney       | Interim Administrative Assistant                   |
| Mary McIsaac       | Director of Finance                                |
| Bob Lawton         | Finance Department                                 |
| George Heufelder   | Director of the Department of Health & Environment |
| Michael Maguire    | Director of the Cape Cod Cooperative Extension     |
| Tom Cambareri      | Cape Cod Commission                                |
| Larry Dapsis       | Entomologist, Cape Cod Cooperative Extension       |
| Steve Tebo         | Director of Facilities                             |
| Bob Troy           | County Counsel                                     |
| Bob Cox            | Counsel                                            |
| Gabrielle Sakolsky | Cape Cod Mosquito Control                          |
| Elenita Muniz      | Human Rights Commission                            |
| Paul Niedzwiecki   | Director of Cape Cod Commission                    |

Commissioner Flynn called the meeting to order at 2:00 p.m.

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

Chairman Flynn announced that the meeting was being recorded by Channel 5 news.

## **I. Public Comment**

Elenita Munitz, Barnstable County Human Rights Commission (HRC), presented each Commissioner with the Human Rights Academy annual report that is comprised of the children's work throughout the past year. An estimated amount of over \$28,000 was collected in fundraising from the children's projects and the money was returned to service agencies on the Cape. Ms. Munitz also handed out the new HRC Spanish/Portuguese translation general information brochures. She announced that on April 15, 2017 the HRC will be hosting a conference on "Climate Change in Human Rights" and on December 10, 2016 the annual meeting and breakfast for "Human Rights Day" will be held.

## **II. General Business**

The Board changed the order of the general business items as Channel 5 news was there to cover the healthcare update.

### **a. Healthcare update - George Heufelder, Barnstable County Department of Health & Environment, and Michael Maguire, Cape Cod Cooperative Extension**

George Heufelder provided an update on the Barnstable County Department of Health & Environments activities relative to tick borne diseases including both mosquitos and ticks. He explained his presentation would be brief as his Department's involvement has been minimal and mainly involves the zika virus. He reported that the Department of Public Health is receiving approximately 50 phone calls per week inquiring about the zika virus. His Department's role has been a joint effort with Cape Cod Mosquito Control and Cape Cod Cooperative Extension to put together an informational flyer for residents, visitors and emergency response personnel. The message is prevention and how to prevent mosquito reproduction in your backyard. He has been in touch with all the legislatures and written letters on behalf of his Department to communicate their opposition to the Governor's budget amendment. They believe that it would make it more difficult for people seeking Lyme treatment beyond the immediate time period to find medical coverage. He believes that the language will be taken out and the original language restored which would allow a licenses physician to prescribe for long term treatment and allow benefits to cover the cost.

Mike Maguire provided some context for the upcoming presentation on the Powassan virus. He explained that Dr. Steven Rich from UMASS Amherst, who had partnered with the Extension on previous projects, had done some preliminary tests and found it at a site last Fall on the Cape. Dr. Rich contacted him and asked if the Cooperative Extension would be interested in partnering with him on a research project and find out

how prevalent Powassan is in the area. Larry Dapsis's presentation will report on the results of the research project.

Larry Dapsis, Deer Tick Project Coordinator and Entomologist with Cape Cod Cooperative Extension, presented, "Deer Ticks... *One bite can change your life*".

Mr. Dapsis explained that Powassan was first described in Powassan, Ontario, Canada in 1958. The virus was named after the town. Powassan migrated to the east coast a few years ago. Principally found in eastern New York and the Hudson River Valley area.

There are two different strains of the virus.

#### *Powassan virus*

Associated with the woodchuck tick, not very common (found in woodchuck dens), spends most time in burrows. Significant difference between the Powassan disease and Lyme disease is the 24 hour rule of thumb, where if the tick is attached less than 24 hours the risk of transmission is low. With Powassan the transmission time is 15 minutes after the point of attachment and changes the risk profile. Clinical presentations are found typically in encephalitis and meningoencephalitis (swelling of brain and spinal tissues).

#### *Deer tick virus*

Also called Powassan lineage II. Distinct but related species. Found in the Northeast U.S. According to Katie Brown, Public Health, she expects transmission time to be no different than the Powassan virus and the clinical presentations are the same.

Per Massachusetts Department of Public Health there are 9 confirmed cases of Powassan in Massachusetts. One case reported from Barnstable County.

