

**CAPE COD REGIONAL GOVERNMENT
ASSEMBLY OF DELEGATES
FEBRUARY 20, 2013**

APPROVED Journal of Proceedings – February 20, 2013

Speaker BERGSTROM: Good afternoon. Welcome to the February 20th session of the Cape Cod Regional Government, Assembly of Delegates.

I will now call this meeting to order. 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: I'd like to inform those who are here that this meeting may be recorded by parties other than our usual County recording.

The Clerk will now call the roll.

Roll Call (99.07%): 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), Christopher Kanaga (2.73% Orleans), 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), Anthony Scalese (4.55% - Brewster), Julia Taylor (14.61% - Falmouth).

Absent (.93%): Deborah McCutcheon (0.93% - Truro).

Clerk OCONNELL: Mr. Speaker, we have a quorum present with 99.07 percent of the Delegates present and .93 percent absent.

Committee of the Whole

Speaker BERGSTROM: Thank you.

I now need approval of the Calendar of Business. Do I have motion?

Deputy Speaker MARTIN: Motion to Approve.

Ms. KING: Second.

Speaker BERGSTROM: Okay. No additions or corrections to the calendar, all those in favor, say "Aye." "Opposed"?

(Motion carried.)

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

Hearing none.

Deputy Speaker MARTIN: Move the Approval.

Ms. KING: Second.

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

(Motion carried.)

Speaker BERGSTROM: Okay. We have the full Board of County Commissioners in front of us. Welcome.

So then we now move on to the Communications from the Board of Regional Commissioners.

Communications from the Board of Regional Commissioners

Commissioner FLYNN: Good afternoon. I just submitted a signed copy of the Budget to the Speaker. I know I think you've received copies that were delivered today I think for each of you.

Mark Zielinski regrets that he is unwell today, so he will not be able to be here to give his usual detailed presentation of the Budget. He was also unwell yesterday and really didn't complete the PowerPoint.

So, fortunately, I didn't have to give the PowerPoint presentation today. But this is known as sort of stepping up to the plate when the designated person is not there.

So I thought what I might do is not go through the Budget, obviously, in any great detail, but to give you at least an overview from the perspective of the Commissioners as to our planning over the course of the last year and the planning that we have included in the budget for next year.

When the Special Commission was formed and met, we told them that in their deliberations for making recommendations to us and to the County on the future of County government that we wanted to see a demonstration of a strong County, one that has a sustainable source of revenue, and one that can be strong and responsive to regional needs.

So I think as we go forward, those are three priorities that we consider important even in the budget. I think we have a budget that will help us get to that point of being a strong County government.

It does not yet meet the criteria of having a sustainable revenue, but this budget has some specific initiatives in it that as they develop over the next couple of years could be the source of a sustainable revenue for County government, so that we would not be dependent upon how many houses are sold each year or not sold as the case may be. And we would not see that -- we would not be held back in a sense by any determination of what the Deed Excise Tax would mean to us going forward.

So in the letter that was sent to the Speaker by the three of us, what we have proposed and what we have identified in this budget are some very strategic initiatives.

The first, obviously, follows on to the one of the recommendations of the Commission and that is to separate the positions of the County Administrator and the Director of Finance/Treasurer, and that is included in this budget as of July.

We hope that in March that we would be able to advertise the position and conduct interviews. We would hope that some of you might be -- at least two of you might be willing to serve on the interview team, so that as we narrow down candidates to finalists that you can be part of that interview team. And we would hope that one or two of you might be willing to do that. We don't want a large interviewing committee but a team of five or six is very helpful in the interview process.

The position of Assistant County Administrator we know was the recommendation that it be completely separated, but in all fairness to a new person coming in to take both of those positions out at the same time we don't think that would be very helpful.

So this coming year, we expect that the Cape Light Compact will fund the County Administration position at 75 percent, and the County will fund it at 25 percent.

And then over the course of this coming year, when we hire a new person we expect and we'd hope the person to be on board by July 1 at the latest. So you would not want to see a new person come in and not have someone there that has been -- that is knowledgeable and up-to-date on all County functions. I think it's important for a new person to have that backup person who has all the knowledge and the historical perspective of County government.

