

**CAPE COD REGIONAL GOVERNMENT
ASSEMBLY OF DELEGATES**

APPROVED Journal of Proceedings – February 15, 2012

Speaker BERGSTROM: Good afternoon. Welcome to the February 15, 2012 meeting of the Cape Cod Regional Government Assembly of Delegates.

I'd like to call the meeting to order and we'll 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. Now, we'll stand for the Pledge of Allegiance.

(Pledge of Allegiance.)

The Clerk will call the Roll.

Roll Call (95.45%): Richard Anderson (9.15% - Bourne), Cheryl Andrews (1.36% - Provincetown), Ronald Bergstrom (2.84% - Chatham), Leo Cakounes (5.67% - Harwich), Christopher Kanaga (2.73% Orleans), James Killion (9.58% - Sandwich), Marcia King (6.49% - Mashpee), Thomas Lynch (20.92% - Barnstable), Teresa Martin (2.30% - Eastham), Deborah McCutcheon (0.93% - Truro), Spyro Mitrokostas (11.02% - Yarmouth), John Ohman (6.58% - Dennis), Paul Pilcher (1.27% - Wellfleet), Julia Taylor (14.61% - Falmouth). Absent (4.55%): Anthony Scalese (4.55% - Brewster).

Ms. O'CONNELL: Mr. Speaker, we have a quorum present with 95.45 percent of the Delegates present and 4.55 percent of the Delegates absent.

Committee of the Whole

Speaker BERGSTROM: Thank you. Now, we need a motion to approve the Calendar of Business.

Mr. ANDERSON: Motion to approve the Calendar of Business.

Ms. KING: Second.

Speaker BERGSTROM: Moved and seconded. Any additions or corrections to the Calendar? Hearing none, all those in favor, say "aye". Opposed.

Now, we need a motion to approve the Journal of February 1, 2012. You should have all received the journal in your packet. Are there any additions or corrections to the journal? Hearing none, do I have a motion?

Mr. ANDERSON: Move approval of the Journal of February 1st.

Ms. KING: Second.

Speaker BERGSTROM: Okay. Moved and seconded. All those in favor say "aye". Opposed.

Okay. Now, we have Communications from the Board of Regional Commissioners. I see two of the commissioners here.

Communications from the Board of Regional Commissioners

Commissioner FLYNN: Thank you.

Speaker BERGSTROM: What do you have to tell us?

Commissioner FLYNN: Well, not too much, because you're going to hear a lot more from Mark than you will from me. But in preparation for his comments on the budget, I'm sure you all know, and some of you know directly because you came to some of our meetings, we met with the department heads and heard their presentations and had a dialogue with them about their budgets. And I am really grateful for the assembly members who came.

It was very helpful to us to hear their comments, and I hope that it was equally as valuable to them to hear directly not only from the department heads, but to also hear the back and forth and the dialogue with the department heads about their needs and, of course, as you will note that there are no new positions, and there is no new money. In fact there is less money.

But I wanted to tell you that in the past three years the commissioners have made the rounds, meeting with the boards of selectmen on the Cape twice in the last three years.

The first time around, it seemed, I don't know whether we were new and they didn't know us very well, but although Bill wasn't new. There was a discussion, but it didn't seem to be as valuable a discussion as the ones we have had recently, and we just finished meeting with 13 towns. We have two more to go, and they're busy now with town meetings. So we have to wait a while.

But we sent ahead the report on County Services that were available and used actually by those towns during the course of this past year, and it was really a welcome response for us to know how valuable the board of selectmen felt that those services were. They had read the reports, which was wonderful. They actually responded to them.

They were surprised not only at the number of projects that the county was able to provide, but also the cost of those projects, the value I should say, the value really of the projects to their community. And there was a great response from them and appreciation, and a realization that the county does provide services to the community that have value and they want to look forward to working with us in the future about expanding that, which is what we're all talking about now, which is the regionalization efforts that we will be able to do, particularly with OpenCape.

So I don't want to speak for Sheila, but I know I was really kind of blown away to see the really great response from the selectmen, their gratitude, and their appreciation for what the county has offered.

In fact, one of the town managers who actually spoke at the Special Commission meeting, one that was here, listed all of the activities that the Town of Sandwich had received in the past year, and he made -- that was Bud Dunham -- and he made the statement that he could have never funded any of that because they didn't have town funds to do it, and they would have never happened if the county didn't have those services available. So I ask you to think about that as you look at this budget, which is a decrease from this current year.

It's a level-funded budget and it maintains what we've been doing, but it doesn't allow us to do much of anything else. So I hope if you have questions that you'll ask. I know you will.

Commissioner LYONS: I am going just to sort of underline what Pat has said. I do think that, you know, in looking at our first budget together when we were elected, and now we are going into our third year. I think it does reflect the change in the times of what we are looking at and what we are facing, and how we are trying to position the county to be able to address these big issues.

A lot of what we're proposing is funding moving forward. It's not necessarily the end product, but it's getting us there, and again, as Pat said, this is really from feedback from not only the boards of selectmen, but even more so town managers who are the ones that handle those budgets, and they really in those discussions have identified what they really feel.

These are the things that they need the county to do, not just want the county to do, but because it's just going to be beyond their capacity.

So when we are talking about regional umbrella services, when we are talking about regional efforts and we are talking about funding for initiatives, we have to remember that these are really like life-support systems that could go out to the towns.

So with that, we will present our budget and I will give it back to Pat to introduce our — do you want to introduce Mark?

Speaker BERGSTROM: Are you taking any questions? If we have any questions, we can wait until after it's done. John.

Mr. OHMAN: When you talked to the town managers and the board of selectmen, did they come up with any specific things that they would be grateful if we took over on a regional basis?

Commissioner FLYNN: No, I would say not. Not at this time. But they do know that we are all working very hard on regionalization efforts and they welcome the opportunity to do that. Now, the lower Cape has — what do they call themselves?

Commissioner LYONS: I'm sorry. The Committee on Regional Municipal Cooperation, and they met this week. I was unable to attend, but Dan Gallagher spoke to them about these regional services. And these are things that they do feel — I mean, if you are asking the administrators asked for us to take anything over, it's really the future that we are talking, like these are the types of services we'd like you to be able to provide because they will be of benefit to us.

So when you are looking forward to, you know, a regional wastewater plant, the regional umbrella services collating systems. All of this is beyond their capacity. They're involved. They're part of the decision making, and the structure that's being built. I mean, it's not like anybody is being left out of the loop here, and it's all steps going forward. But it is steps forward into the 21st and 22nd century.

Commissioner FLYNN: To follow on that, our next meeting next week, we are going to talk about the RUSS, you know the regional umbrella services and because county needs to take leadership on that. We need to move that and we can't wait until OpenCape is all done. We have to start working on it now. That's the — they have the smarter Cape. Smarter Cape Cod, when they had their last meeting, put a whole list of opportunities out for those who might be interested in working on specific projects. And one project was governance and particularly governance of the RUSS and so we had that.

I signed up for that and we had the first meeting today. We had probably about 15 people there. It was really good. It was a very good discussion on the RUSS, what its capabilities are, what it can do for the communities, and how it really brings the OpenCape network together and allows it to work for the municipality.

So it's pretty interesting. So if you have time next meeting, you might want to come for that discussion.

Speaker BERGSTROM: Marcia.

Ms. KING: Thank you, Mr. Speaker. I received a copy of the Special Commission on County Governance wastewater recommendations, and it's basically asking you to create legislation to start a new authority, a wastewater authority. They may call it district, but let's call it what it is. Have you done anything about this? Are you planning on doing anything about this?

Commissioner FLYNN: Well, I was at the meeting last week when that was brought up for the first time. At least, the first time I had heard it brought up at the meeting. I haven't seen that yet, but I think that's going to take a lot of discussion and a lot of input from the various towns before we begin to even consider an authority. I don't think it's something you just accept. I think it's something you have to do a lot of homework on. That's my point.

Speaker BERGSTROM: Go ahead, Marcia.

Ms. KING: I do have another question. You brought up the RUSS. Is OpenCape going to pay for any of this? I mean, there appears to be some cost that the county is going to incur in all of this, though no one seems to be saying exactly what it is. But is OpenCape -- because I mean they are going to charge for us, the municipalities and the schools for the service, yet they are asking the county to help them institute some of the services. Is there going to be some sort of an arrangement with them, I assume?

Commissioner FLYNN: Well, OpenCape as you know just lays the fiber, I mean, just puts out the fiber. Then all of the next pieces of it are going to have to be taken care of or be paid for by the participating communities.

