

*COMMONWEALTH OF MASSACHUSETTS*

Barnstable, ss.

At a regular meeting of the Barnstable County Board of Regional Commissioners, held in the Superior Courthouse in Barnstable, on the fifteenth day of August, A.D. 2018

**Board Regional 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/Director, Facilities  
Department

Owen Fletcher                      Executive Assistant, Administration

Mike Maguire                      Director, Cape Cod Cooperative Extension

Daniel Schell                      AmeriCorps Program Coordinator, Resource Development Office

Ian Roberts                      Technical Support Specialist, Information Technology

**1. Call to Order**

Chairman Cakounes called the meeting to order at 10:00 A.M.

**2. Pledge of Allegiance**

**3. Moment of Silence**

**4. Public Comment**

No members of the public offered comment.

## 5. Approval of Minutes

### a. Regular Meeting of August 8, 2018

*Motion by Commissioner Beaty to approve the regular meeting minutes of August 8, 2018 as presented, 2nd by Commissioner Flynn, approved 3-0-0*

## 6. General Business

### a. Discussion on authorizing the County Administrator to retain special counsel for issues related to County owned properties, pursuant to Section 2.3(c) of the Administrative Code of Barnstable County

*Motion by Commissioner Beaty to authorize the County Administrator to retain special counsel for issues related to County owned properties, pursuant to Section 2.3(c) of the Administrative Code of Barnstable County. Furthermore; the Commissioners wave estimate of costs of service as required in Section 2.3(c). This Authorization shall only pertain to legal services issues the County Counsel has recused himself from due to a perceived or real conflict of interest, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

Chairman Cakounes explained the need for Board action on this item. He noted that Robert S. Troy, Esq. of Troy Wall Associates, County Counsel, is also the Town Counsel for the Township of Bourne. He also explained that Mr. Troy has recused himself from representing either body in matters relating to County owned properties in the Township of Bourne. The Board discussed the possible costs of retaining special counsel. In response to fiscal concerns raised by Commissioner Beaty, Mr. Yunits addressed the Board on the process for retaining such counsel. Chairman Cakounes also explained that Section 2.3(c) also requires quarterly reporting and the costs will be minimal. The Board also discussed various issues regarding the properties.

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

The Chairman initially announced there was no other business he had not reasonably anticipated. However later in the meeting, during the County Administrator and Staff Reports, Mr. Tebo requested a vote of the Board to authorize the County Administrator to execute an emergency dredging agreement with the Town of Chatham. The Board discussed the necessity authorize the County administrator to execute the contract so that work could begin immediately if required without waiting for the next Board of Commissioners' Meeting.

*Motion by Commissioner Beaty to authorize the County Administrator to execute an emergency cooperative agreement with the Town of Chatham to do and perform dredge related work, 2nd by Commissioner Flynn, approved 3-0-0*

## 8. Commissioners' Actions

- a. Authorizing the approval of a grounds request from Harbor to the Bay Inc. to use the County Complex Parking Lot on September 15, 2018 in conjunction with the 16th Annual Harbor to the Bay Aids Benefit Bike Ride**

*Motion by Commissioner Beaty to authorize the approval of a grounds request from Harbor to the Bay Inc. to use the County Complex Parking Lot on September 15, 2018 in conjunction with the 16th Annual Harbor to the Bay Aids Benefit Bike Ride, subject to the County Use Policy, including yet not limited to, proof of insurance, post event clean-up, and any other provisions set forth by the Facilities Director/Assistant County Administrator, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

- b. Authorizing the approval of ten (10) advance vacation days, requiring supervisor approval, to Meredith Ballinger, Alexander Bates, and Andrew Platt, grant-funded staff, within the AmeriCorps Cape Cod Program Year from August 15, 2018 through August 14, 2019**

*Motion by Commissioner Beaty to authorize the approval of ten (10) advance vacation days, requiring supervisor approval, to Meredith Ballinger, Alexander Bates, and Andrew Platt, grant-funded staff, within the AmeriCorps Cape Cod Program Year from August 15, 2018 through August 14, 2019, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

Mr. Schell answered questions from the Board. Chairman Cakounes explained the reasoning behind the request, noting that under the County's general policy, employees accrue vacation time throughout their first year. Mr. Schell explained that without the Board approving this exception the effected employees, who are only employed through the program year, would not be able to take vacation.

- c. Authorizing the approval of a "No Pay Out Clause" for all departing AmeriCorps Cape Cod grant-funded staff in July, without receiving a time payout if not used with prior appropriate approval within the Program Year**

*Motion by Commissioner Beaty to authorize the approval of a "No Pay Out Clause" for all departing AmeriCorps Cape Cod grant-funded staff in July, without receiving a time payout if not used with prior appropriate approval within the Program Year, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

Mr. Schell again explained the need for this item due to the special status of the employees involved.

- d. Authorizing the approval of a waiver to the Massachusetts Residency Requirement for Barnstable County Employees for Meredith Ballinger and**

**Alexander Bates, Program Supervisors, for the 2018-2019 AmeriCorps Cape Cod Program Year**

*Motion by Commissioner Beaty to authorize the approval of a waiver to the Massachusetts Residency Requirement for Barnstable County Employees for Meredith Ballinger and Alexander Bates, Program Supervisors, for the 2018-2019 AmeriCorps Cape Cod Program Year, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

The Board discussed the general background of the County's residency requirement.

