

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

At the regular meeting of the County Commissioners held in the Superior Courthouse in Barnstable, on the twenty-sixth day of July, A.D. 2017.

Board of the Barnstable County Commissioners:

Ronald R. Beaty	Absent
Leo G. Cakounes	Present
Mary Pat Flynn	Present

Staff Present:

Jack Yunits	County Administrator
Steve Tebo	Interim Assistant County Administrator
Owen Fletcher	Executive Assistant, Administration
Mary McIssac	Director of Finance/Treasurer

1. Call to Order

Chairman Cakounes called the meeting to order at 11:00 a.m.

2. Pledge of Allegiance

3. Moment of Silence

4. Public Comment

No public comment was offered.

5. Approval of Minutes

a. Regular Meeting of July 12, 2017

Motion by Commissioner Flynn to approve minutes of the Regular Session Meeting of July 12, 2017 as presented, 2nd By Commissioner Cakounes, approved 2-0-0.

b. Regular Meeting of July 19, 2017

Motion by Commissioner Flynn to approve minutes of the Regular Session Meeting of July 19, 2017 as presented, 2nd By Commissioner Cakounes, approved 2-0-0.

6. General Business

a. Report from Chairman updating the status of Executive Session Minutes Review for release (including minutes related to recent litigation with the Town of Barnstable)

Commissioner Cakounes reported to the Board that he was working on Executive Session Minutes Review. Some minutes have been released in years past. He stated that currently, he was working on a review of minutes related to the lawsuit with Barnstable Township. He informed the Board that these minutes had been forwarded to counsel, who advised that they not be released now due to their relationship to the settlement of that case.

b. Discussion on Emergency Action related to Flood Damage to the County Complex (votes may be taken ratifying previous action)

Chairman Cakounes reminded everyone that this item has been and will continue to be put on the agenda until this process is completed. He gave an update of the situation, stating that the Superior Courthouse was still running on generator power. He discussed a waiver given to the County by the State's Division of Capital Asset Management and Maintenance (DCAMM) related to the emergency. Mr. Yunits also gave a short update regarding what may be done to make Eversource move faster to remedy the situation.

- c. Proposed Ordinance 17-__ Adding to the County's Fiscal Year 2018 Operating Budget, as enacted in Ordinance 17-04, by making supplemental appropriations in the amount of \$245,000.00, from the Statutory Reserve Fund and the Capital Trust Fund, to be expended for settlement obligations related to Town of Barnstable V. Barnstable County, and storm-related damages to the County Complex on July 7, 2017**

Motion by Commissioner Flynn to approve and forward to the Assembly of Delegates Proposed Ordinance 17-__ (to be numbered) adding to the County's Fiscal Year 2018 Operating Budget, as enacted in Ordinance 17-04, by making a supplemental appropriation in the amount of \$245,000.00 from the Statutory Reserve Fund and Capital Trust Fund to be expended for the settlement obligations related to Town of Barnstable vs Barnstable County and Storm related damages to the County Complex on July 7, 2017 as presented, 2nd By Commissioner Cakounes, approved 2-0-0.

Mr. Yunits and Ms. McIsaac spoke to the Board regarding this item. Mr. Yunits detailed many of the costs associated with the settlement of the lawsuit, including: reclamation systems; changing filters; residual expenses to needing to be paid to NStar and; testing for perfluorooctane sulfonate (PFOS). Mr. Yunits also spoke regarding the work of Tom Cambareri, Water Resources Program Manager at the Cape Cod Commission, to reduce the number of tests required to reduce costs. Chairman Cakounes also stressed that the ordinance is needed to effectively deal with the settlement, interest on the same, paying for filters, and other obligations to the Town of Barnstable. Mr. Yunits informed the Board that Mr. Tebo anticipated at least \$45k in costs related to flood damage. Finally, Mr. Yunits spoke regarding preparations to avoid such damage in the future, a possible insurance claim for the costs of using the generator, and obtaining insurance for County property in Orleans.

7. New Business – Other business not reasonably anticipated by the Chair

- a. Discussion of and response to an Open Meeting Law Complaint filed by Commissioner Beaty against the Barnstable County Commissioners on July 25, 2017**

Chairman Cakounes read the following into the record The Commissioners are in Receipt of an Open Meeting Law (OML) Complaint filed on July 25, 2017 at 10:22 P.M. In response to the Complaint the following action will be taken.

The Chair acknowledges receipt of the OML Complaint and requests the Records Access Officer to produce all pertinent records and forward them to the Commissioners and Counsel for review. Given the time frame, it seems prudent to place the Complaint on the Agenda for the next meeting of the Commissioners and

also to schedule an Executive Session to review Minutes of Executive Sessions to vote outstanding Draft session minutes and furthermore determine whether they, all or in part, should be encumbered or made public. My intentions this will demonstrate to the Supervisor of Public Records that we are carefully following the statute in order to make an appropriate response to the Complaint.”

