

*COMMONWEALTH OF MASSACHUSETTS*

Barnstable, ss.

At a regular meeting of the Barnstable County Board of Regional Commissioners on the twenty-ninth 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                                     |
| Steve Tebo        | Assistant County Administrator                           |
| Owen Fletcher     | Executive Assistant, Administration                      |
| Elizabeth Braccia | Director of Finance/Treasurer                            |
| Jennifer Frates   | Chief Procurement Officer, Finance                       |
| Sean O'Brien      | Director, Health and Environment                         |
| Deirdre Arvidson  | Public Health Nurse, Health and Environment              |
| Vaira Harik       | Deputy Director & Senior Project Manager, Human Services |
| Beth Albert       | Director, Human Services                                 |
| David Murphy      | Assistant Registry of Deeds, Registry of Deeds           |
| Ian Roberts       | Technical Support Specialist, Information Technology     |

**1. Call to Order**

Chairman Bergstrom called the meeting to order at 10:00 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**

The Chairman called for a moment of silence to support members of the United States Armed Forces serving at home and abroad.

**3. Moment of Silence**

Chairman Bergstrom asked for a moment of silence to support members of the United States Armed forces serving both at home and abroad.

**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 22, 2020**

*Motion by Commissioner Beaty to approve the minutes of the Board of Regional Commissioners' Regular Meeting of April 22, 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. O'Brien updated the Board on the latest statistics regarding the virus. He informed the Board that approximately eight hundred people had been diagnosed with the virus in Barnstable County over the course of the pandemic. Mr. O'Brien noted that the number of hospitalizations has remained constant throughout the Commonwealth. Commissioner Beaty highlighted community fears regarding

visiting the emergency room for medical issues unrelated to COVID-19. Mr. O'Brien assured the Commissioner that Cape Cod Healthcare was taking every necessary precaution to make sure there was little risk to the public.

The Board had a lengthy discussion regarding ongoing testing of the public and Mr. O'Brien reported the County was still facing shortages. Ms. Arvidson warned that governments needed to be careful not to base reopening on antibody tests because more research was needed before doing so. Mr. Yunits and Mr. O'Brien discussed the need to increase testing in the Commonwealth. Commissioner Beaty noted that Governor Baker had created a task force to examine re-opening. Chairman Bergstrom and Mr. Yunits spoke regarding the urgency of the County's collaboration with the Cape Cod Chamber of Commerce and local Boards of Health to tailor any guidelines to Barnstable County.

Ms. Harik reported to the Board regarding monitoring efforts by the Massachusetts Department of Public Health to develop criteria to reopen. Commissioner Flynn and Ms. Arvidson spoke regarding necessary protocols for residents leaving personal quarantines. Mr. O'Brien again stressed that any re-opening of Cape businesses was a local decision, and the County Health and Environment Department would continue to coordinate with local health boards.

Ms. Braccia reported to the Board on the County's current fiscal position. Ms. Braccia and Mr. Yunits noted that the County put strict measures in place to limit unnecessary spending. Mr. Murphy reported to the Board that the Registry would likely receive revenues comparable to last year. The Board also discussed the Assembly of Delegates' budget process and possible measures to close any gaps.

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

*Motion by Commissioner Beaty to send a letter of support from the Board of Regional Commissioners to the County Economic Development Committee for the Arts Foundation of Cape Cod, to support its Cape Cod Arts Relief Fund, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

Mr. Yunits informed the Board that the County could not directly fund non-profits like the Arts Foundation without violating State law. He advised the Board that they should instead send a letter to the Barnstable County Economic Development Committee to support the foundation's efforts. Ms. Wake addressed the Board, thanked it for its support, and discussed recent efforts by the foundation.

**c. Request by the Barnstable County Human Rights Advisory Commission to support its opposition to the United States Department of Interiors' recent decision denying the right of the Wampanoag Tribe to hold land in trust**

*Motion by Commissioner Beaty to authorize the Barnstable County Human Rights Advisory Commission to issue a statement expressing its opposition to the United States Department of Interiors' recent decision denying the right of the Wampanoag Tribe to hold land in trust, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

Mr. Yunits clarified the Board was authorizing the Barnstable County was authorizing the Barnstable County Human Rights Advisory Committee's Board to make a statement rather than directly making a statement.

**d. Discussion and status update on the County Dredge Program**

Mr. Yunits detailed the background of recent County Dredge operations and the County's agreement with Foth Infrastructure & Environment. Both Mr. Yunits and Mr. Tebo praised the help of Christine Player, Senior Project Manager from Foth, to address longstanding needs and updating procedures. Ms. Player updated the Board on Foth's efforts and noted issues with weather this season. She also explained the need for the six-month extension in Item 6e and progress creating the County's Five-Year Business Plan.

**e. Authorizing the execution of an amendment to a contract with Foth Infrastructure & Environment, LLC, executed May 28, 2019, to provide consultant support services for the County Dredge, for a period from May 28, 2019 through May 28, 2020, to add the preparation of a 5-year Business Plan for County Dredge Operations to the scope of services, and extend the time of performance through November 28, 2020**

*Motion by Commissioner Beaty to execute an amendment to a contract with Foth Infrastructure & Environment, LLC, executed May 28, 2019, to provide consultant support services for the County Dredge, for a period from May 28, 2019 through May 28, 2020, to add the preparation of a 5-year Business Plan for County Dredge Operations to the scope of services, and extend the time of performance through November 28, 2020, as presented, 2nd by Commissioner Bergstrom, approved 2-0-0 (YES: Bergstrom, Beaty)*

There was an issue with Commissioner Flynn's audio feed during discussion of this item.

