

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

At the regular meeting of the County Commissioners held in the Superior Courthouse Building, Room 11 and 12 on the second day of March, A.D. 2016.

Board of the Barnstable County Commissioners:

Mary Pat Flynn	Present
Sheila Lyons	Present
Leo Cakounes	Present

Staff Present:

Jack Yunits, Jr.	County Administrator
Denise Bradford	Administrative Assistant

List of Documents:

- The Agenda for the March 2, 2016
- National County Government Month information
- National County Government Month proclamation
- Proposed excise tax revision ordinance
- Resolution 16-02 for ratification
- Mercy Otis Warren request and information
- Mercy Otis Warren request signature page
- South Shore Race Management information
- South Shore Race Management Request Memo
- Weekly Actions Taken by the County Administrator for the period of February 10 - 26, 2016

Commissioner Flynn called the meeting to order at 1:00 p.m.

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

Commissioner Lyons appeared at 1:05 pm.

1. Public Comment

There was no public comment.

2. General Business

- a. Introduction of the new County Administrator, John Yunits.

Mr. Yunits introduced himself and thanked the Board of Commissioners for the opportunity to work on behalf of the County and said he was looking forward to working with them.

- b. Proclamation of April 2016 as National County Government Month.

Commissioner Flynn read the Proclamation.

Commissioner Cakounes moved to execute the proclamation of April 2016 as National County Government Month as presented; 2nd, Commissioner Lyons. The motion passed unanimously, 3-0-0.

Commissioner Lyons noted that March was National Social Worker Month.

- c. Review and Approval of Proposed Ordinance 16-__ Specific to a Proposed Increase in the County Deeds Excise Tax in the Amount of .018/\$500.00 or \$0.36/\$1,000.00 of Stated Value.

Commissioner Cakounes read the Ordinance.

Commissioner Lyons moved to approve and to forward to the Assembly Of Delegates Proposed Ordinance 16-, to be numbered, Specific to a Proposed Increase in the County Deeds Excise Tax in the Amount of .018/\$500.00 or \$.36/\$1,000.00 of Stated Value as presented; 2nd, Commissioner Cakounes. The motion passed, 2-1-0 (Commissioner Cakounes was the opposing vote).

It was noted by Commissioners Lyons and Flynn that state regulations allow the Board to increase the tax to a certain amount. The County had not reached the maximum.

Commissioner Flynn noted that it was the Board's obligation to ensure that the County was fiscally sound.

- d. Ratify Resolution 16-02 approving the \$5,478.00 decrease from the Match to Grants Resource Development account 0011104 5498 and the increase of \$5,400.00 to the Salary Match Pathways Internship Grant account 0011101 5101 0205 and the increase of \$78.00 to the Medicare Match Pathways Internship Grant Account 0011109 5984 0205.

Commissioner Flynn read the Resolution.

Commissioner Cakounes moved to approve Resolution 16-02, a budget transfer request by the Resource Development office which would decrease line item number 0011104 5498, Match to Grants, by \$5,478.00 and increase by \$5,400.00 line item number 0011101 5101 0205, Salary Match Pathways Internship Grant account, and increase line item number 0011109 5984 0205, Medicare Match Pathways Internship Grant account, by \$78.00; 2nd, Commissioner Lyons.

Commissioner Cakounes stated that the Board had already approved Resolution 16-02 and that it went to the Assembly, which also approved it. The Board's purpose at this meeting [per the County Charter] was to ratify Resolution 16-02.

The motion passed unanimously, 3-0-0.

- e. Request by the Mercy Otis Warren Woman of the Year Selection Committee for a \$500 Awards Appropriation.

Commissioner Cakounes moved to approve the request by the Mercy Otis Warren Woman of the Year Selection Committee and instruct the Administrator to fulfill the agreed upon commitments within the memorandum of understanding executed in 2016; 2nd, Commissioner Lyons.

