

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

At the regular meeting of the County Commissioners held in the Superior Courthouse in Barnstable, on the eighth day of November, 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

Justyna Marczak Assistant Human Resources Director, Administrator

Owen Fletcher Executive Assistant, Administration

Julie Ferguson Director, Resource Development Office

Daniel Schell AmeriCorps Program Coordinator, Resource Development Office

Sean O'Brien Director, Health and Environment Department

Bob Collett Tobacco Control Division Program Director,
Health and Environment Department

Ian Roberts Technical Support Specialist, Information & Technology

1. Call to Order

Chairman Cakounes called the meeting to order at 10:07 A.M.

2. Pledge of Allegiance

3. Moment of Silence

4. Public Comment

Commissioner Cakounes detailed the procedures and policies of public comment.

Meaghan Mort of Marstons Mills read a statement from Lysetta Hurge-Putnam, Executive Director of Independence House, expressing concerns over Commissioner Beaty's online comments regarding the "MeToo" Twitter hashtag related to sexual harassment and assault. The statement also detailed various ways Independence House plans to provide services for victims.

Laurie Veninger of North Truro, a member of Indivisible Outer Cape, spoke regarding her feeling that Commissioner Beaty is specifically targeting her organization because of its response to his comments regarding the "MeToo" Twitter hashtag. She expressed concern with his use of online media while presenting himself as a County Commissioner. She also asked for an apology, and Commissioner Cakounes apologized on behalf of himself and the Board as a whole.

Stephanie Simpson of Mashpee, a retired social worker with professional experience related to sexual assault spoke. She argued that Commissioner Beaty's comments regarding the "MeToo" Twitter hashtag added to an environment which stigmatized victims. She suggested that the Commissioners be required to take educational courses to increase their sensitivity to these issues.

Laura Innis, of Hatchville spoke regarding her experiences as a victim of sexual abuse and stated that comments like those Commissioner Beaty made must stop.

Paige Riley of Brewster expressed that there should be more accountability for the behavior of Board members. She also expressed her disapproval with what she termed Commissioner Beaty's "continuing egregious behavior". She read a letter from Joan McDonnell of South Dennis asking for more Commissioner training. Commissioner Cakounes detailed the County policies already in place, all reviewed and passed recently, regarding these issues.

Grove Harris of Hyannis spoke regarding bullying, rape, and the human rights of women worldwide. She also spoke regarding successful programs in other countries, to address human rights abuses, including self-defense and efforts to increase self-esteem.

Peter Kenny of Yarmouth stated his support for the comments of the other individuals who spoke before regarding sexual harassment and assault. He also argued that the

Commissioners should take no action on an application by the Barnstable County Sheriff's Office requesting to participate in the Delegation of Authority Program pursuant to section 287(g) of the Immigration and Naturalization Act. He asked that the Commissioners simply let the Sherriff proceed with his plans without comment and argued that the Board had no jurisdiction over the Sherriff's Office.

5. Approval of Minutes

a. Special Meeting of October 5, 2017

Motion by Commissioner Beaty to approve the Special Meeting Minutes of October 5, 2017, 2nd by Commissioner Flynn, approved 3-0-0

b. Special Meeting of October 18, 2017

Motion by Commissioner Beaty to approve the Special Meeting Minutes of October 18, 2017, 2nd by Commissioner Flynn, approved 3-0-0

c. Regular Meeting of November 1, 2017

Motion by Commissioner Beaty to approve the Regular session meeting minutes of November 1, 2017, 2nd by Commissioner Flynn, approved 3-0-0

6. General Business

a. Presentation from the Cape Cod Commercial Fishermen's Alliance on and discussion regarding the creation of a buffer zone for midwater trawling for herring off the Cape Cod coastline

Motion by Commissioner Beaty to authorize the Chair to compose and execute a letter in support of the Cape Cod Fishermen's Alliance regarding the creation of a buffer zone for mid water trawling off the Cape Cod Coastline, 2nd by Commissioner Flynn, approved 3-0-0

Seth Rolbein, Director of the Cape Cod Fisheries Trust, spoke regarding challenges of overfishing of herring, as well as possible solutions to the problems those challenges cause. He asked for the support of the Board for the creation of a buffer zone for trawling. Commissioner Cakounes spoke about the history of County government's involvement with this issue, as well as about his own support for such solutions in the past.

b. Update on the Barnstable County AmeriCorps Cape Cod Program and discussion regarding program funding

Daniel Schell and Julie Ferguson presented to the Board, providing an update on the current year of the program. Ms. Ferguson, Mr. Schell, as well as the Board, highlighted the high return of alumni of the program to the Cape to live after completing their service. Ms. Ferguson also stressed the employment and educational opportunities provided by the program. Commissioner Beaty commented on the diversity of the program. Several program activities were discussed, and Ms. Ferguson detailed the process for applying for funding in the next cycle. Commissioner Beaty stressed how great it was that the program is so diverse. Commissioner Cakounes expressed concern concerning the County providing matching funding going forward. Commissioner Flynn spoke regarding the benefits of the program and her continued support in the future.

c. Discussion of a Pledge of Ethical and Professional behavior for all Barnstable County elected and appointed officials

Commissioner Cakounes expressed his opinion that everyone should sign the pledge. He detailed his coordination with the Assembly of Delegates and assured the Board that any pledge or policy would be reviewed by County Counsel before the Board acted on it. Both Commissioners Beaty and Flynn detailed their concerns with the pledge. Commissioner Cakounes clarified that the Board's ability to act should any person signing the pledge violate it was extremely limited.

d. Discussion of an official County response regarding an application by the Barnstable County Sheriff's Office requesting to participate in the Delegation of Authority Program pursuant to section 287(g) of the Immigration and Naturalization Act.

