

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

At the regular meeting of the County Commissioners held in the Harbor View Conference Room on the twentieth day of January, A.D. 2016.

Board of the Barnstable County Commissioners:

Mary Pat Flynn	Present
Sheila Lyons	Present
Leo Cakounes	Present

Staff Present:

Michael Brillhart	County Administrator
Bob Lawton	Finance Department
Denise Bradford	Administrative Assistant

List of Documents:

- Copy of the Agenda for the January 20, 2016 meeting
- Fire Training Academy Budget
- Cape Cod Cooperative Extension Budget
- Water Quality Initiatives Budget
- Information Technology Budget
- Barnstable County Approved Operating and Capital Budget FY 2016 with the Arts Foundation Budget line item highlighted for discussion
- Barnstable County Approved Operating and Capital Budget FY 2016 page listing the specific budget for Elder Services – Meals on Wheels (County Assistance to Human Service Provider), a sub-program of Health and Human Services
- Elders Services of Cape Cod and the Islands, Inc. presentation packet
- A draft of the Request for Qualifications – Legal Services for Barnstable County, MA
- A Cape Light Compact packet of documents that included:
 - The Governing Board Meeting Agenda for Wednesday, March 11, 2015
 - The Contract Tracking List
 - Governing Board Meeting Minutes
- Weekly Actions Taken by the County Administrator for the period of January 12 – 15, 2016

Commissioner Flynn called the meeting to order at 10:04 a.m.

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

Commissioner Lyons appeared at 10:15 am.

Public Comment:

No public comment.

1. Budget Review

- a. Fire and Rescue Training Academy
- b. Cape Cod Cooperative Extension
- c. Water Protection Collaborative
- d. Information Technology
- e. Elder Services
- f. Arts Foundation

a. Fire and Rescue Training Academy

Paul Tucker, of the Fire and Rescue Training Academy, presented the Academy's proposed FY17 budget. He stated that the proposed budget remained the same as the FY16 budget except for the electricity charges line item, which increased from \$8,200.00 to \$8,500.00 and the equipment line item, which increased from \$7,810.00 to \$17,810.00. The reason is that two of the Academy's three, older, high-mileage trucks need to be replaced with one new vehicle. Per Michael Brillhart the Fire Academy leases trucks, so the Academy does not have the large capital outlay that would normally be expected for a new vehicle. \$7,810.00 is for a \$500/month lease for one vehicle. The other two vehicles, a 1988 GMC truck and a 1995 GMC truck, are not registered and beyond repair. There is also a 2012 Ford 150 Director's vehicle for which the lease has been paid.

Mr. Tucker said that the increase of \$10,000 was designated for the replacement of a maritime "shipboard" prop container. The flashover prop was originally built by instructors at the Academy and may also be a liability issue. The Academy plans to use the Massachusetts Academy's mobile flashover prop instead. The Academy is in the process of obtaining bids. The Maritime Program has been a substantial revenue source for the Academy.

Mr. Tucker noted that the Academy Director was eliminating the full-time Deputy Director position and dividing it into two part-time Assistant Director positions. This action would eliminate the need to budget for retirement, vacation and health insurance benefits for the full-time Deputy Director position. Currently, there is no Deputy Director. Mr. Tucker said he would provide position-grading information to the Commissioners. The Director position was listed as a part-time position and is currently filled. The salary line item would be the same but divided between the two Deputy Directors. Mr. Tucker stated that Academy instructors are under the Salaries-Other line item; they work at the Academy on an ad-hoc, per diem basis in order to maintain a ratio of one instructor for every five students. The group insurance item of \$20,150.00 would be greatly reduced as well as the retirement line item with the conversion to two part-time roles.

Commissioner Flynn requested that Mr. Tucker revise the Academy budget to show projected salaries and staff. Mr. Tucker noted that the proposed FY17 Academy budget reflected the needs of the Academy before the recommendations of the Fire and Rescue Training Academy Needs Analysis, which was presented by Mr. Maruca at the January 13, 2016 meeting. Commissioners Flynn and Cakounes also requested that the Academy's FY17 budget include proposed restructuring changes when presented to the Barnstable County Assembly.