8. Commissioners’ Actions

a. Authorizing a Proclamation designating September 10, 2017 through September 16, 2017 as “Suicide Prevention Awareness Week” in Barnstable County

Motion by Commissioner Flynn to approve a Proclamation designating September 10, 2017 through September 16, 2017 as “Suicide Prevention Awareness Week” within Barnstable County, as presented, 2nd By Commissioner Cakounes, approved 2-0-0.

Sunny Lee Jones of Chatham, Co-Chair of the Cape & Islands Suicide Prevention Coalition, spoke regarding her personal and family experiences with suicide. Both Commissioner Cakounes and Commissioner Flynn stressed the importance of awareness of this issue and stressed what others could do to see the signs that someone is in trouble.

b. Authorizing the Approval of a Grounds Request from the American Cancer Society on October 15, 2017 for its Annual Making Strides Against Breast Cancer Event

Motion by Commissioner Flynn to approve a request for the use of the County Complex Grounds from the American Cancer Society on October 15, 2017 for its “Annual Making Strides Against Breast Cancer” Event, subject to the terms and conditions set forth within the County Use Policy, including yet not limited to, insurance, post event clean up, and another provision set forth by the Interim Assistant Administrator / Facilities Director as presented, 2nd By Commissioner Cakounes, approved 2-0-0.

c. Authorizing the Approval of a Grounds Request from the Cape & Islands Suicide Prevention Coalition to use of the front lawn of the Superior Courthouse on September 14, 2017 for an Annual Ribbon Ceremony

Motion by Commissioner Flynn to approve a request for the use of the County Complex Grounds from the Cape and Island Suicide Prevention Coalition for the use of the front lawn of the Superior Court House on September 14, 2017, subject to the terms and conditions set forth within the County Use Policy, including yet not limited to, Insurance, post event clean up and another provision set forth by the Assistant Administrator / Facilities Director as presented, 2nd By Commissioner Cakounes, approved 2-0-0.

Ms. Jones spoke in greater detail about the event.

- d. Authorizing the Execution of a Contract with Segal Consulting, to provide actuarial services to the municipal retirement systems member units of Cape Cod and the Islands, for a period of four years from execution**

Motion by Commissioner Flynn to execute a Contract with Segal Consulting to provide actuarial services to the Municipal Retirement System Member Units of the Cape Cod and Islands, for a period of Four years from time of execution as presented, 2nd By Commissioner Cakounes, approved 2-0-0.

Mr. Yunits and Ms. McIsaac spoke regarding the firm, which the County has previously used, and the bid process.

- e. Authorizing the Execution of a Discharge of HOME Mortgage, acting by and through the Cape Cod Commission, for Paul C. Carreiro**

Motion by Commissioner Flynn to execute the Discharge of a HOME Mortgage, acting through the Cape Cod Commission, for Paul C. Carreiro as presented, 2nd By Commissioner Cakounes, approved 2-0-0.

9. Commissioners' Reports

Mr. Cakounes gave a report on the Cape & Vineyard Electric Cooperative's approval to be a Partial Intervener by the Department of Public Utilities (DPU) DPU reviewing the new rates and programs proposed by Eversource. He stressed that towns could be effected by the new vote through net metering for the town budgets, and that this could affect values up to 405, after a 205 – 305 effects seen in the last year.

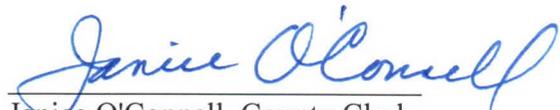
10. County Administrator's Report

Mr. Yunits spoke about the AmeriCorp and Public Safety graduations schedule for the next day, and the work still being done on Safety Policy in the Health Lab. He mentioned an upcoming visit to a lab in Provincetown, and another upcoming meeting about Dredges in Plymouth.

11. Adjournment

Barnstable, ss. at 11:27 a.m. on this nineteenth day of July, A.D. 2017, Commissioner Flynn made a motion to adjourn, 2nd by Commissioner Cakounes, approved 2-0-0

Attest:



Janice O'Connell, County Clerk

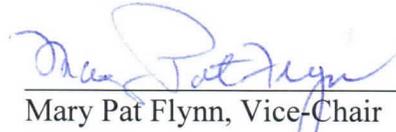
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Date

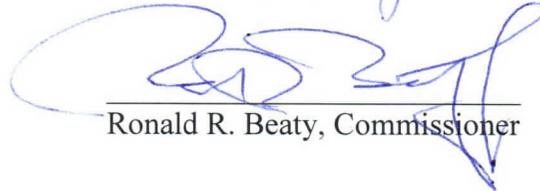
The foregoing records have been read and approved.



Leo G. Cakounes, Chair



Mary Pat Flynn, Vice-Chair



Ronald R. Beaty, Commissioner

08/03/2017

Date