Commissioner Cakounes noted that last year money was not given to the Mercy Otis Warren Committee, because the mechanism was not in place to give the award. In July of 2015, after the awards were submitted, Counsel drafted a memorandum of understanding that provided this mechanism. Therefore, this was not a donation to the Mercy Otis Warren Committee. He noted that this group provides services to the County and this action was part of the reimbursement to them. The County Administrator's duty was to ensure that the Memorandum of Understanding, a one-year agreement, had to be executed every year in July.

The motion passed unanimously, 3-0-0.

- f. Request by South Shore Race Management to use the Superior Courthouse Parking Lot on the Evening of May 19th.

Commissioner Cakounes moved to approve the request by South Shore Race Management for the use of the Superior Court grounds on the evening of May 19, 2016 subject to all of the requirements in the Barnstable County Use Policy; 2nd, Commissioner Lyons.

Commissioner Cakounes said that the SSRM request includes pick up of trash and portable toilets. Mr. Tebo supported stated that the County needed to use a form and clarify in the Grounds Use Policy the position on who can use the parking lot.

The motion passed unanimously, 3-0-0.

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

There was no new business.

4. Commissioners' Actions

- a. Vote to approve the regular session meeting minutes of February 3, 2016.
- b. Vote to approve the executive session meeting minutes of February 3, 2016.

It was noted that these items were not yet submitted and ready for approval.

- c. 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).

Commissioner Cakounes moved to approve and execute the following items under summary of action: numbers 1-4 and numbers 12-34; 2nd, Commissioner Lyons. The motion passed unanimously, 3-0-0.

Commissioner Lyons made the motion to approve and execute items 5-11 listed under the Summary of Actions; 2nd, Commissioner Lyons.

Commissioner Cakounes said that these Cape Light Compact (CLC) items are those for which the Board is a fiscal agent and that he has an issue in executing this type of document. The County Administrator before Board meetings did not review the documents, per past practice. He understood that the CLC attorneys, Board and Executive Director reviewed the contracts. Commissioner asked Mr. Yunits, to review these in advance from

hereon. Mr. Yunits said there would be a meeting on March 17, 2016 with the CLC and County Counsel. Mr. Cakounes said the term “collectively” suggests liability.

Motion carried 2-1-0 (Commissioner Cakounes was the opposing vote).

Summary of Actions

CONTRACTS

1. Execute the Contract between Barnstable County (Resource Development Office) and the Town of Harwich in the amount of \$79,980.00 for the management of the Town of Harwich’s FY17 Human Services Grant for the period of February 22, 2016 – June 30, 2017.
2. Execute the Contract between Barnstable County (Board of Commissioners’ office) and the Cape Cod Oyster Company in the amount of \$49,500.00 per million for up to 12 million of not less than 12mm oyster (*Crassostrea virginica*) singles seed for the period ending June 1, 2016.
3. Execute the Written Agreement for a HOME down payment and closing cost loan for Kaitlyn McCabe in the amount of \$10,000.00.
4. Execute the Written Agreement for a HOME down payment and closing cost loan for O’Neal and Sheila Hayles in the amount of \$12,000.00.
5. Ratify the execution of the 1st Amendment to the Contract between Barnstable County, serving as the Fiscal Agent for the Cape Light Compact, and Synapse Energy Economics, Inc., by the County Administrator, in the amount of \$15,000.00 (the value of the Amendment with the contract totaling \$78,000.00) for forward capacity market (FCM) services for the period of October 1, 2015 – December 31, 2015 (1st Amendment changes are to Section 4, Payments and Credits).
6. Execute the 1st Amendment to the Contract between Barnstable County, serving as the Fiscal Agent for the Cape Light Compact, and CLEAResult East Operating, LLC in the amount of \$63,200.00 for residential energy efficient heating, ventilation and air conditioning (HVAC) via the Cool Smart Program for the period of January 1, 2016 – December 31, 2016 (1st Amendment changes are to Exhibit B, Section 3 and Section 30(d) relative to the new Non-Disclosure Agreement).
7. Execute the 1st Amendment to the Contract between Barnstable County, serving as the Fiscal Agent for the Cape Light Compact, and The Cadmus Group, Inc. in the amount of \$90,000.00 for marketing and education services of the Lighting and Products Program for the period of January 1, 2016 to December 31, 2016 (1st Amendment changes are to Exhibit B, the addition of Exhibit F, and Section 30(d) relative to the new Non-Disclosure Agreement).
8. Execute the 2nd Amendment to the Contract between Barnstable County, serving as the Fiscal Agent for the Cape Light Compact, and Synapse Energy Economics, Inc. in the amount of \$64,620.00 (value of the Amendment and the total 2016 budget) for ISO New England Forward Capacity Market (FCM) Services for the period of January 1, 2016 – June 30, 2016 (2nd Amendment changes are to update the current three-year plan [2016 – 2018], contract terms and budget).
9. Execute the 1st Amendment to the Contract between Barnstable County, serving as the Fiscal Agent for the Cape Light Compact, and Synapse Energy Economics, Inc. in the

