

**CAPE COD REGIONAL GOVERNMENT  
ASSEMBLY OF DELEGATES**

APPROVED Journal of Proceedings – November 20, 2013

Speaker BERGSTROM: Good afternoon. Welcome to the Wednesday, November 20<sup>th</sup> session of the Cape Cod Regional Government, Assembly of Delegates. I'd like to call this meeting to order.

And we will begin with a moment of silence to honor our troops who have died in service to our country and all those serving our country in the Armed Forces.

(Moment of silence.)

Thank you.

We will now stand for the Pledge of Allegiance.

(Pledge of Allegiance.)

Speaker BERGSTROM: Before I go into our regular agenda, you'll notice that the agenda was amended within the last couple days. We dropped the discussion with the Charter Review Committee for today.

One of the reasons is that Bill is not going to be with us. As you probably know, his wife passed away. And so he is otherwise engaged. So our hope and our prayers go out to him and his family.

I've also realized that the Legislature has gone out of session. So, with that, I have abandoned all hope of getting anything to them before the holidays.

So the time constraints on any kind of petition we might send to them is now off and Janice and I will get together. We'll reschedule that meeting for a later date. Okay.

So, with that, the Clerk will call the roll.

**Roll Call (91.79%): Richard Anderson (9.15% - Bourne), Cheryl Andrews (1.36% - Provincetown), Ronald Bergstrom (2.84% - Chatham), Leo Cakounes (5.67% - Harwich), Ned Hitchcock (1.27% - Wellfleet), James Killion (9.58% - Sandwich), Marcia King (6.49% - Mashpee), Teresa Martin (2.30% - Eastham), Suzanne McAuliffe (11.02% - Yarmouth), John Ohman (6.58% - Dennis), Patrick Princi (20.92% - Barnstable), Julia Taylor (14.61% - Falmouth).**

**Absent (8.21%): Christopher Kanaga (2.73% -Orleans), Deborah McCutcheon (0.93% - Truro), Anthony Scalse (4.55% - Brewster).**

Clerk O'CONNELL: Mr. Speaker, we have a quorum with 91.79 percent of the Delegates present; 8.21 percent absent.

Speaker BERGSTROM: Okay. I'll just take this time -- is this meeting being recorded by anyone other than our videographer? Okay.

**Committee of the Whole**

Speaker BERGSTROM: We now need approval of the Calendar of Business. Can I have a motion to --

Deputy Speaker MARTIN: Motion to Approve.

Ms. KING: Second.

Speaker BERGSTROM: Moved and seconded. All those in favor say "Aye."

‘Opposed’?”

(Motion carried.)

Speaker BERGSTROM: You should have received a copy of the Journal of November 6, 2013. Are there any additions or corrections to the Journal?

Hearing none.

Deputy Speaker MARTIN: Move to Accept.

Ms. KING: Second.

Speaker BERGSTROM: Moved and seconded. All those in favor say "Aye."

Ms. MCAULIFFE: One abstention.

Speaker BERGSTROM: One abstention. Okay.

(Motion carried.)

Speaker BERGSTROM: We now get our favorite part of the agenda, Communications from the Board of Regional Commissioners, and the introduction of our Interim County Administrator. Step up to the microphone.

### Communications from the Board of Regional Commissioners

Commissioner FLYNN: Good afternoon. Thank you, Mr. Speaker. First I'd like to present the Assembly with a new Ordinance.

Clerk O'CONNELL: Resolution.

Commissioner FLYNN: Correction; it's a Resolution, and it has to do with transfer funds for certain services for AmeriCorps.

Well, we're here today to welcome our new Interim County Administrator Michael Brillhart. And I want to thank Janice and the Assembly for putting on such a nice half-hour of a meet and greet for Michael. And with the refreshments, that was really thoughtful. Thank you, Jan, for doing that.

This is Michael's third day with us. He began on Monday. He comes more recently from Florida, from Port Lucie. He has a lot of experience in county government over the years. He also has a lot of experience in planning and also as a consultant.

So we're really pleased that he's here. And he'll have a few words for you and you may want to ask him a few questions as well.

ADMINISTRATOR BRILLHART: Good afternoon. As mentioned, my name is Michael Brillhart, and I want to say thank you for the invitation to come here today and introduce myself. It's a pleasure to be here.

And I hope to get a chance to know each and every one of you over the next few weeks. I would love any invitation to come out and meet with you personally if you would like.

The goal is to work as effectively and efficiently as possible in helping the County to do some of the things that it hopes to do and as identified. And a lot of those things will be done very efficiently and effectively when this Assembly of Delegates has good communication with our staff and with the officials. So we hope to be able to work as efficiently as we can in those regards.

And I truly believe from my experience and background that there are some -- not only some great attributes already here but some things that can be furthered even greater over the next several years.

Thank you.

Speaker BERGSTROM: Well, thank you, and we do look forward to working with

you over the next year or so cooperatively, as always, and with the Commissioners.

And I know that pretty soon after the holidays, and we all enjoy the holiday cheer, then the budget process is going to start to go into full-fledge. I think the first meeting with your Department Heads and then ultimately with us. So that's always kind of a baptism of fire that I'm sure you'll be on board for that.

Are there any questions for the new Administrator from any of the Assembly? Yes. Cheryl.

Ms. ANDREWS: Thank you. Not really a question but an invitation. I think I heard Mary Pat allude to the idea of you may be wanting to come visit some of the towns. And given the fact that that's quite a bit of mileage depending on which town you come from, I wanted to personally invite you and say I'd be happy to introduce you to folks.