So it wouldn't do to do, I don't believe, to do both at the same time. So it's a transition, and this whole process of moving forward is actually a transition in management as opposed to making it all happen at the same time.

Another piece is the capital investment in the facilities. Borrowing could not be better, and it's not going to get any better than it already is, and we have very important infrastructure needs that you will see outlined later on in the letter that relates to the courthouse, the roof of the courthouse, exterior renovations to the Superior Courthouse, engineering and drainage for the parking complex.

We know there are serious needs for parking here, and our goal is to improve the parking in the end run but we have to make some infrastructure improvements to it now and drainage is a really serious problem.

Roof repairs that are needed to the old jail and window replacements and access improvements up there. We are going to work on a plan as to how to continue to use that building if, in fact, that is the decision that's made.

So we have more or less stopped the outflow of people from the Superior Courthouse up on the hill because you can't just fill up space because it's available. It needs to be planned, and we need to look at the space that's available, what adjacencies are important in terms of departments that work closely together and those that don't. So that planning will go on in the coming year.

And then the fire escape at the Registry of Deeds is in really serious condition and that definitely needs to be rebuilt. It's a safety hazard.

So those are some of the initiatives that you will find in there. I didn't mention the dredge. There is money in the budget for a new dredge. The idea is -- we have heard from many towns -- they have to wait to get the dredge.

So rather than wait to the dredge we have falls apart, it makes sense to pursue a new dredge now and use both of them while the other one is still in working condition. And then we can determine over the course of a year or so whether it makes sense to have two. And if it doesn't, the old dredge isn't going to last that long anyway.

But this is the time to get a new one while we have two available when we can really assess the needs based on what the towns are looking for.

Then, you may remember in years past, we funded the Cape Cod Commission by Line Item and then we stopped doing that. The Commission has not used County funds in about four years now, three or four years. They have been accessing their own source of funds; a lot of them as you know are through grants.

But this year, we have some very specific initiatives that are important to the County, and in some respects the Commission is in the best position to be the lead agency on developing those initiatives. And they happen to relate specifically to some of the outcomes of OpenCape.

One is the creation of the Strategic Information Office and the other is the Regional

Umbrella Services which will give us the opportunity to provide services to the towns that will create efficiencies for the towns. It will help the towns save money and will also be a revenue stream for the County.

The services that we provide would be costing the towns less money than they spend now, but it could be a revenue source for us. So this is part of our plan to have sustainable revenue for County government.

And, so, rather than fund the Commission in a Line Item because these initiatives are important to County government that obviously includes the Commission but it's not specifically related to the Commission.

So we have funded some of those programs that the Commission is going to take the lead on, and we have contributed from County funds specifically I think its \$200,000.00 to help make those initiatives possible. So we refer to that as program budgeting rather than just putting a line item and say either you need some money, here it is; use it. It's specifically directed for a specific purpose to help us achieve some of our specific goals.

And then we also increased the funding for the Water Protection Collaborative. Now that the County, through the Commission, has received that \$3.35 million to come up with a Regional Wastewater Plan for Cape Cod, the Collaborative is going to play an important role in that, so we have added additional funding to their budget to help with that project.

And we still have our obligations to pay some of the remaining unfunded liability retirement for the Sheriff. And this year its 1,043,343 and we will see that for a few more years. I don't know how many years. But when the actuarial reviews that take place both at the County and the State level and the Sheriff's level will let us know each year what our requirements are to continue to pay as part of those retirement benefits for the Sheriff's employees. And that's the only liability that we have now with the Sheriff.

The other thing that we are looking at is a "Fleet Management Plan." We have not had one here at the County. Some of you who are more closely associated with municipalities know that your municipality probably does have a Fleet Management Plan because it's important to have that. And included in that is the Replacement.

Here in the County, the Department heads, I'll tell you, they run these vehicles until there's practically -- it's a wonder they even are allowed on the road. Some of them are really, really old and have a lot of mileage on them.

But what we said to the Department heads this year was, "We're not going to fund it now in the budget, but we are going to develop the Fleet Management Plan and they will obviously be a part of that.

