

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 twelfth day of December, A.D. 2018

Board Regional Commissioners:

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

Staff Present:

Jack Yunits	County Administrator
Justyna Marczak	Human Resources Director
Mary McIsaac	County Treasurer/Finance Director
Don Reynolds	Interim Director, Facilities
Mike Maguire	Director, Cape Cod Cooperative Extension
Owen Fletcher	Executive Assistant, Administration
Ian Roberts	Technical Support Specialist, Information Technology
Gail Coyne	Chief Fiscal Officer, Cape Cod Commission
Leslie Richardson	Chief Economic Development Officer, Cape Cod Commission
Tom Cambareni	Technical Services Director/Water Resources, Cape Cod Commission

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 December 5, 2018**

Motion by Commissioner Beaty to approve the regular meeting minutes of December 5, 2018 as presented, 2nd by Commissioner Flynn, approved 3-0-0

b. Executive Session on December 5, 2018

Motion by Commissioner Beaty to approve the regular meeting minutes of December 5, 2018 as presented, 2nd by Commissioner Flynn, approved 3-0-0

The Board held the minutes because they were not ready for action.

6. General Business**a. Discussion on Massachusetts Legislature Bill H.4107, An Act to Establish an Early Retirement Incentive Program for Barnstable County and the Barnstable County Fiscal Year 2020 Budget**

Mr. Yunits addressed the Board on the progress of the bill. He detailed his discussions with the Cape Cod State Legislative Delegation. Mr. Yunits stressed that the legislation would only provide the County another tool to avoid possible layoffs. He noted that the members of the Delegation are cautiously optimistic that it may pass before the end of the year. Chairman Cakounes cautioned the Board to do its due diligence on this issue when the new Board is sworn in this coming January. He expressed his concerns with the passage and implementation, and possible cost of the plan. Chairman Cakounes noted the County would bear the full burden of even those positions that are funded in part by State reimbursement Ms. McIssac addressed the Board on the legislation's possible implications for the County's Fiscal Year 2020 Budget.

b. Ordinance 18-11: Adding to the County's operating budget for Fiscal Year 2019, as enacted in Ordinance No. 18-05 and appropriating funds to the

Restricted Fund for Fire Training Clean-Up, by making supplemental appropriations for the Fiscal Year 2019

Motion by Commissioner Beaty to approve Ordinance 18-11, previously approved by the Board of Regional Commissioners on November 7, 2018, and adopted by the Assembly of Delegates on December 5, 2018, adding to the County's operating budget for Fiscal Year 2019, as enacted in Ordinance No. 18-05 and appropriating funds to the Restricted Fund for Fire Training Clean-Up, Children's Cove and Health and Environment Dept. by making supplemental appropriations for the Fiscal Year 2019, as presented, 2nd by Commissioner Flynn, approved 3-0-0

Ms. McIsaac addressed the Board on the Ordinance. Chairman Cakounes amended the motion for the item to include references to the departments affected.

- c. Ordinance 18-12: Appropriating the Bond Premium Proceeds received from the sale of General Obligation Bonds dated September 20, 2017 for restricted purposes**

Motion by Commissioner Beaty to approve Ordinance 18-12, previously approved by the Board of Regional Commissioners on November 7, 2018, and adopted by the Assembly of Delegates on December 5, 2018, appropriating the Bond Premium Proceeds received from the sale of General Obligation Bonds dated September 20, 2017 for restricted purposes, as presented, 2nd by Commissioner Flynn, approved 3-0-0

Ms. McIsaac explained the need for the ordinance.

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

There is no other business not reasonably anticipated by the Chair.

8. Commissioners' Actions

- a. Authorizing the filling of the part-time position of Mail Clerk for Facilities Department as recommended by the County Hiring Committee**

Motion by Commissioner Beaty to authorize the filling of the position of Mail Clerk for Facilities Department as recommended by the County Hiring Committee, as presented, 2nd by Commissioner Flynn, approved 3-0-0

Mr. Cakounes explained that the motion would omit the part-time designation in the agenda. He noted this was necessary because the State indicated initially that they it longer needed, and would no longer fund, a full-time position. He also explained the State changed its request and would prefer the County to hire a full-time clerk.

- b. Authorizing the approval of a request by the Cape Cod Commission for an additional encumbrance of \$200,000 from the License Plate Fund for development and implementation of the region's Comprehensive Economic Development Strategy (CEDs) pursuant to Barnstable County Ordinance 17-13**

Motion by Commissioner Beaty to authorize the approval of a request by the Cape Cod Commission for a Restricted Fund Balance of \$200,000 from the License Plate Fund for FY 20 development and implementation of the region's Comprehensive Economic Development Strategy Plan (CEDs) pursuant to Barnstable County Ordinance 17-13, as presented, 2nd by Commissioner Flynn, approved 3-0-0

The Board engaged in a brief discussion. Ms. Coyne and Ms. Richardson gave a brief explanation with Chairman Cakounes. Cape Cod Commission Staff stated that they would give the Board a full presentation on CEDs preparation at the next meeting.

