

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

At the regular meeting of the County Commissioners held in the Superior Courthouse Building on the sixteenth day of September, 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
Alisa Lucas-McLaughlin	Administrative Assistant
Paul Niedzwiecki	Cape Cod Commission, Executive Director
Sheila Curtis	SHINE Program Manager
Felicia Penn	Chair of the Cape Cod Economic Development Council
Liz Argo	CVEC Manager of Programs and Administration
Beth Albert	Director of Human Services
Steve Tebo	Director of Facilities

**List of Documents:**

- Cape Cod Times Article, "Business dean: Cape Needs to Change to Survive."
- Cape Cod Times Editorial, "Cape Already Transitioning to a 'Blue Economy.'"
- Cape Cod Economic Development Council Response letter to Cape Cod Times Article, "Business dean: Cape Needs to Change to Survive."
- Departmental Equipment Useful Life Determination Memo.
- CVEC Power Point Presentation.

- Proposed Budget Message and Budget Development Guidelines DRAFT.
- County Administrator Actions August 27, 2015 – September 11, 2015.
  - All documents listed are available on Barnstablecounty.org under Barnstable County Meeting Center.

**Commissioner Lyons 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**

- No Public Comment

**II. Annual Performance Evaluation of the Cape Cod Commission Executive Director.**

Commissioner Cakounes stated he was unable to find what he felt was a proper review from a previous year for Mr. Niedzwiecki and therefore created his review from previous experience. He compiled his own review and rating system which consisted of eight categories on which he felt Mr. Niedzwiecki could be rated. Commissioner Flynn preferred the “bigger picture” approach over the specificity of Commissioner Cakounes’ review and would rather see Exceeds Expectations, Meets Expectations, and Needs Improvement for performance review. She felt the “narrative” style the Commissioners used in the past integrated with Commissioner Cakounes’ approach would work well. Commissioner Lyons interjected that she too, was unhappy with the current format for Mr. Niedzwiecki’s annual review and agreed with Commissioner Cakounes, that the process needs to be revamped. The Commissioners agreed to address the format for the Annual Review Evaluation to create a more quantifiable, metrically centered process. The three Commissioners feel Mr. Niedzwiecki had done an exceptional job and agreed upon a 6% merit increase.

*Motion made by Commissioner Cakounes, as per the County's Contract with the Executive Director of the Cape Cod Commission, Paul Niedzwiecki, under Section 2 and Section 4, to approve a 6% merit increase, 2<sup>nd</sup> by Commissioner Flynn, approved vote 3-0-0.*

**III. Motion to Convene in Executive Session Under M.G.L., Chapter 30A, Section 21(a)(2) to Conduct Strategy Sessions in Preparation for Contract Negotiations with the Executive Director of the Cape Cod Commission, and to Reconvene in Open Session.**

*Motion made by Commissioner Cakounes to convene in executive session, 2<sup>nd</sup> by Commissioner Flynn, approved vote 3-0-0.*

**IV. Review and Approve Proposed Contract for the Executive Director of the Cape Cod Commission.**

*Motion made by Commissioner Cakounes to approve the substantive terms and conditions of the contract for the Executive Director of the Cape Cod Commission and forward to County Counsel for drafting of a formal contract reflecting the approved terms and conditions and to request County Counsel to return this contract for execution by the County Commissioners and the Employee, 2<sup>nd</sup> by Commissioner Flynn, approved vote 3-0-0.*

**V. Motion to Recess and to Reconvene at 1:00 in the Chamber of the Assembly of Delegates.**

*Motion made by Commissioner Flynn to Recess and Reconvene in the Chamber of the Assembly of Delegates at 1:00, 2<sup>nd</sup> by Commissioner Cakounes, approved vote 3-0-0.*

Meeting reconvened and called back from recess at 1:00 P.M. by Commissioner Flynn to continue General Business, noting the absence of Commissioner Lyons who was no longer in attendance.

