

*COMMONWEALTH OF MASSACHUSETTS*

Barnstable, ss.

At the regular meeting of the County Commissioners held in the Superior Courthouse in Barnstable, on the second day of August, A.D. 2017.

**Board of the Barnstable County Commissioners:**

Ronald R. Beaty	Present
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
Greg Berman	Coastal Processes Specialist, Cape Cod Cooperative Extension
Julie Ferguson	Director, Resource Development Office
Shannon Jarbeau	CRS Coordinator, Cape Cod Cooperative Extension
David Murphy	Assistant Register of Deeds, Registry of Deeds
Bobbi Moritz	RDO Officer, Resource Development Office
Paul Tucker	Instructor, County Fire & Rescue Training Academy

**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. General Business**

**a. Reports from Shannon Jarbeau, Community Rating System & Floodplain Coordinator, and Greg Berman, Coastal Processes Specialist, of the Cape Cod Cooperative Extension, on their attendance at the Beaches Conference in Wells, ME on July 14, 2017**

Ms. Jarbeau spoke about the conference. She explained that the conference happened every couple of years and detailed that the purposed was to share information with States to the north and share information on how they are managing their shorelines. She also spoke about a document that the Cape Cod Cooperative Extension (CCCE) put together, as well as regarding Sea Grant funding and our grant counterparts. She informed the Commissioners that the conference was well attended and lasted multiple days, in response to questions from Commissioners Cakounes and Beaty. Commissioner Cakounes highlighted the need to look at grants closely in FY19 if they contain requirements for matching funds before the commissioners approve them. Mr. Berman explained that the CCCE works with our Resource Development Office on the 50% match for the grant and that it covers 100% of the overhead.

**b. Discussion and update on a proposed County Early Retirement Incentive Program (official action may be taken)**

Mr. Yunits updated the Commissioners on the program. He informed them that a working group comprised of Mary McIsaac, Paul Niedzwiecki, Steve Tebo, and himself were looking at the issue. He explained that they would meet one more time to examine: potential issues with back filling, producing a transitional plan,

legislative strategy, future rehires, additional policies and potential savings. In response to concerns raised by Commissioner Flynn, Mr. Yunits assured the Commissioners that there would be an actuarial review covering the next ten years and that this plan would hopefully ensure that there would be no need for layoffs.

**c. Discussion and update on the status of the new County Dredge**

Mr. Yunits and Mr. Tebo discussed the contract for the new Dredge with the Board. They explained that the County executed the contract last September and that it should have been delivered by now. They detailed that the Dredge was being assembled in Fairhaven but that the assembly was behind schedule. They also informed the Board that parts were being inspected, and that two or three more parts were required.

**d. Discussion on authorizing a possible amendment to a contract with Ellicott Dredges LLC, for the supply and delivery of a new dredge, in the amount of \$1,897,500.00, extending the time of performance from July 18, 2017 through a date to be determined (official action may be taken)**

*Motion by Commissioner Beaty to authorize the execution of an amendment to a contract with Ellicott Dredges LLC for the supply and delivery of the New Dredge, extending the "Time of Performance" in the original contract from July 18, 2017 to August 28, 2017 with penalty or fine imposed on Ellicott Dredges negotiated by the County Administrator, staff, and County Counsel as they deem appropriate, 2<sup>nd</sup> by Commissioner Flynn, approved 3-0-0.*

Mr. Yunits explained the need to extend the contract. Commissioner Cakounes stressed that there must be clear limits on the amount the time of performance would be extended. He expressed his concern that eventually the County would lose money if the Dredge was not operational.

**e. Discussion on establishing a process to name the new County Dredge (official action may be taken)**

*Motion by Commissioner Beaty to authorize staff to proceed as outlined with the Public input and contest of "Naming of the Dredge", including yet not limited to, establishing a time frame, establishing contest criteria, setting a dedication and blessing event date, 2<sup>nd</sup> by Commissioner Flynn, approved 3-0-0.*

Mr. Tebo detailed a proposed process for involving the public in naming the new Dredge. He suggested that: the names must be related to Cape Cod; ten names should be picked as finalists, there be sufficient community involvement and; announcements in the press. There was a discussion regarding a possible timeframe as well.