Fourteen of the 15 towns signed on to the ePermitting, and the ePermitting is like the first step with the RUSS. It's one of the first projects the RUSS can do is the ePermitting. The cost of it will be borne by the communities who want to participate because in the long run -- actually let me go back a bit. The EDC has put out an RFP, and I think they had all the responders in this past week. I think ten businesses responded to the RFP to do a technical survey review of each of the towns to see what they have in terms of their infrastructure for computer services, telephone services, all of that, what they have now, and what they could need or what they could replace, if they were to do it on the terms of a RUSS.

It would be far more cost effective for communities to participate in the RUSS for some of these services than it would be for what they are paying for now individually. So that report will be back probably in five months is what it will take to get all that information, and that will give everybody a much better understanding of what the next steps are following OpenCape. But OpenCape is just a construction project and the rest of it is up to us, the county and the towns.

Speaker BERGSTROM: Sheila.

Commissioner LYONS: If I may, I think it's a little premature, number one, to respond to Special Commission. These things are being circulated to the committee members for their input. These are all draft situations, and it's not the complete report or set of recommendations being given to us. So I am not really -- I think all of us are not ready to respond to any of these things individually until it's a collective finished work.

The other thing about the RUSS is this isn't like -- if there's anything there's potential revenue streams for the county out of this, but even that has to be hammered out. And those will be the details that we will be working out of how the structure of this will happen within the county because it's a municipal service. It doesn't have to be built. It's time for it to start being put together. So now is the time for us to be looking at this. But I think it has a very good potential in the positive for the county.

Speaker BERGSTROM: Leo.

Mr. CAKOUNES: This is the first time I have seen this document. And it's conflicting with what you just said. So I just want to clarify it for my own thing. It says, we strongly and unanimously recommend that the Barnstable County Commissioners, and then it goes on to say what it says.

Ms. TAYLOR: Mr. Speaker.

Ms. CAKOUNES: Has this actually been voted?

Commissioner FLYNN: No.

Speaker BERGSTROM: No.

Ms. TAYLOR: No.

Mr. CAKOUNES: I just want to clarify. Because if this is floating around and if someone gets this, it appears ---

Speaker BERGSTROM: It's a proposal -- somebody wrote that as a motion to be put before the committee.

Mr. CAKOUNES: Thank you.

Ms. TAYLOR: It probably will be discussed further, and voted on this Thursday night. That's a far cry from the commissioners adopting it. This is simply a recommendation to the commissioners.

Speaker BERGSTROM: If it's passed.

Ms. TAYLOR: If it's passed.

Speaker BERGSTROM: Why don't we get a budget presentation here, and then we'll answer more questions.

Commissioner FLYNN: Thank you.

Communications from County Administrator : FY 2013 Budget Presentation

Mr. ZIELINSKI: Actually for both John, and Delegate King. I'll talk a little bit more about the Regional Umbrella Services thing that you're sort of hearing about. You may know exactly what it is.

But there's also things in there as well that these things tend to happen more piecemeal than in a global setting. That is to say, we don't sort of take over things that way. That's usually not how it works. Usually the towns that express an interest in getting a service from us - usually not all 15 at once. Usually it's some of the smaller towns typically, and in there you will see that George is making some strides hopefully at expanding the health inspection and the sanitarium inspection services. We've been doing Orleans for a long time and there are some opportunities to do some other towns in there. So you see those types of things that are typically how it works.

Well, thank you very much. It's that time of year again. It seems like I was just here. It would be a year ago now, but it seems a lot shorter than that.

Before you, you have a copy of the little presentation that I am going to give, that's very brief. We finished it at the commissioners today in about 15 minutes, but you also have a copy of the proposed 2013 operating and capital budget. You have the full document which is the paper weight there you have. It's 250 or so pages. And you have an executive summary in front of you.

I have to thank Jack Meade for the cover picture on the executive summary. I stole that off his website. So I have to give him credit. I think it's a beautiful picture.

So what we are going to talk about a little bit in the budget is what the commissioners' philosophy and direction for the 2013 budget was.

I am going to go over just a quick overview of the revenues and expenditures and then a little budget highlights, sort of department by department. It won't be every department, but some of the things that are in there. Then I will touch upon a couple of things that we wanted to do that we weren't able to do just to give you some background on that.

So you've heard a lot about this Regional Umbrella Services Center thing. I will talk about that. So that's been sort of -- I don't want to call it the focus of the budget -- but if there's anything new in the budget, that's what it is, and really it's time and we need to sort of do that if this opportunity -- this opportunity has presented itself and if we don't do it now, we are not going to be able to do it at all. It will be lost because OpenCape will be coming online in fiscal year 2013. So we have to kind of grab it, strike when the iron is hot.

Pat mentioned that one of the things we really tried to do in this budget, which is less money as she said, is maintain the regional services that we offer. That is one of the things that I

think when we talk to the town administrators, they heard from the selectmen, that the things we're doing are the right things.

We are doing things that the towns need, things that the towns want, things that the towns appreciate, and things that the local citizenry in those towns appreciate. So we have tried to maintain our service levels and not cut back on services.

Then there are a couple of other regional things that I'll talk about. The Regional Umbrella Services Center. This is really comes about because of the opportunities that are presented by OpenCape and the backbone that's out there, and really it was asked for by the town administrators. This came up in sort of a discussion I think at the December Town Administrators Luncheon. They meet every month. And they said, well, there are these opportunities that are going to be out there, and they're not really sure what those opportunities are, but we know we want to take advantage of them, whatever form they take.

So in the budget we provided \$75,000 in support of the new regional initiative called Regional Umbrella Services Center. And its goals are really to enhance regional collaboration in the technology field, and to identify and implement, you know, regional applications across municipalities, schools, public libraries and public safety departments.

Pat mentioned that eBilling. That's kind of the first one. That started through a Cape Cod Commission technical service grant that they got to study that. Most of the town administrators that I have talked to, they're very enthusiastic about that. That can really make a difference. So that's sort of the first one. We may not even be sure what some of the other ones out there are. I know public safety communication piece is a big one, and that's going to be one that we are going to look at as well.

And it also supports the Regional Area Network. So what we are trying to do is to provide resources in the form of consultants or a person --it's really the monies in there as professional services money. We didn't put it in as a new position yet. To give us the resources to sort of figure out what the opportunities are for that are presented by the OpenCape project.

I think the towns fully recognize that once you have identified the application such as eBilling or whatever it has, they are going to be in either paying for it through their own budget or paying for it through the county for a fee for service. I think they recognize that. I think they are comfortable with that scenario because doing it regionally I think they are starting to recognize more and more you can do it with more efficiencies.

I just highlight some of the regional services that you all know about and are familiar with, and certainly this is not an exhaustive list.

Shellfish & Marine Programs are really economic development programs here on Cape Cod. You remember we used to get \$90,000 from the state to purchase shellfish seed and put it in our public shell fishing areas. We don't get that anymore. Over the past few years the county's been putting up some \$30,000 to procure the shellfish seed and we distribute it to the towns.

The Regional Household Hazardous Waste Collections. That's a very important and very popular program and we do those on a regional basis. We work with the towns to collect hazardous waste from homeowners.

The Health Department Equipment. I mention that a little bit. We will be buying two pieces of lab equipment in this budget that will give the lab the ability to do additional testing that they don't have the capabilities for now.

And I did mention at the hearing earlier there is no additional funding for the lab relocation project in the FY 2013 budget. We should be done by the end of this fiscal year hopefully with the renovation.

Continuing, Human Service Collaboration and Coordination. And I don't know if you're aware, but Beth Albert in the Human Services Department, did get a grant, a \$60,000 Mass. In Motion Grant, it's called. It's to prevent obesity. They are starting their efforts on Friday. There's a meeting at 10 o'clock, a kickoff meeting, up in the new conference room in the old jail facility. So you are welcome to attend that.

Regional Planning Services. You will see the Cape Cod Commission's budget is actually down from last year as well, just like the county budget. They're a little bit hard-pressed. Transportation dollars that they usually get, grant dollars from the state, are not there as much. So they're really doing more with less. But there is an emphasis on the regional planning services for the towns.

And again, the Water Protection Collaborative. We are doing more in the area of the town grant program that we have for that. That's actually going up \$50,000. So that's \$150,000 this year. It will be \$200,000 next year.

So Other Regional Efforts that we have is the Municipal Solid Waste program that the commission has been working on, wastewater and other water quality issues, both at the water protection collaborative at the Cape Cod Commission, and also in the health department.

Also in the health department, we have the Public Health Nursing division, the Medical Reserve Corps, and Septic Betterment Programs. We're continuing those as well.

The OpenCape, as you know, we are continuing to help with that. We've provided the building. They are actually working on the building, to renovate the building with their grant money right now. So that will be good for the county. We'll get a renovated building out of that. Once that's completed, we will have some space in there for the whole Regional Umbrella Services center that will be located in there.