Most people who are exposed to Powassan virus likely never feel ill, others may become severely ill with meningitis or encephalitis. Symptoms include fever, headache, vomiting, weakness, confusion, loss of coordination, speech difficulties and seizures. Approximately 10% of people with this severe form of the disease will die and survivors may have long-term health problems.

The Extension has been working closely with the laboratory of medical zoology within the last five years. In 2015, Dr. Steven Rich, Laboratory Director, sent out students and sampled a couple random sites. Found positive detects in the Falmouth and Brewster area. They expanded area of search and collected ticks from various sites.

Next steps after finding results are:

- 1) Retrospective surveillance

- 2) Statewide Surveillance
- 3) Expanded Cape Cod Surveillance

#### Tick Bite Prevention – Game Plan Summary

- Tick checks and use of permethrin-treated clothing (most effective tool)
- Perimeter yard spray
- Pet protection

#### *Gypsy Moth update*

Mr. Dapsis reported he is receiving a high volume of calls from residents asking what they can do to prevent or get rid of the gypsy moths. He advises there is nothing anyone can do to remove them. Most methods are ineffective and a waste of money.

He explained what kept the gypsy moths in check for a long time is that in 1989 in Connecticut a fungus was planted and spread throughout the Northeast. Since 1989 the fungus has provided long term suppression. The current problem is the fungus needs moisture in the spring to active and the last two springs have been dry allowing the moths to have an outbreak.

In closure, Mike Maguire provided a recap on the Powassan virus. He said the County should take some credit for funding the research that allowed Dr. Rich to run these studies. The County was at the forefront pushing for work in Lyme disease research and here the County is again pushing the Powassan research. This had gained the State's attention. It's important for the County to continue to highlight the importance of research and stay ahead of these diseases that are effecting communities. Its generating a larger discussion on the State level about making sure this information gets out to the medical community and the public in general. County staff took this disease very seriously. Staff continues to make sure the state resources are focused on tick borne diseases as well.

Gabby Salkolsky reported that Cape Cod Mosquito Control is currently doing surveillance for the west nile virus and mosquito borne diseases throughout the summer. They have already received results that ticks in the Woods Hole area have tested positive for the west nile virus. These positive results are coming in a month earlier than what they usually see. Ms. Sakolsky said it's a good time to be out there reminding people the way that you control mosquitos in your own yard is to walk around and empty out containers. Mosquitos lay their eggs in standing water. The type of mosquitoes that carry west nile virus do not travel very far. They are also reminding the public that it's not good to get bitten by mosquitos and to wear mosquito repellent

when mosquitos are biting. She encourages anyone that is having a mosquito problem in their backyard to call the office and they will send out a crew to take a look around and find where the mosquitos are coming from and get rid of them at the source.

Ms. Salkolsky stated that Cape Cod Mosquito Control works closely with Barnstable County Health & Environment and Cape Cod Cooperative Extension to get the message out there that the type of mosquito that causes the zika virus in this area is the asian tiger mosquito. They have been surveying for that species since 2008 and have not found any on Cape Cod.

**b. Discussion and potential vote to adopt Massachusetts General Laws Chapter 32B, Section 20 to allow the establishment of an “Other Post-Employment Benefits Liability Trust Fund” - Mary McIsaac, Finance Director**

Mary McIsaac explained that Finance Department staff have been prioritizing what needs to be done to move forward and to establish and update some policies for the Finance Department. A huge driving force in getting this done is the target date of May for the first bond issue since the 1990’s. One of the Finance Department’s priorities in getting ready for that is to create an OPEB (Other Post-Employment Benefits) Trust. In that regard the County needs to adopt a section of M.G.L. Chapter 32(b) Section 20 that specifically enables the Finance Department to establish an OPEB trust. Finance Staff is currently in the process of writing a template for irrevocable in draft form. It’s the first step for the County in order to be able to move forward and establish a plan for trying to set aside funds and funding the OPEB liability into the future. Today the request is to ask the County Commissioners to adopt this section of M.G.L. so that the Finance Department can move forward with developing an irrevocable trust and bring forward an investment plan for the trust.