One thought would be that as we get into the springtime, a lot of our towns will be having our Annual Town Meetings. And if you want a sort of down and dirty quick emersion impression of each town, I know I've been to a couple of town meetings in some of the other towns and it's a great way to get a sense of the personality and also a sense of the issues that people are, you know, that they agree on and which ones they're arguing about and which ones they're nervous about.

You know, you don't get to meet everyone that way, but you certainly get to meet a lot of the folks that are very active in the political world. So it's just a thought.

I think ours is somewhere towards the end of April. And many of them overlap, but if you chose just an hour or two at each one, it might be a quick way to get a sense of all of us.

So I just wanted to send that idea your way.

ADMINISTRATOR BRILLHART: Thank you. I would appreciate that.

Speaker BERGSTROM: Anyone else? One question is have you had a chance to look at the budget the way it's presently constituted and how it's submitted and stuff like that?

ADMINISTRATOR BRILLHART: I have.

A lot of the revenue and expenditures or say the Gatsby of financial accounting rules, so they're very similar to most county governments.

Speaker BERGSTROM: Okay.

ADMINISTRATOR BRILLHART: But, again, each county is always different from the other and they all have special priorities, special ideas --

Speaker BERGSTROM: I just wondered as to the actual how the budget is structured and submitted. They pretty much go in the same formula that has been submitted before? I mean do you know what I'm asking?

For instance, say in the last budget, we get a lot of capital expenditures that are included in a single year for instance, whereas some municipalities they have a separate fund. But I won't ask you. You've only been here three days so.

Commissioner LYONS: Yes, give him a couple of weeks.

Speaker BERGSTROM: But how the budget is presented has been an issue so that's it.

Commissioner FLYNN: If I may, Mr. Speaker?

Speaker BERGSTROM: Yes.

Commissioner FLYNN: Over the course of the last few weeks, I've been meeting obviously with the Commissioners and with Mark and Maggie. And we've been looking at what type of a work plan we would like to have for Michael over the course of the year.

So we developed a work plan, and I know he has reviewed it and amended it, and I hope all of you have had an opportunity to look at our strategic plan, the one that it should be up on the website. We have had it out now for public comment and we should be voting on it in December at one of our meetings in December and finalizing it.

There's a lot in that strategic plan on when we -- when the Commissioners and some others of you were there from time to time at our meetings. We had Carole Ridley of Ridley Associates help us with that plan.

It is extremely comprehensive, but the whole purpose of it is to take from that plan each year certain objectives that we need to accomplish yeah by year by year.

And while we accomplish those objectives, we also review the plan on an annual basis and see if there are things now that we shouldn't do and maybe new things that we ought to do, and what have we accomplished.

Michael's very familiar with that. And the work plan that he has is very consistent with the goals that we have for this year in wanting to accomplish. So I think by January, he will have a report to us about where he is in terms of the work plan.

So I'm sure we can share that with you come January, and you can see all the various assignments in a certain sense that he has. But he has a lot to do but we know that he's very capable of getting it done and he knows how to do it.

So I think you'll begin to see a lot of things being accomplished over the course of the next few months.

Speaker BERGSTROM: Okay. Well, if there's nothing else. Thank you, very much. And welcome aboard and I'm sure we'll be seeing you quite often.

ADMINISTRATOR BRILLHART: Thank you.

Speaker BERGSTROM: Next on the agenda is Communications from Public Officials? Are there any Public Officials that wish to address the Assembly?

Hearing none.

#### Communications from Members of the Public

Speaker BERGSTROM: Communications from Members of the Public? Any members of the public?

Yes, I see a member of the public who wishes to speak. Please identify yourself.

Mr. ERIC BIBLER: Sure. Good afternoon. Hi. I'm Eric Bibler from Connecticut. I just wanted to give you a couple of quick things.

One is I just came from the Cape Light Compact meeting, and I wanted to just alert you to a few things, so I don't want there to be any misperception that I'm an official representative; I doubt they would bless that, but some things that I thought might be worthwhile to just call your attention to.

They are planning to file a new Municipal Aggregation Plan. Barnstable County is actually the official administrator of the Aggregation Plan, and they are in the process of drawing one up.

It's their intent. They're having a meeting on December 11th. They're going to take the old plan which they characterized today as being quite obsolete and being the document that was used for the initial filing of the municipal aggregation but has since become, you know, there are large sections of it that are irrelevant. So they're going to mark it up extensively. They're going to change it extensively. They're going to consider this plan on December 11<sup>th</sup>, and they're hoping to vote it on December 11<sup>th</sup>, and then put it out for a 30-

day comment period.

And I thought you would want to know that since the County is actually the official administrator of the plan, the fiscal administrator and the administrative agent.

Their plan as they outlined today is then to put it out for a 30-year -- 30-day, excuse me, comment period, which would run conveniently through Christmas and New Years and through January 11<sup>th</sup>. And after that time, I think they would submit it to the DPU.

There was a rather detailed presentation on it. I asked for a copy, and the chairman promised that they would put the entire presentation online immediately following today's meeting. So I would just encourage all of you who are interested to have a look at that because it contains quite a bit of information.

One other couple of points that came out of that meeting in the DPU letter -- in the letter that the DPU sent to the Cape Light Compact dated August 27, which asked the Compact to review their plan, that letter cited a pending docket for the *City of Lowell*, which is Docket 12-124, and the DPU specifically said that this would be a precedent that should be considered by the Cape Light Compact.

So all of this is somewhat contingent on the Cape Light Compact -- on the DPU bringing forth its ruling on *Lowell* in time for the Cape Light Compact to examine that and make sure that they conform with that. So those are all things you need to know.

And then the last thing is you're all parties to an Intergovernmental Agreement, and this is the point I wanted to highlight, and I'm trying to be strictly factual here.

