

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

At the regular meeting of the County Commissioners held in the Superior Courthouse Building on the thirtieth day of September, A.D. 2015.

Board of the Barnstable County Commissioners:

Mary Pat Flynn	Present
Sheila Lyons	Present – joined the meeting in progress at 9:08
Leo Cakounes	Present

Staff Present:

Michael Brillhart	County Administrator
Bob Lawton	Finance Department
Mary McIsaac	Barnstable County Finance Director / Treasurer
Alisa Lucas-McLaughlin	Administrative Assistant
Darlene Johnson-Morris	RDO Manager and Director of AmeriCorps Cape Cod
Fran Wiedman-Dahl	Resource Development Office Officer
Christin Marshall	AmeriCorps Cape Cod Program Specialist
Bobbi Moritz	Resource Development Office Officer
Priscilla Ellis	Interim Resource Development Office Officer
Amanda Howe	Resource Development Office Officer
Julie Ferguson	Resource Development Office Officer
George Heufelder	Director / Chief Health Officer
Gail Coyne	Cape Cod Commission, Fiscal Officer

List of Documents:

- Making Strides Against Breast Cancer request and flyer. This document is available on Barnstable County Meeting Center Web Page.

- AmeriCorps Pledge and Swearing-In Ceremony Agenda. This document is available on Barnstable County Meeting Center Web Page.
- Proposed Ordinance 15__ (to be numbered) to Rescind unissued Barnstable County Debt. This document is available on Barnstable County Meeting Center Web Page.
- Request for Appropriations from Cape Cod Commission on behalf of the Economic Development Council. This document is available on Barnstable County Meeting Center Web Page.
- Request from RDO to Establish a New Fund on behalf of the Department of Health & Environment for an Alternative Septic System Test Center Project. This document is available on Barnstable County Meeting Center Web Page.
- Open Meeting Law Complaint submitted by Mr. Ronald Beaty. This document is available on Barnstable County Meeting Center Web Page.
- County Administrator Actions dated September 11, 2015 – September 25, 2015. This document is available on Barnstable County Meeting Center Web Page.

Commissioner Flynn called the meeting to order at 9:00 a.m.

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

I. Request by “Making Strides Against Breast Cancer of Barnstable County” to use the Barnstable County Court House parking lot for their Annual Walk Event on Sunday, October 18, 2015 – American Cancer Society

Motion made by Commissioner Cakounes to approve the use of the County Complex Parking Lot on October 18th, 2016 for the “Making Strides Against Breast Cancer of Barnstable County” annual walk event, subject to acquiring all necessary permits and insurance as per our policy, 2nd by Commissioner Flynn, approved vote 2-0-0.*

***Please note the date of 2016 as the motion was read (due to a typo on prepared motion); however, the event will take place on October 18th, 2015.**

II. AmeriCorps Pledge Ceremony – Darlene Johnson-Morris and Christin Marshall, AmeriCorps Cape Cod.

Commissioner Flynn welcomed the new AmeriCorps Class.

Darlene Johnson-Morris, RDO Manager and Director of AmeriCorps, spoke about the AmeriCorps and Barnstable County relationship as one of mutual support. She thanked the Commissioners for their support and for hosting the ceremony. Ms. Johnson-Morris went on to say that each AmeriCorps

member during their time here would contribute 1700 hours of service to the program. She then turned the ceremony over to Christin Marshall, AmeriCorps Cape Cod Program Specialist, who gave a brief AmeriCorps background and instructed the new members to rise to recite the AmeriCorps pledge that was initiated by Commissioner Flynn and read aloud by all the members in unison.

Each new member then introduced themselves to the Commissioners with their name and a brief biography of themselves (AmeriCorps Year 17 Member group photo and bios avail online at Barnstable County Meeting Center, Commissioners Meeting 9-30-15).

Upon completion of the introductions, Commissioners' Lyons, Flynn and Cakounes each spoke briefly to the group and offered welcomes, thoughts and hopefulness on a successful seventeenth year for the AmeriCorps Class.

III. Review and Approve Proposed Ordinance 15-__ to Rescind County Unissued Debt in the Amount of \$399,900 – Bob Lawton, Finance Department.

Bob Lawton, Finance Department, explained to the Commissioners that rescinding the County's unissued debt would present more favorably for the County's Bond Rating. He further explained that the money in question was never made available, but was available if needed.