- e. Authorizing the creation of a new fund for a cooperative agreement with the Massachusetts Service Alliance for a grant to implement and oversee the Cape Cod AmeriCorps Program, in the amount of \$357,472.00 for a period from August 15, 2018 through August 14, 2019**

*Motion by Commissioner Beaty to authorize the creation of a new fund for a cooperative agreement with the Massachusetts Service Alliance for a grant to implement and oversee the Cape Cod AmeriCorps Program, in the amount of \$357,472.00 for a period from August 15, 2018 through August 14, 2019, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

- f. Authorizing the renewal of a contract with Housing Assistance Corporation, to administer the Barnstable County HOME Consortium's Down Payment and Closing Cost (DPCC) Program, for a period from September 21, 2018 through September 20, 2019**

*Motion by Commissioner Beaty to authorize the renewal of a contract with Housing Assistance Corporation, to administer the Barnstable County HOME Consortium's Down Payment and Closing Cost (DPCC) Program, for a period from September 21, 2018 through September 20, 2019, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

The Board discussed the reasoning behind the use of the Housing Assistance Corporation. Mr. Yunits addressed the Board on this issue.

- g. Authorizing the execution of Certificates for Dissolving Septic Betterments**

*Motion by Commissioner Beaty to authorize the Chair to execute Certificates for Dissolving Septic Betterments, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

**9. Commissioners' Reports**

Chairman Cakounes noted his upcoming presentation at the Plenary Luncheon at the Fifth OneCape Summit: Building Environmental, Economic and Community Resilience. He also

reported on his work on issues regarding County owned properties in the Town Bourne, and with Tales of Cape Cod regarding planning for a possible upcoming event.

## 10. County Administrator and Staff Reports

Mr. Yunits reported on his recent meeting with the Hyannis Civic Association on town wells. The Board also discussed the County's proposed legislation establishing an Early Retirement Incentive Program.

Mr. Maguire reported to the Board regarding his efforts with the Cape Cod Commission and the County's Health and Environment Department to obtain a Seaport Grant.

Mr. Tebo reported to the Board on dredging issues in the Town of Chatham. He also spoke regarding the possibility of a large dredging project in the Town of Barnstable Dredging that could affect the 2018 dredging schedule. Mr. Tebo requested the Board return to Item 7 on the agenda to address a newly emerged dredging issue.

There was a discussion regarding the old AmeriCorps house being under a Town Fire Department order to board up.

*Motion by Commissioner Beaty to return to Agenda Item 7, 2nd by Commissioner Flynn, approved 3-0-0*

## 11. Adjournment

*Barnstable, ss. at 10:52 A.M. on this fifteenth day of August A.D. 2018, Commissioner Beaty made a motion to adjourn, 2nd by Commissioner Flynn, approved 3-0-0*

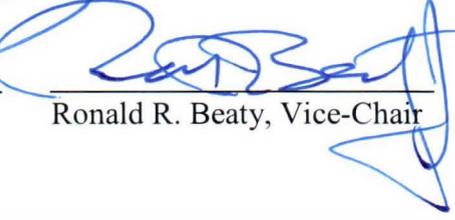
### List of Documents:

- Draft minutes of the Board of Commissioners' Regular Meeting of August 8, 2018
- Section 2.3(c) of the Administrative Code of Barnstable County
- Memorandum dated August 13, 2018 to the County Commissioners from Owen Fletcher, Executive Assistant with the subject "Grounds Request from Harbor to the Bay Inc."
- Letter to Jack Yunits, County Administrator, dated August 9, 2018, from Jan Peters, Administrative Assistant, Harbor to the Bay Inc. requesting permission to use the County Courthouse Parking Lot on Saturday September 15, 2018 in conjunction with the 16th Annual Harbor to the Bay Aids Benefit Bike Ride
- Certificate of Liability Insurance produced by Sullivan Insurance Group, Inc. for insured Harbor to the Bay, Inc. dated August 1, 2018

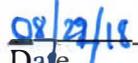
- Memo dated August 15, 2018 to the County Commissioners from Julie Ferguson, Director, Resource Development Office, regarding AmeriCorps Cape Cod Grant Funded Staff
- Memo dated August 15, 2018 to the County Commissioners from Julie Ferguson, Director, Resource Development Office, regarding a No Pay Out Clause
- Memo dated August 15, 2018 to the County Commissioners from Julie Ferguson, Director, Resource Development Office, regarding a Massachusetts Residency Waiver
- Memo dated August 15, 2018 to the County Commissioners from Julie Ferguson, Director, Resource Development Office, regarding a New Fund Creation
- Budget Memo to Mary McIsaac from Dan Schell regarding a new budget for a grant named AmeriCorps Cape Cod with a duration from August 15, 2018 to August 14, 2018
- Memorandum dated August 10, 2018 to the County Commissioners from Elaine Davis, Chief Procurement Officer regarding a “Contract Renewal”
- Certificates for Dissolving Septic Betterments upon parcels of real estate in Notices of Betterment Assessment recorded as 1) Document No. 1350324 and 2) Document No. 1348801, Barnstable Registry District of the Land Court as well as recorded in: 3) Book 30404, Page 89; 4) Book 27689, Page 168; 5) Book 224189, Page 98; 6) Book 27437, Page 115; 7) Book 23722, Page 254; 8) Book 31255, Page 14; 9) Book 30349, Page 1; 10) Book 24638, Page 304; 11) Book 29905, Page 93 and; 12) Book 24392, Page 244

Approved, Board of Regional Commissioners:

  
 Leo G. Cakounes, Chair

  
 Ronald R. Beaty, Vice-Chair

  
 Mary Pat Flynn, Commissioner

  
 Date

The foregoing records have been read and approved, August 29, 2018.

A true copy, attest:

  
 Janice O'Connell, Regional Clerk

