

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

At the regular meeting of the County Commissioners held in the Superior Courthouse Building on the twelfth day of August, 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
Bob Lawton	Barnstable County Interim Finance Director
Justyna Marczak	Administrative Assistant
Paul Niedzwiecki	Building Needs Assessment Committee Chairman
Anastasia Welsh-Perrino	Barnstable County Register of Probate
Steve Tebo	Barnstable County Director of Facilities
Janice O'Connell	County Clerk / Assembly of Delegates Clerk

List of Documents:

- Motion to Approve Building Needs Assessment Committee Report. This document is available on Barnstable County Meeting Center Web Page.
- Proposed Ordinance 15-__ for Supplemental Appropriations for Continuing Water Quality Monitoring and Remediation Efforts, Fire & Rescue Training Academy. This document is available on Barnstable County Meeting Center Web Page.
- Proposed Resolution 15-__ Budget Transfer for HOME Program FY16 for Legal, Professional/Technical, Advertising. This document is available on Barnstable County Meeting Center Web Page.

- County Administrator Actions August 1, 2015 – August 7, 2015. This document is available on Barnstable County Meeting Center Web Page.

Commissioner Lyons called the meeting to order at 12:01 p.m.

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

I. Public Comment

No Public Comment.

II. Discussion and Motion to Approve the Buildings Needs Assessment Committee Report Dated August 5, 2015.

Motion made by Commissioner Cakounes to accept the report by the Building Needs Assessment Committee Report dated August 5th, 2015, 2nd by Commissioner Flynn, approved vote 3-0-0.

III. Discussion and Motion to Approve Specific Recommendations of the Buildings Needs Assessment Committee Report to include the Following:

B1) RFP for Procuring Consulting Services Relating to Site Evaluation, Structural Evaluation, Code Compliance and Conceptual Design for the County Complex.

Motion made by Commissioner Cakounes that the County Commissioners instruct the Interim Administrator and the Purchasing Department to prepare a Request for Proposals (RFP), Request for Quotes (RFQ), or Contract through DECAM for the services outlined in the Building Needs Assessment Committee Report dated August 5, 2015. The Report included a "Scope of Services" as an attachment and should be used as an outline in preparing any RFP, RFQ, or request from DECAM. Staff shall determine the best manner to proceed as to a single request, or separation of service to comply with MGL (Mass General Law) procurement laws. Staff shall submit their suggestions on the procedure of procurement of services to the Commissioners for their review and approval prior to

release. A selection committee shall be appointed by the CPO and Administrator to review and analyze the submitted RFPs. The selection committee shall rank the RFPs for selection and approval of the highest ranked RFP by the Board of Regional Commissioners. All qualified respondents shall be forwarded to the Commissioners for their review and selection. Motion 2nd by Commissioner Flynn for discussion.

Vote to approve the above stated Motion appears on page 5 of these minutes after item B1 was tabled and further deliberated by Commissioners.

Commissioner Cakounes stated he created his motion in the lengthy, wordy fashion to cover all possibly avenues in which the project could proceed while complying with Mass General Law.

Commissioner Flynn felt the motion made by Commissioner Cakounes was too detailed and that they should appoint the person to serve as the Building Needs County Representative first, as he/she may have valuable insight into what the RPF should entail. She continued to say that the Representative should be the one coming up with the RFP, not the Commissioners. She then suggested attending to the selection process first and revisiting the RFP process after.

Motion made by Commissioner Flynn to table Agenda Item B.1, 2nd by Commissioner Cakounes, approved 3-0-0.

B2) Selection of a Person to serve as the County's Representative to Work with the Commonwealth and Other Stakeholders on County Complex Planning Efforts.

Commission Cakounes read the following prepared statement with included motion and proposed charge:

Whereas the report filed with the County Commissioners by the Building Needs Assessment Committee on Aug 4, 2015 did include the following recommendation:

"The Commissioners should appoint one individual with experience in intergovernmental negotiations, public finance, public management and with institutional knowledge of Barnstable County and the Complex to negotiate with appropriate state agencies and officials the current and future space needs of the Trial Court, including the associated space needs of the Cape and Island District Attorney and other Court-related law enforcement activities."