All of the towns in Dukes County and Barnstable County as you know were parties to an Intergovernmental Agreement. And the way that this was all outlined today was that the Cape Light Compact views the Intergovernmental Agreement as being the operative agreement for the Compact. They viewed that really as their Charter, which I think is true in many senses rather than the Aggregation Plan.

I do know that some selectmen and some delegates and some member of the public have raised an issue about that process because the Intergovernmental Agreement can be revised by a majority of the members of the Board at the Cape Light Compact.

So this agreement that you all belong to, including the County and including yourselves as administrator, can be amended at will by the Cape Light Compact board.

And their contention in the past has been those are the representatives that the towns and counties send to act for them. But this doesn't ever go back to town meeting or any other process for them to revise the terms of this agreement.

So I'm only highlighting those issues that struck me personally. There's quite a bit more in this presentation that they gave, but I think this is a rather important event, so I just wanted to bring your attention to it.

The other thing I just wanted to do is I sent this document via email earlier today to the Clerk to all of you. I doubt anyone's had a chance to look at it. I brought a copy. It's just a letter to the chairman and the Compact Administrator and all of the community representatives there highlighting some reporting issues that I thought would be -- and I copied the Assembly on it, and I asked them to respectfully provide some clarification. I'm not going to go through them, but I did ask that it be included as an exhibit or you know the fact that it was presented today for your future deliberation as part of the meeting.

But a couple of items I wanted to highlight. As you know, the Assembly asked for some records from the Cape Light -- financial records from the Cape Light Compact and from the Cape and Vineyard Electric Cooperative.

And as you also know, some records were returned. Millions and millions of dollars

of transactions were redacted from those records. But the other thing that has become apparent when you compare the records that you received in response to your requests to the audited financial statements for the Cape Light Compact for the years 2009 through 2011 that have since been furnished. You got your records I think in February or March.

In August of this year, audited financial statements by Sullivan and Rogers were produced for the years 2009 through 2011. So you can compare what you received to these other audited records.

And the other thing that was released in the interim was in February of this year Sullivan and -- Chris Rogers came here and spoke to you about this agreed-upon procedures examination. And there's quite a bit of detailed documentation as part of Sullivan & Rogers report.

So I took the trouble to compare the records that you received to the audited financial statements into the agreed-upon procedures. And I'm not going to go through it all, but there are a few things that leap out here.

One of the first things I noticed was that the legal expenses for the Cape Light Compact as reported in the audited financial statements are quite a bit higher than the legal expenses that I was able to tally up on the records you received.

To be more precise, and this is only for three years, 2009 through 2011, the legal expenses in the audited statements are \$965,000 greater than what you received and this amount is nowhere to be found in these records that you received.

There are also footnotes in the audited financial statements which provide additional information on nonoperating revenues and expenses in the Power Supply Reserve Fund. These show losses of \$800,000 attributable to renew -- trading, apparently, and renewable energy certificates that were not included in any of the documents that you saw for those years. I don't know whether there's some offset somewhere else but they're in there.

Speaker BERGSTROM: Mr. Bibler.

Mr. ERIC BIBLER: Yes.

Speaker BERGSTROM: I don't mean to interrupt you, but I did receive your comments in the email.

Mr. ERIC BIBLER: Okay.

Speaker BERGSTROM: And I assume that they've been submitted to the Assembly, so they'll have a chance to review that. Anything you send to the Assembly of Delegates is distributed among us.

Mr. ERIC BIBLER: Okay. I just have two more items and I'll be out of here.

Speaker BERGSTROM: Okay. The clock is ticking.

Mr. ERIC BIBLER: Okay. There's another thing that I think really deserves attention, and I don't want it to get lost, is there are revenues under non-operating revenues from the Forward Capacity Market. The Forward Capacity Market revenues come from derived -- realizing a benefit from energy efficiency.

Some of those revenues inexplicably flowed through the Power Supply Reserve Fund. Now keep in mind that the Power Supply Reserve Fund is just the repository for the mill adder revenues. I can't imagine any economic activity that would appropriately put those revenues back into the Power Supply Reserve Fund.

And then, finally, in the agreed-upon procedures, examination, as you recall what Sullivan & Rogers did, was they sampled transactions and they tried to take significant transactions and they also did some random samples.

And just in one fiscal year, fiscal 2006, Sullivan & Rogers lists \$1.3 million worth of

entries in Renewable Energy Certificates that are attributed to the Power Supply Reserve Fund that are no where to be found in the Power Supply Reserve Fund ledger that you received.

So from all of this, it's very, very simply that the records that you received in now way, shape or form reflect the entire picture, certainly for the Power Supply Reserve Fund or the Energy Efficiency Fund.

And I just think that the Assembly should be under no illusion that they have any transparency here that should be the source of any confidence that, okay, now we know what's going on, and we're comfortable with this. I think this just shows that you do not have the full complement information. I don't want that to be lost.

Thank you.

Speaker BERGSTROM: Thank you. Are there any other Members of the Public who wish to speak?

Hearing none.

### Assembly Convenes

Speaker BERGSTROM: The Assembly will now convene. We'll begin with committee reports.

One would be the -- A. would be the Standing Committee on Finance Report and Committee recommendation on Proposed Ordinance 13-12.

John, that's you.

### Committee Reports / Assembly Votes:

Mr. OHMAN: Thank you, Mr. Speaker. I'll be brief.

On October 16, 2013, the Finance Committee held a Public Hearing on the Proposed Ordinance 13-12, which was for County Services Fertilizer Management DCPC implementation. It included a total of \$88,000 broken into basically two parts.

One would be \$26,000 to bring up an administrative assistant from half-time to full-time work to do the training. And the other one would be a series of costs to do a one-time mailing in a total of \$62,000, for a total of \$88,000.