Motion by Commissioner Beaty to authorize the Chair to compose and execute a letter of Support of the Barnstable County Sheriff Departments application to participate in the Delegation of Authority Program pursuant to section 287(g) of the Immigration and Naturalization Act, 2nd by Commissioner Flynn, approved 3-0-0

Commissioner Cakounes read the following statement into the record.

Please be advised that the 287(g) program the Barnstable County Sheriff has agreed to take part in only deals with individuals who have been placed under arrest and held on bail, or without bail, and are found to have immigration issues. This program is designed specifically for jails and will give the Sheriff's Department training and access to U.S. Department of Homeland Security Immigration and Customs Enforcement (ICE) databases, so we can quickly determine an individual's immigration status.

Attached is a description of the program.

“The 287(g) program is about identifying criminality, not nationality.

All current 287(g) agreements operate under a jail enforcement model, which operates solely within the confines of a jail.

Under this model an alien must first be arrested by local law enforcement on other criminal charges and brought to the facility before any 287(g) Screening activity takes place.

The goal of this program is to enhance public safety by identifying aliens, lodging immigration detainees, and initiating removal proceedings by issuing charging documents on potentially deportable criminal aliens booked into the jail facility.”

The Board decided to support the application after a brief discussion

e. Discussion regarding County archives and records stored in the Superior Courthouse

Commissioner Beaty expressed his concern regarding the condition of archival records the County keeps. He detailed discussions with Mr. Tebo and Mr. O’Brien regarding the history of those records, and those generated by the County’s Water Quality Laboratory. Commissioner Cakounes suggested that the Board consider the possibility of digitizing the records as the Cape Cod Commission plans to do. There was a brief discussion regarding the potential issue of whether many of those records belong to County government or the Superior Court.

f. Ordinance 17-12, Establishing a District of Critical Planning Concern pursuant to the Cape Cod Commission Act in Eastham, Massachusetts.

Commissioner Cakounes noted that there was no opposition offered either in person or by letter at the public hearings held in Eastham, or at the Assembly of Delegates meetings.

Motion by Commissioner Beaty to approve Ordinance 17-12, the establishment of a District of Critical Planning Concern in pursuant to the Cape Cod Commission Act for the Town of Eastham, previously adopted by the Assembly of Delegates on November 1, 2017 as presented, 2nd by Commissioner Flynn, approved 3-0-0

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

8. Commissioners' Actions

- a. Authorizing the Approval of a Timesheet for Jack Yunits, County Administrator, for the period of October 15, 2017 through October 28, 2017**

Motion by Commissioner Beaty to the approve of the Timesheet for Jack Yunits, County Administrator, for the period of October 15, 2017 through October 28, 2017 as presented, 2nd by Commissioner Flynn, approved 3-0-0

- b. Authorizing the approval of Fiscal Year 2017 Emergency Closure Procedures**

Motion by Commissioner Beaty to the authorize the approval of the Fiscal Year 2018 Emergency Closure Procedures as presented, 2nd by Commissioner Flynn, approved 3-0-0

- c. Authorizing the Subordination of a HOME Mortgage for Mary McGrady on real estate located at 30 Mirasol Drive in the Township of Bourne**

Motion by Commissioner Beaty to the authorize the execution of the Subordination of a HOME Mortgage for Mary McGrady on Real Estate located at 30 Mirasol Drive in Bourne Mass. As presented, 2nd by Commissioner Flynn, approved 3-0-0

- d. Authorizing the execution of documents for a funding proposal to the Massachusetts Department of Public Health and Environment in the amount of \$150,000.00 for the Tobacco Control Program**

Motion by Commissioner Beaty to authorize the execution of related documents for the funding proposal to the Massachusetts Department of Public Health and Environment in the amount of \$ 150,000.00 for the Tabacco Control Program as presented, 2nd by Commissioner Flynn, approved 3-0-0

Mr. Collett explained the history of the County's involvement with the program and detailed its many successes.

- e. Authorizing the renewal of a contract with Grouper Design to provide marketing services to Children's Cove for the period of December 2, 2017 through December 1, 2018**

Motion by Commissioner Beaty to authorize the renewal of a contract with Grouper Design to provide marketing services to Children's Cove for a period of December 2, 2017 through December 1, 2018 as presented, 2nd by Commissioner Flynn, approved 3-0-0

9. Commissioners' Reports

Commissioner Cakounes informed the Board that he would meet with County Counsel after the meeting to get a report on properties located in Bourne and owned by the County. He promised to compile and provide a report to the Board on lease and title exam information for those properties soon.

Commissioner Beaty spoke regarding his attendance at a Plymouth County Commissioners' Meeting. He explained that they did not have a Home Rule Charter as Barnstable County does. He expressed his support for convening a meeting of the dormant Massachusetts Association of County Commissioners.

10. County Administrator's Report

Mr. Yunits detailed meetings he recently attended including a National Grid presentation, and a Town Manager's Association meeting

11. Adjournment

Barnstable, ss. at 12:25 p.m. on this eighth day of November, A.D. 2017, Commissioner Beaty made a motion to adjourn, 2nd by Commissioner Flynn, approved 3-0-0

Janice O'Connell, County Clerk

Janice O'Connell
Date

The foregoing records have been read and approved.

[Signature]
Leo G. Cakounes, Chair

Mary Pat Flynn
Mary Pat Flynn, Vice-Chair

[Signature]
Ronald R. Beaty, Commissioner

11/15/2017
Date