- c. Authorizing the approval of a request by the Cape Cod Commission to set aside an additional \$300,000 in the Commission's restricted reserve for personnel related expenses and \$300,000 for building and capital needs from the Cape Cod Environmental Protection Fund (CCEPF)**

Motion by Commissioner Beaty to authorize the approval of a request by the Cape Cod Commission to set aside an additional \$300,000 in the Cape Cod Commission's restricted reserve for personnel related expenses and \$300,000 for building and capital needs from the Cape Cod Environmental Protection Fund (CCEPF), as presented, 2nd by Commissioner Flynn, approved 3-0-0

- d. Authorizing transfers into the Cape Cod Environmental Protection Fund (CCEPF) to record indirect cost reimbursements from the Cape Cod Commission's special revenue funds**

Motion by Commissioner Beaty to authorize transfers into the Cape Cod Environmental Protection Fund (CCEPF) to record indirect cost reimbursements from the Cape Cod Commission's special revenue funds, as presented, as presented, 2nd by Commissioner Flynn, approved 3-0-0

Ms. Coyne and Ms. McIsaac addressed the Board on these items and explained the need for them.

- e. **Authorizing a contract for a grant from the Massachusetts Department of Agricultural Resources to the Cape Cod Cooperative Extension, in the amount of \$68,500.00, for a period from October 1, 2018 through June 30, 2019 (State Fiscal Year 2019), to fund the marketing efforts of the Buy Fresh/Buy Local Cape Cod program**

Motion by Commissioner Beaty to authorize a contract and create a Special Fund for a grant from the Massachusetts Department of Agricultural Resources to the Cape Cod Cooperative Extension, in the amount of \$68,500.00, for a period from October 1, 2018 through June 30, 2019 (State Fiscal Year 2019), to fund the marketing efforts of the Buy Fresh/Buy Local Cape Cod program, as presented, 2nd by Commissioner Flynn, approved 3-0-0

Mr. Maguire answered a question from the Board on the scope of the item. He clarified for the Board that they could authorize the establishment of a new fund for a grant at the same time the Board approves the grant itself.

- f. **Authorizing the execution of documents for the Cape Cod Village Project in the Town of Orleans through the Barnstable County HOME Consortium under the HOME Investment Partnership Program**

Motion by Commissioner Beaty to authorize the execution of documents for the Cape Cod Village Project in the Town of Orleans through the Barnstable County HOME Consortium under the HOME Investment Partnership Program, as presented, 2nd by Commissioner Flynn, approved 3-0-0

Mr. Yunis answered questions from the Board on this project.

- g. **Authorizing the award of a contract to and execution of a contract with ISCO Industries for the supply, delivery and assembly of high-density polyethylene pipeline (HDPE) to be used by the County Dredge, for a cost per its price proposal, to be completed no later than June 30, 2019**

Motion by Commissioner Beaty to authorize the award of a contract to and execution of a contract with ISCO Industries for the supply, delivery and assembly of high-density polyethylene pipeline (HDPE) to be used by the County Dredge, for a cost per its price proposal, to be completed no later than June 30, 2019, as presented, 2nd by Commissioner Flynn, approved 3-0-0

Ms. Davis answered questions for the Board regarding the time period in this item. Chairman Cakounes noted the funds would come from the dredge account.

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

There were no certificates for execution at this meeting.

9. Commissioners' Reports

Chairman Cakounes asked to give his report before adjournment. He spoke after Mr. Yunits gave his own report.

He reminded all employees and County Elected Officials that the requirement to sign an acknowledgement of receipt of County Sexual Harassment Policy is due by end of the month. He urged them to please sign and return it to Human Resource Office.

Chairman Cakounes then read a prepared statement into the record thanking all employees of Barnstable County because this would likely be his last meeting as a Commissioner before Commissioner-elect Ronald Bergstrom would be sworn in at the beginning of the new calendar year.

“As I traveled the Cape during the last campaign, I heard the term “Dysfunctional Board”, nothing could be farther from the truth.

During the last two years this Board has achieved an outstanding amount of accomplishments.

- Standard and Poor bond rating of AA
- Balancing the budget without use of Savings
- Countless policies and procedures
- Hiring of new Executive Director of CCC
- Settlement of Law suit with Town of Barnstable
- Addressing all concerns in State Auditors report

To name just a few....

As you move on with a New Board member please stand tall and be proud of all we as a Board have done in the last two years.