Commissioner Cakounes requested that Mr. Tucker and the Director of the Academy (George Russell) present before the Board when the Board is ready to act on the Assessment. Mr. Tucker informed the Board that on Tuesday, January 26, 2016, a Cape Cod delegation would be touring

the Academy, and that the Commissioners were welcome to attend. Chief Maruca, West Barnstable, would also be giving a presentation on that day to a legislative Fire Chief group. The Commissioners were welcome to attend. Mr. Tucker also stated that the Academy had asked Nantucket to participate in the Academy. Mr. Tucker and Mr. Russell were attempting to obtain more money for the Academy. He said he would send the formal invitation to the Administrative Assistant.

b. Cape Cod Cooperative Extension

Michael Maguire, the new Director of the Cape Cod Cooperative Extension said that the Extension's proposed FY17 budget was submitted to the Finance Department in mid-December. Mr. Maguire said that it was based on the institutional knowledge of the previous Director. He also stated that it was level-funded with no new initiatives and no capital items. Six of its line items contained changes, which Mr. Maguire reviewed with the Board.

1. The Employee Education line item reflected the real need of the Extension. It showed an increase of \$500.00. Also, the Out-of-State Travel item increased by \$500.00.
2. The Professional and Technical Services line item was increased from \$36,500.00 to \$38,000.00. The reason was that the contract for disposing used-needles increased by \$1500.00. Mr. Maguire stated that typically, the most sharps pick up states are handled by Town Fire Departments, which have Emergency Medical Staff on hand who are trained to handle them. Mr. Maguire said Extension's practice in this popular program was to send a vendor to pick up the sharps for a surcharge of \$50.00 to stop at the sites in addition to a \$35.00 - \$45.00 per-box pick-up surcharge. However, the State wrote a provision that allows the Extension to pick up sharps directly for a \$17.00 disposal fee, with no stock fee. The Extension also purchases empty sharps' containers directly instead of using a third party. Mr. Maguire said that he was trying to be as efficient as possible and that the Program was important because it prevented needles from going to landfills. The Program has prevented needles from being carelessly discarded and hurting people at considerable cost. On an average, the Sharps Program collected 380 boxes per year from the 15 Cape Cod Towns.
3. The postage line item was decreased by \$2,000 a postage line item due to the Extension's move towards electronic documents instead of traditional mailing.
4. Due to increased cost of leases, the Miscellaneous Rental line item increased by \$2,000.00 due to the increased lease cost of a black and white copier/printer.
5. The Miscellaneous Equipment-Ext. Marine line item was \$6,000.00 in FY16, but it was a one-time equipment purchase. Therefore, it was not included in the proposed FY17 budget.
6. Salaries increased from \$147,462.00 to \$153,586.00. Retirement and group insurance increased using a formula and guidance provided by the Finance Department. There were four total salary line items.

Grants were then discussed. Commissioner Flynn requested a spreadsheet with grants compared to the County expenditures. Mr. Maguire said that the Extension receives approximately \$650,000.00 in grant money, but the grants cross fiscal calendars. Mr. Maguire said a breakout would be provided to the Board that would show the five Extension employees who have grant-funded roles. In response to Commissioner Cakounes, Mr. Maguire noted that a payment from the University of Massachusetts Dartmouth that goes into the General Fund. It

was not shown in the proposed FY17 budget. Mr. Maguire said that this money partially funded his salary. In addition, Mr. Maguire said he would be meeting with the Finance Director at the end of the week to review all of the proposed FY17 budget line items with the goal of bringing the budget total closer to the FY16 total of \$2,080,929.00.

Mr. John Oman of Town of Dennis, Chair of Finance for Dennis and an Assembly Representative, asked about the personnel changes. Mr. Maguire said there would be more accurate numbers after personnel decisions that could not be discussed at this time. Regarding personnel, Mr. Maguire noted that the Community Ratings System (CRS) position, which was filled in July 2015 by a person with good credentials, managed flood insurance costs for homeowner via a Federal program that reduces these flood insurance costs for people in participating Towns. The CRS role was partially grant funded with the County responsible for some of the funding, with increased responsibility for the County each year.