Motion made by Commissioner Cakounes approve and forward to the Assembly of Delegates proposed Ordinance 15- __ (to be numbered) for the purpose of rescinding County Unissued Debt in the amount of \$399,900.00 as presented, 2nd by Commissioner Flynn, approved vote 3-0-0.

IV. FY16 License Plate Fund Budget Request by the Economic Development Council (EDC) – Gail Coyne, Cape Cod Commission Fiscal Manager.

Motion made by Commissioner Flynn to approve the EDC Budget as presented for Discussion, 2nd by Commissioner Lyons.

After a brief discussion, Commissioner Flynn withdrew her motion to approve, Commissioner Lyons withdrew her 2nd and the Commissioners agreed to bring this item back on a future agenda.

V. Proposed Children's Cove Department Budget Transfer Resolution in the Amount of \$29,500.

Bob Lawton explained that Children's Cove has a settlement agreement with an employee who is leaving. Children's Cove finds themselves needing to do a group to group transfer to cover the settlement agreement, which requires Commissioner Approval.

Motion made by Commissioner Cakounes to approve and forward to the Assembly of Delegates Proposed Resolution 15-__ (to be numbered) for the purpose of Children's Cove Department Transfer in the amount of \$29,500, from line item #0013204-5499 to line Item #0013201-5100, as presented, 2nd by Commissioner Flynn, approved vote 3-0-0.

VI. Motion to Approve the Establishment of a Massachusetts Alternative Septic System Test Center Project Fund Account 4014 in the Amount of \$85,725 for the Department of Health & Environment – George Heufelder, Health & Environment Director.

George Heufelder, Department Head of Department of Health and Environment, explained the request for the fund establishment is the result of a grant received from the DEP. He reminded the Commissioners that they signed the aforementioned grant agreement over a year ago and he was requesting the new fund establishment only now because it is part of an overall research project to establish nonproprietary simple means for removing nitrogen from systems in an outside setting, and therefore takes time to work up to experiments. Up through this point, Mr. Heufelder added, the funding has come from the Cape Cod Commission under the 208 project. The project, Mr. Heufelder continued, now needs the additional funds from the grant and those funds need to be set up in an account and that account needs to be established by the Commissioners.

Commissioner Flynn inquired on the location of the test center, asking if it was an addition to the current test center, to which Mr. Heufelder responded no. He further stated that the test center is very fluid – that it is at the current test center site within the same footprint and that they have the capability of doing approximately twenty-one different technologies simultaneously. He went onto to say that due to the nonproprietary nature of the projects the Department of Health & Environment is able to collaborate with others globally to determine how others' successes can be adapted to work within the conditions and confines of Cape Cod. This particular fund, Mr.

Heufelder continued will primary go to pay the lab for the testing required to test the efficacy of horizontal reactive barriers.

Motion made by Commissioner Cakounes to establish a Massachusetts Alternative Septic System Test Center Project #14-01/319 Fund Account with the amount of \$85,725.00 for the Department of Health and Environment as presented, 2nd by Commissioner Flynn, Approved Vote 3-0-0.

- Before a brief recess, Commissioner Lyons welcomed and introduced Mary McIsaac the new County Treasurer and Finance Director. Michael Brillhart, County Administrator, informed the Commissioners that one of the first big items Ms. McIsaac will be addressing is meeting with the Department Heads to go over the budgeting process. Commissioner Lyons asked Mr. Brillhart to let the Commissioners know when these meetings will take place, as it would benefit them to be part and learn as the Department Heads learn of the updated process.

Motion made by Commissioner Flynn to take a brief recess, 2nd by Commissioner Cakounes, approved vote 3-0-0.

VII. Continuing Discussion on a Proposed FY2017 Budget Message and Budget Development Guidelines – Commissioner Cakounes.

The Commissioners discussed the Proposed Budget Message and Guidelines (document can be found on County Meeting Center website under 9/16/15 Meeting Date, Agenda item “I”) drafted by Commissioner Cakounes. Commissioner Cakounes gave Commissioner Lyons, who was absent at the last discussion in which Commissioners Flynn and Cakounes partook, a brief synopsis of the draft. The Commissioners discussed each item in the draft which led to rewording of ambiguous guidelines, updating of current strategies and the revisiting of the 2014-2018 Strategic Plan in relation to the budgeting process and achieving the County goals set forth within. Some main discussion points were:

Items 1 and 2 – Commissioner Flynn asked for a rewording of items one and two for more specific instruction to the Department Heads so they are clear regarding creation of new positions and increase of part-time hours and/or part-time status.