**VI. Update on the Regional SHINE Program – Sheila Curtis, SHINE Program Manager.**

The SHINE Program, as explained by Sheila Curtis, SHINE Program Manager, is a state-wide program administered by the Massachusetts Executive Office of Elder Affairs. SHINE is a health insurance assistance program that provides free information on health insurance, counseling and various types of assistance to Massachusetts residents with Medicare and their caregivers.

Ms. Curtis said SHINE counselors, volunteer their services and go through extensive training to keep seniors and caregivers updated on changes with prescription programs, screened for potential programs they may be eligible for, and abreast of accurate, up-to-date information regarding health care options.

Commissioner Cakounes inquired if counselors were available in every town on the Cape to which Ms. Curtis replied, all but Wellfleet.

Commissioner Flynn asked where the seniors who take advantage of SHINE's services are usually seen. Ms. Curtis stated the participants are usually seen at Senior Centers, but with their growing numbers, 3,656 clients in 2013 to 6,382 clients in 2015, it is difficult finding space.

Commissioner Cakounes asked where SHINE would like to do additional outreach. Ms. Curtis replied Community Health Centers, Harbor Health and she liked Commissioner Cakounes' suggestion of food pantries. Ms. Curtis also stated that the ever-growing number of clients that SHINE services makes it difficult to find places for the clients and counselors to meet. The place of meeting, she continued is responsible for setting up the appointments, furnishing the meeting space, as well as laptops, printers and other basic needs for the appointments to function as they should. Ms. Curtis said they are always looking for new outreaches and ways to get the information to the public.

**VII. Presentation and Discussion by Felicia Penn, Chair of the Cape Cod Economic Development Council (EDC), on the Following Items:**

- 1. Route 6 Rest Area Maintenance Options**
- 2. The Resignation and Replacement of Paul Rumul from the EDC**
- 3. The EDC's Fall 2015 Grant Round – Areas of Interest**
- 4. Response to the Cape Cod Times Article Regarding Cape Cod's Economic Development Steps and Actions.**

Felicia Penn, Chair of the Cape Cod Economic Development Council (CCEDC) discussed the state-owned, County-maintained rest area on Rte. 6 East between exits 6 and 7 and its growing costs to maintain. Per Ms. Penn, the costs for maintaining the Rest Area have increased by approximately \$22,000.00 over the last ten years. The funding for the rest area comes out of the EDC's portion of the License Plate Fund and they are hoping to reduce the costs. Ms. Penn had several ideas as to how to use the rest area going forward to include electric car charging stations or as a marketing tool for highlighting Cape Cod's beauty and nature, but as it currently stands, the costs of the rest stop are perceived to outweigh the need. Ms. Penn further stated that the rest stop is not relevant to tourism on the Cape, therefore it is the EDC's unofficial recommendation for discussion to look at expenditure of funds for the rest stop.

Steve Tebo, Facilities Director, gave an abbreviated history on the rising costs of the rest area, pointing out the most significant reason for the increase in maintenance costs was the extension of the rest area's open season. In past years the rest area was open from July 1 through mid-October, Mr. Tebo continued, but due to public complaints and demand the open period begins mid-May and runs through mid-October and has remained on this schedule for the last several years.

Commissioners Cakounes and Flynn acknowledged the need to have the discussion regarding the rest stop and asked Steve Tebo to look into the project, get information and report back to the Commissioners on his findings. Commissioner Cakounes stated that having this information for FY17 Budget purposes would be helpful.

Ms. Penn continued to the next topic of the resignation of Paul Rumul, a member of the Cape Cod Economic Development Council. Per a conversation Ms. Penn had with Mr. Rumul, Mr. Rumul suggest to fill the remainder of his term with an individual he currently works with in the interim and have him at the table to represent the Davenport Companies. Ms. Penn went on to say that this individual would not be voted in as a member of the council, but would attend meetings as any member of the public and would be one of several recommendations for the CCEDC come December when the recommendations are presented to the Commissioners.