Mr. Maguire presented a summary of the CRS' accomplishments. Wellfleet has submitted its application. Brewster, Eastham and Mashpee have applications in process. The estimated savings in residents' premiums (to date) was \$451,000.00. If the Towns of Falmouth and Sandwich were to participate, there would be an additional \$400,000.00 in insurance premium savings. Mr. Maguire noted that the Director of FEMA saw the CRS' presentation on her work for the County and, as a result, congratulated the County for this initiative. The program savings are for people of all income levels, and could add up to millions of dollars in savings if all Towns enrolled in this Federal Program. It's not an easy process.

Mr. Maguire said that the Extension was working diligently to fund this role through various sources including grants and other federal sources. Also, Extension staff have met with State and U.S. Congressman to request assistance to pay for the CRS salary. The CRS' goal in FY17 was to engage more Towns. Until additional funds were committed, the County was being asked by Mr. Maguire to fund the CRS role for an approximate expenditure of \$30,000.00 of the total \$60,000.00 salary. Commissioner Flynn said that the Board recognizes the value of this position and program that the County wants to support.

In response to Commissioner Cakounes, Mr. Maguire said that the four salary line items were for County-funded staff salaries: Administration, COM, HOR and Marine. Mr. Maguire said he would present clearer salary numbers after meeting with Finance. The Marine staff line items do reflect step increases.

c. Water Protection Collaborative

Andrew Gottlieb, Executive Director of the Water Protection Collaborative, and Larry Valentine, Chair of the Collaborative, presented its proposed FY17 budget. Mr. Valentine said information was collected from the various Towns.

Mr. Valentine said the Collaborative play a role in 208 (the Water Quality Management Plan for Cape Cod [*also known as the "208 Plan," named for a section of the Federal Clean W208 permitting process*]). The Collaborative has representatives from Cape towns and two County delegates. The budget had been flat for the last five years. However, they shifted money around in recent years order to create a water monitoring role, a vital function that ensures water quality improvement processes are put in place. For example the Collaborative was sampling regional

water and assisting with projects such as the Mashpee shellfish cleanup process. The Collaborative contributed \$23,000.00 to the Town's \$400,000.00 budget.

Mr. Gottlieb noted two items. The first was for the Personal Services contract he has with the County shown in the \$102,000.00 line item. Most of it was salary with \$27,000 of that money used for operating expenses. That has been flat for the last eight years. In addition, Mr. Gottlieb said that \$150,000.00 of the Grants Muni-Support Initiative line item of \$400,000.00 would be used for traditional municipal support functions such as engineering, planning/design review as well as financial management review. It's a reduction of \$125,000. Two consultants are used to provide these services as requested by communities and/or via direct project funding as noted by Mr. Valentine. Mr. Gottlieb said a regional approach to water management advances a project where there is risk and/or technological issues. It's also cost effective for a municipality that cannot finance a project on its own. Funding a project determines if it is worth implementing and/or has relevance in other Cape Cod communities.

The \$125,000.00 was transferred to the monitoring budget. Last year the Water Quality Initiative proposed the regional approach to baseline water quality monitoring with the goal of creating a unified public, tracking database for water quality. This project was contingent on obtaining a one-to-one match from the State and Baker administration at \$250,000.00/year for four years (\$1,000,000.00 total) for water quality monitoring that had to be matched by local funds.

Mr. Gottlieb said that the County approved the action last November. However, the Board had not yet signed the contract that was drafted by the Collaborative. The county agreed to commit \$250,000.00 per year, but if the county does not provide it, the Collaborative will not receive the state money. Mr. Gottlieb said that County is not obligated to sign it, but the budget was drafted to support areas of importance per County's strategic plan as well as the instructions, which included regional cooperation, pursuing other forms of subsidy, community value and technical support. The collaborative wrote a memo demonstrating where its budget followed the County's strategic plan and included it with the submitted budget. Commissioner Cakounes asked Mr. Gottlieb to email the Memo to the Board.

Commissioner Flynn said that it did not make sense after all the work that the Collaborative had done not to do the follow-through on the 208 project. Commissioner Cakounes said that the County has to make cuts this year even for beneficial programs. Commissioner Cakounes also stated that he does not remember the County committing \$250,000.00 for the next four years to support this grant. The budget has been supported in the past but this is a different year.

