

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

At the regular meeting of the County Commissioners held in the Superior Courthouse Conference Room 11-12 on the third day of February, 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	Interim Finance Director
Mary McIsaac	Director, Finance
Denise Bradford	Administrative Assistant

List of Documents:

- Agenda for the February 3, 2016 meeting
- Letter from the Cape Cod Commission with a list of Joint Initiatives Projects for FY17
- Cape Cod Cooperative Extension's revised, proposed FY17 Budget
- Cape Cod Cooperative Extension FY17 Salary and Fringe Budget Summary
- Cape Cod Cooperative Extension FY17 Salary Breakout
- Human Services FY17 Proposed Budget – HOME Program information
- IT New Initiatives – Supplemental FY17 Budget Information
- Weekly Actions Taken by the County Administrator for the period of January 23 – February 2, 2016.

Commissioner Flynn called the meeting to order at 12:04pm.

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

1. Public Comment

There was no public comment.

2. General Business

- a. Commissioner Flynn read as follows: "The Attorney General has advised that a governmental entity may legally convene in Executive Session to discuss strategy with respect to litigation that is deemed imminent. Based on a review of correspondence from the Town of Barnstable with respect to the potential contamination of well sites in proximity to County facilities, I conclude that there is

litigation that is imminent and that discussion of these issues in Open Session would be detrimental to the litigation position of the County.” Commissioner Flynn then requested a motion to hold an Executive Session.

Commissioner Cakounes made the motion to enter into Executive Session at 12:06 PM under M.G.L. Chapter 30A, Section 21 (a) (2) to discuss strategy with respect to imminent litigation in which the Chair is certifying that an open meeting may have a detrimental effect on the litigating position of the Body and to reconvene in Open Session; 2nd - Commissioner Lyons.

Roll Call Vote:

- *Mary Pat Flynn, Chair: Aye*
- *Sheila Lyons, Vice-Chair: Aye*
- *Leo Cakounes, Commissioner: Aye*

The Board reconvened to the Regular Session at 1:25 pm

3. Public Comment

Commissioner Flynn again asked for public comment on any item not listed on the Agenda.

Richard Nese of Osterville spoke about the approved spending increase that was written about in the newspaper and the law under Proposition 2 ½ regarding tax. He said that it was not legal per the Proposition 2 ½ law and that people should know the truth.

4. General Business (continued)

b. General Budget Discussion

Commissioner Flynn introduced Mary McIsaac, who presented an update on the budget proposals from the County Departments. She said that Finance was in the 3rd round of review of the departments’ requests, their histories and were then determining if the proposed [budget] numbers should go forward as requested or based on historical analysis. The next step would be for the Finance Department to assemble a budget options packet, which may include cuts. It would go to the Assembly on the February 17, 2016 with recommendations for health insurance and increased revenues. Ms. McIsaac recommended as well that the Commissioners approve the proposed deeds tax increase. In addition, she noted that revenues would be level-funded except for the increase in deeds. Overall, Finance was operating under the assumption that they would not be using reserves, there would be increases to health insurance and there would be no new initiatives. Finance would not be likely to recommend anything attached to new personnel unless there’s a complete funding source for the new employee’s salaries and fringe benefits. Ms. McIsaac then noted that the County would have debt principal and interest coming into FY18, which have to be kept in mind as the County deals with issues. Therefore, the County must understand that new projects could be funded in the coming year unless the new projects could also be funded in the future. She also recommended

a workshop to present all of this as well as internal discussion with County Departments. She recommended a workshop on February 10th as well as a second meeting on February 16th 2016. The Commissioners' packets for these meetings would have as much information as possible for the Commissioners to make decisions and should be ready by February 10, 2016. She offered to present a format of these reports to the Commissioners.

Discussion followed on the budget and workshop meeting schedule. The Commissioners agreed to meet at 10:00 am on the 12th and, if needed, on the 16th of February at 11:00 am for a special meeting. Topics would include the Budget ordinance, the proposed deeds excise tax increase cuts on the expenditure side after the tax increase.

5. New Business

There was no new business.

6. Commissioners' Actions

a. Vote to approve minutes of January 13, 2016 Regular Session.

The minutes were not yet submitted for approval.

b. Vote to approve the Summary of Actions over \$25,000.00 (include prepayment and transfer requests, bid awards, Contracts and Contract Amendments, New Fund Establishments) [listed below].

- Discussion followed on the Transfer Request [Summary of Actions Item 5 in this document]. Regarding the Transfer Request [Summary of Actions Item 5 in this document], Ms. McIsaac said that this item is a monthly invoice from the Cape Cod Municipal Health Group for county benefits.
 - *Commissioner Cakounes moved to approve only Item 5 [as listed in this document] the Transfer Request, under the Summary of Actions over \$25,000.00 (include prepayment and transfer requests, bid awards, Contracts and Contract Amendments, New Fund Establishments); Commissioner Lyons, 2nd. The vote was unanimous and the motion carried, 3-0-0.*
- Discussion followed on the Summary of Actions, before the vote was taken.
- Regarding Summary of Actions Item 1 and 2, discussion was on the fact that it's an annual contract, its impact on energy efficiency for Cape homes, if the item was approved by the Cape Light Compact Board before being presented to the Commissioners, the process used by the Cape Light Compact Board, Chapter 30A procurement laws, County Counsel review and the liability for the County Commissioners' role as the Fiscal Agent for the Cape Light Compact.
 - *Commissioner Lyons made the motion to execute the Contract between Barnstable County (Cape Light Compact) and Rise Engineering in an amount not to exceed*

\$1,488,755.00 to provide Municipal Energy Efficiency Retrofit Initiative services for the period of January 1, 2016 – December 31, 2016; Commissioner Flynn, 2nd. The motion carried, 2-1-0 (Cakounes voting no).