Mr. Clark could not be there, so he had an able assistant there, Mr. McGuire. And we questioned Mr. McGuire on all of the above. It turns out that this \$26,000 is likely to be a recurring cost because there will be multiple times where this testing procedure and administrative costs will be reoccurring. The \$62,000 will be for a one-time mailing, which will be Capewide.

At the end of the meeting, the motion carried to the Assembly 4 to 0, and, therefore, I would like to recommend that we move forward with this Ordinance 13-12 in a favorable manner.

Thank you.

Proposed Ordinance 13-12: To add to the County's operating budget for Fiscal Year 2014, as enacted in Ordinance 13-03, by making supplemental appropriations for the fiscal year two-thousand and fourteen.

Speaker BERGSTROM: Okay. Do I have some motions on the table? Do I hear a

second?

Ms. KING: Second.

Speaker BERGSTROM: Okay. Moved and seconded. Is there any discussion on this? Okay.

Yes, Dick.

Mr. ANDERSON: Thank you, Mr. Speaker. Does anybody know how many towns have accepted this so far and how many haven't? I mean it's only till January, so are we going to go for all 15 towns? The mailing's going to go to all 15 towns, and only two towns accept it, what's going to happen with, you know?

Speaker BERGSTROM: I don't know. I don't have any information.

Mr. ANDERSON: It's just for a point of information. That's all.

Speaker BERGSTROM: Leo. You have an answer to the question?

Mr. CAKOUNES: That question was asked as of last Wednesday when we asked the question. No town has officially accepted it or voted it in.

However, it was expressed to us that at least three or four are seriously considering it, and seems 90 percent are going to actually adopt it. And there are a couple of others that are considering it, strongly considering it. There have only been one or two that are completely ignoring -- I shouldn't say ignoring -- are not interested, if you will.

Another thing you may want to be brought up to date on is that the extension deadline or the deadline for this being towns to adopt it by January 1 has been extended for one year.

Our Senator has attached, and I apologize to my colleagues, I do not have the reference number to give you, but I can certainly forward that to you. But from my understanding, the Governor has signed it and now these towns have an entire year to, in fact, adopt this plan. And there's no longer the January 1 deadline.

With that said, on the mailing question that you asked, we also asked that also. And please understand that it was expressed to us by the gentleman that was there because as it was said before Mr. Clark couldn't make it. The young man did express to us that they in now way are intending on doing a mailing to every town if, in fact, every town doesn't adopt this, number one.

And they -- he really wasn't positive on it. They did do one to every town. They may have a similar thing like they do with the hazardous waste collection where they have a generic mailer.

So the towns that have not signed onto this, if you will, will at least be educated about it and know that it exists, and that in that generic mailer will be the insert to the specific towns that have signed onto it. And that, once again, is something the process that they do do.

This department does a lot of this bulk mailing and they're very, very good at it. So I felt, as a Finance Committee member, very comfortable in that they weren't going to just be spending money foolishly if you will.

And then just on a side comment, as all of you know, I did not support this DCPC. I do not support this process. However, we voted it. It's as far as I'm concerned, it is law now, and we cannot have an unfunded mandate.

I said this -- when we discussed passing the DCPC that I was hoping you all would be prepared then. And I think I threw out a number of 100,000, so you're being asked her today to support 88,000. You know, we mandated it so now we have to fund it.

Speaker BERGSTROM: Well, we don't have to but we're going to find out if we will or not.

Ned.

Mr. HITCHCOCK: I guess given the schedule change situation and an extension of a year, is there any imperative that we vote on all of these expenses today? We don't know how many people, if any, are going to need to be certified as certified professionals and all that sort of thing.

We don't know what things are going to cost actually. I think it might be a much more useful exercise to take the time to find out the answers to all those questions. We have -- there's no -- there hasn't been any discussion about enforcement, and who's going to enforce and how they're going to enforce it so forth and so on.

So that's my question. Is there any reason that it's imperative to act today?

Speaker BERGSTROM: All right. I'll let the vice chairman of the Finance Committee respond.

Ms. TAYLOR: Well, I think money won't get spent that doesn't have to be spent. That's the first thing.

Secondly, if some towns sign up, I think that's as likely as that they'll wait a year. We need to be ready and we can't just say, oh well, we waited to see if anybody -- what's going to happen.

And I think thirdly, the next go around for this won't cost this amount. And if there's money left over, well great. If there's not and we have to ramp it up quickly and spend it all right away, then that will be educational. And in the future, some of these expenses will not be necessary if we continue the program.

Speaker BERGSTROM: Yes, Marcia.

Ms. KING: Thank you, Mr. Speaker. I didn't support the DCPC, but I'm like with Leo. I do support this. And I know for a fact that my town is already working and I think -- I'm assuming that this would be helpful to have it funded so that if they have questions they can come to the County ahead of time and they'll be prepared for when the final vote is taken.

But, as I said, I know my town's actually contacted me about this but our Board of Health is going forward. So I will support this, and I would hope everybody else would to just to get us prepared and ready for when the change does happen, whenever it seems to happen.

Thank you.

Speaker BERGSTROM: Yes. Cheryl.

Ms. ANDREWS: Just a comment. Leo, the Delegate from Harwich, he used the word "mandate." I was there. My understanding was it's up to each town to decide if they want to participate. So I guess for the record and anyone who's here, it doesn't seem like the word "mandate" is appropriate.

Mr. CAKOUNES: Thank you for clarifying that. And my comments for mandate were not that we were mandating that the towns do this. It was kind of a blanket statement in that the DCPC does require and specifically say that the County will be issuing licensing I think is the correct -- certification, I'm sorry, is the correct term, and people can apply for that certification.