Commissioner Beaty;

My tenure serving with you as a County Commissioner has been an experience I will not soon forget. As I reflect the past two years, I am reminded on how you pushed MY support for the First Amendment to the limit.

I have often quoted Larry Flynn vs The United States when he said it is easy to defend the First amendment when you agree with the statements made, however it is the true defender of the first Amendment who supports an individual's rights to free speech when they disagree with statements made.

You have tested my defense of the First Amendment to a limit that will not miss.

I also need to say that your behavior as a County Commissioner here in this room during our meeting has always been professional and respectful, to not only your fellow Board members and Staff, but the public in attendance. Thank you for your service and support that you had in me as the Chairman.

Commissioner Flynn;

Many see you as the matriarch of the Board, we have served together for the last four years and I have seen the many other sides of Mary Pat Flynn.

You were a referee between Shelia and myself, a leader as Chairman, and a supporter of me as the current Chair. You have brought a sense of stability and respect to this Board. We will be a forever indebted to you for the influence you have had as a person and as a public servant. Serving with you at my Right has made me a better Chairman, Commissioner, Public Servant and most importantly a better person in general

Thank you

Jack Yunits, County Administrator

The first day we met during your interview for the position of County Administrator I asked you, "Are you SURE you want this" ... I remember the look you gave me..... where the heck is this guy coming from with that question, but you answered Yes. Now you know, 3 years later, you know where I was coming from. We have worked closely since day one. You guided the County through the CLC separation, Town of Barnstable Law Suit and most importantly the State Audit Report.

You have been coined with the tag "Captain of the Ship" and as the Captain have not only righted the ship but steered into stable waters. You also need credit for coining a term for me, "Leo being Leo" I will truly miss our working together and will be forever grateful having the experience. Thank you for allowing "Leo to be Leo"

Mary McIsaac; Finance Director

The unsung hero of the financial stability of Barnstable County.

We the County Commissioners, and County Administrator have publicly taken credit for the current financial stability of the County. But fact of the matter is None of it could be achieved without the leadership from Mary. I have enjoyed our work relationship and often refer to it in comparison with that of traveling with my wife, we argue the whole way of how to get to our destination.... yet finally arrive.

I enjoy the trip as much as the arrival. We have worked together to change many habits and procedures in the finance department. You have taught me so much on municipal finance and State laws. Thank you for your dedication and service and thank you for making me (US) look good.

Steve Tebo; Facilities/Assistant Administrator

The first day on this job I asked Steve "where is my office", he looked at me like I had two heads, yet responded "What Office".

He found me an unused room on the basement and it quickly became my hub of operations. We together created a break room for State employees and Staff which never existed before.

I am Honored to have been by your side as you were promoted to Assistant Administrator, and to see Donnie get the recognition he deserved as new Facilities Director.

I know your commitment and service to the County and will miss working together with you in the Future.

Keep Jack in line, and use the threat of..." I call Leo" anytime you need.

Thanks BROTHER...

That was for Justyna, I know she is listening, and my file is getting fuller by the minute.

Justyna Marczak, Human Resources Director

You created a Department where none existed before. Working with your leadership the County has adopted many Policies and Procedures that did not exist before. Making this work environment a safer and better place for all our employees.

Thank You, and although you may not have enjoyed working with

"Leo being Leo" I have.... I learned so much from you and have fully enjoyed our time together.

Owen Fletcher, Administration Assistant

I am not even sure what your official title is but as Chair you have been my personal Assistant and together, we have established a system in which the meetings run smoothly and accurately. I hope you work well with future Chairs of the Commissioners and they allow you to steer them into being better public servants as you have done for me. Thank you and I am going to miss our weekend calls in preparation for Monday's agenda deadline.

To the rest of the Main Office Staff ... THANK YOU ALL... each, in your own way and jobs, have made me a better Chair of this Board and person.

I have enjoyed working with all of you and owe you all an enormous amount of gratitude. I know that you all will miss me, and due to the Half walls in the main office you all are going to miss saying... "Did he just Say That"...

Mike Maguire and Sean O'Brien Thank you both... You made the environment working here so easy and friendly. I know you both have deep commitment to the County's Future and I am Proud having been here for your well-deserved promotions. Both of you had big shoes to fill and did so without hesitation. That's a reflection of your previous bosses and you love for what you do.

Thank you Both for allowing me to have served with you.

Cape Cod Commission Executive Director and Staff...

10 years ago, I stepped down from the Cape Cod Commission as Harwich's Representative to serve on the Assembly of Delegates. It was difficult then to leave the working relationship I had with those of you there at that time.

This time it is even more so...

I am Proud to have been on the Board to see Kristy Senatori promoted to Executive Director, and to see the support she got from the CCC Staff. To list of those of you that helped me throughout the years is too long to mention individually, However I must publicly Thank you all for once again making me a better Commissioner, Chairman, Public Servant and most of all a better person. Please do not tell anyone how bad of a speller I am, and how much of a pushover I am as a negotiator.