**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 an agreement for a grant from the United States Economic Development Administration to the Cape Cod Commission, in the amount of \$1,050,000.00 with a match of \$1,050,000.00, to fund the project: Environmental and Economic Resiliency-Focused Strategies, Barnstable County Region, MA, for a period from April 14, 2020 through April 13, 2022**

*Motion by Commissioner Beaty to authorize the execution of an agreement for a grant from the United States Economic Development Administration to the Cape Cod Commission, in the amount of \$1,050,000.00 with a match of \$1,050,000.00, to fund the project: Environmental and Economic Resiliency-Focused Strategies, Barnstable County Region, MA, for a period from April 14, 2020 through April 13, 2022, as presented, 2nd by Commissioner Bergstrom, approved 2-0-0 (YES: Bergstrom, Beaty)*

There was an issue with Commissioner Flynn's audio feed during discussion of this item. Mr. Beaty noted additional information provided by Kristy Senatori, Executive Director of the Cape Cod Commission, in response to his questions about the matching grant funds.

- b. **Authorizing the award of a contract to, and execution of contract with, Sprague Operating Resources, LLC for the supply and delivery of #2 Fuel Oil to Political Subdivisions in Barnstable County, for a period from July 01, 2020 through June 30, 2021**

*Motion by Commissioner Beaty to authorize the award of a contract to, and execution of contract with, Sprague Operating Resources, LLC for the supply and delivery of #2 Fuel Oil to Political Subdivisions in Barnstable County, for a period from July 01, 2020 through June 30, 2021, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

- c. **Authorizing the award contracts to, and execution of contracts with: Cape Cod Biofuels; Noonan Brother Petroleum; and Sprague Operating Resources, LLC for the supply and delivery of Gasoline & Diesel fuel to the County Dredge and other Political Subdivisions, for a period from July 01, 2020 through June 30, 2021**

*Motion by Commissioner Beaty to authorize the award of contracts to, and execution of contracts with: Cape Cod Biofuels; Noonan Brother Petroleum; and Sprague Operating Resources, LLC for the supply and delivery of Gasoline & Diesel fuel to the County Dredge and other Political Subdivisions, for a period from July 01, 2020 through June 30, 2021, as presented, 2nd by Commissioner Beaty, approved 3-0-0*

## 9. Commissioners' Reports

The Commissioners offered no reports at this meeting

## **10. County Administrator and Staff Reports**

Mr. Yunits spoke regarding the award of \$90,000,00.00 to Plymouth County by the Federal government. He explained that Plymouth County and two others in Massachusetts were the only Counties that could apply or receive this money independent of the Commonwealth due to its population size. He publicly asked Plymouth County to turn this money over to the Commonwealth as the other counties already did for an equitable distribution.

## **11. Adjournment**

*Barnstable, ss. at 10:46 A.M. on this twenty-second 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 22, 2020
- Request by Julie Wake, Executive Director of the Arts Foundation of Cape Cod, to support its Cape Cod Arts Relief Fund, dated April 24, 2020
- Draft Language by the Barnstable County Human Rights Advisory Commission expressing its opposition to the United States Department of Interiors' recent decision denying the right of the Wampanoag Tribe to hold land in trust
- Scope of Services for Development of a 5-year Business Plan for the Barnstable County Dredge Program
- Amendment to a contract with Foth Infrastructure & Environment, LLC, executed May 28, 2019, to provide consultant support services for the County Dredge, for a period from May 28, 2019 through May 28, 2020, to add the preparation of a 5-year Business Plan for County Dredge Operations to the scope of services, and extend the time of performance through November 28, 2020
- Contract with Foth Infrastructure & Environment, LLC, executed May 28, 2019, to provide consultant support services for the County Dredge, for a period from May 28, 2019 through May 28, 2020
- Agreement for a grant from the United States Economic Development Administration to the Cape Cod Commission, in the amount of \$1,050,000.00 with a match of \$1,050,000.00, to fund the project: Environmental and Economic Resiliency-Focused Strategies, Barnstable County Region, MA, for a period from April 14, 2020 through April 13, 2022
- Memorandum dated April 24, 2020 to the County Commissioners from Jennifer Frates, Chief Procurement Officer regarding Notice of Bid Award - #7903 – Supply and Delivery of #2 Fuel Oil
- Memorandum dated April 24, 2020 to the County Commissioners from Jennifer Frates, Chief Procurement Officer regarding Notice of Bid Award - #7904 – Supply and Delivery of Gasoline & Diesel Fuel

Approved, Board of Regional Commissioners:

  
Ronald Bergstrom, Chair

  
Mary Pat Flynn, Vice-Chair

  
Ronald R. Beaty, Commissioner

5/6/2020  
Date

The foregoing records have been read and approved, May 6, 2020

A true copy, attest:

  
  
Janice O'Connell, Regional Clerk