Is that mandated that they do it? I supposed it's the wrong term. So that was what I was implying to though. We've established through voting the DCPC, we've established this certification process that the towns will be relying on the County to do. And I apologize, I do, now that I think about it, think the term mandate was probably improper.

Ms. ANDREWS: Okay. Thank you for the clarification.

Speaker BERGSTROM: Okay. Well I guess we'll that a vote.

**Roll Call Vote on Proposed Ordinance 13-12: To add to the County's operating budget for Fiscal Year 2014, as enacted in Ordinance 13-03, by making supplemental appropriations for the fiscal year two-thousand and fourteen.**

**Voting YES (91.79%):** Richard Anderson (9.15% - Bourne), Cheryl Andrews (1.36% - Provincetown), Ronald Bergstrom (2.84% - Chatham), Leo Cakounes (5.67% - Harwich), Ned Hitchcock (1.27% - Wellfleet), James Killion (9.58% - Sandwich), Marcia King (6.49% - Mashpee), Teresa Martin (2.30% - Eastham), Suzanne McAuliffe (11.02% - Yarmouth), John Ohman (6.58% - Dennis), Patrick Princi (20.92% - Barnstable), Julia Taylor (14.61% - Falmouth).

**Voting NO (0%)**

**Absent (8.21%):** Christopher Kanaga (2.73% -Orleans), Deborah McCutcheon (0.93% - Truro), Anthony Scalse (4.55% - Brewster).

Clerk O'CONNELL: Mr. Speaker, Proposed Ordinance 13-12 passes with 91.79 percent of the Delegates voting yes; 8.21 percent absent, now to be known as Ordinance 13-10.

Speaker BERGSTROM: Okay. Thank you. Now we're going to move on to Budget No. 12-301, Section 2, and I'm going to hand this to John to explain it to us and for a recommendation.

**Whereupon, it was moved, seconded, and by a roll call vote with 91.79 percent voting "yes":**

**VOTED: Proposed Resolution 13-12: To approve certain budget transfers for fiscal year 2014 in accordance with Barnstable County Ordinance 13-03.**

Proposed Ordinance 13-13: To add to the County's operating budget for Fiscal Year 2014, as enacted in Ordinance 13-03, by making supplemental appropriations for the fiscal year two-thousand and fourteen.

Mr. OHMAN: Thank you, Mr. Speaker. The Barnstable County Assembly of Delegates Finance Committee had a Public Hearing on Proposed Ordinance 13-13, essentially to make a supplemental appropriation for \$200,000 for the fiscal year 2014 for the remaining statutory Reserve Funds set aside for the year -- FY'13 for Flyover Mapping.

Speaker BERGSTROM: All right. John, I misread that. This is a different --

Mr. OHMAN: Where are you at?

Speaker BERGSTROM: This is Section 1, Proposed Ordinance 13-13 just to get it on the record.

Mr. OHMAN: Well, I thought the procedure might be to present this as it is and then amend it when it's on the floor.

Speaker BERGSTROM: Sure. So you're presenting Proposed Ordinance 13-13?

Mr. OHMAN: As present to us.

Speaker BERGSTROM: Okay.

Mr. OHMAN: And then there will be time for amending it I believe.

Ms. KING: Second.

Speaker BERGSTROM: All right. It's been moved and seconded? Is there any comment on this?

Mr. OHMAN: Mr. Speaker.

Speaker BERGSTROM: Yes.

**Mr. OHMAN: I would propose an amendment. It's a scribing error on Proposed Ordinance 13-13. On the budget number in the subprogram, it was listed as 0012301, which is once again a scribing error. It should actually read 0012602 is where the money would be coming from for the \$200,000. And I would move to amend that.**

Speaker BERGSTROM: Okay. Do I have a second on the amendment?

**Mr. KILLION: Second.**

Speaker BERGSTROM: Moved and seconded. Any discussion on this amendment? Hearing none. All those in favor say "Aye."

**SPEAKER BERGSTROM: Okay. So now we have Budget No. 0012602.**

Mr. OHMAN: As amended.

Speaker BERGSTROM: As amended.

Mr. OHMAN: Thank you, Mr. Speaker. This is an interesting initiative by the Cape Cod Commission, which I think is going to be a great benefit for all 15 towns on different levels.

They're going to spend a one-time cost of \$200,000 to do a flyover of all 15 towns, and in it we'll be getting all kinds of information that we need for each town to do everything from catch basins to telephone poles to everything that the town needs to know where the locations are for mapping purposes going forward.

Our \$200,000 contribution, if I recall, is a small portion of it. I don't know if I have all of the information in front of us. Here we are.

The total cost will be \$303,000 -- \$303,571, which would save approximately \$700,000 over the retail cost of doing this if each town were to do it individually.

And by doing it collectively at the same time, we'll get a much better one time look at what Cape Cod does this one time. And we'll be continuing this process every five years from what Ms. Senatori said.

So it's a bang for the buck. It's actually -- what I like most about it is we talk about regionalization; I think we really do care about regionalization. This is actually a regionalization project for the first time that has no negatives to it.

So I recommend -- the committee recommended 4 to nothing to bring it to the Assembly. And as such, I would recommend this passage as amended.

Thank you.

Speaker BERGSTROM: Okay. Do I have a second on that?

Mr. PRINCI: Second.

Mr. HITCHCOCK: Second.

SPEAKER BERGSTROM: Okay. Is there any further discussion on this? Yes, Julia and then Dick.