Mr. Gottlieb said that the value of monitoring was its long-term nature and that the request was predicated on the long term. The core question was should the County's money be used to provide direct service or strategic services that save money in the long-term. Mr. Gottlieb also stated that the Collaborative was at the cusp of obtaining needed community permits and moving forwards with community obligations. Commissioner Cakounes asked if there was a mechanism for obtaining money from participating Towns. Mr. Valentine said that in the past the Collaborative had asked for money from the Towns but not for matching funds for the State grant.

Commissioner Cakounes requested a prioritized budget from the Collaborative. Mr. Gottlieb said that priorities were not given to the Departments. Commissioner Lyons said that the Cape's

economy is tied to water quality and this is the most expensive fix facing Cape Cod. Management needs to take a strategic look at where Departments can consolidate services and personnel. Commissioner Flynn said that two overriding budget concerns are the retirement assessment and health insurance. As result, the Board's decision was to level-fund and that the Collaborative did just that. However, the Collaborative may be prepared to do more. Commissioner Cakounes said that this Board did not vote on a budget message and was obligated to manage.

Commissioner Flynn said that the Board was obligated to send a budget to the Assembly that could be funded by the appropriate revenue streams expected. The Board's role it to meet with each of the Departments, which have been asked to present a level-funded budget and enable the Board to reach the goal of available funding. Mr. Gottlieb and Mr. Valentine would work with the Water Quality Board to have the Collaborative's budget memo and revised budget information to the Board. Commissioner Flynn said that the Board of Commissioners would provide additional guidance.

d. Information Technology

William Traverse, Information Technology (IT) Director, presented the IT proposed FY17 budget to the Board. Mr. Traverse said that he was working on consolidating services, cutting costs and bringing in more revenue. IT is expecting in bringing in \$357,000.00 in revenue with a projected increase of \$416,000.00. He said he was expecting an increase of \$16,000.00 for this year. He had collected \$112,000.00, but had invoiced \$145,000.00. In addition, he expected \$58,000.00 in savings due to service consolidation efforts. Mr. Travers also noted that video live-streaming costs were cut due to transitioning this function to YouTube, a free service. IT also cut staff time from uploading/downloading. Tele-service was a 74% cost reduction.

Mr. Traverse said for new initiatives IT submitted a net increase request for five full time employees that includes moving two part-time roles were turned into full time roles. The new roles are as follows: one engineer for needed high-level support, two Technical Service Specialists and a Videographer. A dedicated staff Videographer will free time for other staff. The salary item does not include the salary totals for the new FTE initiative, but the amount is \$428,000.00. The two part-time to full time roles would cost approximately \$65,000.00 additional to the two part-time salaries.

Mr. Traverse said that the \$325,000.00 line item was for Microsoft Enterprise Agreement (software licensing) was important for maintaining compliance and when projected out over five years was saving the Department \$400,000.00. The Department is in year three of the Agreement. Mr. Traverse said that participating Towns were sharing County IT services and paying for those services. As examples, Mr. Traverse said that the Towns of Chatham and Truro use the phone and email services offered by County IT; Wellfleet was in scope. Bob Lawton said that if the FY17 Budget for the IT Department was approved, increases to income were important for paying for the increases for the two part-timer contractors who became full-time, and the Bond Issue interest payments that were related to the Enterprise Agreement. Mr. Traverse said the Department is working on the charge-back mechanisms.

Commissioner Cakounes requested a spreadsheet detailing the Department's FY17 annual, recurring projects and projected revenue. Mr. Traverse noted that the proposed FY17 budget does not include additional people he would like to hire, but that the line item for Prof/Tech

Services decreased from \$25,000.00 to \$21,000.00. Mr. Traverse also noted that no additional vehicles (Info Tech Services line item) were required for FY17, a decrease of \$22,000.00.

e. Elder Services

Leslie Scheer, Executive Director, Elder Services presented in place of the Arts Foundation, (which had been listed before Elder Services in the budget review department order), because the Arts Foundation was not present. Ms. Scheer said that in 2015 Elder Services was cut by 50% and was hoping to hold on to the \$40,000.00 received last year. Commissioner Cakounes noted that Ms. Scheer should attend the Assembly meeting or call the day of the Budget vote to learn of budget decisions. Commissioner Cakounes reiterated that the County is in a bad financial situation, but also stated that Elder Services was an excellent program that needed more community support. Commissioner also recommended that Ms. Scheer review the services provided to the Towns who contribute to the program.

