

*COMMONWEALTH OF MASSACHUSETTS*

Barnstable, ss.

At a regular meeting of the Barnstable County Board of Regional Commissioners on the eighth day of April, A.D. 2020, held through remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020

**Board Regional Commissioners:**

Ronald R. Beaty                      Present remotely

Ronald Bergstrom                      Present remotely

Mary Pat Flynn                      Present remotely

**Staff Present:**

**Staff Present Remotely:**

Jack Yunits                      County Administrator

Justyna Marczak                      Human Resources Director, Administration

Sonja Sheasley                      Communications Manager, Administration

Owen Fletcher                      Executive Assistant, Administration

Elizabeth Braccia                      Director of Finance/Treasurer

Jennifer Frates                      Chief Procurement Officer, Finance

Sean O'Brien                      Director, Health and Environment

Beth Albert                      Director, Human Services

Vaira Harik                      Deputy Director & Senior Project Manager, Human Services

Irene Hamman                      HOME Program Manager, Human Services

John Meade                      Register of Deeds, Registry of Deeds

David Murphy                      Assistant Register of Deeds, Registry of Deeds

Gail Coyne                                      Fiscal Officer, Cape Cod Commission

Lev Malakhoff                                Transportation Planner, Cape Cod Commission

Ian Roberts                                    Technical Support Specialist, Information Technology

## **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 April 8, 2020**

*Motion by Commissioner Beaty to approve the minutes of the Board of Regional Commissioners' Regular Meeting of April 8, 2020 as presented, 2nd by Commissioner Flynn, approved 3-0-0*

## **6. General Business**

### **a. Update on Coronavirus 2019 (COVID-19) and Barnstable County**

Mr. Burt updated the Board on the County's efforts at the Testing Center at Cape Cod Community College. He noted the testing was running smoothly. Mr. O'Brien reported on the number of confirmed COVID-19 cases and fatalities. He also

answered questions from the Board. He noted the County's success recruiting volunteers and getting personal protective equipment (PPE). Mr. O'Brien also discussed planning for a possible field hospital located at Joint Base Cape Cod with staff from Cape Cod Healthcare.

**b. Presentation by Liz Argo, Manager of Programs & Administration for the Cape and Vineyard Electric Cooperative (CVEC) on Round 5 Photovoltaic/Storage Initiative Barnstable County**

Ms. Argo gave a presentation to the Board describing various current and projected solar projects in Barnstable County. Ms. Argo detailed the benefits to the County of using different types of agreements for each item. Ms. Braccia clarified the County is not a taxing authority and discussed the effect this would have on the lease agreements. The Board also discussed projected savings to the County for electric bills based upon the execution of projected solar agreements. Mr. Yunits explained the process for the County's Assembly of Delegates approving the lease agreements under the County Home Rule Charter. Ms. Argo noted the need to approve the agreements quickly to make sure those projects were included in the current round of funding.

*Motion by Commissioner Flynn to authorize the Chair to execute agreements regarding the Cape and Vineyard Electric Cooperative (CVEC) Round 5 Photovoltaic/Storage Initiatives in Barnstable County after approval by the County Board of Regional Commissioners, as presented, 2nd by Commissioner Beaty, approved 3-0-0*

**c. Request by Julie Wake, Executive Director of the Arts Foundation of Cape Cod, to support its Cape Cod Arts Relief Fund**

Ms. Wake spoke to the Board regarding possible County support and the effect of COVID-19 on artists, Mr. Yunits informed the Board the County could not give funds to non-profits. However, he explained this would not prevent the Arts Foundation from applying for a grant from the County's Economic Development Committee. Mr. Yunits also committed to have County Counsel review any requests immediately after this meeting.

**d. Discussion on the effect of COVID-19 (Novel Coronavirus) on the County's financial position**

Mr. Meade answered questions from the Board and noted the Registry received more revenue through March of 2020 than through March of 2019. However, he informed the Board the Registry would have to receive \$2 million more in revenue to hit its target for Fiscal Year 2020. Ms. Braccia described Finance Department efforts, including a hiring and non-essential spending freeze. The Board discussed

the current state of County reserves and Ms. Braccia explained the County would not have any issues through the current fiscal year.

**e. Barnstable County COVID-19 Emergency Building and Facility Access Policy**

*Motion by Commissioner Beaty to approve and adopt the Barnstable County COVID-19 Emergency Building and Facility Access Policy, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

Mr. Yunits explained the need for this item. He explained that the County's Facilities Department had trouble handling the additional cleaning the emergency required. He also explained the need to close buildings to make that no infected member of the staff or public could enter the building without permission. The Board discussed recent issues creating the need for the policy.

