

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

At a regular meeting of the Barnstable County Board of Regional Commissioners, held in Commissioners' Conference Room, in the Superior Courthouse, on the twenty-third day of October, A.D. 2019

Board Regional Commissioners:

Ronald R. Beaty	Present
Ronald Bergstrom	Present
Mary Pat Flynn	Present

Staff Present:

Jack Yunits	County Administrator
Owen Fletcher	Executive Assistant, Administration
Janice O'Connell	County Clerk/Assembly Clerk
Elizabeth Braccia	Finance Director/Treasurer
Erika Woods	Deputy Director/Senior Environmental Specialist/Public Health Sanitarian, Health and Environment
Brian Baumgaertel	Public Health Sanitarian/Environmental Specialist, Health and Environment
George Heufelder	Environmental Project Assistant, Health and Environment
Bobbi Moritz	Officer, Resource Development Office
Ian Roberts	Technical Support Specialist, Information Technology

1. Call to Order

Chairman Bergstrom 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 October 9, 2019**

Motion by Commissioner Beaty to approve the minutes of the Board of Regional Commissioners Regular Meeting of October 9, 2019 as presented, 2nd by Commissioner Flynn, approved 3-0-0

b. Regular Meeting of October 16, 2019

Motion by Commissioner Beaty to approve the minutes of the Board of Regional Commissioners Regular Meeting of October 16, 2019 as presented, 2nd by Commissioner Flynn, approved 3-0-0

6. General Business**a. Ordinance 19-15, adding to the County's Operating Budget for Fiscal Year 2020, as enacted in Ordinance No. 19-04, by making an initial supplemental appropriation for legal expenses related to a Charter Review**

Motion by Commissioner Beaty to approve Ordinance 19-15, adding to the County's Operating Budget for Fiscal Year 2020, as enacted in Ordinance No. 19-04, by making an initial supplemental appropriation for legal expenses related to a Charter Review, pursuant to Section 3-8 of the Barnstable County Home Rule Charter, as presented, 2nd by Commissioner Flynn, approved 2-1-0 (YES: Bergstrom, Flynn. NO: Beaty)

Mr. Yunits addressed this item and informed the Board that Suzanne McAuliffe, Speaker of the Barnstable County Assembly of Delegates, submitted the ordinance to the full Assembly. Commissioner Beaty expressed concern that Speaker McAuliffe did not submit the ordinance to the Assembly's Standing Finance Committee as outlined in the Assembly Manual of Governance. Chairman Bergstrom suggested that the funds in the ordinance be added to the County's general legal fund. Mr. Yunits informed the Board it could place this appropriation

in an upcoming County supplemental budget item. Ms. Braccia explained some of the technical concerns regarding the ordinance. Ms. O'Connell spoke regarding Charter Review procedures and the funds necessary to carry out the review.

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

There was no new business at this meeting.

8. Commissioners' Actions

- a. **Authorizing the execution of a contract with the Massachusetts Department of Environmental Protection (MassDEP), in the amount of \$195,000 to provide capital funding for equipment and supplies for the "Pathogen Study" to be conducted by the Massachusetts Alternative Septic System Test Center (MassTC), of Barnstable County's Department of Health and Environment (BCDHE)**

Motion by Commissioner Beaty to authorize the execution of a contract with the Massachusetts Department of Environmental Protection (MassDEP), in the amount of \$195,000 to provide capital funding for equipment and supplies for the "Pathogen Study" to be conducted by the Massachusetts Alternative Septic System Test Center (MassTC), of Barnstable County's Department of Health and Environment (BCDHE), as presented, 2nd by Commissioner Flynn, approved 3-0-0

Mr. Heufelder answered questions from the Board and gave background on the item. He described the request from the Commonwealth for the MassTC to perform the study. Mr. Heufelder noted the Commonwealth offered to fund all costs associated with the study.

- b. **Authorizing the execution of a contract with MassDEP to utilize the tracking services of BCDHE's Innovative/Alternative Septic Management Program to monitor the performance of Pilot and Provisional use Innovative/Alternative (I/A) Septic Systems across the Commonwealth**

Motion by Commissioner Beaty to authorize the execution of a contract with MassDEP to utilize the tracking services of BCDHE's Innovative/Alternative Septic Management Program to monitor the performance of Pilot and Provisional use Innovative/Alternative (I/A) Septic Systems across the Commonwealth, as presented, 2nd by Commissioner Flynn, approved 3-0-0

Mr. Baumgaertel answered questions from the Board on this item.