Ms. TAYLOR: I think that where also the County by picking out the largest share of the cost is giving -- first, we're saving the 700,000 overall cost to the towns, and then we are -- the County by paying out 200,000 would be heavily subsidizing each town based on their square miles area so that their cost will be a third or less than what they would pay even of the bargain price by doing it altogether.

So after that, it probably -- the cost will come down and also it won't be necessary for the County to be to be the main -- to be heavily subsidizing. It will just be the aggregator and

helper in futures -- in the future.

Speaker BERGSTROM: Dick.

Mr. ANDERSON: Yeah, I had a couple technical questions about it. If I remember correctly, it was going to be done in the spring of next year?

Ms. MCAULIFFE: Spring.

Mr. ANDERSON: All right. Early spring before the leaves come down -- come out. Yeah.

Mr. OHMAN: And after the snow melts.

Mr. ANDERSON: Yes. My question is how high this is plane or satellite or however they're going to do this imaging and how long does it take to do it?

Speaker BERGSTROM: Does anybody have an idea from the committee?

Yes, Leo.

Mr. CAKOUNES: I never asked the question how long it would take. I assume just in the presentation that it was going to be a month in the springtime when they actually start flying and doing it.

But it could be -- for those who are being sticklers on it, it could be five weeks, it could be eight weeks, but it's going to be just the springtime.

I did, however, ask about the satellite imaging, and the clarity of these photographs are far better than the average person can get using a satellite, Google, I think, Google Earth is what people are being referred to a satellite imaging. In fact, there was some images actually presented there.

And the other thing that I think I would like to add to this too is that these images -- once they are downloaded into the computer, and, again, you're hearing this from someone who's computer illiterate. Once they're downloaded to a computer system, you actually will be able to point and click on the drainage catch basins, and you'll be able to do overlays and withdraw information from catch basins let's say in an area that you're having a problem with. You'll also be able to use it for trafficking and size of turns and things like that.

So there's a lot more than just the photograph if you will because once it's loaded into the system, then it just expands immensely on the use of this whole program.

Mr. ANDERSON: I think that some people that were probably watching it were saying, "A flyover? What are they going to do flyover in a piper cub or a helicopter?" But if it's satellite, it's much different.

Mr. CAKOUNES: It's a plane.

Mr. ANDERSON: It's a plane.

Mr. CAKOUNES: It's a plane. It's not a satellite.

Mr. ANDERSON: Okay.

Speaker BERGSTROM: Yes, John.

Mr. OHMAN: Mr. Speaker, I do have new information to answer Delegate from Bourne's question. The entire flyover will take three days, and so they'll get a very precise time structure mapping of Cape Cod in three days at varying levels of height.

Speaker BERGSTROM: I have a question.

Mr. ANDERSON: Thank you.

Speaker BERGSTROM: I don't necessarily need an answer today but this isn't proprietary information. Is this going to be available to the public done by a public agency?

Speaker BERGSTROM: Anybody could use it. If I have a business, I'd say, "Guess what? Now I can," you know an engineering firm or something, "Guess what? I got this information right at my fingertips" regardless of the fact that the County spent the money?

Mr. OHMAN: It is public information.

Speaker BERGSTROM: Okay. Well I don't necessarily object to that but -- yes, Marcia.

Ms. KING: I think people may be interested in this. The Finance Committee got the actual cost for each town. And I'm looking at my town, the quotes if my town did it was 46,000 to 64,000. My town's going to get charged \$5,500 for this. This is phenomenal.

I think we should copy this and give this out. Because this is, as John said, this is really great. This is County doing what they should be doing and the cost is staggering less than if towns did it on their own.

Ms. TAYLOR: And it's beneficial that it's all done at once.

Ms. KING: Yes, it's phenomenal.

Speaker BERGSTROM: Well, why don't we without further ado take a vote on this.

Mr. CAKOUNES: Can I just add one more thing?

Speaker BERGSTROM: Yes. Sure, Leo.

Mr. CAKOUNES: I would like to also add that a lot of towns are waiting for us to vote this by the way too because no one happened to ask that question. That was the first thing I asked.

But there are a number of towns, quite a few of them, over the majority, and there's one town that has just had it done unfortunately or contracting had it done, but even they're thinking of jumping on board too.

So the towns are really waiting for this and it seems like they've already been in contact with the planning departments and different departments that are going to head this up.

And, reluctantly, as I always do when I see something that is right, I will admit it. This is what I feel a County should be doing absolutely.

Speaker BERGSTROM: You altered the drainage on your bog and got fined.

Mr. CAKOUNES: Just let me know when you're flying over my farm because I've got a little present for you.

Speaker BERGSTROM: Let's take a vote.

**Roll Call Vote on Proposed Ordinance 13-13: To add to the County's operating budget for Fiscal Year 2014, as enacted in Ordinance 13-03, by making supplemental appropriations for the fiscal year two-thousand and fourteen.**

**Voting YES (91.79%):** Richard Anderson (9.15% - Bourne), Cheryl Andrews (1.36% - Provincetown), Ronald Bergstrom (2.84% - Chatham), Leo Cakounes (5.67% - Harwich), Ned Hitchcock (1.27% - Wellfleet), James Killion (9.58% - Sandwich), Marcia King (6.49% - Mashpee), Teresa Martin (2.30% - Eastham), Suzanne McAuliffe (11.02% - Yarmouth), John Ohman (6.58% - Dennis), Patrick Princi (20.92% - Barnstable), Julia Taylor (14.61% - Falmouth).

**Voting NO (0%)**

**Absent (8.21%):** Christopher Kanaga (2.73% - Orleans), Deborah McCutcheon (0.93% - Truro), Anthony Scalse (4.55% - Brewster)

Clerk O'CONNELL: Mr. Speaker, Proposed Ordinance 13-13 passes with 91.79 percent of the Delegates voting yes; 8.21 percent absent. It will now be known as Ordinance 13-11.