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

**8. Commissioners' Actions**

**a. Authorizing the approval of a request by the Cape Cod Chapter of the New England Mountain Bike Association (NEMBA) and the Friends of Cape Cod Pathways to create a trail on a parcel of land owned by Barnstable County near the intersection of Route 132 and Phinney's Lane**

*Motion by Commissioner Beaty to authorize the approval of a request by the Cape Cod Chapter of the New England Mountain Bike Association (NEMBA) and the Friends of Cape Cod Pathways to create a trail on a parcel of land owned by Barnstable County near the intersection of Route 132 and Phinney's Lane, as presented, 2nd by Commissioner Flynn*

Mr. Malakhoff and Mr. Yunits described the path for the Board. Mr. Malakhoff stressed he was making this request as a member of an outside organization and not as a County staff member. Mr. Yunits explained to the Board that any permission it gave would not restrict the County from using the property for another purpose later. Commissioner Beaty noted the Assembly of Delegates would also have to approve the project because it deals with County real estate. He also noted there was a deed restriction on the property. He asked that County Counsel review the request before the Board approved it. Commissioner Beaty retracted his motion and Commissioner Flynn retracted her second. The Board decided it would take up the item at a future meeting after further review by County Counsel and County staff.

**b. Authorizing the execution of an application and certifications for the annual allocation from the United States Department of Housing and Urban**

**Development (HUD) to the Barnstable County HOME Program, in the amount of \$462,277.00, to create and preserve affordable housing for Program Year 2020, from July 1, 2020 through June 30, 2021**

*Motion by Commissioner Beaty to authorize the execution of an application and certifications for the annual allocation from the United States Department of Housing and Urban Development (HUD) to the Barnstable County HOME Program, in the amount of \$462,277.00, to create and preserve affordable housing for Program Year 2020, from July 1, 2020 through June 30, 2021, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

Ms. Hamman gave a brief summary to the Board regarding the item.

**Authorizing the execution of an Inter-Governmental Net Energy Power Sales Agreement with the Cape & Vineyard Electric Cooperative, Inc. (CVEC) for Roof Mounted Solar Photovoltaic Energy Facility located at Barnstable County Deeds**

**Authorizing the execution of a Lease Agreement for Rooftop Mounted Solar Photovoltaic Energy Facility with Alliance CVEC V LLC located at Barnstable County Deeds**

**Authorizing the execution of an Inter-Governmental Services Agreement with CVEC for management of Solar Photovoltaic Dual Use Energy Facility located at Barnstable County Farm**

**Authorizing the execution of a Lease Agreement for Ground Mounted Dual Use Solar Photovoltaic Energy Facility with Main Street Solar Project 2020, LLC at Barnstable County Farm**

**Authorizing the execution of an Inter-Governmental Net Energy Power Sales Agreement with CVEC For Solar Canopy Photovoltaic Energy Facility located at Barnstable County Main Parking Lot**

**Authorizing the execution of a Lease Agreement for Canopy Solar Photovoltaic Energy Facility with Greenskies Clean Energy LLC at Barnstable County Main Parking Lot**

**Authorizing the execution of an Inter-Governmental Services Agreement with CVEC for management of Rooftop Solar Photovoltaic Energy Facility located at Rock Harbor Road Cy Solar Project 2020, LLC**

**Authorizing the execution of an Inter-Governmental Services Agreement with CVEC for management of Solar Canopy Photovoltaic Energy Facility located at Rock Harbor Road Cy Solar Project 2020, LLC**

**Authorizing the execution of a Lease Agreement for Roof Mounted Solar Photovoltaic Energy Facility with Rock Harbor Road RF Solar Project 2020, LLC located in the Town of Orleans**

**Authorizing the execution of a Lease Agreement for Solar Canopy Photovoltaic Energy Facility with Rock Harbor Road Cy Solar Project 2020, LLC located in the Town of Orleans**

*Motion by Commissioner Beaty to approve Item 8c through 8l as listed on the agenda for the Board of Regional Commissioners' Meeting on April 8, 2020, as presented, and introduce any required ordinances at the next meeting of the County Assembly of Delegates, pursuant to Section 2 – 8(e) of the Barnstable County Home Rule Charter, 2nd by Commissioner Flynn, approved 3-0-0*

- c. Authorizing the execution of the discharge of a mortgage by Tyler Y. Pierce to Barnstable County, acting by and through the Cape Cod Commission, dated January 5, 2010 and recorded with the Barnstable County Registry of Deeds in Book 24286, Page 35**

*Motion by Commissioner Beaty to authorize the execution of the discharge of a mortgage by Tyler Y. Pierce to Barnstable County, acting by and through the Cape Cod Commission, dated January 5, 2010 and recorded with the Barnstable County Registry of Deeds in Book 24286, Page 35, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

**9. Commissioners' Reports**

The Commissioners offered no reports at this meeting

**10. County Administrator and Staff Reports**

Mr. Yunits highlighted a program for customers to pre-order and pay for fresh produce in advance of the coming season to support Cape Cod farmers.