*Motion made by Commissioner Cakounes to adopt Massachusetts General Law Chapter 32(b) Section 20, which will allow the establishment of an “Other Post-Employment Benefit Liability Trust Fund”, 2<sup>nd</sup> by Sheila Lyons, approved 3-0-0.*

**c. Update on Prior Years Capital Projects – Mary McIsaac, Finance Director**

Mary McIsaac explained that the Finance Department finalized numbers after an examination of the last 3 years of authorizations of capital projects. Most entities across Massachusetts have a capital plan or capital program in place where they identify all of their capital needs for their assets for their infrastructure and they set that out in a plan over a 5 year period. The needs are evaluated and identified periodically. Also, examination and continuing confirmation of where the funds will come from for doing the work that is prescribed in the capital plan. She has not seen any reporting being done at the County.

She continued to explain that she is on the agenda today to talk to the Commissioners about a formalized capital plan and what it includes, how to go forward with it, and to also let the Commissioners get used to seeing what the County capital plan looks like as well as what the expenditures look like as compared to what has been approved along the way every year for budgets.

Ms. McIsaac reported that the past 3 years the Commissioners have approved almost 8.3 million dollars of spending for capital. Spending to date has amounted to almost 2.8 million dollars against what was authorized. A lot of that is in the area of Information Technology, joint initiatives, and purchasing for the Health Department for mostly small and mid-sized equipment that needed to be replaced. Majority of authorizations are for Facilities who are charged with the maintenance of assets and properties. A lot of these authorizations are on hold while plans are being developed. Providing these updates will give the Commissioners a better picture of what they'll be asked to look at especially during budget season and what will be reported to them.

**d. Approval of the Pan-Massachusetts Challenge request to use the Barnstable County Court Complex parking lots on Sunday, August 7, 2016 for the 36<sup>th</sup> Annual PMC to benefit the Jimmy Fund of the Dana-Farber Cancer Institute.**

*Motion made by Commissioner Cakounes to approve the request of the Pan-Massachusetts Challenge for the use of the County Complex parking lot for Sunday, August 7, 2016 for the Annual PMC to benefit the Jimmy Fund of the Dana-Farber Cancer Institute, Subject to requirements in the County Use Policy, Insurance, Post event clean-up and any other provisions put forth by the Facilities Director, 2<sup>nd</sup> by Sheila Lyons, approved 3-0-0.*

**e. Discussion and vote regarding the Cape Cod Commission reclassification plan.**

*Motion made by Leo Cakounes to amend the action taken on July 6, 2016, item 2(c), by adding the following; to approve the Addendum to the Plan defining criteria for Step and Merit pay; to direct County Staff to revise the Barnstable County Personnel Policy and Procedure to reflect the Addendum; to reaffirm the effective date of the amended plan as July 1, 2016; to reaffirm the 2% COLA for Cape Cod Commission staff effective date as of July 1, 2016; to designate the Cape Cod Commission Executive Director as the responsible party for maintaining and administrating the Cape Cod Commission Compensation Plan/Classification Plan in consultation with the County Human Resource Department, 2<sup>nd</sup> by Sheila Lyons for discussion;*

Commissioner Cakounes explained he made a motion two weeks ago to accept the reclassification plan for the Cape Cod Commission. Since then there was an addendum to the plan which County staff felt needed to be included and this language was not

included in his original motion. The motion today identifies the addendum to the plan. It had also come to the Commissioners attention that the addendum does not fit in with the County Human Resources policies and procedures manual and that needed to be amended. The third part to his motion was to clarify the effective date of the reclassification plan as his original motion was general and stated effective in the FY17 budget. The new motion clarifies that it will be effective July 1, 2016, which is the beginning of the FY17 budget. The motion also reaffirms the action of the COLA and that it is effective July 1, 2016. Lastly, the motion designates the Executive Director as the person responsible for maintaining the reclassification plan.