Motion made to appoint Paul Niedzwiecki to act as the interim County Complex Facilitator. This appointment shall be re-visited on or before the third meeting of the County Commissioners in Jan 2016. The Charge to the County Complex Facilitator shall include, yet not limit to, the following:

- 1. Act as the contact person between Barnstable County and their tenants as pertains to future space needs.*
- 2. Compile a minimum of 3 alternative plans which will address the future space needs of County Governments and their tenants.*
- 3. Work with the agency hired by Barnstable County to prepare a short term and long term plan for space needs.*
- 4. Report to the County Commissioners as to progress and review of potential needs action items.*

Furthermore;

It is the understanding of the County Commissioners that once the new County Administrator is hired, and has time to become acquainted with the County Complex immediate and long term needs, the Interim County Complex Facilitator shall work with the County Administrator to bring him/her up to grade on all outstanding negotiations and review of all proposed future plans. The County Complex Facilitator, being the Executive Director of the Cape Cod Commission, shall remain an integral party in the future of the Barnstable County Complex. The County Administrator may assume the responsibilities of the "main contact person" as pertains to future negotiations with the tenants of the County Complex. Motion 2nd by Commissioner Flynn for discussion.

Commissioner Cakounes had non-performance related issues with Paul Niedzwiecki's appointment to the position. He felt that a Department Head, on a fixed income taking on such a large task with no financial compensation is unfair. Additionally, Commissioner Cakounes felt that the duties of the County Complex Facilitator fall within the scope of duties for the new County Administrator when he/she is hired.

Commissioner Flynn felt that although Commissioner Cakounes' ideas and thoughts were on point, the goals and objectives of the County Complex Facilitator should be separate from the appointment. She

further suggested amending Commissioner Cakounes' motion to simply state Mr. Niedzwiecki's appointment to the said position.

Commissioner Flynn removed her 2nd motion allowing Commissioner Cakounes to remove his motion from the table, which left no motion currently pending.

Motion made by Commissioner Flynn to appoint Paul Niedzwiecki to the position of project manager for the county complex infrastructure plan, 2nd by Commissioner Cakounes, approved 3-0-0.

Mr. Niedzwiecki stated he thought Commissioner Cakounes' motions were accurate and sufficiently covered what was needed to proceed. He then accepted his appointment as the County Complex Facilitator.

B1) RFP for Procuring Consulting Services Relating to Site Evaluation, Structural Evaluation, Code Compliance and Conceptual Design for the County Complex (previously tabled).

Motion made by Commissioner Flynn to remove item B1 off the table, 2nd by Commissioner Cakounes, approved 3-0-0.

Motion made by Commissioner Cakounes to revisit item B1, 2nd by Commissioner Flynn, approved 3-0-0.

Paul Niedzwiecki again stated that Commissioner Cakounes' motion covered the procedural needs of the RPF/RQP/DECAM process and suggested the next step in the process should be reaching out to DECAM (State's Department of Capital Assess Management), as the County will encounter them somewhere in this process. He felt contacting DECAM now may put the County in a better position as far as DECAM expectations are concerned.

Previous motion made by Commissioner Cakounes, prior to item B1 being tabled, remains as stated on pages 2-3 of these minutes. *Approved vote 3-0-0.*

IV. Discussion and Motion to Approve Proposed Ordinance 15-__ for Supplemental Appropriations in the Amount of \$232,000 during FY2016 for Continuing Water Quality Monitoring and Remediation Efforts at the Fire & Rescue Training Academy.

Commissioner Cakounes stated that funds allocated to the special account set up for the Fire & Rescue Training Academy Water Quality Monitoring and Remediation Efforts will allow the Commissioners to track spending as the funds are used.

Motion made by Commissioner Cakounes to send to the Assembly of Delegates for their review and approval, Proposed Ordinance 15- __ (to be numbered) a Supplemental Appropriation in the amount of \$232,000.00 in the FY 2016 Budget for the stated purpose of Continuing Water Quality Monitoring and Remediation Efforts at the Fire and Rescue Training Academy, 2nd by Commissioner Flynn, approved vote 3-0-0.

V. Discussion and Motion to Approve Proposed Resolution 15-__ as a Budget Transfer for the HOME Program during FY2016 for Legal, Professional/Technical, and Advertising Services in the Amount of \$8,000 – Bob Lawton, Interim Finance Director.

Bob Lawton briefly explained that when Ordinance 15-03 (the original ordinance delegating appropriations for the HOME program for FY16) was approved by the Assembly of Delegates it was very specific as to how the money appropriated would be spent. He went on to say that since the ordinance was approved, it had become apparent that some of that money needed to be allocated for other services. Mr. Lawton stated that the Commissioners were being asked to simply move the already allocated funds to another service where they were needed.

Motion made by Commissioner Cakounes to approve and send to the Assembly of Delegates for their review and approval Proposed Resolution 15-__ (to be numbered) as a Budget Transfer for the HOME program within the FY 2016 Budget, in the amount of \$8,000.00 for Legal, Professional/Technical, and Advertising Services, 2nd by Commissioner Flynn, approved vote 3-0-0.