And then finally I mentioned just a little bit ago George's efforts to try to improve and expand the Regional Health and Sanitary Inspectional Services to some of the other towns on Cape Cod.

So overall this is what the budget looks like for 2013. Its \$23,580,850, and it's a decrease of 5.6% from this current fiscal year.

On the Revenues side, both the County Tax and the Cape Cod Environmental Protection Fund Tax, Cape Cod Commission tax, those are increasing 2.5%.

The Deeds Excise Tax Rate, the rate remains the same at \$2.70 per thousand. But the assumption on the deeds excise in terms of collections is decreasing. It's going down 6% to seven million dollars.

We've looked long and hard at those, and it's just -- the revenues aren't there right now and so we brought that number down. I thought that was important to do so this year and we managed to accomplish that.

The same on the Business Revenue. That's down 7% from this fiscal year, and the good news is though it still exceeds the total cost of operating the Registry of Deeds. So that's still -- the Registry of Deeds basically pays for itself and brings a little bit more into the county coffers.

The capital program is just under a million four. There's an emphasis on still improving some of our IT infrastructure and those types of things.

There's some funding for the Facilities Department. They have to do some roof work up on the old jail, some windows in the Superior Court in the old jail. And they're doing some fire alarms. They are continuing the fire alarm program, replacing fire alarms in the building. So we're working on that. And again, we're able to say that we are not using any treasury balance funding for 2013.

A few years back we were able to get off of the assumption that there'd be money left over going into the new fiscal year, and we haven't done that for a few years. We're not going to do it next year either. So that's good news.

So that's just a snapshot of the revenues and where they're coming from. You see tax revenues make up 55% of the total budget. Tax revenues are what the Cape Cod Commission tax to the towns, that county tax to the towns, and the deeds excise tax from the registry.

The other big part is the Department Revenues are 25% of the budget. That's the Dredge and the septic betterment funds, and the health lab revenues that we get a bunch of other things that are in there. So there's a bunch of revenues in there.

Grants. We still had pretty decent with grants. It will go down a little bit over time. But we're still 8% of the budget, \$1.8 million, and I talked about the bond issue of revenues.

There's intergovernmental funding. Most of that is the rent payment from the state for their occupancy in our courthouses.

And there are the Expenditures by Group, and these are all in the budget as well. So you have copies of those in the budget as well. You see we are really, you know, obviously we are a service oriented agency. Our biggest pieces are people, the Salaries of 45%, Fringe Benefits, 18%. So that's the biggest piece of our budget is staffing.

Just in terms of Budget Highlights, what's in there, Arts Foundation, \$30,000. We continue to fund the Arts Foundation. This year we are proposing that \$10,000 of that come from License Plate Funds.

I mentioned Information Technology, and enhancing their capital program, especially in terms of improving our wide area network here at the county. We have also provided them with some Additional Professional & Technical Services Funding. We're sort of trying to avoid doing things with employees now. So we have a little bit more emphasis on doing things with contractual services or professional services.

Facilities Department. I mentioned some of the things we are going in there through the Capital program, roofs, window, fire alarms, and we are continuing operation of the rest area with license plate funding. That's about \$32,000 or \$35,000, something like that.

Cooperative Extension. I mentioned the Regional Household Hazardous Waste program. Mike Maguire does a terrific job with that. He's covered all our bases on that. He's done a terrific job.

We did manage to continue to provide some money for both the Forest Fire Prevention program that Bill Clark does, and the land management mini-grants that he does. Those are two popular programs. Typically we provide at least \$25,000 per year. This year it's down to \$20,000. At least we can continue to do something on those.

Jack Meade has done a terrific job on his Staffing Efficiencies up at the Registry. He sort of recognizes that if the business is slow, and that if someone retires, they don't immediately need to replace him. So we've been able to continue to be very efficient at the Registry of Deeds.

I mentioned the Health Department Testing Equipment at the health lab.

I mentioned the Mass In Motion Grant. So I covered that already.

Children's Cove, we are continuing to fund at current service level. We did include the DFS, the Department or the Division of Family Services funding, \$65,000. So hopefully we will get that in 2013.

We also continue to fund the Meals on Wheels program for Elder Services, at this year's level of \$75,000. So that's in there.

We do include, of course, the required payment for the Remaining Unfunded Pension Liability associated with the sheriff. That's about a little bit over \$1million for next year, and you contrast that sort of with what we'd normally pay or what we were paying for the sheriff was the maintenance of effort. If you recall that was up to about 2.6, 2.7 when he transferred, and that was increasing 2.5% every year. So, and we don't have to pay that anymore. So that's good.

I mentioned Enhanced Municipal Support Initiative through the Water Protection Collaborative. That would increase from 150 this year to \$200,000, even though overall the water protection collaborative budget went down.

Same with Cape Cod Commission. They are doing more with less. Their budget is actually down for 2013, but they're still an emphasis on the Local Planning Services.

And the Shared Costs. There is a 2% COLA in the budget. We are including that. I think that's an important piece to include. Most of our staff are at their max step. We have an eight-step salary schedule, and almost everybody is at their 8th step. So the COLA is what they'll get in terms of any increases.

I did manage to include Appropriated Reserves. You know there are two appropriated reserves lines in the Shared Costs budget. This year we managed to squeeze \$25,000 in each of those. Next year it's only \$10,000 in each, so \$20,000 total.

I did want to mention a couple of things about what we weren't able to do. As you know, this budget you will see in most of the health insurance lines reflects a decrease because health insurance reform was passed by the state, and now public entities are required to essentially match what the GIC offers in terms of their health plans. So effective July 1st we will be offering what's called the GIC look-alike plans. It will be the same plans that we have, the same menu, but they will have a deductible and they will have higher co-pays. So that reflects all of the savings in the health insurance line. We originally would have liked to take some of that money and set it aside, put it away for a rainy day. But just the opportunity wasn't there for this year. I think it's more important that we sort of bring revenues more in line with what we're seeing. So we are unable to do that.

The other thing that's out there, as you probably all know, especially the Provincetown people, our mileage reimbursement rate is a little bit out of whack. I think that rate is 55 cents for this year. We looked at doing that as well, and we really wanted to do that, at least most of it, if not all of it. We are at 41 cents. To get to 55 cents would have cost county-wide about \$50,000. So we just didn't feel we were in a position to do that, so we didn't do that either.

There were some — you'll probably hear from some of the department heads, a number of positions requested IT, Facilities, Cove, Human Services, and we just felt that we weren't in a position to fund any new positions at this point in time. So we didn't.

So the next thing is a review schedule. I know Janice has sent it out. I really haven't had a chance to digest it too much yet.

We look forward to working with you again. Thank you.

Speaker BERGSTROM: Thank you, Mark. I guess we'll start off with questions from the Assembly. Yes, Spyro.

Mr. MITROKOSTAS: I just wanted to confirm for any of the questions I may have. This is a budget-to-budget comparison. This is not a budget to actual comparison.

Mr. ZIELINSKI: That's correct. Budget-to-budget.

Mr. MITROKOSTAS: Could you explain the million dollar shift in Cape Light Compact?

Mr. ZIELINSKI: Well, they are not seeking any county funding for 2013.

Mr. MITROKOSTAS: They received a million dollars in 2012?

Mr. ZIELINSKI: They received about \$106,000 of General Fund money. The balance of whatever budget was in there was from the energy efficiency fund. So similar to how we did the EDC last year or the year before. I can't remember now. It was really, since they are not looking for any county funding per se, we decided to move them off budget.

Mr. MITROKOSTAS: So if you remove them, which you have, from the 2012 budget, we pretend they weren't there in the 2012 budget, the reduction budget to budget is only 1.8%.

Mr. ZIELINSKI: Yes, exactly. Yes.

Mr. MITROKOSTAS: So we're really using the commissioner's words for level funding.

Mr. ZIELINSKI: Essentially it's a level-funded budget.

Mr. MITROKOSTAS: Was there any treasury balance funding anticipated for 2012?

Mr. ZIELINSKI: No. There is a projection. There's a fund balance projection in there. I think it's on Page 26, so you'll see. And it's projected to be zero. So, no ---

Mr. MITROKOSTAS: Not doing any in '13 is somewhat redundant for doing any for 2012. In other words, you are not planning to do anything this year?

Mr. ZIELINSKI: This budget, the current budget for 2012, didn't assume any carryover money from 2011, and neither does the 2013 budget assume any carryover from 2012.

Mr. MITROKOSTAS: My last question. Do you know what we will actually spend in 2012 as a guesstimate at this point?

Mr. ZIELINSKI: Yeah, it's sort of in a kind of -- I don't mean to say the word funky, but when you get to the fund balance projection, that's in there on Page 26, it does do that for the General Fund. There's a projection both on what we think will be the total revenues or rolled up, and there's a projection on what we think the total expenditures will be, sort of rolled up. So that's the only way to get to guessing what it's going to be like on June 30th.