And also the Vehicle Replacement Plan and we will have a 5-year plan on vehicle replacements so that we know each year what we're replacing if we need to. And it depends on the vehicle itself and where it falls in the plan. So we're going to wait to see what things look like by the end of the year.

We think that this budget is very conservative. We have not placed in it every possible source of revenue that we think would be available to us. We think that there may be more remedies out there that we might see over the course of the year but we're not going to budget for them because, again, we don't know.

Some of this has to do with the Deeds Excise Tax. So you may get it or you may not get it, but we anticipate that it will be greater than what we have budgeted. So, towards the end of the year if we see that we have money available, we may come back to you with a plan to help fund maybe one or two of the vehicles and then begin that vehicle -- that Fleet Management Plan and Vehicle Replacement Plan with the beginning of next year's budget.

We've also talked considerably about having a budget policy; we think it's really important. I know many of the municipalities have budget policies and they follow them very closely. We want to look at how -- we want to look at over -- to do some trending, some trending on what we might expect our revenues to be over the next five years, and we want to go back over the last five years and look at those trends and see what they are and see how they're never entirely accurate. You can't predict them accurately, but you can certainly predict trends based on previous experience.

So we want to take a look at those trends and then look to see -- and then develop budget policies that relate to how much we're willing to increase the budget each year, whether it's 1 percent or 2 percent or however we may want to do that.

And the other piece to that would be putting money in the Stabilization Funds that we have, the Reserve Funds. We all know that Moody's and Standard and Poor's look very closely to see how much money goes into or exists in those funds. They usually recommend to municipalities that that be 10 percent of your total revenue. We are over 10 percent now if you look at the County's funds.

So we're not behind but we should be not spending every dollar we get. We should be putting them in reserve for the future. And if we do our planning well and our strategic planning over five years, it will help us know what we might expect to need say fourth year out, fifth year out, and each year that five-year plan will have a year added to it.

So it will give us a little more insight into our strategic goals and where we think the County needs to be over the next five-year period. So that budget policy, it's not set in stone. It will have certain parameters attached to it, and it will be reviewed on an annual basis to see whether or not it still meets the current needs and if it needs to be changed for the future. And we hope that maybe one or two of you from the Assembly might join with us in the development of that budget plan.

You will also see some new positions. I already mentioned the Finance Director position. But there are others that relate a lot to the Health Department. George Heufelder has actually increased some of his services. And that means there's an increase in revenue as well, so it isn't all expense on the part of people and most of these are part-time. But they are -- they do have revenue funds associated with the services they provide.

Human Services, which I must say, Beth has just done an extraordinary job with that department. If you remember, some of you were here years ago when all the human services people from around the Cape would come in here during budget time, and they would take up all the space in this room and ask for every extra dollar that the County had. And in those days, some agencies would get 10,000 and another would get 25,000. I mean remember those days where there was extra money and they got it.

Well, Beth has worked very closely with them, so now they all work together and she's really kind of their shepherd, if you will. They worked together. They collaborate more than I've seen them in the past. So she with the projects that she's working on, and many of these are grant funded as well and this position would be 25 percent grant funded.

The other thing we are looking at that's not in there is our IT Department. The Commissioners have always thought in the long-term about how is IT situated to meet the demands that are going to be required of the County and the Commission going forward with OpenCape, and with the RUS and with the Strategic Information Office, are we going to be ready from the point of view of hardware and software to be able to meet those needs as they come about, and they're coming about pretty quickly.

So, we have met with -- Mark and I and Kristy Senatori who heads up the Strategic

Information Office. We met with one of the members of the Collins Institute because the Cape Cod Commission had the Collins Institute do an assessment of their IT capabilities, and we thought it would be even more appropriate if we did that. So we met with a consultant from there, and we expect to be able to do that assessment beginning in early March, and it will take about 45 days. So it probably won't get done until mid-April or the end of April, but certainly it will get done before the budget year.

But we think the money that we have put into the budget for IT now is adequate to help us go forward with these initiatives because, as I said earlier, they are so important and they're going to be revenue-producing for the County. So it's important that we plan very well.