Item 3 – Commissions agreed they would like to see uniformity in the forms.

Item 4 – Discussed the need to have goals, but not necessarily on paper the likes of which they have had in the past.

Item 5 – Currently part of the process with a proposed addition of addressing the preparation of the Capital Budget.

Item 6 – Discussed the attainability of this goal/guideline and the importance of ascertaining this information for future self-sustainability of County Departments.

Item 7 – Currently part of the process.

Item 8 – Currently revisiting process.

Item 9 – On going process that the Commissioners would like to be informed of as need for updating emerges.

Item 10 – Determined to be a goal for departments.

Item 11 – Discussion with Mary McIsaac on trends, averages and economic data to determine attainability of this guideline to be used as a tool.

Commissioner Lyons proposed that the Commissioners discuss the Budget Message and Budget Development Guidelines at the next meeting after thorough review of the draft along with the Strategic Plan.

VIII. Motion to Request County Counsel to Respond to the OML Complaint Issued by Mr. Ron Beaty.

Commissioner Lyons referenced her clarified understanding of the recent Open Meeting Law (OML) meeting she and Commissioner Cakounes attended and acknowledged the need to publically state when an OML complaint is received. She continued by stating she was adding “New Business – Other Business Not Reasonably Anticipated by the Chairman” to the agenda, as an OML best practice that would cover unanticipated items that could arise.

Motion made by Commissioner Cakounes to forward the Open Meeting Law Complaint issued by Mr. Beady on September 24, 2015 to County Council for appropriate action on behalf of Barnstable County, 2nd by Commissioner Flynn, approved vote 3-0-0.

IX. Public Comment

Josh Albright of the Barnstable Patriot requested of the Commissioners to have an open forum where he could address a series of questions he would like for the Commissioners to answer. Mr. Albright stated he would submit his questions for discussion in advance. The commissioners agreed to Mr. Albright’s request and discussed adding him to the agenda after the next meeting, as Mr. Albright would like to hear the results of the budget message conversation slated for the next Commissioners meeting.

Commissioner Cakounes added that in the future we should afford all members of the public the courtesy extended to the press and perhaps add a Question and Answer segment to the agenda. Commissioner Lyons stated it would be considered.

X. Commissioners' Actions

◆ Vote to Approve Minutes of September 16, 2015 Regular Session.

Motion made by Commissioner Cakounes to Approve the Minutes of September 16, 2015 Regular Session, 2nd by Commissioner Flynn, approved vote 3-0-0.

◆ Vote to Approve Minutes of September 16, 2015 Executive Session.

Commissioners agreed to table this motion as they had not reviewed the Executive Session Minutes prior to the meeting. The Commissioners agreed to vote on Executive minutes at the next regularly scheduled meeting.

◆ 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, 2nd by Commissioner Cakounes, approved vote 3-0-0.

Previous motion made by Commissioner Flynn was rescinded later in meeting (see motion with amendment found chronologically within Minutes – see page 9).

- 1) Executed Annual Contract between Barnstable County (Cape Cod Cooperative Extension) and University of Massachusetts Amherst in the amount of \$57,300.00 for Cooperative Extension Staff Salaries, execution from October 1, 2015 – September 30, 2016.
- 2) Executed Sublease Contract between the County of Barnstable and the Open Cape Corporation identified space at the Open Cape Building located at 3195 Main St., Barnstable, MA 02630.
- 3) Approved the request from Barnstable County (Department of Human Services) to appoint Beth Albert and Cheryl Bartlett Co-chairs of the Barnstable County Regional Substance Abuse Council.

- 4) Executed the Request from Barnstable County (Research Development Office) to establish a New Fund in the amount of \$25,628.00 for the Cape Cod Cooperative Extension Family Nutrition Program, execution October 1, 2015 – September 30, 2016.
- 5) Approved the request from Barnstable County (Department of Health & Environment) for 58 hours of vacation carry-over to be used by December 31, 2015 for Bethany Sadlowski.
- 6) Ratified the action taken by County Administrator, Michael Brillhart on September 22, 2015 for authorizing the Transfer Request from Barnstable County (Finance Department) in the amount of \$362,548.45 to Cape Cod Municipal Health Group for County Health Insurance for October 2015.