Commissioner Cakounes asked if the CCEDC's bylaws have a provision for filling an interim seat and if there was a current need to fill the seat vacated by Mr. Rumul's departure. Ms. Penn stated that at this time she did not feel there was a need, but if the Commissioners' were to approve the individual to the interim seat it would allow the CCEDC to appoint the individual if the need to fill the seat were to arise prior to appointments.

Commissioner Cakounes stated he did not feel comfortable voting in anyone for the interim due to the need to follow the process by adding such items to the agenda in order to discuss and vote. Ms. Penn agreed.

Ms. Penn moved on to the next item and addressed the End of Year Report and the EDC's Fall 2015 Grant round in which the EDC recommended Round 2 Shellfish / Aquaculture projects, Smarter Education due to the success it found with the first class and Ms. Penn stated there was much conversation and discussion for consideration of getting the Last Mile built. Ms. Penn stated there is up to \$70,000.00 in avail funds for grants.

Lastly Ms. Penn addressed a Cape Cod Times article in which Dr. Elmore Alexander, the Dean of the Ricciardi College of Business at Bridgewater State University addressed the Economic Development Challenges for Cape Cod. Ms. Penn, on behalf of the EDC has reached out to Mr. Alexander and is hopeful to partner with him and Bridgewater State University to set a track for BSU's presence on the Cape that the EDC feels will be beneficial for economic growth.

**VIII. Approve the Maximum Useful Life Determination Certificate of Specific Departmental Equipment Bonds as Adopted in the County's FY2016 Capital Budget – Bob Lawton, Interim Finance Director.**

Commissioner Cakounes explained that by signing the certificate the commissioners were attesting to the costs and life determination of the Gas Chromatograph Mass Spectrophotometer at \$89,000.00 and 10 year lifespan, Children's Cove Security Gate at \$12,000.00 and 20 year lifespan, and Department Equipment \$8,000.00 and 10 year lifespan.

*Motion made by Commissioner Cakounes to approve and execute the Maximum Useful Life Determination Certificate of specific Departmental Equipment Bonds as adopted in the County's FY16 Capital Budget as presented with the reflection of having the date of September 16, 2<sup>nd</sup> by Commissioner Flynn, approved vote 2-0-0.*

**IX. Review and Discuss a Request for Support by CVEC of a One-Cent Adder, to Commence in FY17, to be Added to the Power Purchase Agreement Costs for Round One PV Initiatives – Liz Argo, CVEC Manager of Programs & Administration.**

Liz Argo, CVEC Manager of Programs and Administration via PowerPoint presentation detailed the mission of Cape & Vineyard Electric Cooperative, a sister organization to Cape Light Compact, which is to bring forward renewable energy. Ms. Argo stated CVEC had successfully brought forward three PV (photovoltaic) Initiatives totaling 28 Megawatts that are all producing power. She went on to say that it is the largest block of Cooperative PV power in New England and as of end of fiscal year 2015 CVEC had metered out savings of \$2,250,000.00 to its participants.

Ms. Argo discussed future endeavors of CVEC to include PV initiative round 3 and implementing a battery back-up system at Dennis-Yarmouth High School Regional Emergency Shelter with a \$1.5

million dollar grant award, as well as other potential battery initiatives. Lastly she mentioned a cooperative participation with Future Generation Wind with fixed cost PPA (power purchase agreements) and at no costs to participants.

Ms. Argo requested to bring forward a \$.01 Adder to the eight Round 1 Projects, as CVEC recognizes it is not able to maintain its services for its participants at the current level and as voted by the CVEC Board. The one-cent Adder will allow CVEC to maintain its current levels and continue with the benefits it affords its participant. Additionally Ms. Argo stated CVEC would revisit the one-cent adder at year three to determine whether it is recommended that the adder be discontinued, continued or reduced.

The entire Power Point Presentation is available on the County Meeting Center Website under Agenda Item “H” or <http://www.barnstablecounty.org/wp-content/uploads/2014/02/AGENDA-ITEM-H.pdf>

Commissioner Cakounes feels the Adder is a necessity and well worth the payback in benefits that the Adder will provide.