Ms. Scheer noted that some Towns do not charge rent to Elder Services – a form of in-kind service provided instead of money and/or offer different services. There is a new caterer for the meals, but it is one from outside the County.

Deborah Tranfaglia, Chief Financial Officer of Elder Services, presented a breakdown of the services this group provides. She stated that meals are served by various means. Some towns have dining centers; some do not. Ms. Scheer said that people may use Meals-on-Wheels for years [delivery service with volunteer drivers] and some are temporary users and/or go to a senior center. Meals-on-Wheels is a seven-day-a-week program based on need, not income for anyone over 60, and it's a program used all over the U.S. Senior dining sites are run Monday - Friday. Some of the centers do their own programs.

Ms. Tranfaglia said that the budget was based on money pledged in 2015. The program has projected shortfalls of approximately \$192,000.00. However, to make up for the shortfall, money is available from home care programs. These have surpluses and a reserve fund balance that can be drawn down that fluctuates. The reserve fund balance is currently at \$600,000.00. It's all State money. The money is not always there, but surpluses do build if there is no services provider for a role such as a visiting nurse. To obtain additional funds, Elder Services would fundraise via grants. Ms. Tranfaglia said that the \$27,000.00 line item for Occupancy Expenses is for rent, utilities, and building maintenance and that Program Expenses were for such items as food containers, meal delivery and related paper goods. In addition, she said other expenses pertain to audit fees, payroll and items needed for program administration.

Ms. Scheer said that program volunteers are given the opportunity to be reimbursed for their mileage, but most do not take the reimbursement. Ms. Scheer also noted that partnership groups like capabilities and rotary clubs assist Elder Services.

Commissioner Cakounes noted Elder Services was not a department of Barnstable County, and that Elders Services was requesting money from the County for its programs. Ms. Scheer stated that nutrition services are federally mandated and have been in place since 1972 under the Older Americans Act. However, Elder Services has not received increases from the Federal level. The Group also received State money. It's illegal for Elder Services to charge for the food. Elder Services send bills with suggested donations and sometimes Elder Services receives a donation or more than the suggested amount. In addition, Ms. Scheer stated that Meals-on-Wheels had the

additional benefit of a being a safety check on senior citizens. It's more than a wheel. It's also a safety check with a protocol in place. Commissioner Flynn thanked Ms. Scheer and Ms. Tranfaglia for presenting.

Commissioner Flynn recessed the meeting at 12:35 p.m.
Commissioner Flynn reconvened the meeting at 1:00 pm.

The Arts Foundation, the next scheduled budget review, was not in present.

2. Commissioners' Actions

Commission Cakounes made the motion to take the Commissioners' Action items in the Agenda out of order due to the fact that the Arts Foundation was not present and to vote on the Summary of Actions. 2nd by Commissioner Lyons. The motion was approved unanimously, 3-0-0.

Commissioner Cakounes brought to the attention of the Board a copy of the contract procedure voted on by the Cape Light Compact and its. The procedure is as follows: (1) Compact Administrator/Chief Procurement Officer presents documents for approval to the Cape Light Compact Treasurer who (2) determines their consistency; (3) the Treasurer then sends the documents for approval to the Commissioners who vote as a Board to execute the contracts or actions and then (4) the contracts or actions are sent to the Cape Light Compact Board who then ratify the contracts or actions. Commissioner Cakounes has an issue with that procedure which has been in existence since last March.