- *Commissioner Lyons made the motion to execute the 2nd Amendment to the Contract between Barnstable County (Cape Light Compact) and Ridley & Associates, Inc. in the amount of \$8,650.00 per month for marketing consulting services for the period of January 1, 2016 – June 30, 2016. The total paid services at the end of the contract period will total \$51,900; Commissioner Flynn, 2nd. The motion carried, 2-1-0.(Cakounes voting no).*
- Regarding Summary of Actions Items 3 and 4, appointments to the HOME Consortium.
Commissioner Cakounes noted that Ms. Greenhalgh was still employed by the Town of Harwich.
 - *Commissioner Flynn made the motion to Approve the request from Barnstable County (Department of Human Services) to re-appoint Carl Brotman to the Barnstable County HOME Consortium for the Town of Truro for a two-year term, execution through January 26, 2016; and, to approve the request from Barnstable County (Department of Human Services) to re-appoint Charleen Greenhalgh to the Barnstable County HOME Consortium for the At-Large member for a three-year term in order to correct the original appointment approved on October 26, 2015 for a two-year term, execution through January 31, 2018; Commissioner Lyons, 2nd. The vote was unanimous and the motion carried, 3-0-0.*
- Regarding Summary of Actions [Item 6 in this document], the 3% increase in a Resource Development Office contract, the Board agreed to table this item until the requestor, the Resource Development Office, provided information on the impact of this request on the budget and on the Town of Harwich. The Finance Director did not have information on this item.

Summary of Actions:

CONTRACTS

- 1) Execute the Contract between Barnstable County (Cape Light Compact) and Rise Engineering in an amount not to exceed \$1,488,755.00 to provide Municipal Energy Efficiency Retrofit Initiative services for the period of January 1, 2016 – December 31, 2016.
- 2) Execute the 2nd Amendment to the Contract between Barnstable County (Cape Light Compact) and Ridley & Associates, Inc. in the amount of \$8,650.00 per month for marketing consulting services for the period of January 1, 2016 – June 30, 2016. The paid services at the end of the contract period will total \$51,900.

APPOINTMENTS

- 3) Approve the request from Barnstable County (Department of Human Services) to re-appoint Carl Brotman to the Barnstable County HOME Consortium for the Town of Truro for a two-year term, execution through January 26, 2016
- 4) Approve the request from Barnstable County (Department of Human Services) to re-appoint Charleen Greenhalgh to the Barnstable County HOME Consortium for the At-Large member for a three-year term in order to correct the original appointment approved on October 26, 2015 for a two-year term, execution through January 31, 2018.

TRANSFER REQUESTS

- 5) Approve the request from Tricia Rogers, Finance, to transfer the following ACH payments, totaling \$349,869.00 to the Cape Cod Municipal Group for the month of February 2016:

i. Trust	\$286,036.00
ii. Medex	\$ 40,831.80
iii. Dental	\$ 22,145.00
iv. <u>Vision</u>	<u>\$ 856.20</u>
	<u>\$349,869.00</u>

OTHER

- 6) Approve the request by the Resource Development Office to charge an administrative fee of 3% on all contracts which the Resource Development Office manages for the Towns.
- 6. Commissioners' Reports**
- Commissioner Cakounes said that he is the Commissioners' representative on the CVEC Board, and that CVEC had a contract to be signed. It involved net metering contracts, and he had questions about the County's ability to buy more credits given that the County shares an electric bill with the State. The advice of Counsel may be needed. There was the possibility of an agreement between the County and the State regarding this matter, but there would be a fee associated with this. It would be put on the agenda in the near future as to the direction the county would have to take. The County may not have the ability to take on more net metering credits because of the division between the County and the State.
 - There was no report by Commissioner Lyons.
 - Commissioner Flynn reported on three topics:
 - There was another project coming before the Cape Cod Commission, which was an assisted living center for Mashpee.
 - The Marriott Suites project [Falmouth] was not approved by the Cape Cod Commission. Marriott has walked away, but owner of the property is considering another project.

- The Board voted to appoint Mr. Jack Yunits as the new County Administrator, and that he had accepted the appointment. Contract negotiations were underway via Town Counsel, and the Board hoped to have a potential start date.

7. County Administrator's Report

There was no report by the County Administrator.

8. Adjournment

- *Barnstable, ss. At 2:05 pm on this third day of February, A.D. 2016. Commissioner Lyons made a motion to adjourn; Commissioner Flynn, 2nd. The vote was unanimous and the motion carried, 3-0-0.*

Respectfully Submitted,

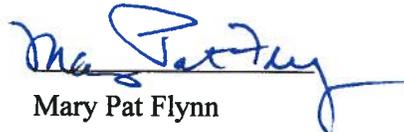
Denise Bradford, Administrative Assistant

Attest:



County Clerk

The foregoing records have been read and approved.



Mary Pat Flynn

Chair



Sheila Lyons

Vice-Chair



Leo Cakounes

Commissioner