*Motion made by Commissioner Cakounes to support the request by CVEC of the addition of a one-cent adder to be added to the Power Purchase Agreement Costs for the round one PV Initiative. New charge to begin in Fiscal Year 2017 and the Power Purchase Agreement shall be amended to reflect necessary changes submitted for execution, 2<sup>nd</sup> by Commissioner Flynn, approved vote 2-0-0.*

**X. Discussion on a Proposed FY2017 Budget Message and Budget Development Guidelines – Commissioner Cakounes.**

Commissioner Cakounes presented a draft message to his fellow commissioners for discussion and since Commission Lyons is absent does not expect a vote on this item today. He continued by reading the individual guidelines – the document, in its entirety can be found on the County Meeting Center Website under Agenda Item “I”.

**Guidelines:**

1. No new hires in FY17 Budget. Any proposed new hires will have to show a revenue increase directly related to the new position and adequately increase enough revenue to cover not only salary but related costs, i.e.; benefits, future COLA, OPEB.

2. No increase of hours of Part-Time employees. Any increase of hours to a part-time employee shall be supported by a direct increase in Department Revenue to cover all related salary costs.
3. All departments shall use same reporting and Budget request forms. The Finance Department shall create a Budget form which all Departments shall use (simple and same format).
4. The Budget submitted to the Commissioners and Assembly of Delegates shall not include the standard boiler plate "Goals, Objectives and Narrative" that have been included in the past. They can be available online or to any new elected official that requests them.
5. All Capital Expenditures shall be listed on the Departments Request form and compiled on a separate sheet with all projected bonding expenditures. These items shall be included in the FY17 Budget Ordinance, and a separate Bonding Ordinance shall be prepared listing each project and amount with term of Bond anticipation.
6. Each Department shall attempt to allocate an estimate of related cost of Heat, Electricity, Phone service, Custodial Service as relates to the space allocated to the Department. This exercise will begin to establish the future true costs of each Department and be a useful tool in the allocation of space, and ability of County Departments becoming self-sustaining.
7. The Budget shall contain a line item of Bonding Costs. A recurring funding source should be allocated for this continuing expense. Staff is requested to attempt to address this allocation for future bonding expenses.
8. Staff shall continue to address the outstanding Bonding of projects that have been completed with budgeted and available revenue. This includes the re-vote of Ordinances to change funding from Bonding to Cash, and reconsideration on votes of projects not yet started.
9. The Budget shall reflect (if any) the effects of the new State and Federal laws that deal with Earned Sick Time, Overtime Calculation, Health related increases and Massachusetts Wage & Hour Laws.
10. The FY17 Budget shall be balanced with projected Revenues and Expenditures without the use or transfer of reserved fund accounts.
11. Projected Revenues shall reflect a three-year average of actual Revenue collections.

Commissioner Cakounes stated that with the new Finance Director coming on board this is the perfect time to update the guidelines so that they are clear and concise and spell out exactly what the Commissioners are looking for as well as making improvements to the process for themselves and the Assembly of Delegates.

Commissioner Flynn stated that the Commissioners need to see where the County stands in terms of FY16 and determine where the County will possibly be for next fiscal year in general terms and once that is determined the guidelines and policies will be more easily defined.

Commissioner Cakounes would rather see the budget message and guidelines go out before the budget process begins. Commissioner Flynn agreed, but stated determining where the County will be for projected FY17 needs to happen prior to determining guidelines. Commissioner Cakounes wanted to ensure the guidelines were spelled out and voted on so that there is no guesswork left to interpret what the Commissioners want or no questions as to why things are done the way they are done. Bob Lawton, Interim County Treasurer / Finance Director stated it would be beneficial to do the message in two parts – the guidelines would be very helpful.

Michael Brillhart, County Administrator, detailed the process of the Finance Director sending out an email mid-October timeframe to the department directors explaining the process and distributing forms, so Commissioner Guidance by early October would be ideal.