Commissioner Cakounes said that he requested last year that the Commissioners' Agenda show that the Compact's Board approved the Contracts so that the Commissioners are ratifying the contracts, not executing them. However, on March 3, 2015 the Compact adopted a new procedure that follows steps (1) – (4) and not the procedure Commissioner Cakounes requested. He has an issue with this procedure because there is no review process with checks and balances, and as the Fiscal Agent for the Compact, the Board should have the power of review. Last week the Board postponed a major action for the Compact, which raised this action. Commissioner Cakounes said that until he receives an opinion or answer from County Counsel about this matter, he would not approve Contracts and actions for the Cape Light Compact. Commissioner Cakounes said that the Compact is its own Department, but he has not seen the Compact's Procedure, nor discussed nor approved the Procedure. Commissioners Lyons and Flynn agreed with Commissioner Cakounes. However, Commissioner Flynn said for this meeting and due to the possibility of time-sensitivity, the Board should approve Contracts; the next time the Board should request that the Compact demonstrate that the Compact's Board has approved its contracts before submitting Contracts to the Commissioners. In addition, Commissioner Flynn said that the Compact's funds are not the County's funds. Commissioner Flynn also stated that the Board should determine the definition of a Fiscal Agent and its responsibility.

Mr. Brillhart was not sure of the time-sensitivity of Compact contract items 1, 2, 4, 5, 6 and 7 (listed in the Summary of Actions under Contracts), but the actions could not be performed until the Cape Light Compact approved the Contracts. Mr. Brillhart said that these items were contract amendments for previously approved contracts and was not sure of the time sensitivity. Technically, the work could not have begun unless the Cape Light Compact Board had approved the Contracts. Commissioner Cakounes said he did not see how this was possible.

Commissioner Flynn reiterated that for this meeting and due to the possibility of time-sensitivity, the Board should approve Contracts. For future meetings the Board should request that the Compact demonstrate that the Compact's Board approved its contracts before submitting Contracts to the Commissioners for execution.

Commissioner Lyons made a motion to approve all items listed under the Commissioners' Actions; 2nd by Commissioner Flynn. The motion passed, 2-0-1.

Summary of Commissioners' Actions

CONTRACTS

- 1) Executed the 3rd Contract Amendment between Barnstable County (Cape Light Compact) and People Power Company in the amount of \$387,490.00 for providing behavior initiative services in connection with the Compact's Energy Efficiency Plan approved by the Massachusetts D.P.U., D.P.U. 15-166, for the period of January 1, 2016 – December 31, 2016.
- 2) Executed the Contract between Barnstable County (Cape Light Compact) and TRC Energy Services in an amount to exceed \$25,000 for a pricing matrix for commercial and industrial engineering and ancillary services, in connection with the Compact's Energy Efficiency Plan approved by the Massachusetts D.P.U., D.P.U. 15-166, for the period of January 1, 2016 to December 31, 2016.
- 3) Executed the Contract between Barnstable County (Cape Cod Commission) and the Town of Bourne in the amount of \$110,000.00 for the Town of Bourne to utilize mitigation funds for the design and engineering of the wastewater treatment facility for the Buzzard's Bay Growth Incentive Zone for execution through December 31, 2016.
- 4) Execute the 2nd Contract Amendment to Exhibit B 2016 Budget between Barnstable County (Cape Light Compact) and Direct Technology dba DirectApps in the amount of \$251,656.00 for data management, tracking and reporting for the period of January 1, 2016 – December 31, 2016.
- 5) Executed the 6th Contract Amendment to Exhibit B Budget between Barnstable County (Cape Light Compact) and Rise Engineering in the amount of \$1,117,100.00 for multi-family energy efficiency services for the period of January 1, 2015 to December 31, 2015.
- 6) Executed the 1st Contract Amendment to Exhibit B Budget between Barnstable County (Cape Light Compact) and Kelleher Samets Volk (KSV) in the amount of \$210,000.00 for statewide marketing services for the period of January 1, 2016 – December 31, 2016.
- 7) Executed the Contract between Barnstable County (Cape Light Compact) and Rise Engineering in the amount of \$1,658,259.05 for small business energy efficiency services lead vendor for the period of January 1, 2016 – December 31, 2016.
- 8) Executed the Discharge of HOME Mortgage for Mary T. Roberts in the amount of \$6,675.00.
- 9) Executed the Subordination of HOME Mortgage for Anderson Demoura and Nicole Demoura in the amount of \$159,500.00.

OTHER

- 10) Appointed Cherie Stulsky to the Health and Human Services Advisory Council for the period of October 16, 2015 – May 31, 2018.