- c. Authorizing the appointment to the Health & Human Services Advisory Council of Kate Lena, Program Manager, AIDS Support Group of Cape Cod, for the term of June 1, 2019 through May 31, 2022**

Motion by Commissioner Beaty to appoint Kate Lena, Program Manager, AIDS Support Group of Cape Cod, to the Health & Human Services Advisory Council, for the term of June 1, 2019 through May 31, 2022, 2nd by Commissioner Flynn, approved 3-0-0

- d. Authorizing the execution of a subaward agreement, and creation of a new fund, for a grant from the University of Southern Maine to the Cape Cod Commission, funded by the United States Environmental Protection Agency (EPA), in the amount of \$190,000.00 for the period of October 1, 2019 through September 30, 2020, for the Technical Assistance Network for the Southeast New England Program (SNEP)**

Motion by Commissioner Beaty to authorize the execution of a subaward agreement, and creation of a new fund, for a grant from the University of Southern Maine to the Cape Cod Commission, funded by the United States Environmental Protection Agency (EPA), in the amount of \$190,000.00 for the period of October 1, 2019 through September 30, 2024, for the Technical Assistance Network for the Southeast New England Program (SNEP), as presented, 2nd by Commissioner Flynn, approved 3-0-0

- e. Authorizing the execution of an agreement for an allocation from the Massachusetts Department of Children and Families to Children's Cove, in the amount of \$140,000.00, for the period of July 1, 2019 through June 30, 2020, to provide services to children and families**

Motion by Commissioner Beaty to authorize the execution of an agreement for an allocation from the Massachusetts Department of Children and Families to Children's Cove, in the amount of \$140,000.00, for the period of July 1, 2019 through June 30, 2020, to provide services to children and families, as presented, 2nd by Commissioner Flynn, approved 3-0-0

Ms. Moritz answered questions from the Board regarding the nature of the funding for this item and the timing of its disbursement.

- f. Authorizing the execution of an agreement with the Town of Barnstable for a maximum amount of \$500,500.00 to perform dredge related work for Sampson's Island**

Motion by Commissioner Beaty to authorize the execution of an agreement with the Town of Barnstable for a maximum amount of \$500,500.00 to perform dredge related work for Sampson's Island, as presented, 2nd by Commissioner Flynn, approved 3-0-0

Mr. Yunits explained the current status of County dredging operations and the nature of this agreement.

- g. Authorizing the execution of a contract with Marina Inland Fabricators for the supply and delivery of a towable, diesel powered push boat to be used by the County Dredge Program, for \$207,788.00**

Motion by Commissioner Beaty to authorize the execution of a contract with Marina Inland Fabricators for the supply and delivery of a towable, diesel powered push boat to be used by the County Dredge Program, for \$207,788.00, as presented, 2nd by Commissioner Flynn, approved 3-0-0

- h. Authorizing the execution of Consents to Easement and Subordination for 704 FHC LLC for 587 Gifford Street in the Town of Falmouth**

Commissioner Beaty expressed concerns regarding subordinating the County's mortgage position. The Board held this item to gather more information,

- i. Authorizing the execution of the discharge of a mortgage by Susan N. Brown, acting by and through the Cape Cod Commission, to Barnstable County, dated July 02, 2008 and recorded with the Barnstable County Registry of Deeds, Book 23023, Page 189**

Motion by Commissioner Beaty to authorize the execution of the discharge of a mortgage by Susan N. Brown, acting by and through the Cape Cod Commission, to Barnstable County, dated July 02, 2008 and recorded with the Barnstable County Registry of Deeds, Book 23023, Page 189, as presented, 2nd by Commissioner Flynn, approved 3-0-0

- j. Authorizing the execution of the discharge of a mortgage by Margaret A. Hayes, acting by and through the Cape Cod Commission, to Barnstable County, dated January 31, 2006 and recorded with the Barnstable County Registry of Deeds, Book 20700, Page 325**

Motion by Commissioner Beaty to authorize the execution of the discharge of a mortgage by Margaret A. Hayes, acting by and through the Cape Cod Commission, to Barnstable County, dated January 31, 2006 and recorded with the Barnstable County Registry of Deeds, Book 20700, Page 325, as presented, 2nd by Commissioner Flynn, approved 3-0-0

- k. Authorizing the execution of the discharge of a mortgage by Dana M. Thatcher, acting by and through the Cape Cod Commission, to Barnstable County, dated September 16, 2008 and recorded with the Barnstable Land Court Registry as Document #1097992**

Motion by Commissioner Beaty to authorize the execution of the discharge of a mortgage by Dana M. Thatcher, acting by and through the Cape Cod Commission, to Barnstable County, dated September 16, 2008 and recorded with the Barnstable Land Court Registry as Document #1097992, as presented, 2nd by Commissioner Flynn, approved 3-0-0

I. 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

The Commissioners did not offer any reports.