And IT, you probably know, that John Morse, our IT Director, did resign, and so now the position is currently vacant. We are going to be advertising for a new Department head, but it's critical that we really review the job description and see what it is and make it more up-to-date particularly in terms of what we're going to need.

And we may need -- we may find out that in the end we need a CIO for the County, not this year, maybe towards -- Chief Information Officer. And this isn't PR; this is data management, some of -- because we're going to have a lot of data from wastewater, particularly, all that information is going to come in to that Strategic Information Office and it's going to be available. And people have to be able to access it. They have to be able to input to it.

So there's a lot of needs there that people like me, who are not really that technologically knowledgeable at least, but the Collins Institute did a great job with the Commission. And if you haven't seen that report, we should get a copy over to you because I thought it was very well done. And I thought having done it for the Commission to do it for the County would make a whole lot of sense to have the same firm do that.

And the other piece that we're working on is performance-based budgeting. And some of you who work in towns may already know that some of your municipalities have started performance-based budgeting.

I know they've started it in Falmouth, and it makes -- the Department heads actually had some training in that, and, actually, some of the people from the Collins Institute are the ones who helped with that training. And you can look at a budget, you can see -- if you look at a Fire Department budget, you can see how much of that budget is allocated to say ambulance services and how many -- who the people are that actually are attached to that, what their salaries are, what the costs are, what the supply costs are. So each area of a budget is broken down by whatever specific service it provides.

And I think that would be very helpful to us in the County. Mark has attended I think one of the programs already offered in performance-based budgeting.

So between having our Department heads do that and then having the Commissioners look at a budget from a programmatic point of view, what are the programs that are important to the County? What are we doing now that's really important and relevant, and what do we need, and are we planning ahead? Are we going to be ready for some of the new initiatives that are coming our way so that we can be responsive to that?

And then -- oh, I mentioned the capital budget. I just have to go back to that again. If you really take a walk around and look at say the Superior Courthouse, not so much this one, but the Superior Courthouse and the parking lot in the Deeds, the Registry of Deeds building, you really see that there's a lot that has been neglected. And that Superior Courthouse is a historic building and it really needs some work.

We all know that you can't just stop taking care of your infrastructure needs because if you do, then when you go about doing it, it's going to cost twice as much money to do it. And we have the opportunity now, particularly when the interest rates are low and this is the time to do it.

The other point I wanted to make is I come from a municipality, obviously, and I'm very used to looking at municipal budgets. And I look at the County Budget and it makes my eyes glaze over because County budgeting is not the same as Municipal budgeting. So it's not presented in the same way; it's not recorded in the same way.

For instance, you find the capital plan becomes part of the budget, which you know is an inflated number and it doesn't really represent -- you can't really compare it to last year, but all I can say about it is that if you need -- some of you have been here long enough to know the difference but maybe some haven't, and it would be worthwhile if you want to bring yourself up-to-date on it. Have a meeting with Mark, and he can explain it to you because it took me a while to really figure it out. I said, "Why are we doing this? This doesn't make any sense at all." But Counties are different. They operate under different laws of the Commonwealth than municipalities do, so they're not the same.

That's it and I probably can't answer any of your questions, but I hope that you save them all for Mark two weeks from today when he gives you the PowerPoint and the detailed review of each of the Departments. Thank you.

Speaker BERGSTROM: Yes, Julia.

Ms. TAYLOR: Thank you, Mary Pat. I think you did very well without a PowerPoint. And the letter, I think, is very clear. And I feel good about what you summarized, and I feel I did understand it, and I will look forward to examining the details and hashing it all out. But thank you, but I mean I do want to hear from Mark in two weeks, yes.

Commissioner FLYNN: Oh sure; oh definitely.

Speaker BERGSTROM: Leo.

Mr. CAKOUNES: Can you clarify, are you guys going to be holding off until you get the report back from Collins Group prior to putting out an RFP to fill the position for the IT Director?

Commissioner FLYNN: No.

Mr. CAKOUNES: Or are you going to be doing that now while the two are running?

Commissioner FLYNN: No, we're going to be -- it won't be an RFP. We're just going to advertise. Yes, no, we're going to advertise. We're not going to necessarily wait for the Collins Institute.