CHAIR ONLY

- 11) Executed Certificate for Dissolving Betterments for Michel K. LaCroix and Gabrielle LaCroix.
- 12) Executed Certificate for Dissolving Betterments for Willinda Powell Gray.
- 13) Executed Certificate for Dissolving Betterments for Gene A. Cormier and Jean E. Cormier.
- 14) Executed Certificate for Dissolving Betterments for Michael J. Corbett.
- 15) Executed Certificate for Dissolving Betterments for Kenneth F. Sussel and Rebecca Sussel.
- 16) Executed Certificate for Dissolving Betterments for Joseph A. Dutra and Eileen E. Thomas.
- 17) Executed Certificate for Dissolving Betterments for Charlotte Roberts Messner, Trustee, CRM Nominee Trust u/d/t/ dated October 31, 1995.
- 18) Executed Certificate for Dissolving Betterments for Stephen J. Viglas and Geraldine C. Viglas.
- 19) Executed Certificate for Dissolving Betterments for Jeffrey M. Woerdeman and Cynthia D. Woerdeman.
- 20) Executed Certificate for Dissolving Betterments for Charles H. Smith and Pamela S. Smith.
- 21) Executed Certificate for Dissolving Betterments for Scott T. Slaven and Robin L. Slaven.
- 22) Executed Certificate for Dissolving Betterments for Peter D. Wall and Marie L. Wall.
- 23) Executed Certificate for Dissolving Betterments for Robert P. Tierney and Mary F. Tierney.

Commissioner Cakounes suggested that the Board return to the original agenda item “f” under Budget Review of the Arts Foundation.

1. Budget Review Continued – Item f - Arts Foundation

Julie Wake and Kevin Shanley of the Arts Foundation of Cape Cod presented the Foundation’s budget. Ms. Wake stated that it was rewarding to advocate, market and promote the arts for the Foundation because the Cape Cod Community embraces arts and culture. The Foundation has registered over 3,000 events on its Arts Cape Cod website.

Mr. Shanley said he was a lifelong Cape Cod resident, who was scheduled to graduate this year from the Boston University with a Technical Production. Mr. Shanley said that the Foundation offers many programs, scholarships, grants, fellowships throughout the Cape and Barnstable County. He was drawn back to Cape Cod due to his interest in its arts and culture. Mr. Shanley said his role was to market and produce the Foundation’s events and programs and to ensure that its image is associated with more than Pops-by-the-Sea concerts.

Commissioner Lyons noted that the outer Cape was lacking arts programs, but that she has attended many arts events, and feels that the Foundation helps individuals to build their portfolios. Commissioner Lyons also stated that the arts in general are neglected by today’s education systems. Commissioner Flynn asked Ms. Wake and Mr. Shanley to state the Foundation’s current mission.

Ms. Wake responded that the Foundation’s mission was to advocate, support and promote the arts on the Cape. The Foundation fosters creativity to fuel economic growth, partnering with off-Cape groups. Ms. Wake said the arts enable people to convey thoughts and feelings resulting from a difficult world through programs such as the Veterans for Peace poetry program or the Art Therapy Program at the Latham Center. The Foundation helps communities to harness local talent and that the arts also drive the Cape’s economy and it’s strong artistic talent. Other Foundation activities include small, free workshops for artists on taxes, writing press releases,

applying for grants, and networking opportunities for artists. In addition, Ms. Wake said that within the next month the Foundation would be moving its office to Main Street Hyannis.

Commissioner Cakounes noted that the County gave the Foundation \$5,000.00 of General Fund money last year even though the Foundation requested \$35,000.00. Mr. Brillhart confirmed that in FY16 License Plate Fund money did not go to the Foundation. Ms. Wake confirmed to Commissioner Cakounes that the Foundation's Fiscal Year would start on September 1, 2016 and promised to provide a copy to the Board of the Foundation's budget. Commissioner Cakounes noted that the Foundation is not part of the Barnstable County government and that the Foundation is a non-profit, self-sustaining group seeking a donation.

