

*COMMONWEALTH OF MASSACHUSETTS*

Barnstable, ss.

At a regular meeting of the Barnstable County Board of Regional Commissioners, held in East Wing Conference Room, in the Old Jail Building, on the eighteenth day of March, A.D. 2020

**Board Regional Commissioners:**

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

**Staff Present:**

Jack Yunits	County Administrator
Sean O'Brien	Director, Health and Environment
Owen Fletcher	Executive Assistant, Administration
Ian Roberts	Technical Support Specialist, Information Technology

**Staff Present Remotely:**

Justyna Marczak	Human Resources Director, Administration
Jennifer Frates	Chief Procurement Officer, Finance
Irene Hamman	HOME Program Manager, Human Services
Gail Coyne	Fiscal Officer, Cape Cod Commission

**1. Call to Order**

Chairman Bergstrom called the meeting to order at 11:30 A.M. The Chairman noted the Board held the meeting through remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020.

**2. Pledge of Allegiance****3. Moment of Silence****4. Public Comment**

The Board permitted members of the public to join the meeting online, asked that all public comments or questions be directed Mr. Yunits by phone or email, and stated the Board would address any submissions at its next meeting. No members of the public offered comment.

**5. Approval of Minutes****a. Regular Meeting of March 11, 2020**

The Board held the minutes until its next meeting.

**6. General Business****a. Update on Coronavirus 2019 (COVID-19) and Barnstable County**

Mr. O'Brien presented to the Board. He noted there were currently three confirmed cases of the virus on Cape Cod. Next, he explained the process of obtaining tests in the County. Mr. O'Brien also described the history of the virus and its origins. The Board had a lengthy conversation regarding the economic effects of the virus in Barnstable County. Mr. Yunits noted the Massachusetts Trial Courts, tenants of the County, have requested that only essential personnel be permitted in the building. Commissioner Beaty questioned controls for County employees working from home. Mr. O'Brien informed the Board that Barnstable County would be the fiduciary agent for any funds obtained by Town Health Departments in Barnstable County. Chairman Bergstrom applauded the County's employees for their work so far, and Mr. O'Brien noted Cape Cod Healthcare's great efforts coordinating with the County.

**b. Ratification of a Declaration of a State of Emergency in the County of Barnstable to Respond to COVID-19**

*Motion by Commissioner Beaty to ratify a Declaration of a State of Emergency in the County of Barnstable to Respond to COVID-19 as presented, 2nd by Commissioner Flynn, approved 3-0-0*

**c. Authorizing a letter of support for Massachusetts Legislature Bill H.869, An Act relative to failed septic systems.**

*Motion by Commissioner Beaty to authorize a letter of support for Massachusetts Legislature Bill H.869, An Act relative to failed septic systems as presented, 2nd by Commissioner Flynn, approved 3-0-0*

Commissioner Beaty explained his request for this item.

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

- a. Ratification of the execution of a Side Letter of Agreement between Barnstable County and UAW Local 1596, executed March 16, 2020 to permit a temporary modification of certain paid leave benefits during the State of Emergency in Barnstable County to respond to COVID-19, until a vote of the Barnstable County Board of Regional Commissioners terminating the State of Emergency or until mandated by State or Federal Agencies**

*Motion by Commissioner Beaty to ratify the execution of a Side Letter of Agreement between Barnstable County and UAW Local 1596, executed March 16, 2020 to permit a temporary modification of certain paid leave benefits during the State of Emergency in Barnstable County to respond to COVID-19, until a vote of the Barnstable County Board of Regional Commissioners terminating the State of Emergency or until mandated by State or Federal Agencies as presented, 2nd by Commissioner Flynn, approved 3-0-0*

Mr. Yunits explained his negotiations with two unions and the need for the County to pass this item to deal with the current health crisis.

## **8. Commissioners' Actions**

- a. Authorizing the creation of a full-time Communications Manager position in the Commissioners' Office, as recommended by the County Administrator, effective March 1, 2020**

*Motion by Commissioner Beaty to authorize the creation of a full-time Communications Manager position in the Commissioners' Office, as recommended by the County Administrator, effective March 1, 2020, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

Mr. Yunits explained to the Board the role of Sonja Sheasley who has essentially been serving in this position in an acting capacity for the previous three (3) weeks. Mr. Yunits noted that Ms. Sheasley was working less with the Human Services Department. Mr. Yunits assured the Board the County had already budgeted for this position. The Board clarified the new position would report directly to the County Administrator.