VI. Motion to Appoint Commissioner Mary Pat Flynn to Serve on the Fire & Rescue Training Academy Building Needs Assessment Committee.

Motion made by Commissioner Cakounes to appoint Commissioner Mary Pat Flynn to serve on the Fire & Rescue Training Academy Building Needs Assessment Committee

established in April 2015 by the County Commissioners, 2nd by Commissioner Flynn for discussion.

Commissioner Flynn felt it bad policy for Commissioners or Selectmen to serve as a committee member and wanted to amend the motion to say she would serve as the Commissioners' Liaison to the Fire and Rescue Training Academy. Commissioner Cakounes amended his motion to read:

Motion made by Commissioner Cakounes to appoint Commissioner Mary Pat Flynn to serve as the Commissioners' Liaison on the Fire & Rescue Training Academy Building Needs Assessment Committee established in April, 2015 by the County Commissioners, 2nd by Commissioner, approved vote 3-0-0.

Commissioner Lyons asked to revisit the Fire Academy Charge for the Building Needs Assessment Committee and add it to the next meeting agenda.

VII. Commissioners' Actions

◆ Vote to Approve Minutes of August 5, 2015 Regular Session.

Motion made by Commissioner Flynn to Approve the Minutes of August 5, 2015 Regular Session, 2nd by Commissioner Cakounes, approved vote 3-0-0.

◆ Vote to Approve the Summary of Actions over \$25,000.00 (including prepayment and transfer requests, bid awards, contract and contract amendments, new fund establishments).

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

- 1) Execute Contract Extension between Barnstable County (Cape Cod Commission) and the United States Geological Survey in the amount of \$195,800.00 for an investigation to evaluate the effects of projected sea-level rise on groundwater-level, stream flows, and freshwater-saltwater interface position in the Sagamore and Monomoy groundwater-flow lenses and create digital

maps of the projected depth-to-water table for current and future conditions, execution from December 15, 2013 – June 30, 2016.

- 2) Execute Contract Extension Agreement between Barnstable County (Registry of Deeds) and the Union, UAW Local 1596, execution from July 1, 2015 – June 30, 2016.
- 3) Approve the request from Barnstable County (Department of Human Services) to appoint Nanette Perkins to the Barnstable County HOME Consortium Advisory Council for the Town of Sandwich, for a term of one year starting on July 1, 2015 – June 30, 2016.
- 4) Approve the request from Barnstable County (Department of Human Services) to appoint Paul Lagg to the Barnstable County HOME Consortium Advisory Council for the Town of Eastham, for a term to expire on June 30, 2017.
- 5) Approve the request from The Cape & Islands Workforce Investment Board to reappoint the following members to the Board of Directors for the term starting on July 1, 2015 – June 30, 2018.

- Steve Colarusso, Administrator, Cape Regency Rehabilitation
- John Cox, President, Cape Cod Community College
- Kris Dower, President, JTEC & Career Opportunities
- Bob Dutch, Superintendent, Upper Cape Regional Technical High School
- Melinda Gallant, Justice of the Peace
- Paula Hersey, Director of Outreach & Special Projects, Cape Media
- Peter Karlson, President, NeuEon
- Barbara Kessler, Human Resources Recruiter, TD Bank
- Ted Mello, Area Director, Mass Rehab Commission
- Paul Niedzwiecki, Executive Director, Cape Cod Commission
- Wendy Northcross, CEO, Cape Cod Chamber
- Chris Richards, Senior Vice President, Cape Cod Five
- Paul Rumul, Chief Operating Officer, Davenport Companies
- David Willard, Vice President, Cape Cod Five
- Bill Zammer, President, Cape Cod Restaurants

- 6) Approve the request from The Cape & Islands Workforce Investment Board to appoint the following new members to the Board of Directors for the term starting on July 1, 2015 – June 30, 2018.

- Chris Boyd, Chief Investment Officer for Asset Management Resources, LLC
- Rosalie Edes, Executive Director of Cape Abilities
- Ken Jenks, Principal of Upper Cape Tech

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IX. County Administrator Reports

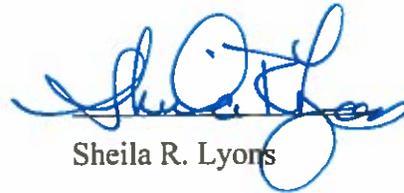
- No County Administrator's Report, only a question posed by Mr. Brillhart to determine the dated of the next Commissioners' Meeting, which will be held on September 2, 2015.

Barnstable, ss. At 11:11 p.m. on this twelfth day of August, A.D. 2015, Commissioner Lyons made a motion to adjourn, 2nd by Commissioner Cakounes, approved 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