Commissioner Cakounes reiterated that the County's financial situation was not good right and that cuts would commence with non-County, affiliated departments. Commissioner Cakounes said that the Board would review the entire County Budget with Department Managers in order to create the final draft of the FYF17 Budget. In addition, after approving this budget, it would be sent to the Assembly

Commissioner Lyons agreed with Commissioner Cakounes and reiterated that there were perceived surpluses in the past and that money was given away. It meant that non-profit agencies today, such as the Arts Foundation, became dependent on the County money and now receives less. Ms. Wake confirmed that she met with Felicia Penn of the Economic Development Council and was working on updating the Foundation's strategic objectives with the ultimate goal of raising more money privately to fund the Foundation and its grant applications and for the Foundation to make a stronger impact on the Community.

Commissioner Flynn noted that the Commissioners deemed the Foundation to be the premier Foundation because of its over-arching impact on the entire Cape, and it set the tradition of the County assisting the Foundation. Commissioner Flynn also commended the scholarships and work the Foundation has done with high schools. In response to Commissioner Lyons, Ms. Wake said that the Foundation is in the process of supporting local cultural districts. Ms. Wake said she would send the Foundation budget to Mr. Brillhart this afternoon and understood that a decision would not be made today in regard to the Foundation's budget.

3. General Business

- a. Discussion and Action to Issue an RFQ Requesting a Scope of General Legal Services to be Sent to not less than 5 Qualified Firms, Including Current County Counsel, for Review and Appointment as County Counsel, for a Definite Term.

Commissioner Flynn stated that most Town legal services are about land use. However, Barnstable County does not have land use issues. Commissioner Cakounes said that her removed land and labor counsel calculations from the Worksheet he presented at the January 16, 2016 meeting. County legal needs are not as broad as those of a Town, but could be claims, personnel issues, responses to other agencies, special counsel needs, government issues due to the conflict of interest law or open meeting law. Commissioner Flynn noted that the Assembly had its own scope for legal services.

Commissioner Flynn said that it would be appropriate for the Board to table this matter until the new County Administrator comes on board. Interviews for the new County Administrator were

to be conducted the following week, with a review of this item to follow within four weeks of selecting the County Administrator. Commissioner Flynn thanked Mr. Brillhart for putting together the draft RFQ for legal services.

Commissioner Cakounes said he was seeing this document for the first time and wanted time to review. In addition, Commissioner Cakounes stated that he was opposed to this action at this time. Commissioner Cakounes said that he found it valuable to look at past practice, and also felt that there may not be a need for Special Counsel at this time. Commissioner Cakounes also stated the County may not be well represented by a large firm and that the way the Charter is constructed allows for Special Counsel as needed. Finally, Commissioner Cakounes requested a cover letter and a procedure for the RFQ if this subject happens were to come before the Board for consideration.

Commissioner Flynn asked Mr. Brillhart to create a policy and procedure for requesting County Counsel and return it to the Board. Commissioner Flynn further stated that employees understood that all legal requests have to go through the County Administrator; however, she wanted to see it in a written policy. The item was tabled until the time a new County Administrator was selected.

4. New Business – Other Business Not Reasonably Anticipated by the Chairman

There was no new business.

5. Review of the County Administrator Actions under \$25,000 (including contracts, prepayment requests and transfer requests)

There was no discussion on County Administrator Actions.

Commissioners' Reports

- Commissioner Cakounes requested, due to the Cape Light Compact discussion, a legal opinion on the responsibility of a fiscal agent, especially in light of the Board acting as a fiscal agent for some County Departments.
- Commissioner Flynn noted that the Massachusetts Municipal Association (MMA) was scheduled to begin on Friday, January 21, 2016 in Boston. The Board planned to attend even though the MMA does not recognize Counties.

County Administrator Report

- The County Administrator had not report.

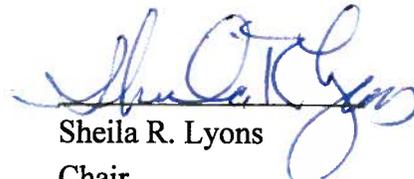
Barnstable, ss. At 2:00 pm on this twentieth day of January, A.D. 2016 Commissioner Cakounes made a motion to adjourn the meeting. 2nd by Commissioner Lyons. The motion was approved unanimously, 3-0-0.

Respectfully Submitted,

Denise Bradford, Administrative Assistant

Attest: 
County Clerk

The foregoing records have been read and approved.


Sheila R. Lyons
Chair


Mary Pat Flynn
Vice-Chair


Leo Cakounes
Commissioner