**11. Adjournment**

*Barnstable, ss. at 11:39 A.M. on this eighth day of April A.D. 2020, motion by Commissioner Beaty to adjourn, 2nd by Commissioner Flynn, approved 3-0-0*

**List of Documents:**

- Draft minutes of the Board of Regional Commissioners' Regular Meeting of April 8, 2020
- Presentation by Liz Argo, Executive Director of the Cape and Vineyard Electric Cooperative (Cape & Vineyard Electric Cooperative, Inc. (CVEC)), on Round 5 Photovoltaic/Storage Initiative Barnstable County, dated March 17, 2020
- Barnstable County COVID-19 Emergency Building and Facility Access Policy
- Email from Julie Wake, Executive Director of the Arts Foundation of Cape Cod, to Ronald Bergstrom, Chair of the County Board of Regional Commissioners, on March 24, 2020 at 5:55 PM with the subject "Cape Cod Artists Relief Fund - will the County join us"
- Proposal for a Trail on County Land near Route 132/Phinneys Lane dated April 2, 2020 to the Barnstable County Board of Regional Commissioners from Lev Malakhoff, Friends of Cape Cod Pathways Trail Ambassador, New England Mountain Biking Association (NEMBA)
- Memorandum from Renie Hamman, HOME Program Manager, to Jack Yunits, County Administrator / County Commissioners regarding "Barnstable County HOME Program, HUD 2020 Allocation / Certifications to be Signed" dated April 2, 2020
- Application and certifications for the annual allocation from the United States Department of Housing and Urban Development (HUD) to the Barnstable County HOME Program, in the amount of \$462,277.00, to create and preserve affordable housing for Program Year 2020, from July 1, 2020 through June 30, 2021
- Inter-Governmental Net Energy Power Sales Agreement with Cape & Vineyard Electric Cooperative, Inc. (Cape & Vineyard Electric Cooperative, Inc. (CVEC)) for Roof Mounted Solar Photovoltaic Energy Facility located at Barnstable County Deeds
- Proposed Ordinance 20- , To authorize the County of Barnstable to execute a lease agreement between Barnstable County and Alliance CVEC V LLC for Rooftop Mounted Solar Photovoltaic Energy Facility at the Barnstable County Registry of Deeds Building, located at 3195 Main St., Barnstable, MA 02630
- Inter-Governmental Services Agreement with Cape & Vineyard Electric Cooperative, Inc. (CVEC) for management of Solar Photovoltaic Dual Use Energy Facility located at Barnstable County Farm
- Proposed Ordinance 20- , To authorize the County of Barnstable to execute a lease agreement between Barnstable County and Main Street Solar Project 2020, LLC for Ground Mounted Dual Use Solar located at Barnstable County Farm, 3675 Main Street, Barnstable, MA 02630
- Inter-Governmental Net Energy Power Sales Agreement with Cape & Vineyard Electric Cooperative, Inc. (CVEC) For Solar Canopy Photovoltaic Energy Facility located at Barnstable County Main Parking
- Proposed Ordinance 20- , To authorize the County of Barnstable to execute a lease agreement between Barnstable County and Greenskies Clean Energy LLC for Canopy Photovoltaic Energy Facility on an area of ground space which is a part of the Property located at 3195 Main Street, Barnstable, MA 02630

- Inter-Governmental Services Agreement with Cape & Vineyard Electric Cooperative, Inc. (CVEC) for management of Rooftop Solar Photovoltaic Energy Facility located at Rock Harbor Road Cy Solar Project 2020, LLC
- Inter-Governmental Services Agreement with Cape & Vineyard Electric Cooperative, Inc. (CVEC) for management of Solar Canopy Photovoltaic Energy Facility located at Rock Harbor Road Cy Solar Project 2020, LLC
- Proposed Ordinance 20- , To authorize the County of Barnstable to execute a lease agreement between Barnstable County and Rock Harbor Road RF Solar Project 2020, LLC for Roof Solar Photovoltaic Energy Facility at Buildings located at 237 Rock Harbor Road, Orleans, MA 02653
- Proposed Ordinance 20- , To authorize the County of Barnstable to execute a lease agreement between Barnstable County and Rock Harbor Road CY Solar Project 2020, LLC for Solar Canopy Photovoltaic Energy Facility on an area of ground space which is a part of the Property located at 237 Rock Harbor Road, Orleans, MA
- Discharge of a mortgage by Tyler Y. Pierce to Barnstable County, acting by and through the Cape Cod Commission, dated January 5, 2010 and recorded with the Barnstable County Registry of Deeds in Book 24286, Page 35

Approved, Board of Regional Commissioners:

  
Ronald Bergstrom, Chair

  
Mary Pat Flynn, Vice-Chair

  
Ronald R. Beaty, Commissioner

4/15/2020  
Date

The foregoing records have been read and approved, April 15, 2020

A true copy, attest:

  
  
Janice O'Connell, Regional Clerk