*With no further discussion the Commissioners voted to approve the motion unanimously 3-0-0.*

- f. **Motion to recess and to move into executive session pursuant to M.G.L. Chapter 30A, Section 21(a) 3 to discuss strategy with respect to the Civil Action filed by the Town of Barnstable as public discussion may have a detrimental effect on the litigating position of the County. The Commissioners shall re-convene in open session immediately following discussion.**

*Motion made by Commissioner Cakounes to enter into executive session under MGL Chapter 30A Section 21 (a) (3) to discuss strategy with respect to Civil Action filed by the Town Of Barnstable, furthermore the Chair has declared that an Open Meeting may have a detrimental effect on the litigation position of the County, and to reconvene in Open Session immediately following the discussion.*

Roll call vote:

Leo Cakounes     aye

Sheila Lyons     aye

Mary Pat Flynn   aye

*Motion made by Commissioner Cakounes to close executive session and to return to open session at 4:17 p.m., 2<sup>nd</sup> by Sheila Lyons, approved 3-0-0.*

*Note: The remainder of regular session was not videotaped by County staff as they were needed to be at the Assembly of Delegates meeting to record.*

### III. New Business – Other Business Not Reasonably Anticipated by the Chairman

Commissioner Lyons requested that they sign a proclamation for the celebration recognizing down syndrome on the next agenda.

### IV. Commissioners' Actions

- a. *Motion made by Commissioner Cakounes to approve the regular session meeting minutes of July 6, 2016 as presented, 2<sup>nd</sup> by Sheila Lyons, approved 3-0-0.*
- b. *Motion made by Commissioner Cakounes to approve the following items under the Summary of Actions; under contracts, items 2 and 4 (hold item 3 for more information); under bid awards, items 5-8; under HOME program, item 9, under personnel actions, item 10; under septic betterment (chair only), items 11-23; as presented, 2<sup>nd</sup> by Sheila Lyons, approved 3-0-0.*

*Motion made Commissioner Cakounes to approve the following item under the Summary of Actions; under contracts, item 1, 2<sup>nd</sup> by Sheila Lyons, approved 2-1-0, with Commissioners Flynn and Lyons acting in the affirmative and Commissioner Cakounes opposing.*

#### ***Summary of Actions:***

##### **Contracts**

1. In accordance with the County's responsibility as Fiscal Agent for Cape Light Compact, executed the third amendment to the Marketing and Outreach Services Agreement with **Ridley & Associates** to amend the budget amount by \$53,170, and extend the term of the agreement through June 30, 2017.
2. Executed an Amendment to the Dredging Agreement with the **Town of Barnstable** to reduce the contract amount by \$25,000 to dredge Barnstable Harbor Channel.
3. Executed the Fourth Amendment to the Intermunicipal Agreement for Information Technology Services with the **Town of Wellfleet** to amend the budget amount to \$95,827.92, and to extend the term of the agreement to June 30, 2017.
4. Executed a Grant Agreement with **Cape Cod Chamber of Commerce** for the development of an implementation plan for Cape Cod's Blue Economy, in the amount of \$180,000, for the period of July 1, 2016 through June 30, 2017.

### Bid Awards

5. Awarded the bid for the Coordination of the Substance Abuse Council to **Samantha Kossow** for the period of July 1, 2016 through June 30, 2017, with two one year options to renew, pending appropriation, in the amount of \$45 per hour with a not to exceed amount of \$40,000 per year.
6. Executed the Contract with **Coyne Chemical Company** to provide chemicals to various Water Departments within Barnstable County for the period of July 1, 2016 through June 30, 2017, as awarded at the June 22, 2016 meeting.
7. Executed the Contract with **Univar** to provide Methanol Solution to the Town of Chatham for the period of July 1, 2016 through June 30, 2017, as awarded at the June 22, 2016 meeting.
8. Executed the Contract with **NBC Distributors** to provide chemicals to various Water Departments within Barnstable County for the period of July 1, 2016 through June 30, 2017, as awarded at the June 22, 2016 meeting.

### HOME Program

9. Executed a Discharge of Mortgage for Heidi Anderson.

### Personnel Actions

10. Approved timesheets for Jack Yunits for the time period of June 27 – July 8, 2016.

### Septic Betterments (Chair only)

11. Executed a Certificate for Dissolving Betterments for Paul J. Rodriques.
12. Executed a Certificate for Dissolving Betterments for Robert F. and Betty Lou Geggatt.
13. Executed a Certificate for Dissolving Betterments for Matthew R. Scioletti.
14. Executed a Certificate for Dissolving Betterments for John A. Scaramuzzo, Jr.
15. Executed a Certificate for Dissolving Betterments for David and Cassandra Atkinson.
16. Executed a Certificate for Dissolving Betterments for Patrice K. Fraser.