CHAIR ONLY

- 7) Executed Certificate for Dissolving Betterments for William R. Mosher and Christine A. Mosher.
 - 8) Executed Certificate for Dissolving Betterments for Catherine T. Crosby.
 - 9) Executed Certificate for Dissolving Betterments for Eva Broderson Trustee, Eva Broderson Trust.
 - 10) Executed Certificate for Dissolving Betterments for Prescott E. Wright and Debra Wright.
 - 11) Executed Certificate for Dissolving Betterments for Kevin E. Witcher.
 - 12) Executed Certificate for Dissolving Betterments for Matthew J. Zurowick and Kathleen A. Zurowick.
 - 13) Executed Certificate for Dissolving Betterments for Victor J. Duran.
 - 14) Executed Certificate for Dissolving Betterments for David J. Roberts and Nancy C. Roberts.
 - 15) Executed Certificate for Dissolving Betterments for Gail A. Walker.
 - 16) Executed Certificate for Dissolving Betterments for John C. Frazier and Meghan P. Frazier.
 - 17) Executed Certificate for Dissolving Betterments for Robin Maddalena.
- ◆ **Review of County Administrator Actions under \$25,000.00 (including personnel actions, out-of-state travel, prepayment and transfer requests).**

Commissioner Cakounes questioned what seemed like double input of two items – item 11 and item 16. Mr. Brillhart stated they are on two separate days and that it was a misprint of dates in the County Administrators Actions. Additionally Commissioner Cakounes questioned item 27 and item 41

regarding Concessionary Services for the Cape Codder Resort and the subsequent transfer of \$400.00 to cover the payment to the Cape Codder.

XI. Commissioners Reports

- Commissioner Flynn attended the Mashpee Wampanoag Tribe's Land Trust Celebration on Saturday, September 19, 2015 in Mashpee.
- Commissioner Lyons attended the Barnstable Town Council Meeting regarding the relocation of the Noah Shelter on Thursday, September 17, 2015.
- Commissioner Lyons requested to have the Settlement Agreement Proposal on agenda for next meeting.
- Commissioners agreed to have next meeting on October 14, 2015.
- Commissioner Cakounes wanted to reconsider the vote taken on Commissioners Summary of Actions.

Commissioner Cakounes made a motion to reconsider the action taken on item 5c, 2nd by Commissioner Flynn, approved vote 3-0-0.

Commissioner Cakounes stated he did not feel comfortable executing the sublease between Barnstable County and Open Cape Corporation, as he has not reviewed the document. The item will be added to the next agenda per the Chair's request.

Commissioner Cakounes made a motion to approve item 5c (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) with the removal of item number 2 under contracts, 2nd by Commissioner Flynn, approved vote 3-0-0.

- Commissioner Flynn requested the supplemental information be sent to them on Friday for their review over the weekend rather than receiving it on Monday, to which all Commissioners agreed. The Commissioners' Administrative Assistant pointed out that for that to occur the Chair would need to approve the Agenda on Thursday rather than Friday. It was agreed upon that the Agenda would be submitted for Chair's approval on Thursday and then disseminated with supplemental information to all Commissioners on Fridays.

- Commissioner Cakounes requested County Counsel be present for the meeting regarding the Settlement Agreement agenda item.

IX. County Administrator Reports

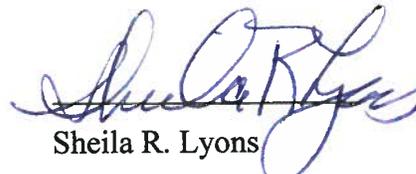
- No County Administrator Report for this meeting.

Barnstable, ss. At 11:11 p.m. on this thirtieth day of September, A.D. 2015, Commissioner Cakounes made a motion to adjourn, 2nd by Commissioner Flynn, approved 3-0-0.

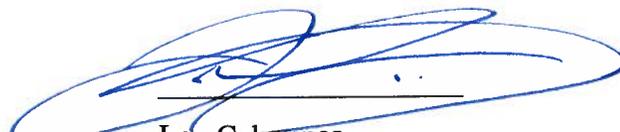
Attest:


County Clerk

The foregoing records have been read and approved.


Sheila R. Lyons
Chair


Mary Pat Flynn
Vice-Chair


Leo Cakounes
Commissioner