Mr. MITROKOSTAS: Is there a number there?

Mr. ZIELINSKI: There should be. Well, we are guessing that June 30th we'll be at zero. That means the revenues and the expenditures will be offset, that the bottom line will be zero. There won't be any leftovers, so to speak. It won't be a negative number either.

Mr. MITROKOSTAS: We are anticipating collecting all of that twenty-four and-a-half million dollars?

Mr. ZIELINSKI: Usually the revenues are down; usually the expenditures are down. Both.

Mr. MITROKOSTAS: So if we are anticipating spending less than -- excuse me, collecting less than twenty-four five, we are also anticipating spending less than twenty-four five.

Mr. ZIELINSKI: That's correct, yes.

Mr. MITROKOSTAS: Thank you.

Speaker BERGSTROM: Anybody else have any questions? Paul.

Mr. PILCHER: I'd just like to -- I am not quite sure if I understand what you were just talking about. I'm looking at Page 26 at the top of the page, and it has a total General Fund balance. It says revenues and expenditures, and the revenues are \$7,641,000.

Mr. ZIELINSKI: Yeah, that's just the General Fund. Don't forget. Because the budget includes a lot of things outside the General Fund, grants, other things like that. The Dredge, for example, is outside the General Fund.

Mr. PILCHER: So are you saying that expenditures are listed as \$10 million and change, so when we add all the revenues together, they are going to total up to \$10 ten and change, or is there ---

Mr. ZIELINSKI: Yes. We still cover the reserves. We don't change the reserve numbers. So once you get to the bottom line after you look at your revenues and your expenditures, you set

aside all the reserves on that page going into next year, which we haven't changed. The only thing that will be different is the \$600,000 will now have to be subtracted because we're using it.

Mr. PILCHER: You know I'm not very good at this stuff. So I just need sort of a simple, sort of straight-forward understanding. Are we going to take in as much money from grants and the Dredge and the general — and the taxation and so forth as we are going to spend?

Mr. ZIELINSKI: Yes. Essentially that's what we're saying, yes.

Mr. PILCHER: Thank you.

Mr. ZIELINSKI: So the bottom line will be zero.

Speaker BERGSTROM: Okay. Somebody over here? Leo.

Mr. CAKOUNES: Thank you. On your presentation, page 2, you talk about OpenCape. For some reason there's some general public has the assumption that we are actually giving cash to them. There's no cash in this budget given to OpenCape. Is that correct?

Mr. ZIELINSKI: No. There is built in, initially the same for all the towns going forward in 2013. I think Sheila mentioned it. That they are building the highway, so to speak, but it's a toll road. And so to get on the highway, they are going to charge you, because that's how their business plan works. You are going to have to pay for the service. So there is some money in the IT budget to start paying for that express service, so to speak. This will be the same thing.

Mr. CAKOUNES: That's the express service that we will be using?

Mr. ZIELINSKI: We're not just giving money to the OpenCape as a contribution to their program. No, we're not going to do that. It's a fee for service basically.

Mr. CAKOUNES: As far as the building that we are providing and some in-kind services, if you will, is there going to be a calculation of how much funds that would have added up to, let's say, if we weren't giving it to them for free just so we can have an idea?

Mr. ZIELINSKI: Yes. That was prior to the whole — when they did the grant application, Leo, we had to calculate that out. I don't remember the number. It was like \$800,000. I can't remember.

Mr. CAKOUNES: Maybe that's what people are hearing out there on the street, and they think we gave them that kind of money. I just want to clarify that.

On Page 4, with regards to the Arts Foundation, on your notes it says \$30,000, \$10,000 from the license plate fund. Just so I understand this. That means it's a total of \$30,000 there?

Mr. ZIELINSKI: It means a total of \$30,000, \$20,000 from the county, \$10,000 from the license plate.

Mr. CAKOUNES: And the Children's Cove, \$65,000 grant. I think it's on Page 5, a \$65,000 contribution. Are we getting involved again with giving them money, and them anticipating getting a grant, and then if they get the grant, they will give it back to us?

Mr. ZIELINSKI: No. I will never do that again. That's what got us in trouble before was we assumed we didn't get it. Then we did get it. All of a sudden, it freed up like \$65,000 that we had to fight over. So the better assumption is assume you're going to get it and then if they don't get it, then we come back and cut the budget.

Mr. CAKOUNES: We are giving them \$65,000?

Mr. ZIELINSKI: We are assuming that out of their total budget in there, I can't remember what the number is off the top of my head. I apologize. I should know every single number in there. \$65,000 is coming from the state as revenue. So that we don't have to give \$65,000 out of the General Fund.

Mr. CAKOUNES: All right. That's what I wanted to understand. Thank you. I think I had one more, but I'm all set for now. Thanks.

Speaker BERGSTROM: Anyone else? Cheryl.

Ms. ANDREWS: Thank you, Mr. Speaker. This is the second time for me. So fortunately it makes a little more sense than it did the first time. Thank you very much for the explanation.

I think when I heard you speaking to the delegate from Yarmouth you said because we took in less revenue in 2012 we also spent less. So my question is, in the budget, is there one place in here somewhere where if I was curious what things we didn't spend money on this year, could I read about it?

Mr. ZIELINSKI: No. You know, where you turn to is the Treasurer's Report that was done for the end of fiscal '11. We'll do the same thing for fiscal '12 when we get to that point, when everything is done and finalized. Maybe what I should do is -- I think back in September there were these questions coming up. I gave a presentation to -- it was only the Finance Committee about the Treasurer's Report. And I basically said, okay, you started the fiscal year with X dollars in the General Fund balance as Paul was mentioning, and you finished the year with X dollars in the general fund balance. How did you get from the beginning to the end, and we just went through it item by item, and there was a bunch of pluses and a bunch of minuses. And that's what you have to really look for.

So what I'll do is maybe I'll send that presentation to Janice. She can distribute it to the full assembly, and you'll get a sense then of how all these pieces sort of flow together. And that might be helpful.

Speaker BERGSTROM: Anything else from the delegates? Teresa.

Ms. MARTIN: Just for clarity, the \$35,000 for the state-owned rest fund to maintain it, where does that come from again? Is that the license plate?

Mr. ZIELINSKI: It comes out of the license plate fund, really the staff. We have a person there during the summer at the facilities on staff who opens it in the morning, goes there during the day and cleans it, and then closes it at night. Then it pays for supplies, toilet paper and cleaning supplies and all that stuff.

We have actually spent a lot of time, Pat and I, and the commissioners trying to come up with alternatives to fund the rest area, and there's not a lot of benefactors that sort of want their name at the bottom of the john or something, I guess. It's hard, you know, there's not many alternatives to doing that. We'd like to do something else. We just can't figure out a way to do it.

Speaker BERGSTROM: Mark, the presentation suggested that 43% of the budget was in salaries.

Mr. ZIELINSKI: Forty-five.

Speaker BERGSTROM: Forty-five. And 18 in benefits. That is factoring in the reduction in health care costs?

Mr. ZIELINSKI: That is correct, yes.

Speaker BERGSTROM: It seems like that's a pretty high percentage. I mean, you're talking about 40% over and above salaries and benefits. Is that benefits for just the current employees?

Mr. ZIELINSKI: No. It includes retirees.

Speaker BERGSTROM: It includes retirees.

Mr. ZIELINSKI: It does.

Speaker BERGSTROM: That makes a little more sense.

Mr. ZIELINSKI: And health insurance for retirees.

Speaker BERGSTROM: And do you know what the savings is in the health care cost this year?

Mr. ZIELINSKI: I should have mentioned this. I am glad you asked that. Remember, part of the reform legislation allows you to include 25% of your savings as a mitigation fund, they call it. So you can provide mitigation to the impacts on the higher deductibles, higher co-pays, blah, blah, blah, all that stuff. So we did include the 25%, and I believe the total savings run not including the 25% was \$255,000. I think that's what it was.

Speaker BERGSTROM: Okay. That's the total?

Mr. ZIELINSKI: That's the total. So you take 25%, we did put it out. It's in a line item right in the shared cost budget so you'll see it. That's in there.

Speaker BERGSTROM: So basically those are costs. I mean, when everybody uses the word reform, I assume that means they are going to pay people less. By reform, you mean you are shifting the cost on to the employees?

Mr. ZIELINSKI: Correct. That's what that means. That's what the GIC does, by the way.

Speaker BERGSTROM: Every dollar that they get taken away from them you are going to get twenty-five cents back?