17. Executed a Certificate for Dissolving Betterments for Donald B. Coughlin, Executor, Estate of Frances W. Coughlin.
18. Executed a Certificate for Dissolving Betterments for John J. and Nancy M. Leone.
19. Executed a Certificate for Dissolving Betterments for John M. Gordon and Owen H. Hart.
20. Execute a Certificate for Dissolving Betterments for Robert P. Pencarski.
21. Executed a Certificate for Dissolving Betterments for Sheila A. Gagnon.
22. Executed a Certificate for Dissolving Betterments for Julie Wagner.
23. Executed a Certificate for Dissolving Betterments for Lisa Gross and Agostino DiBari.

#### **V. Commissioners' Reports**

Commissioner Cakounes reported that he is still working on the employment issue between CVEC and the County. He has also met with Maggie Downey, Cape Light Compact Administrator, and is working on the inter-municipal agreement revision. He expects to have something soon.

Commissioner Lyons reported that she attended the Cape Light Compact board meeting the previous week. The discussions on grid modernization are ongoing. She also attended the Cape Cod Tech Council earlier that day.

#### **VI. County Administrator Report**

Jack Yunits provided the following updates:

1. Route 6 rest area is currently still under review.
2. He is attending a review for Pocasset this coming Friday. Will report back to Commissioners on August 3<sup>rd</sup>.
3. Communications group are meeting weekly and currently reviewing the way the website is set up.
4. Facilities work group meetings are continuing. Paul Niedzwiecki is working on a RFP and Mary McIsaac is looking at funding.

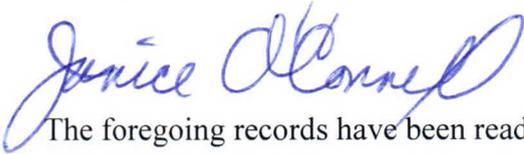
5. He will begin meeting with Administrators from other Counties. First meeting is scheduled tomorrow in Raynham.

Sheila Lyons left at 4:32 p.m.

*Barnstable, ss. at 4:37 pm on this 20th day of July, A.D. 2016, Commissioner Cakounes made a motion to adjourn, 2<sup>nd</sup> by Mary Pat Flynn, approved 2-0.*

Attest:

County Clerk

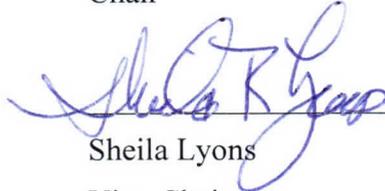


The foregoing records have been read and approved.

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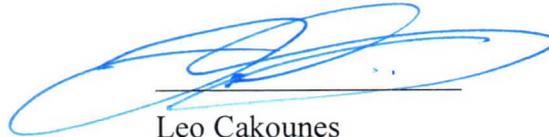
Mary Pat Flynn

Chair



Sheila Lyons

Vice-Chair

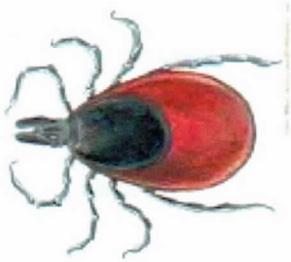


Leo Cakounes

Commissioner

List of documents:

1. PowerPoint presentation on Deer Ticks... *One bite can change your life*



Deer Ticks ...*One bite can  
change your life...*



## Barnstable County Assembly of Delegates

July 20, 2016

**Larry Dapsis**  
Deer Tick Project Coordinator - Entomologist



# Powassan Massachusetts, 2013- September, 2015

- 9 Cases
- Residents of:
  - Barnstable, Essex, Middlesex and Norfolk counties
- Exposure occurred in Massachusetts

# **Powassan Virus**

**Most people who are exposed to Powassan virus likely never feel ill, others may become severely ill with meningitis or encephalitis.**

**Symptoms include fever, headache, vomiting, weakness, confusion, loss of coordination, speech difficulties and seizures.**

**Approximately 10% of people with this severe form of the disease will die and survivors may have long-term health problems.**

# **Powassan Surveillance – 2016**

**Deer ticks collected April**

**Analyzed by the Laboratory of Medical  
Zoology Umass-Amherst**

**6 sites**

**Falmouth, Barnstable, Brewster (2),  
Orleans, Truro**

**Positive detects at 4 out of 6 sites**