- b. Authorizing the filling of twenty-four (24) vacant AmeriCorps Cape Cod Member positions for Program Year 22, from September 8, 2020 through July 29, 2021**

*Motion by Commissioner Beaty to authorize the filling of twenty-four (24) vacant AmeriCorps Cape Cod Member positions for Program Year 22, from September 8, 2020 through July 29, 2021 as presented, 2nd by Commissioner Flynn, approved 3-0-0*

Mr. Yunits clarified the AmeriCorps calendar year and efforts to recruit new members.

- c. Authorizing the execution of an agreement for a grant from the United States Department of Transportation, Federal Highway Administration, through the Massachusetts Department of Transportation to the Cape Cod Commission, in the amount of \$80,000.00, for the Bicycle Rack Program, for a period from April 1, 2020 through December 31, 2021**

*Motion by Commissioner Beaty to authorize the execution of an agreement for a grant from the United States Department of Transportation, Federal Highway Administration, through the Massachusetts Department of Transportation to the Cape Cod Commission, in the amount of \$80,000.00, for the Bicycle Rack Program, for a period from April 1, 2020 through December 31, 2021, as presented, 2nd by Commissioner Bergstrom, approved 3-0-0*

Ms. Coyne answered questions from the Board on this item and explained the mechanics of the program.

- d. Authorizing the approval of a list of pre-qualified bidders for tradespersons, for towns in Barnstable County and Nantucket, for individual construction projects estimated to cost under \$50,000.00, with two (2) one-year options to renew**

*Motion by Commissioner Beaty to authorize the approval of a list of pre-qualified bidders for tradespersons, for towns in Barnstable County and Nantucket, for individual construction projects estimated to cost under \$50,000.00, with two (2) one-year options to renew, as presented, 2nd by Commissioner Bergstrom, approved 3-0-0*

Ms. Frates explained the need for the list to the Board, and the clarified that towns would choose from the pre-qualified list.

- e. Authorizing the award of contracts to, and execution of contracts with: Indus; and R.J. Gabriel Construction Co.; for Miscellaneous Public Works for the**

**Towns of Eastham and Nantucket, for a period from April 1, 2020 through March 31, 2021**

*Motion by Commissioner Beaty to authorize the award of contracts to, and execution of contracts with: Indus; and R.J. Gabriel Construction Co.; for Miscellaneous Public Works for the Towns of Eastham and Nantucket, for a period from April 1, 2020 through March 31, 2021, as presented, 2nd by Commissioner Bergstrom, approved 3-0-0*

- f. Authorizing the award of contracts to, and execution of contracts with: Aggregate Industries; PA Landers; and PJ Keating; for Roadway Materials for the Towns of Eastham and Nantucket, for a period from April 1, 2020 through March 31, 2021**

*Motion by Commissioner Beaty to authorize the award of contracts to, and execution of contracts with: Aggregate Industries; PA Landers; and PJ Keating; for Roadway Materials for the Towns of Eastham and Nantucket, for a period from April 1, 2020 through March 31, 2021, as presented, 2nd by Commissioner Bergstrom, approved 3-0-0*

- g. Authorizing the award of contracts to, and execution of contracts with: Lawrence Lynch; and Garrity Asphalt Reclaiming; for Roadway Construction Item – Bituminous Concrete excavation by Cold Planner for the Town of Falmouth, for a period from April 1, 2020 through March 31, 2021, with the option to renew for one (1) additional year**

*Motion by Commissioner Beaty to authorize the award of contracts to, and execution of contracts with: Lawrence Lynch; and Garrity Asphalt Reclaiming; for Roadway Construction Item – Bituminous Concrete excavation by Cold Planner for the Town of Falmouth, for a period from April 1, 2020 through March 31, 2021, with the option to renew for one (1) additional year, as presented, 2nd by Commissioner Bergstrom, approved 3-0-0*

- h. Authorizing the discharge of a mortgage by Dawn N. Diani to Barnstable County, acting by and through the Cape Cod Commission, dated August 25, 2009, and recorded with the Barnstable County Land Court Registry as Document No. 1122264**

*Motion by Commissioner Beaty to authorize the discharge of a mortgage by Dawn N. Diani to Barnstable County, acting by and through the Cape Cod Commission, dated August 25, 2009, and recorded with the Barnstable County Land Court Registry as Document No. 1122264, as presented, 2nd by Commissioner Bergstrom, approved 3-0-0*