amount of \$153,120.00 (value of the amendment and the total 2016 budget) for technical assistance and related services as part of the Energy Efficiency Plan for the period of January 1, 2016 – June 30, 2016 (1st Amendment changes are to update the reference to the new three-year Energy Efficiency Plan, contract term and budget).

10. Execute the Contract between Barnstable County, serving as the Fiscal Agent for the Cape Light Compact, and Rise Engineering in the amount of \$11,843,081.00 (value of the program year services) for lead vendor for residential home energy efficiency services for the contract period of January 1, 2016 – December 31, 2018.
11. Execute the Contract between Barnstable County, serving as the Fiscal Agent for the Cape Light Compact, and the Weidt Group, Inc. in a pricing matrix expected to exceed \$25,000.00 for the commercial, industrial, new construction program for the period of February 1, 2016 – December 31, 2017.

APPOINTMENTS

12. Approve the request from Barnstable County (Department of Human Services) to appoint Laura Shufelt as the Representative for the Town of Barnstable to the HOME Consortium for a three-year term ending January 31, 2019.

BID AWARDS

13. Ratify the award of the bids for Barnstable County Golf Course Materials and Services by the County Administrator to the following vendors as the responsive, responsible bidders offering the lowest prices as follows:

- | | |
|-------------------------------|----------------------------|
| i. Valley Green | v. Hart Seed |
| ii. Residex | vi. Harrells |
| iii. Winfield Solutions | vii. Pennington Seed |
| iv. Site One Landscape Supply | viii. The Cardinals |
| | ix. Atlantic Golf and Turf |

14. Ratify the award of the bids for the Supply and Delivery of Gas and Diesel Fuel by the County Administrator to the following vendors as the responsive, responsible bidders offering the lowest prices as follows:

- i. Noonan Brothers
- ii. Petroleum Traders Corporation
- iii. Peterson Oil Service, Inc.
- iv. MJT Enterprises, Inc. d/b/a Cape Cod Oil
- v. Diesel Direct

TRANSFER REQUESTS

15. Ratify the approval by the County Administrator, per the request from the Finance Department, to transfer the following ACH payments, totaling \$349,869.00 to the Cape Cod Municipal Group for the month of March 2016:

OTHER

16. Execute the discharge of the HOME mortgage for L. Swenson in the amount of \$10,000.00.

17. Approve the request by the Resource Development Office for all members of the Board of Commissioners to approve and sign the AmeriCorps Cape Cod Certificates of National Service for 31 graduating AmeriCorps members.