Mr. ZIELINSKI: I hate to say I've been on my soapbox. Maggie will appreciate that I did this. You know, a couple of years ago they came out with rate-saver plans. And we actually did pretty good getting people signed up for rate-saver plans. I think we had a total of 30 or 40 people sign up. Unfortunately, this time around people who are actually paying on the rate-saver plan next year actually are going to pay a little bit more. So people on the regular plans are going to pay a little bit less in terms of their premium. Everybody is going to pay more in terms of deductibles and co-pays and all of those things. But people who are on the rate-savers are going to pay a little bit more.

Speaker BERGSTROM: Well, not everybody, because it really depends whether you get sick or not. If you don't get sick, you're not going to pay anymore, right?

Mr. ZIELINSKI: That's true. I guess you have a risk of paying more. That's what the system is all about.

Speaker BERGSTROM: Well, I'm sure everybody has a bunch of other questions, but we're going to have to go over this document. Marcia, did you have something?

Ms. KING: Just a quick follow-up on that. So the 25% savings. Have you determined how you are going to return it to the employees? If you incur it you're going to get it back; if you don't incur it, you don't receive any of the ---

Mr. ZIELINSKI: No. It's going to probably -- I shouldn't say probably. We haven't decided finally yet. But the Cape Cod Municipal Health Group general discussion has been to recommend that you do a premium holiday, or two premium holidays. However much that savings allows. That way you spread it to everybody. Sort of everybody benefits. Otherwise, if you don't get sick, you're sort of punishing ---

Speaker BERGSTROM: I would suggest just like a quick suggestion that you do it as a percentage of the deductible, because that way if somebody has to spend a lot of money out of pocket, they'd get more. If they don't spend a lot of money, then you don't get anything.

Mr. ZIELINSKI: Well, the nice thing about doing it as a premium holiday is the proportionality between family, individual, one parent, one -- that all takes care of itself.

Speaker BERGSTROM: Anyway, is there anything else on the budget? We are all going -
--

Mr. MITROKOSTAS: Quick question. 2% COLA. What's the dollar number?

Mr. ZIELINSKI: I forget. That's in the shared costs thing as well. I don't remember, Spyro. I'm sorry.

Speaker BERGSTROM: Do you go by the federal government or state government estimates of cost of living increases or you just come up with whatever?

Mr. ZIELINSKI: We have been doing – that's maybe a touch unfair. Since I have been here, and Cheryl mentioned this is her second one. I think this is my 17th or 18th, if you can believe that. So I think since I have been here there's been one or two times we didn't give a COLA. There's been one time I remember where we gave 2% for half a year and I think there was one time I remember -- I seem to remember doing 1%. But other than that, we've done about a 2% COLA.

Speaker BERGSTROM: Because I know some communities go by the cost of living increases. As a matter of fact, they gave it a negative COLA. In other words, say we give a zero COLA a couple of years ago not because they didn't have the money, but simply because it wasn't reflected in the national cost of living.

Mr. ZIELINSKI: Of course does that mean they give a four when it's a four.

Speaker BERGSTROM: Actually, they come damn close, but it's in arrears. It goes a couple of years later so everybody is confused. Anyway, I guess, just a minute. I'll go to Deborah, and then John.

Ms. MCCUTCHEON: Mr. Zielinski, going back to the COLA, did you consider not doing it this year given how dreadful the economy has been and how many people in the private sector are not able to have increases at all, or in fact laid off and not working particularly throughout the Cape?

Mr. ZIELINSKI: I would say we did not consider not doing it.

Ms. MCCUTCHEON: Thank you.

Speaker BERGSTROM: John.

Mr. OHMAN: Thank you, Mr. Speaker. On Page 2, the \$68,000 lab equipment. I am grateful when the lab gets new equipment because they usually are a revenue projection. He left.

Mr. ZIELINSKI: Oh, darn. Then I'm not going to be able to answer your question.

Mr. OHMAN: Will this add any revenue to the health department, some of these testing machines?

Mr. ZIELINSKI: Sir, let me broaden the question, John, so I don't have to say specifically those two pieces. I just got an email from George saying for this year we figure he's going to bring in \$500,000. That's what's in the 2012 budget. That's actually what's in next year's budget, but George thinks that some of these receptors that I keep forgetting ---

Commissioner LYONS: If I can interrupt. The personal care.

Mr. ZIELINSKI: Yeah, personal care. All of that stuff that people really don't have any opportunity as far as tests now accept through privately through an expensive lab. We are going to be able to do. So George does see an increase of revenue happening at the health lab. I didn't build that in because I'm not sure about the timing. It may not be until calendar year, you know, 2013. So that would only be half of the fiscal year. So yes, we anticipate over time that all of these things are going to improve lab revenues.

Mr. OMANS: And there's an undetectable, you can't detect -- but I know that George has worked tirelessly to build data bases on water quality and cancer structure, things that really matter to people long-term, that George really is brilliant with it. This equipment can do it, and I just want to let the public in general know that it's not just about the money. There are some data bases that he's been able to create and enhance through this that have been very beneficial to everybody in the county.

Mr. ZIELINSKI: John, I won't say it, as we joke in the office, George knows his, you know what.

Mr. OHMAN: Oh, one more question. May I ask one more question?

Speaker BERGSTROM: We'll close with that.

Mr. OHMAN: On municipal solid waste, I know that's in the Cape Cod Commission budget, speaking of closing with that, in 2015 every town, with the exception of Brewster, I believe, is going to be up for renewal of the SEMASS. What are we doing, what is the Cape Cod Commission doing to regionalize those contract talks?

Mr. ZIELINSKI: You know I'm going to have to punt to Patty Daley on that. She's done a lot of work on pulling all those pieces together. That is why I mention it because it's sort of coming to a head. But they've been doing a lot of work on talking to SEMASS, talking to Bourne, talking to what the alternatives are out there, John, but I would respectfully say that's a question for Patty Daley.

Speaker BERGSTROM: All set, John?

Mr. OHMAN: Thank you.

Speaker BERGSTROM: Okay. Thank you, Mark. I'm sure you are going to be grilled a lot more by the Finance Committee and various others coming down the pike.

Mr. ZIELINSKI: Thank you.

Assembly Convenes

Speaker BERGSTROM: Do we have any Communications from Public Officials? Do we have any Communications from Members of the Public?

Okay. Hearing none, the assembly will now convene. We will begin with the Report of Committees, and beginning with the Special Committee on County Governance, and I'm going to turn to Julie on this one.

Report of Committees

Special Commission on County Governance

Ms. TAYLOR: Okay. I got in my package this grid that presumably you did for me, Janice.

Clerk O'CONNELL: Yes. Pat Eldridge sent that to everyone. So I printed it out.

Ms. TAYLOR: Does everyone have one?

Clerk O'CONNELL: No just the Special Commission Members.

Ms. TAYLOR: Okay. Maybe we can get that for everybody. You probably only need one page of it. But that is what the special county commission vote sheet. That means there are 13 topics that are going to be voted on supposedly on Thursday night, tomorrow, tomorrow night.

And there was -- most of the time was spent at the last meeting talking about a wastewater, and some Cape Code Compact, some RUSS. Some of these are more controversial than others, and it might, if you're interested in what the vote is, unfortunately I am not going to be there tomorrow night, but this is what's going to happen supposedly, the vote.

Interestingly enough, the environment wastewater question was presented, and I was quite surprised to find an extremely favorable response from everyone at the meeting, particularly from the three town managers, and there was not a single negative remark from anyone about the concept of an authority.

So I would expect that that will pass, and we'll be very strongly supported by this Special Commission. I heard no negative comment. There are some details about it. I don't know what that piece of paper says. It has been hashed over quite a bit, but the concept was very strongly received.

Next issue. Supposedly at tomorrow's meeting we were going to discuss structure, but it doesn't seem likely to me, based on these 13 votes that will have to be taken. Again, if I were to predict, as I think I've mentioned before, there will be a strong sentiment for a regionally elected legislative body. Well, that's an issue. Strong support for a regionally elected group of people, maybe seven people from seven districts, and a strong executive with -- now, since we haven't had the discussion, I'm sort of speculating. But I am guessing that this will mean that some of the executive powers that now rest with the commissioners would go to the new executive elected or appointed, and that the legislative powers that exist in the present charter would go to this new regionally elected group.

Maybe the division would be similar to town manager/council setup that's in Barnstable. I don't really know how that operates. As I said, this hasn't been discussed, but I'm guessing that unless Ron or I spoke strongly against that plan, there won't be anyone else speaking against it. And I'm not going to speak against it.

What I am going to say probably not tomorrow night, because it's probably not actually going to come up, it's just as well, since I won't be there. But I have sent out some comments, and I think this special county commission group, despite my initial, I don't like to say, cynicism, close, has taken pretty serious -- a very serious approach and is really looking at some big suggestions and big changes, and I would think that they are going to be difficult changes, and some of them might require legislation in Boston.