Mr. CAKOUNES: Okay.

Speaker BERGSTROM: Mary Pat, you know, I --

Commissioner FLYNN: Thank you for not questioning me.

Speaker BERGSTROM: We know that last sentence -- excuse me -- I know that last sentence you threw in there was for my benefit because we discussed this briefly when we met the other day.

But I went into the Charter, and under the exercise of the powers of the Assembly, there's an Article or Number 6, Roman Numeral VI, it says, "Authorize the borrowing of money." So the Assembly has to authorize the borrowing of money.

Now, normally, like you say, municipalities have to be done with a separate Ordinance. In other words, you borrow \$3 million worth of debt service and so on and so forth for 30 years; I've never seen a bond issue come through the Assembly in the time that

I've been here. I don't know if you guys intend to do that.

The alternative, which is what you've just discussed, is to bury that stuff in the budget, in other words, just has one Ordinance with everything in it. I mean where do we get the capital expenditures -- capital bonding issue, that's what I want to know?

Commissioner FLYNN: That's a very good question for Mark. I totally -- I mean it is. I mean you know in a town when you bond, it has to be a vote of Town Meeting. And if it's outside the operating budget, if it's excluded or unexcluded debt, it has to go on the ballot sometimes. So it's different. And I'm not that familiar yet with that piece but I'll look it over.

Speaker BERGSTROM: The other thing you might ask him since I've, obviously, I've done a lot of little research, and so I'll show off my knowledge here.

Commissioner FLYNN: Good.

Speaker BERGSTROM: And under "Acts required by Ordinance," it says "Establish, alter, or abolish any Department, Office, or Agency."

So under one interpretation, you could say well it's all right here in this one Ordinance but it would be cleaner rather than have us dig it out, some of that is if it has to be done by Ordinance and Mark agrees that it has to be done by the Assembly.

Commissioner FLYNN: What are you referring to?

Speaker BERGSTROM: I'm referring to Section 2-8 of the Charter which says, "Acts required to be by Ordinance; establish, alter, or abolish any Department, Office, or Agency."

Commissioner FLYNN: Are you talking about the Administrator and Director of Finance?

Speaker BERGSTROM: Yeah.

Commissioner FLYNN: Those positions are already in the Charter. The Director of Finance already exists in the Charter.

Speaker BERGSTROM: We're talking about Assistant Administrator of the Charter?

Commissioner FLYNN: That's in the Charter as well. They're all there. So that's why I thought it doesn't really require any action on anyone's part because it's already in the Charter.

Speaker BERGSTROM: Sorry I put you on the spot.

Commissioner FLYNN: That's okay. No, that's fine.

Speaker BERGSTROM: Are you all set here?

Commissioner FLYNN: I'm stepping up to the plate, as they say.

Speaker BERGSTROM: Yes. He's a reliable source. Cheryl.

Ms. ANDREWS: Thank you, Mr. Speaker. Mary Pat, I'll do you the courtesy of not asking a direct question.

Commissioner FLYNN: Oh, that's okay.

Ms. ANDREWS: Well, no, I understand, having worked with staff doing the same type of job. But I just want to make this one comment to let you know we're listening.

I was listening for surprises, and the only surprise I heard was when you said that you, meaning the Commissioners, feel that you have budgeted less in the revenue area of Deeds Excise than you thought --

Ms. TAYLOR: Expenditures.

Ms. ANDREWS: No, I wrote down what you said. You were talking about how much you think we will get from the Registry of Deeds, and you said, "We've budgeted thinking" -- "We've budgeted less than we think we're going to get."

So, I couldn't wait to turn over and see what you think we're going to get.

Commissioner FLYNN: Uh-huh.

Ms. ANDREWS: Now I don't know how we're going to finish this year by using last year's number, which I think we're not going to hit, you've still got an increase of 14.29 percent.

So, I just want you to know I heard you, and I'll look forward to hearing Mark's explanation of why you think we're going to take in so much money. I mean that's very optimistic.

Commissioner FLYNN: Okay.

Ms. ANDREWS: Thank you.

Speaker BERGSTROM: Okay. Thank you, very much. Is there anything else you have -- a meeting today or no?