**f. Discussion on emergency action related to flood damage to the County Complex (votes may be taken ratifying previous action, or to authorize further action)**

Mr. Tebo reported to the Board that the County received a waiver on certain bid protocols from the Massachusetts Division of Capital Asset Management and Maintenance (DCAMM) to speed up the process. He also explained that the process would no longer take a month. He further detailed that the Superior Courthouse was still running on round the clock generator power. Mr. Yunits informed the Commissioners that he was exploring options for the County to file a loss of business claim with Maya Insurance Agency.

**6. New Business; Other business not reasonably anticipated by the Chair**

**7. Commissioners' Actions**

**a. Authorizing the approval of the Timesheet for Jack Yunits, County Administrator, for the period of July 9, 2017 through July 22, 2017**

*Motion by Commissioner Beaty to approve the Timesheet for Jack Yunits, County Administrator, for the period of July 9, 2017 through July 22, 2017 as presented, 2<sup>nd</sup> by Commissioner Flynn, approved 3-0-0.*

**b. Authorizing the reappointment of Paul Lagg, as the Town of Eastham's Representative on the HOME Consortium Advisory Council, for a term through June 30, 2019**

*Motion by Commissioner Beaty to appoint Paul Lagg to the HOME Consortium Advisory Board as the Representative from the Town of Eastham for a term to expire June 30, 2019 as presented, 2<sup>nd</sup> by Commissioner Flynn, approved 3-0-0.*

**c. Authorizing the Execution of Certificates for Dissolving Septic Betterments**

*Motion by Commissioner Beaty to authorize the Chair to execute Certificates of Dissolving Septic Betterments as presented, 2<sup>nd</sup> by Commissioner Flynn, approved 3-0-0.*

**8. Commissioners' Reports**

Mr. Cakounes spoke regarding testifying on rate changes and energy credits. He also spoke regarding attending an upcoming forum on dredging.

## 9. County Administrator's Report

Mr. Yunits spoke regarding the upcoming meeting on dredging as well.

## 10. Executive Session

- a. **Executive Session to review and approve minutes for Executive Sessions held on the following dates: March 2, 2016; June 29, 2016; July 20, 2016; August 25, 2016; November 16, 2016; December 30, 2016; June 28, 2017; as well as on other relevant dates; which were entered pursuant to Massachusetts General Laws, M.G.L. c. 30A § 21 (a)(3); as well as to determine whether the non-disclosure of those minutes is warranted (the Board will reconvene in Open Session, and official actions, including votes, may be taken)**

*Motion by Commissioner Beaty, in pursuant to Massachusetts General Laws 30A Sec 21 (a) (3) to enter into executive session for the purpose to review and approve the following minutes of previous Executive Sessions, March 2, 2016; June 29, 2016; July 20, 2016; August 25, 2016; November 16, 2016; December 30, 2016; June 28, 2017 as well as other relative dates, furthermore to discuss and determine whether the Non-disclosure of these minutes is warranted. The Chair has determined that an Open Session will be detrimental to the position of the County relative to matters disclosed within these minutes. The board will be returning to Open Session for the purpose of reporting all action taken with in the Executive Session and Adjournment, 2<sup>nd</sup> by Commissioner Flynn*

### *ROLL CALL VOTE*

*Cakounes: Yes*

*Beaty: Abstain*

*Flynn: Yes*

Commissioners entered into Executive Session at 11:52 p.m. The Commissioners returned to Open Session at 12:20 p.m.

**The Chair read into record all votes taken in the Executives session. The following Executive minutes were approved and voted not to be released to the Public at this time due to ongoing litigation and negotiations: June 28, 2017; December 30, 2016 - November 16, 2016; August 25, 2016; July 20, 2016; June 29, 2017; March 2, 2016; and February 3, 2016. These minutes are all related to the Town of Barnstable vs Barnstable County relative to the Fire Training Academy and PFOS in Town wells.**

**11. Adjournment**

*Barnstable, ss. at 12:25 p.m. on this nineteenth day of August, A.D. 2017, Commissioner Beaty made a motion to adjourn, 2nd by Commissioner Cakounes, approved 2-0-0*

Attest:

  
Janice O'Connell, County Clerk

08/23/17  
Date

The foregoing records have been read and approved.

  
Leo G. Cakounes, Chair

  
Mary Pat Flynn, Vice-Chair

  
Ronald R. Beaty, Commissioner

08/23/17  
Date