They certainly would require tremendous amount of homework and leadership, political capital, and I would be a bit worried that if we, as a county, wanted to proceed with some of these important issues, it might be a distraction to be changing the system of government.

So that would be my fear and my reason for not being gung ho on doing that change. But that's not the same as my opposition long-term or even short-term.

I'm just wondering is there enough political leadership, is there enough political energy and time to do all of these things at once, especially if some of them require going to the ballot.

Speaker BERGSTROM: Okay. Let me just add a couple of things to what Julie said. As far as the wastewater authority goes, Paul Niedzwiecki and Andrew Gottlieb were both there and they gave a presentation. You probably all heard it before.

But they made two points. The one point that Paul and Andrew emphasized strongly was that the Cape towns are going to be mandated at some point down the line to clean up their wastewater. All right. Chatham was under a consent order, and that's why they did it. But they think that sooner or later the state's going to come down and put in some mandates.

And secondly, they made the point that they didn't think if it's left up right now to the individual towns one by one to do this, that it was never going to happen. They said politically it was unfeasible. That was their impression that it just wasn't going to happen.

Ms. TAYLOR: And their concept was it will happen because the federal government and the state government -- well, the state government will mandate it, possibly the federal government depending on this lawsuit, and that if it is done individually the planning and implementation by towns, they were estimating an eight billion dollar bill.

They feel that if it were done on a regional basis, you could bring the bill, especially for the planning, down to closer to \$3,000,000,000.

Now, that's a lot of money. I have no — that's a lot of savings. I, of course, cannot the least bit make any judgment as to the accuracy of those figures, but a billion here and there is not chump change, and they said the window of opportunity is maybe a year. Then it will be mandated and it will be the high price. They are very, very firm on that.

Speaker BERGSTROM: So they feel, and you've got to understand what they're talking about now. Because I made the suggestion and I think the people follow this.

We are talking about a regional agency. We are not talking about a regionalization the way we do in other things, where the county is sort of liaisons with the towns and says, you know, we can help you. We're talking about a regional agency essentially going to look at Cape Cod without the town boundaries, looking from a geophysical standpoint as to where the wastewater is, where it's going, and so on. So it's really not going to be 15 towns and each one of them getting help from the county as to how they clean up their wastewater.

Ms. TAYLOR: And their concept of payment funding would be directed less at town payments and more at ratepayers as the basis of funding as opposed to towns. And they have a little sop, which I think is sincere to the towns such as Barnstable, and I think Falmouth. They were thinking Falmouth, Provincetown and Chatham as being a bit ahead of the curve.

They felt that an agent district was the term, but authority is what we are talking about, that there would be — if we are talking about total costs, then the planning costs that have already been incurred by people, by towns, could be credited towards, give them credit for their ratepayers, but that of the -- three quarters of them cross town lines. There are very few that do not. And whether this is possible to get done, I don't know, but they were — there was no one at this meeting and there were a lot of people that didn't think it was the way to go.

Speaker BERGSTROM: Yes, and the county governance thing. I wrote some suggestions, they weren't copied to everybody, were they? But I put it to the Assembly of Delegates, but we'll get them around, and Julie also wrote some recommendations.

We're kind of groping in the dark, because even though we can see where this is going, no one has actually put something on place or voted on it. So we are pretty sure that they're going to make some sort of recommendation to consolidate the governmental functions of the county government.

So I'm not as enthusiastic about it as Julie is. So we'll see what comes of it.

But I'd like to get a sense of the assembly. It's hard to do it today because of course we don't have anything concrete on it. But at some point we have to get a sense of the assembly of where we're going to go with this. The indication is that somehow they're going to do an end run around our process. We had that debate at the very end of the meeting where they said we're going to go directly to the ballot. I don't know how they can do that. But I'll have to bone up on it and find out exactly what the options are.

So given that, are there any questions? Remember now. This is a report from committee. It's not a — I'm telling you what happened. Okay. Yes, Marcia.

Ms. KING: This is more a comment. I was at the selectmen councilors meeting last Friday, which was a legislative update, and Representative, I think it was Turner, who said that Speaker DeLeo has told point blank every single one of the reps, there will be no tax increases in the budget coming in, and because they were talking about the issue of the renting out the houses and getting taxes. I don't mean to give you guys my back. The taxes of the houses. So they wanted a home rule petition, and Cleon said the speaker has said no, it's not going to happen.

So I'm really curious how you think, how if the Special Commission thinks they are going to get this — because there has to be a tax. There has to be some authority. There has to be money

to function, and even if you go at three billion -- say, there's what, 2500 houses, give or take, on the Cape, is there more? You're talking probably ---

Ms. ANDREWS: There are 125,000 households.

Ms. KING: Okay. So that's like \$30,000 per house over X amount of years. You're talking about a thousand dollars per year. And it's is a tax. So whether you agree or disagree you may want to mention it tomorrow at the meeting. But that's what Cleon said Friday that the speaker was absolutely adamant he was not going to listen to anybody's home rule petition on that.

Speaker BERGSTROM: Well, it goes to show you what a pathetic institution the Massachusetts Legislature is if one guy can stand there and say this is what's going to happen, and this is not going to. Imagine if I said, I said, well, forget what the assembly wants, this is what I'm telling you this is what's going to happen. I can't believe -- if he had any diplomacy, he would have said it's my sense of the Legislature that they are not going to pass.

Ms. KING: Well, Ron, actually, I will tell you, at the breakfast, that's exactly what people said. You can't believe the speaker actually told them. He said, yeah, he came out and basically said, don't even bother.

Speaker BERGSTROM: Well, I guess the other 100 members are kind of extraneous. Do you have any questions?

Mr. OHMAN: So let me get this right. So they are going to come up on governance, never mind the big issue of wastewater, on governance they're going to come up with some plans that change county structure.

Ms. TAYLOR: We have not had the discussion, but I'm guessing.

Mr. OHMAN: All right. Let's just suppose. So what is the path? The path is either they are going to go back to the commissioners with recommendations ---

Ms. TAYLOR: Yes. In theory all of this is simply a report to the commissioners, and then it would be up to the commissioners to decide whether they wanted to proceed with that. If they decided they didn't want to proceed with that, say change in structure, it's possible for citizens to put issues on the ballot.

Speaker BERGSTROM: But here's what I told him. I said, even though they make recommendations to the commissioners, the commissioners have no more authority to make changes in the county government than anybody else. If they wanted to do it, they would have to go through the same path that any citizen went through to go through to us or to the ballot.

Ms. TAYLOR: It would have to be either approved at the assembly and put on the ballot or would have to be a signature initiative to go on the ballot. Either way it has to go on the ballot and those are the two routes.

And so I don't, as I say, my worry is that a change such as this will require a great deal of both political leadership and political activity, and the question is are there enough people in the county who wish to be active on this topic, and we know that there's a little bit of a visibility issue in general. Are there enough people? Are there people on this special county commission who feel that they really are so into county government they want to pursue it. That I don't know. We can just speculate about that. I'm just guessing what I think the special county commission is going to recommend.

I think John had another question.

Mr. OHMAN: Not to mention the legal fees that would be involved, the legal expertise it would take to unravel the county structure as it stands.

Ms. TAYLOR: Right.

Mr. OHMAN: Where does that money come from?

Ms. TAYLOR: That money would either have to be raised by people who wanted to spend it on a lawyer to draft a new charter or a county. If the commissioners wanted to do it, they would have to put the money in the budget, you know. I see it as very, very difficult and time-consuming, and that's why I'm not terribly excited about the idea.

Speaker BERGSTROM: Paul.

Mr. PILCHER: I feel compelled to speak, because I'm hearing that there's no opposition or reservation on this wastewater authority. I have to tell you that at least in my town the wastewater authority, which is going to entail taxing small towns for septic systems ---

Ms. TAYLOR: No, not towns - people.

Mr. PILCHER: People in small towns for septic systems that may not be -- septic systems that they need invokes the worst fears exactly what is going on with the Cape Cod Commission. I hear it constantly in my town and the towns in the outer Cape. So I think that there's a lot of work that needs to be done to convince folks in the outer Cape this would be a good idea.

Speaker BERGSTROM: My feeling is, and I feel hesitant to go in there and suggest I can read his mind. But my feeling is that Paul Niedzwiecki would rather not do this.

In other words, he would rather that the bill came down from the state and just everybody would have to fend for themselves. But he's volunteering to do it. No, I really feel this way. He's volunteering to do it and he's saying, look, there's a time window right now where you can save money. If you don't want to do this, then later on you just have to pay the piper, and that's what it is.

So to say, you see, this is people saying, and I've gotten emails saying, oh, the commission and the county are trying to take some more money from you. They are not trying to take some more money from you, what they're saying is, here's an opportunity to limit your liability. If you want to take it fine. If you don't take it, that's fine too.