10. County Administrator and Staff Reports

Mr. Yunits informed the Commissioners the Finance Department would be ready to move forward with a supplemental budget request and a capital cost reconstruction for the Board's next Regular Meeting. He also spoke regarding the Board's preparation to present of climate change initiatives to the Assembly of Delegates

11. Adjournment

Barnstable, ss. at 10:52 A.M. on this twenty-third day of October A.D. 2019, Commissioner Beaty made a motion to adjourn, 2nd by Commissioner Flynn, approved 3-0-0

List of Documents:

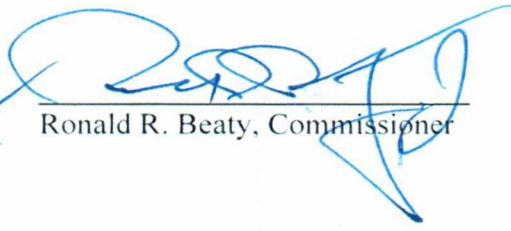
- Draft of the minutes of the Board of Regional Commissioners' Regular Meeting of October 9, 2019
- Draft of the minutes of the Board of Regional Commissioners' Regular Meeting of October 16, 2019
- Ordinance 19-15, adding to the County's Operating Budget for Fiscal Year 2020, as enacted in Ordinance No. 19-04, by making an initial supplemental appropriation for legal expenses related to a Charter Review
- Contract with the Massachusetts Department of Environmental Protection (MassDEP), in the amount of \$195,000 to provide capital funding for equipment and supplies for the "Pathogen Study" to be conducted by the Massachusetts Alternative Septic System Test Center (MassTC), of Barnstable County's Department of Health and Environment (BCDHE)
- Contract with MassDEP to utilize the tracking services of BCDHE's Innovative/Alternative Septic Management Program to monitor the performance of Pilot and Provisional use Innovative/Alternative (I/A) Septic Systems across the Commonwealth
- Memorandum to County Commissioners: Ronald Bergstrom, Ronald Beaty and Mary Pat Flynn, from Elizabeth Albert, Director, Department of Human Services with the subject "New Nominee Replacement to Barnstable County Health and Human Services Advisory Council dated October 15, 2019
- subaward agreement, and creation of a new fund, for a grant from the University of Southern Maine to the Cape Cod Commission, funded by the United States Environmental Protection Agency (EPA), in the amount of \$190,000.00 for the period of October 1, 2019 through September 30, 2020, for the Technical Assistance Network for the Southeast New England Program (SNEP)
- Memorandum dated October 11, 2019 to the Barnstable County Commissioners from Maria McCauley, Administration and Finance Manager regarding "New Fund Request"
- Agreement for an allocation from the Massachusetts Department of Children and Families to Children's Cove, in the amount of \$140,000.00, for the period of July 1, 2019 through June 30, 2020, to provide services to children and families
- Agreement with the Town of Barnstable for a maximum amount of \$500,500.00 to perform dredge related work for Sampson's Island
- Contract with Marina Inland Fabricators for the supply and delivery of a towable, diesel powered push boat to be used by the County Dredge Program, for \$207,788.00
- Consents to Easement and Subordination for 704 FHC LLC for 587 Gifford Street in the Town of Falmouth
- Memorandum to Jack Yunits, Town Administrator / County Commissioners from Renie Hamman, HOME Program Manager regarding "587 Gifford Street, Falmouth, Amendment of Mortgages" dated October 17, 2019
- Discharge of a mortgage by Susan N. Brown, acting by and through the Cape Cod Commission, to Barnstable County, dated July 02, 2008 and recorded with the Barnstable County Registry of Deeds, Book 23023, Page 189

- Discharge of a mortgage by Margaret A. Hayes, acting by and through the Cape Cod Commission, to Barnstable County, dated January 31, 2006 and recorded with the Barnstable County Registry of Deeds, Book 20700, Page 325
- Discharge of a mortgage by Dana M. Thatcher, acting by and through the Cape Cod Commission, to Barnstable County, dated September 16, 2008 and recorded with the Barnstable Land Court Registry as Document #1097992
- Memorandum dated October 8, 2019 to the Barnstable County Board of Regional Commissioners, from the Community Septic Management Loan Program, with the subject "Certificates for Dissolving Septic Betterments"

Approved, Board of Regional Commissioners:


Ronald Bergstrom, Chair


Mary Pat Flynn, Vice-Chair


Ronald R. Beaty, Commissioner

10/23/19
Date

The foregoing records have been read and approved, October 23, 2019.

A true copy, attest:


Janice O'Connell, Regional Clerk