CHAIR ONLY

18. Execute Certificate for Dissolving Betterments for John E. Cummings.
19. Execute Certificate for Dissolving Betterments for Thomas J. Perry and Deborah L. Perry.
20. Execute Certificate for Dissolving Betterments for Keith W. Bradley, Trustee, The Broadmeadow Realty Trust, u/d/t/ dated August 3, 2004.
21. Execute Certificate for Dissolving Betterments for John E. Cummings.
22. Execute Certificate for Dissolving Betterments for Thomas J. Perry and Deborah L. Perry.
23. Execute Certificate for Dissolving Betterments for Christopher J. Pine and Jeanne L. Azarovitz.
24. Execute Certificate for Dissolving Betterments for Jacques Sylvestre and Viegela Sylvestre.
25. Execute Certificate for Dissolving Betterments for John E. Austin, Jr. and Christine M. Austin.
26. Execute Certificate for Dissolving Betterments for Robert B. Thompson and Cynthia H. Thompson
27. Execute Certificate for Dissolving Betterments for John H. Garbitt, Sr., Katie E. Garbitt a/k/a Katie E. Holmes and Eunice E. Garbitt.
28. Execute Certificate for Dissolving Betterments for Sheldon B. Segerman, Trustee, and The Marc R. Segerman Payback Trust, as amended u/d/t/ dated May 22, 2006.
29. Execute Certificate for Dissolving Betterments for Execute Certificate for Dissolving Betterments for David P.A O'Connor and Suzanne A. LaVallee.
30. Execute Certificate for Dissolving Betterments for Patricia R. Senville, Christine Landry, Melissa Rieck a/k/a Melissa J. Farley, Cynthia Mandeville a/k/a/ Cynthia Mandevil.
31. Execute Certificate for Dissolving Betterments for Beryl Edith Dubay.
32. Execute Certificate for Dissolving Betterments for Carolyn P. Perry.
33. Execute Certificate for Dissolving Betterments for Donna L. Bigelow.
34. Execute Certificate for Dissolving Betterments for Leon Taylor and Amy E. Taylor.

ACTIONS TAKEN BY THE COUNTY ADMINISTRATOR

5. Commissioners' Reports

- Commissioner Lyons noted that there would be a Substance Abuse Task Force meeting on March 3, 2016. It was helping to building coalitions in towns. She commended Wellfleet for its efforts with substance abuse. She noted too similar activities in Yarmouth and Falmouth.
- Commissioner Flynn also commended local towns in their substance abuse efforts and noted recent literature she had read on substance abuse, with the topic of substance abuse being a huge medical issue with irreversible brain damage.
- Commissioner Cakounes said that the Board place on the agenda as soon as possible the goals and objectives for the new county administrator as noted in his contract, and for the new County Administrator to review the 2011 MMA Group's document on the restructuring of County

government. Commissioner Flynn said that the Board had agreed to give the County Administrator a couple of weeks to give the County Administrator time to assess plans and to form goals and objectives.

6. County Administrator's Report

Mr. Yunits said that he had met with many County Department heads with the goals of unifying and improving communications. He said he was working with Ms. Marczak of Human Resources to draft relative goals and objectives by next week. The Cape Light Compact meeting was pushed out to March 17, 2016, because Counsel was not available. He also said he was working with Ms. McIsaac on this topic, because the technical obligations of fiscal agency are important to the Finance Department. Finally, he said he had visited the Fire Rescue and Training Academy with Mr. Tebo and is looking forward to working on resolving issues as quickly as possible.

Commissioner Lyons made this motion to adjourn the meeting; 2nd, Commissioner Cakounes. Motion passed 3-0-0. The motion passed unanimously, 3-0-0.

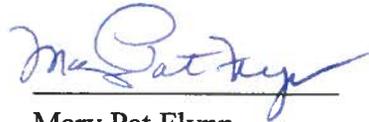
Respectfully Submitted,
Denise Bradford, Administrative Assistant

Attest:



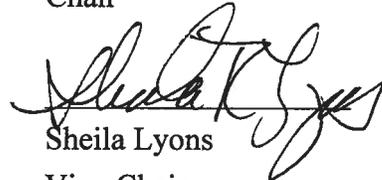
County Clerk

The foregoing records have been read and approved.



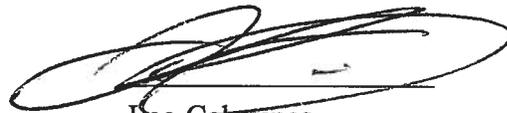
Mary Pat Flynn

Chair



Sheila Lyons

Vice-Chair



Leo Cakounes

Commissioner