Mr. PILCHER: I am not necessarily voicing a personal opinion so much as reflecting the opinion of my town, and my town has already engaged now for two or three years a study, wastewater studies that are hopefully resulting in some creative solutions to the wastewater problem in our town.

Speaker BERGSTROM: Yeah, Julie.

Ms. TAYLOR: I think that Niedzwiecki and Gottlieb believe that if the county is under -- if Cape Cod is forced by the state or maybe this lawsuit to do it under their mandate, that the cost would be so crippling to the economy that we would be in a disastrous situation.

So I think the idea of the three billion dollar tax is extremely unpleasant to contemplate and very scary to people. They seem to feel that the economic consequences of the imposed solution which they see as coming in a year if nothing happens as the ruination of the end of the Cape as we know it economically. For small homeowners they will be destroyed. I don't know ---

Ms. MCCUTCHEON: I am not really understanding the proposal. What I heard you say was that Niedzwiecki and the water guy, Gottlieb, were talking about ratepayers paying -- basically bearing the cost here, but ratepayers ---

Ms. TAYLOR: Ratepayers meaning users of sewage, not necessarily. It was all households on Cape Cod. There might be differences between what people who are seweraged would be paying. There would be a difference probably between seweraged people, which would not be everyone, but the costs would have to be spread they think among all households, even if seweraged people paid additional costs.

Speaker BERGSTROM: And just to follow up on what Paul was saying is that their concept was not the big pipe solution. Their concept was they were going to look at the watershed

similar to what's down in Wellfleet, except that they would do it Cape Cod wide, and say, what is the best and most efficient way of dealing with this particular watershed.

I mean, Chatham only did this. We divided it up into watersheds. You know, if you flush your toilet, where does it go? You know, how many people are involved? So they felt that they could in a sense regionalize those studies. Because it's easy enough if you're in an area that only has a single watershed. But if you're living in Bass River, you really have to deal with a couple of different towns. You're down in the South Shore; you have to deal with several different towns.

So that was their concept. When it came to the financing, we spent a lot of time on the concept, very little time on the financing. No one wanted to reach out, you know. I did, and I was shot down right away. So I didn't say another word. So, who knows if it'll ever happen. Yes.

Ms. ANDREWS: I wasn't part of this meeting. But I just have to add. You are saying a lot of things that are going to happen. Well, a lot of this has already happened. I've got a map on the wall in my office from when I was on the Water Protection Collaborative of where it shows they need to focus. It's Route 6 south. It's not even up to the lower Cape area. As far as where, yes, there will be some big pipe that needs to address what we're talking about.

But you're right. The financing was never discussed. That's the problem here, is that we're all asking how it will be done. Nobody knows. A number of times the eight billion and the three billion numbers have ended up in the press. But the regional wastewater plan, which the collaborative was charged with working with the commission on doing, four years ago, it's not here yet.

Ms. TAYLOR: It will be in less than a year.

Ms. ANDREWS: I was told the very last time I was at a Water Protection Collaborative where those numbers were presented, we were told pretty honestly that they were back at the envelope numbers. I think people ---

Speaker BERGSTROM: I don't think it's going to be that bad. Honestly, I don't. I think they are going to come up with easier solutions in areas that are less critical. That's not part of the report. That's what we've done.

Ms. ANDREWS: Right.

Ms. MCCUTCHEON: If I may, I have to point out that, you know, this is not going to sell well out there on the outer Cape. This plan from the Special Commission on County Governance, first of all, to abolish their representation, then makes us pay for the sewer. I mean, you know ---

Speaker BERGSTROM: I brought up in my ---

Ms. TAYLOR: I'm just telling you what they are saying.

Speaker BERGSTROM: --- the little letter I got from the Special Commission that you should have gotten. When the Cape Cod Commission was formed, the reason that we rule on their DCPCs and their regulations, is the towns were afraid of this big regulatory authority and they wanted to have some buy-in through their delegates.

Now, that buy-in under different scenarios would be taken away from individual towns or representatives from individual towns to this regional agency. So there may be some push back there, you know, in a sense.

But as Julia said, in concept, people support this, and I think John brought it up too, but when you get down to the details, it may actually happen. It could be enormously complicated in the timeframe that we have to deal with, which is between now and when the ballot is finalized, which I think in June, or May or June. So that was what we discussed. We'll discuss more tomorrow, and some of these things.

We also had a meeting this afternoon of the Special Committee on Inquiry into CLC & CVEC. We had a draft which I don't know; I guess we could copy to everybody, of our records. Deborah.

Report on the Special Committee on Inquiry into CLC & CVEC

Ms. MCCUTCHEON: I think it wasn't the committee's draft yet.

Speaker BERGSTROM: It wasn't the committee's draft yet. But we are basically just going over the history of our committee, how it was formed, under what circumstances, and what its charge was.

And we brought up some issues that we had brought up in the past that we feel were not adequately addressed, and I think what really came out of the meeting was unfortunately starting -- now that you got the budget for the next month or two, what we are going to be doing is doing the budgetary hearings. So there's probably going to not be much room for anything else.

So we're going to be -- while we are going to communicate with CVEC and CLC to try to clear up some of these issues, I think the assembly is going to go into a hiatus at least officially until after the budgetary process.

Ms. MCCUTCHEON: You mean the committee.

Speaker BERGSTROM: Well, we've been on hiatus for a while. I mean the committee.

So that's all I have unless anybody has any questions. Some of you were there. I hear nothing. How about John. You were there.

Mr. OHMAN: Well, I take a little different tact. I think that we should wrap this up as soon as possible and let them get back; give our recommendations about what we do, and maybe I'm the only voice in the forest with that.

Speaker BERGSTROM: Rather than re-energize that debate. But if there's nothing else, we have a report from the Clerk.

Report from the Clerk

Clerk O'CONNELL: The only thing I have to report is that the emails are up and running and I have made changes to the website. So now when someone tries to contact you, they will be contacting you via your new county email address. So if you're not quite there yet, you may want to think about getting that process wrapped up. That's it.

Other Business

Position of Assembly Regarding Special Commission on County Governance

Speaker BERGSTROM: Okay. We were going to do a discussion regarding Assembly's position relative since it's in the agenda. I'd like to ask, looking around the table, Tom is gone, and he has a big vote. But I mean, how do you guys feel about that recommendation, presuming that's the one. Because I am going to be on that, sitting in that chair tomorrow. And I'm going to be speaking. I can speak for myself. I can't speak for you. But I am just kind of curious what kind of enthusiasm ---

Mr. CAKOUNES: You weren't here last week or the last time we met and the Deputy Speaker sat in for you. There was some discussion amongst the members on whether -- and it was

actually brought up by me, on whether we, as the assembly as a whole, should be taking a position on county government and its structure, and it was kind of drawn to my attention that because it wasn't on the agenda it would be inappropriate for us to, you know, make any motions or any suggestions on that matter. So that's why you see it here today.

Tom pretty much spoke and thought that we shouldn't do anything and wait until we actually get something in writing from the special committee and respond to that, as opposed to putting our two cents in. And quite frankly, I kind of agreed with him near the end after we talked about it a little bit.

But now seeing that there's actually going to be a vote taken, you know, tomorrow night, it seems kind of crazy for us to sit here and deliberate for another at least an hour because we are going to have to really discuss, you know, our positions and our thoughts on where we should or shouldn't be going, and then somehow formulate that into a document that we can give out to the public saying that this is how the full assembly feels.

Speaker BERGSTROM: Well, it would be quicker -- take a recommendation and take a vote. We could take a vote whether we approve it up or down. I think that would probably be an easier way.

Ms. ANDREWS: Approve of what?

Speaker BERGSTROM: Approve of what, if and when a specific recommendation comes down from the Special Commission on County Governance as to reorganizing the way county government is done, then I think we should take a vote on that. I wouldn't think this normally. If this commission was totally independent, which I thought it was going to be in the beginning, it would be one thing. But now that they are reporting to the commissioners, obviously the commissioners are going to have a chance of whether they approve of this or not. So I don't see why the assembly shouldn't also take a position up or down on the recommendation.

Mr. MITROKOSTAS: Mr. Speaker, I personally would disagree. I don't think we charge them. I don't think we need to pass judgment on their deliberation. If the commissioners would want to do that, that's fine. I'd much rather see an affirmative statement agreed upon by this group to be put out there, whether it agrees or disagrees, overlaps, or whatever you want to call it with theirs.

I also think that if there is a recommendation that the commissioners are entertaining, and they are marching towards some sort of legitimization -- by that, I mean going to the ballot with it before they send it off to the legislature, then you should be prepared to crank up the charter review commissions of our own to force it into the appropriate procedure as opposed to just having them just go ahead.