Whereupon, it was moved, seconded, and by a roll call vote with 91.79 percent voting “yes”:

**VOTED: Proposed Resolution 13-13: To approve certain budget transfers for fiscal year 2014 in accordance with Barnstable County Ordinance 13-03.**

Speaker BERGSTROM: Okay. Thank you. And I see yet another Resolution here which we did not have a meeting on; is that right? Resolution 13-05. You should have a copy of it in your packet.

Transfers between budget groups 1, 6, 8, and 9 for fiscal year 2014 approved for the Regional Service Initiatives Program.

So it's basically a decrease and an increase. You guys all have this and understand what's going on?

Mr. OHMAN: I don't have it.

Mr. CAKOUNES: I don't have it.

Clerk O'CONNELL: Yes, it was an attachment in your packet. It's Proposed Resolution 13-05, and there was also a memo in the packet that explained what this was for.

Speaker BERGSTROM: So it's a transfer between two budget groups; all right? \$40,000 decrease; \$40,000 increase. So any questions on this? John, do you have any knowledge on this or?

Mr. OHMAN: No, sir. I do not.

Speaker BERGSTROM: Good. Then why don't we take a vote on it before anybody brings up an objection.

Yes, Leo.

Mr. CAKOUNES: I'm sorry; I mean is it asking too much if it at least could be read into the record what --I mean how long is the explanation of what exactly this is for?

Clerk O'CONNELL: It's about three paragraphs as the Proposed Resolution states, it's for the Joint Regional Services Initiative Program. I received a memo from Kristy Senatori as I requested to explain the purpose of it.

And quote, as the memo states, “As you recall, the Commission and Barnstable County Commissioners are working together on a joint communications program. The County Commissioners identified a need to provide consistent, accurate, and timely information about County agency and services and asked the Commission to develop both internal and external communication strategies to meet these needs.

A proposed scope of work was approved by the Commissioners in September. To date, the Commission has researched existing communication efforts and compiled baseline information including website analytics, newsletters, and social media efforts.

A meeting was convened with County departments,” yes, it was, “and staff to discuss their communication needs and develop a plan to meet current and future needs to engage town and residents.

Follow meetings with the County departments are being scheduled. The transfer request proposed will allow for additional staff resources this fiscal year to work with the communications team on this effort.

Specifically, one full-time staff member will be hired. I'm providing a communications plan update to the County Commissioners on November 20, 2013, and would be happy to share this information with you as well as any -- as well -- or answer any questions you may have. Thank you for your consideration.”

It's a budget transfer.

Mr. CAKOUNES: Can I ask a question?

Speaker BERGSTROM: Yes, Leo

Mr. CAKOUNES: I understand where the money is going to. Could you, by any chance, just explain to us what line item the money's coming from?

Speaker BERGSTROM: You know, Leo, I don't honestly know, but it says here that's it's for the Joint Regional Services Initiatives Program. So there's a decrease in a line item, but I don't know where that line item is coming from.

Clerk O'CONNELL: Yes, I can tell by the description where it's going to, you know it's a 5100 account, and that is a Salaries line. But I'm not knowledgeable on the 5239, which is where it's coming from.

Speaker BERGSTROM: Well --

Clerk O'CONNELL: I wish I could get somebody to give me a hint because I think there's somebody out there that knows.

Mr. PAUL NIEDZWIECKI: I could give it to you.

Speaker BERGSTROM: We could ask if you want to suspend the rules.

**Ms. MCAULIFFE: Move to suspend the rules.**

**Mr. OHMAN: Second.**

**Speaker BERGSTROM: All right. Move and seconded to suspend the rules. All those in favor say "Aye."**

All right. I supposed Mary Pat or whoever is -- is it Paul? You can give us a quick explanation on this.

Mr. PAUL NIEDZWIECKI: Yes. Thank you. For the record, Paul Niedzwiecki, Executive Director the Cape Cod Commission.

This was approved as part of the budget last year a line item for Joint Communications Program. Most of that money was allocated towards consultant fees basically. So the line item it's coming out of is a consultant fee.

The initial evaluation recommends that we can do this less expensively by having one staff member associated with it rather than hiring consultants to come in and do it, and then turn it over to staff to maintain it a long-term.

Speaker BERGSTROM: Okay. So this is already listed as an expense?

Mr. PAUL NIEDZWIECKI: It's already an expense, but you're moving \$40,000 from the Consulting line item to the Salaries line item. And that's basically what it is.

Speaker BERGSTROM: And can you cover a full-time employee and benefits with \$40,000?

Mr. PAUL NIEDZWIECKI: In addition to other resources that we have out there. If you don't know, Nancy Hossfeld, a long-time Communications Coordinator of the Cape Cod Commission, retired as of yesterday.

So we are taking David Still, who we hired as Special Projects Coordinator and putting him into that Communications Coordinator position. And so it leaves some flexibility around there to recast this.

So we believe the \$40,000 number would be enough to support in conjunction with other resources already allocated for that purpose at the Commission, one full-time position to support this joint County communications effort.

Speaker BERGSTROM: So funds will come out of your Commission budget as well as the County operating budget?

Mr. PAUL NIEDZWIECKI: Yes.

Speaker BERGSTROM: And it's mingled.

Mr. PAUL NIEDZWIECKI: Yes.

Speaker BERGSTROM: Okay. I don't have any objection to that but I'll pass that off to Leo.

Mr. CAKOUNES: No, please understand it's not an objection, and I apologize because normally I like to have all this information ahead of time. But for some reason, this one fell through the cracks.