## **XI. Commissioners' Actions**

### **◆ Vote to Approve Minutes of September 2, 2015 Regular Session.**

*Motion made by Commissioner Cakounes to Approve the Minutes of September 2, 2015 Regular Session, 2<sup>nd</sup> by Commissioner Flynn, approved vote 2-0-0.*

### **◆ 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 Cakounes to approve the following Summary of Actions excluding item 2, 2<sup>nd</sup> by Commissioner Flynn, approved vote 2-0-0.*

- 1) Approve the request from Barnstable County (Cape Cod Commission) for 37.5 hours of vacation carry-over to be used by October 31, 2015 for David Sullivan.
- 2) Approve the Budget Request from Barnstable County (Cape Cod Commission – Economic Development Council) for the License Plate Fund (fund 0004), to appropriate \$324,500.00 from

Grants (account 5490) and \$34,000.00 from Miscellaneous Charges / Obligations (account 5499) for a total of \$358,500.00 for FY16 Budget.

- 3) Approve the request from Barnstable County (Department of Human Services Home Program) for the Discharge of HOME Mortgage in the amount of \$6,602.00 for Florence Azarian.

### **CHAIR ONLY**

- 4) Execute Certificate for Dissolving Betterments for Scott Beltrandi.
  - 5) Execute Certificate for Dissolving Betterments for Kevin R. Long and Michelle A. Long.
  - 6) Execute Certificate for Dissolving Betterments for Alan J. Reardon and Jennifer L. Reardon f/k/a Jennifer L. Jason.
  - 7) Execute Certificate for Dissolving Betterments for John W. Bowman and Diane D. Bowman.
  - 8) Execute Certificate for Dissolving Betterments for Kathleen A. Brophy with Durable Power of Attorney for Dorothea E. Hemmings.
  - 9) Execute Certificate for Dissolving Betterments for Robert E. Gray and Dorna C. Gray.
  - 10) Execute Certificate for Dissolving Betterments for Adam G. Lepire and Aline S. Lepire.
  - 11) Execute Certificate for Dissolving Betterments for Charles C. Mehmel and Elizabeth M. Mehmel.
  - 12) Execute Certificate for Dissolving Betterments for Patricia A. Carbone.
- ◆ **Review of County Administrator Actions under \$25,000.00 (including personnel actions, out-of-state travel, prepayment and transfer requests).**

Commissioner Cakounes questioned County Administrator Brillhart on the reason for the \$8000.00 transfer on item 40 in the County Administrator Actions. Mr. Brillhart replied he could not remember, but would get back with an answer.

## **XII. Commissioners Reports**

- Commissioner Flynn attended the Barnstable County Retirement Board Dinner for Deb Cohen on Wednesday September 9, 2015 at White Cliffs in Plymouth.
- Commissioner Cakounes and Commissioner Lyons attended the Open Meeting Law Workshop on Wednesday September 9, 2015 in Sandwich.
- Commissioner Cakounes and Commissioner Flynn agreed to honor the request to dedicate the 2016 Annual Report to E. Mark Zielinski.

**IX. County Administrator Reports**

- Barnstable Village Association thanked the County Commissioners for their successful farmers market held on the County Complex.
- Cape Light Compact moved out of existing offices Monday, September 21, 2015. Additional space will be added to the trial courts.
- Route 6 Rest Area: the County's role has been maintenance because the state has not had or allocated funds for this.

*Barnstable, ss. At 2:55 p.m. on this sixteenth day of September, A.D. 2015, Commissioner Cakounes made a motion to adjourn, 2<sup>nd</sup> by Commissioner Flynn, approved 2-0-0.*

Attest:

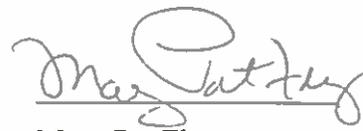


County Clerk

The foregoing records have been read and approved.



Sheila R. Lyons  
Chair



Mary Pat Flynn  
Vice-Chair



Leo Cakounes  
Commissioner