Speaker BERGSTROM: Well, that is the issue, and Julie brought that up at the meeting, is that if indeed there is consent. In other words, they could come to us, they could say, look -- they could come to us. I think that not coming to us, because I don't think we are going to agree with them. But if there was consensus of this body to agree with those things, then the easiest method would be to go through the regular charter provisions.

We could get a charter review committee up and running. We could vote on the recommendations and it would go from there to the ballot to the legislature.

So, Julie, is that part of your understanding?

Ms. TAYLOR: I think so. But I just think it's unlikely that you're going to get a charter commission. We would get a charter commission that would have some of the people that have put in this time. I think we are unlikely -- I mean, I have been on some of the charter commissions, and

I think you'd -- I don't think we'd be very successful in trying to promote a counter charter review. I suspect that would not be politically very viable.

Speaker BERGSTROM: I'm not thinking a counter review. I'm thinking if there was a consensus among the majority weighted vote among this body. There was an agreement with the recommendations. I don't agree with them. If that was the case, then we could go through -- rather than have them run around and collect signatures, they could simply run it through the normal process that's listed in the charter. Why they don't do that in the first place, I don't know.

Mr. MITROKOSTAS: I am basically hearing a lot of I don't like the county charter the way it's written.

Speaker BERGSTROM: Right.

Mr. MITROKOSTAS: So either we live by the county charter or we do something else. So if you'd like to force something through the county charter, let's just put something through the county charter's procedure that calls for a charter review and let's put it forward. If the charter also provides for second rep route to the ballot box, let them go get ten thousand signatures, if anybody wants to do that. But try to do shortcutting here and there so we could have some sort of product at the end of the process, I'm not understanding why we need to have a product at the end of the process unless it serves the interests of the institution.

Speaker BERGSTROM: Well, I guess, it's hard to explain, but what Julie was trying to tell you is that this whole thing has been carefully nurtured. There are 25 people around that table. They're a who's who of Cape Cod. The commissioners knew that when they appointed them. They make recommendations. This is basically a challenge saying that we can come up with all the charter review committees that we want. It's not going to make any difference. They're going to go right to the ballot. We could short circuit that process like you say and just come up with our own charter review, our own recommendations. We could do that.

Mr. MITROKOSTAS: And competing if it happened to make it to ballot.

Speaker BERGSTROM: We could do that, and I thought about it earlier on and I mentioned it.

Mr. MITROKOSTAS: Otherwise, you're going to have half of us out there running against whatever is on the ballot.

Speaker BERGSTROM: Leo.

Mr. CAKOUNES: You know we got to really sit back and understand what's really happening. You have a committee that has been formed by the county commissioners and asked to come up with a suggestion.

Now, if the vote is taken tomorrow, it's probably going to take at least two more weeks to compile this in some type of a legible, readable document. That somehow has to again be given to the county commissioners. They're the ones that are going to decide whether they want to pursue those recommended changes or not. There's no way this is going to end up on November's ballot this year. It's just not going to happen.

The only possible way it could come even close to that happening is that once this subcommittee is disbanded that a group of citizens on their own decide that they want to go by petition, collect enough signatures to have this charter change put on November's ballot.

Now, unless there is some extremely well-educated attorneys on this little committee and group that are going to be able to draft this charter change with the in-depth language that's going to be necessary to do to create this kind of change, because all that language has to be in perfect, ready to go before June 1st because it has to be, and all their signatures have to be collected prior to June

1st. So that's all that can be submitted up to the state for the Attorney General's review. That's a pretty short timeframe.

I only ask you guys today I am not asking you should we respond to what we think they are going to say. I only wanted this on the agenda now. Should we be taking a collective vote on how we feel government is operating or not operating and are there any changes that we want to see happen.

Quite frankly, I think we've waited too long. Why should we give them -- so I'm prepared to say that my own idea, no, let's just let this run its course and see what happens. But to continue sitting here discussing how we are going to react to something that may or may not happen, that could happen, or would happen, it just seems ridiculous.

I mean, again, they are a committee that has been asked by the commissioners to look at county government. They might take their report and file it, and they might try to do everything that's in it, and if they do, I'm hoping that they would first go the correct avenue, which is ask us to formulate a committee, for it's a two-year process. It's going to be a two-year process to make those kinds of huge changes. Quite frankly, if some voters out there that think they can do it before June, good luck to them.

Speaker BERGSTROM: So you asked to put this on?

Mr. CAKOUNES: I didn't ask. It came out in last month's discussion.

Ms. TAYLOR: Ron, I'd be surprised if there's anything on the ballot in June, but I would not be surprised if a majority of the commissioners could see their way clear to supporting the kinds of things that I have mentioned. That wouldn't surprise me, and I would in fact actually be surprised if some of the other people on this Special Commission aren't ready to go -- remember Sheila's favorite statement in the past -- aren't ready to go the signature route. That's not to say I think it's easy and that I think it would be on the ballot in June, for next November, but I think there are people on this commission ---

Speaker BERGSTROM: Who think that way.

Ms. TAYLOR: And I think there are possibly two commissioners who are open and not opposed to these ideas.

Speaker BERGSTROM: It brings up the situation that many of you are familiar with is that you can make all the recommendations you want to a town meeting about what you want to happen, but when an item comes on the ballot, you are not allowed to advocate -- you are not allowed to spend any money on it.

In other words, the commissioners don't have the authority in the charter to make charter changes. If they decide to advocate for a ballot initiative, that brings up a question. I guess as individuals, they can say whatever they want, but they can't -- I would think that they could not use county funds to support a ballot initiative.

So, you know, the logistics of this are so complicated that ---

Ms. KING: I think the money is out there. I think I know what they are going to vote tomorrow. They are going to vote to abolish us, because this commission has had a solution. And they were looking for a problem, and they determined all along that we're the problem. It has been floated with the wastewater authority. It's been floated -- seven members as commissioners. So I mean I'm going to throw it out just because we're being taped also. Are they partisan or nonpartisan? As you know they've got to be partisan, because no one is going to pay to run county-wide?

Ms. TAYLOR: No, it would not be county-wide.

Ms. KING: Well, what I have heard is they want three, one in each district, and then two of them are going to be county-wide. Whatever. Are these full-time, are we now talking \$50,000 for seven people, are we talking benefits? They aren't even talking about that. That would run you about half a million dollars for seven people at 50 grand, plus another 25 in benefits. You know that's what they're going to say tomorrow.

Ms. TAYLOR: No. I think they're going to go with the Barnstable model, the councilors and the strong executive. That's what they are talking. District. People.

Ms. KING: You still have to run a huge -- you still have to run in a bigger area. But I think what Deborah said earlier is that you're taking away votes for the smaller towns, and if this group talks about democracy. This body is the only one in this county that actually has representation, one vote, one person. We are a house of representatives.

The problem is people can't get their brain around the issue of the weighted vote. We can make the vote being one person for every 50 people. Barnstable is still going to have more people sitting here. It doesn't matter. I don't understand why people don't understand that. So they want to basically take away people's rights, especially the smaller towns. So Truro, you're going to get your wastewater. You're going to lose your vote. It's just ridiculous.

I am not going to go, because I know how they are going to vote tomorrow. I kind of at one point I want to take a stand. Let them go, and let me see the 20-odd members out getting signatures if they want to come, not through us.

Speaker BERGSTROM: So my understanding is that we are going to wait and see what they say before we -- okay. Cheryl.

Ms. ANDREWS: Since we're all writing our political obituaries at the moment, I join in and simply say this.

Speaker BERGSTROM: You're going to have a long one too. I mean ---

Ms. ANDREWS: Well, it depends on how well the reporting is done. But Provincetown is not about to leave Barnstable County. We've been part of the county since it was formed. I'm not talking politically and financially. But if you start calling this regional government and the focus is the sewer south of Route 6, the region is no longer Cape Cod, and it's no longer Barnstable County. It is a different region from Eastham up, doesn't belong, and I think, you know ---

We've all seen every now and then the commission; a town will go to town meeting and say we want to leave the Cape Cod Commission. I think if this is handled the way it's going to be handled so far, those kinds of conversations we are going to be hearing again pretty soon.

Speaker BERGSTROM: Anyway, well, I'm sure we will hear more of this. The meeting is tomorrow. If you guys are willing to attend, if you want. I think its 6:30 at 11 or 12. They don't list it, so it's strange. So, anyway, where are we?

We have one more item on the agenda. Item 15.

Mr. ANDERSON: Motion to adjourn.

Ms. KING: Second.

Speaker BERGSTROM: Okay. All those in favor say "aye". Opposed.

Whereupon, it was moved, seconded and voted to adjourn the Assembly of Delegates at 5:35 p.m.

Respectfully submitted by:

Janice O'Connell, Clerk
Assembly of Delegates