Paul, can you tell me specifically on the money that we allocated that you referred to you're taking this out of, was that in the Planning and Development part of the budget or was that in the general County ledger? This is not coming out of --

Mr. PAUL NIEDZWIECKI: No.

Mr. CAKOUNES: -- Cape Cod Commission's funding?

Mr. PAUL NIEDZWIECKI: General County ledger.

Mr. CAKOUNES: Okay. Thanks.

Speaker BERGSTROM: Okay. Anything else? All right. Well, I'll call for a vote on this.

Mr. HITCHCOCK: You need to go back into session.

Speaker BERGSTROM: Oh, that's right. We will unsuspend the rules, I guess.

**Mr. OHMAN: I move to go back into session, Mr. Speaker.**

**Ms. KING: Second.**

**Speaker BERGSTROM: Okay. All those in favor say "Aye."**

Speaker BERGSTROM: Okay. Here we are. Call for a vote.

**Roll Call Vote on Proposed Resolution 13-05: To approve certain budget transfers for fiscal year 2014 in accordance with Barnstable County Ordinance 13-03.**

**Voting YES (57.26%):** Richard Anderson (9.15% - Bourne), Ronald Bergstrom (2.84% - Chatham), Ned Hitchcock (1.27% - Wellfleet), James Killion (9.58% - Sandwich), Marcia King (6.49% - Mashpee), Teresa Martin (2.30% - Eastham), Suzanne McAuliffe (11.02% - Yarmouth), Julia Taylor (14.61% - Falmouth).

**Voting NO (34.53%):** Cheryl Andrews (1.36% - Provincetown), Leo Cakounes (5.67% - Harwich), John Ohman (6.58% - Dennis), Patrick Princi (20.92% - Barnstable).

**Absent (8.21%):** Christopher Kanaga (2.73% - Orleans), Deborah McCutcheon (0.93% - Truro), Anthony Scalse (4.55% - Brewster)

Clerk O'CONNELL: Mr. Speaker, Proposed Resolution 13-05 fails to pass because it did not receive a 50.01 percent vote of the Delegates. The vote is 47.20 percent yes; 34.53 percent no, and 18.27 percent -- Oh, I'm sorry. Correction. I didn't follow -- Julia, your vote again was?

Ms. TAYLOR: Yes.

Clerk O'CONNELL: I'm sorry. I apologize. It passes with a yes vote of 61.81 percent voting yes; 34.53 percent voting no, and I just want to make sure that I have the --

Speaker BERGSTROM: I just gave Janice a jab in the ribs there when she told us it didn't pass. Now it passes.

Clerk O'CONNELL: No, no, no. I put a vote in the wrong box so that's why. For the third time, yes 57.26 percent; no is 34.53 percent, and absent is 8.21 percent.

Speaker BERGSTROM: So it passes?

Clerk O'CONNELL: Yes.

Speaker BERGSTROM: Okay.

Clerk O'CONNELL: And it's now Resolution 13-05, same number.

**Whereupon, it was moved, seconded, and by a roll call vote with 57.26 percent voting "yes":**

**VOTED: Proposed Resolution 13-05: To approve certain budget transfers for fiscal year 2014 in accordance with Barnstable County Ordinance 13-03.**

Speaker BERGSTROM: I better quickly move on before it changes.  
Do we have a report from the Clerk?

Report from the Clerk

Clerk O'CONNELL: Yes. You should have all received a copy of the Annual Report for Fiscal Year 2013.

And another reminder about the holiday gathering for the Assembly that will be on December 18<sup>th</sup>. The cost per head is \$23. You can pay cash or by check.

And I am in the process of processing registrations for the MMA Conference. If anyone else has not gotten back to me about that and you are interested, please do so at your earliest convenience.

And that's all that I have to report.

Other Business

Speaker BERGSTROM: Okay. Is there any other business to be brought before the Assembly? Yes.

Ms. MCAULIFFE: Just a brief comment and not for response. There was a "My View" in the paper that was also forwarded to the Assembly of Delegates that ended with a quote from me that is not a quote that I ever made. It is a made-up quote.

So I can tell you my position, and I can discuss it when we have that topic under consideration. But just off -- for the record who knows why someone would make up a quote?

Speaker BERGSTROM: So you've been misquoted in the paper? Well, welcome to the crowd.

Yes, Marcia.

Ms. KING: I just want to ask a question about -- so we're not going to discuss the Charter on December 4<sup>th</sup>?

Speaker BERGSTROM: I haven't looked at the -- I have to -- I'm just getting this information yesterday.

So Janice and I will -- we're not going to discuss it on the -- definitely not on the 20<sup>th</sup>.

Mr. OHMAN: Today's the 20<sup>th</sup>.

Clerk O'CONNELL: You mean not on the 18<sup>th</sup>.

Speaker BERGSTROM: Not on the 18<sup>th</sup>. So we're going to be -- it's going to be the 4<sup>th</sup> or not. I don't know at this point what else to do.

It may be at this point since nothing's going to happen until January anyway, it may be best to see what kind of comment we get, you know, but we can discuss it. So what do you think?

Ms. KING: But there won't be a vote because --

Speaker BERGSTROM: No, no, there won't be a vote. There won't be a vote.

Ms. KING: Thank you.

Speaker BERGSTROM: Anything else?

Mr. ANDERSON: Motion to Adjourn.

Deputy Speaker MARTIN: Motion to Adjourn.

Ms. KING: Second.

Speaker BERGSTROM: Moved and seconded. All those in favor say "Aye."

**Whereupon, it was moved, seconded, and voted to adjourn the Assembly of Delegates at 4:55 p.m.**

Respectfully submitted by:

Janice O'Connell, Clerk  
Assembly of Delegates