Thank You All

I would not be doing the County Just if I did not mention those that I have had the HONOR to work with and have left before me

People like, Maggie Downing, Mark Zelinski, Bill Clark, George Heufelder, and Paul Niedzwieki. All of you have had an impact on my service as a County Commissioner and as I leave Service in 2018 a much better person having the experience of your tenure at Barnstable County Government, I would like to leave you all with one thought. I will be remembered as "Leo Being Leo" and for that I do not apologies, in fact I encourage you all to go forward being yourselves and standing for what you believe in. Thank you ALL, it has been a Ride I will not soon forget..."

10. County Administrator and Staff Reports

Mr. Yunits reported on a presentation on chemical and hazardous waste protection given by the Cape Cod Cooperative Extension. He also reported on another presentation on solid waste given by the Cooperative and the Cape Cod Commission.

11. Adjournment

Barnstable, ss. at 10:50 A.M. on this twelfth day of December A.D. 2018, Commissioner Cakounes made a motion to adjourn, 2nd by Commissioner Flynn, approved 3-0-0

Chairman Cakounes asked if he could make the motion to adjourn himself after reading the prepared statement into the record.

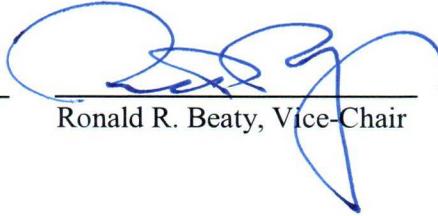
List of Documents:

- Draft Regular Meeting Minutes of December 5, 2018
- Draft Minutes of the Executive Session during the Regular Meeting on December 5, 2018
- Massachusetts Legislature Bill H.4107, An Act To Establish an Early Retirement Incentive Program for Barnstable County
- Floor Amendment to Massachusetts Legislature Bill H.4107
- Early Retirement Incentive Program Information Packet prepared by the County Finance Department for the Board of Regional Commissioners
- Ordinance 18-11: Adding to the County's operating budget for Fiscal Year 2019, as enacted in Ordinance No. 18-05 and appropriating funds to the Restricted Fund for Fire Training Clean-Up, by making supplemental appropriations for the Fiscal Year 2019
- Ordinance 18-12: Appropriating the Bond Premium Proceeds received from the sale of General Obligation Bonds dated September 20, 2017 for restricted purposes
- Memorandum dated December 7, 2018 to County Commissioners from Justyna Marczak, Human Resources Director, regarding a Mail Clerk position
- Memorandum dated November 29, 2018 to the Barnstable County Commissioners from Kristy Senatori, Executive Director of the Cape Cod Commission regarding a Request for License Plate Funds
- Memorandum dated November 29, 2018 to the Barnstable County Commissioners from Kristy Senatori, Executive Director of the Cape Cod Commission regarding CCEPF Reserves
- Memorandum dated November 28, 2018 to the Barnstable County Commissioners from Gail A. Coyne, Chief Fiscal Officer of the Cape Cod Commission regarding CCEPF Reserves
- Commonwealth of Massachusetts Standard Contract for a grant from the Massachusetts Department of Agricultural Resources to the Cape Cod Cooperative Extension, in the amount of \$68,500.00, for a period from October 1, 2018 through June 30, 2019 (State Fiscal Year 2019), to fund the marketing efforts of the Buy Fresh/Buy Local Cape Cod Program

- Assorted documents for the Cape Cod Village Project in the Town of Orleans through the Barnstable County HOME Consortium under the HOME Investment Partnership Program including:
 - Lender Advisor Agreement;
 - Master Subordination Agreement;
 - Subordination;
 - Agreement;
 - Barnstable HOME Loan Agreement;
 - Affordable Housing Restriction;
 - Promissory Note;
 - HOME Contract and;
 - Mortgage
- Memorandum dated December 5, 2018 to the County Commissioners from Elaine Davis, Chief Procurement Officer, regarding a Notice of Bid Award for the supply, delivery and assembly of high-density polyethylene pipeline (HDPE) to be used by the County Dredge
- Agreement between Barnstable County and ISCO Industries for the supply, delivery and assembly of high-density polyethylene pipeline (HDPE) to be used by the County Dredge, for a cost per its price proposal, to be completed no later than June 30, 2019

Approved, Board of Regional Commissioners:

Leo G. Cakounes, Chair



Ronald R. Beaty, Vice-Chair



Mary Pat Flynn, Commissioner

12/19/18
Date

The foregoing records have been read and approved, December 26, 2018.

A true copy, attest:



Janice O'Connell, Regional Clerk