- i. Authorizing the subordination of a mortgage by Shawn Peters to Barnstable County, acting by and through the Cape Cod Commission, dated December**

**11, 2006, and recorded with the Barnstable County Registry of Deeds in Book 21596, Page 204**

*Motion by Commissioner Beaty to authorize the subordination of a mortgage by Shawn Peters to Barnstable County, acting by and through the Cape Cod Commission, dated December 11, 2006, and recorded with the Barnstable County Registry of Deeds in Book 21596, Page 204, as presented, 2nd by Commissioner Bergstrom, approved 3-0-0*

Ms. Hamman spoke regarding where the money goes, the process, and the need for subordination. She also spoke regarding how many future discharges and subordination for mortgages the HOME Program would bring forward soon. she has in the pipeline. The Board had a lengthy discussion regarding homeowners paying the County back rather than subordinating the mortgage. Chairman Bergstrom and Mr. Beaty expressed concern regarding permitting subordinations without such payments. Ms. Hamnan also clarified that the funds could not be used by the County for anything other than the HOME Program.

**j. Authorizing the execution of Certificates for Dissolving Septic Betterments**

The Board received no certificates for execution at this meeting.

**9. Commissioners' Reports**

Commissioner Beaty asked that the Board invite the Cape Cod Chambers of Commerce to the next Board meeting. Chairman Bergstrom noted the possible effect of the crisis on Barnstable County's economy and its tourism industry.

**10. County Administrator and Staff Reports**

The staff did not provide any additional reports to the Board at this meeting.

**11. Adjournment**

*Barnstable, ss. at 12:29 A.M. on this eighteenth day of March A.D. 2020, Commissioner Beaty made a motion to adjourn, 2nd by Commissioner Flynn, approved 3-0-0*

**List of Documents:**

- Declaration of a State of Emergency in the County of Barnstable to Respond to COVID-19
- Massachusetts Legislature Bill H.869, An Act relative to failed septic systems

- Side Letter of Agreement between Barnstable County and UAW Local 1596, executed March 16, 2020 to permit a temporary modification of certain paid leave benefits during the State of Emergency in Barnstable County to respond to COVID-19, until a vote of the
- Barnstable County Job Description for Communications Manager
- County of Barnstable Personnel Positions and New Hire Form for AmeriCorps Member (24 Positions) dated February 28, 2020
- Agreement for a grant from the Massachusetts Department of Transportation to the Cape Cod Commission, in the amount of \$80,000.00, for the Bicycle Rack Program, for the period of April 1, 2020 through December 31, 2021
- Memorandum dated March 12, 2020 to the County Commissioners from Jennifer Frates, Chief Procurement Officer, with the subject "Notice of Bid Award - #7898 Tradespersons"
- Memorandum dated March 12, 2020 to the County Commissioners from Jennifer Frates, Chief Procurement Officer, with the subject "Notice of Bid Award - #7900 Miscellaneous Public Works"
- Memorandum dated March 12, 2020 to the County Commissioners from Jennifer Frates, Chief Procurement Officer, with the subject "Notice of Bid Award - Bid # 7901 Roadway Materials"
- Memorandum dated March 12, 2020 to the County Commissioners from Jennifer Frates, Chief Procurement Officer, with the subject "Notice of Bid Award - #7894A Roadway Construction Items"
- Discharge of a mortgage by Dawn N. Diani to Barnstable County, acting by and through the Cape Cod Commission, dated August 25, 2009 and recorded with the Barnstable Land Court Registry as Document No. 1122264
- Subordination of a mortgage by Shawn Peters to Barnstable County, acting by and through the Cape Cod Commission, dated December 11, 2006, and recorded with the Barnstable County Registry of Deeds in Book 21596, Page 204
- Memorandum to Jack Yunits, County Administrator and the Barnstable County Commissioners from Renie Hamman, HOME Program Manager, regarding "Subordination of HOME Mortgage, 41 Mirasol Drive, Bourne/Shawn Peters", dated March 13, 2020
- Memorandum dated March 13, 2020 to the Board of the Regional Commissioners from 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

4/1/2020  
Date

The foregoing records have been read and approved, April | , 2020

A true copy, attest:

  
  
Janice O'Connell, Regional Clerk