Commissioner DOHERTY: Tell them about Sean coming over.

Commissioner FLYNN: Well, we did meet today with Sean O'Brien from the Regional Emergency Planning Group talking about "Nemo," our last big storm. And I will say that I think -- we have three regional shelters now, and the shelters were probably a bit of a problem -- well they were for many.

The Sandwich shelter, as you probably know, the generator broke down, and they sent 200 -- well, we had 214 people in the shelter in Falmouth. And one of the problems was the people came but the volunteers didn't come with them. So that caused a problem.

There were others related to food -- trying to get food. Some of it had to do with even having enough volunteers. So we really all came to the conclusion -- well, Sean came to the conclusion but we agreed with him that we need to do a much better job, town by town, with volunteers.

And we need a better way of recruiting. We need a better way of knowing who they are. And when they do volunteer that they're here in the wintertime because there were a number of volunteers who had their name on a list but they go to Florida in the winter so they weren't even here.

The other thing we talked about was NStar. And you know with Comcast, if you call -- if your Internet goes down and you have Internet with Comcast and you call them, they know right away that your Internet is down. They also know what else you have. "Well, you have a phone and that's working, and you have cable TV and that's working." They know.

You call NStar, they have no idea whether you have power or not, and that was a huge problem with the shelters because there were a number of people who were brought to shelters that shouldn't probably be living at home by themselves. They needed medical attention, and some of them were really too sick to even be in the shelter. They needed to be in a nursing facility or they needed to be in the hospital. And the hospital had problems taking people directly from the shelter. And that wasn't just in the Falmouth shelter; it was in the other shelters as well.

And we're really -- we'll concentrate very hard on doing a better job with volunteers, meeting with the Red Cross because they kind of do that, and see if we can't do better.

And then with access; I didn't realize that the RTA had buses available -- or transport available, and you could contact them and they would come and pick you up and take you to a shelter.

So there was a lot that happened that we didn't know about and usually the big storms we've had have been in the summer when you don't really lose power.

And the other problem was that when you wanted to get someone from the shelter to

go back home, you needed to know if that person had heat. NStar couldn't tell you if that particular property had heat or not, like Comcast could tell if you had TV, Internet, or whatever. So NStar knows that, and they are going to have to do something to improve their communication.

So I know in some cases they had to send rescue personnel out to the house to see whether or not there was power before the person could be taken from the shelter.

So there were issues like that, but they're very well aware of them, and they're having their -- what do they call it -- After Action Meeting. I think its next week, and they're going to come back to us with some recommendations for any future events of that nature.

Speaker BERGSTROM: Marcia, do you have a question?

Ms. KING: Yes. Well, I actually have a comment. We have a generator so we lost our power, so we were fine but we have friends in New Seabury, much older than us, and they lost their power.

They were taken to the shelter in Falmouth, and these are, I'm going to say, people that would not normally go to a shelter, and they said nothing -- we saw them a couple days later. They had nothing but great words.

The police in Mashpee came and picked them up, brought them to the shelter in Falmouth. They thought the food was fine. They had a wonderful time. I was shocked when they were talking about it. They said it was very well organized and I wanted to say that.

Commissioner FLYNN: Well, thank you.

Ms. KING: When we met with them, they even were like talking about it. They never thought in their life they ever would be in a shelter, and they thought it was actually done very well.

We actually called them on the Saturday when their lights came on because we were out plowing, but it was later Saturday night but they thought -- done very well. And I wanted you to relay it to Sean what they said.

Commissioner FLYNN: Yeah.

Ms. KING: The only thing they would have liked is a shelter in Mashpee, and I said, "Look, you can't have a shelter in Mashpee."

Commissioner FLYNN: Yeah.

Ms. KING: But they did accommodate them in Falmouth.

Commissioner FLYNN: Well, I know because Falmouth's not a regional shelter, there is no plan for food. So the Fire Chief went out and spent \$1,000.00 on food and brought it back to feed people, yeah, because they came and there was no food.

Anyway, lessons learned, as they say.

Speaker BERGSTROM: The weather is calling for snow Saturday into Sunday, so we'll see.

Commissioner FLYNN: We're going to eliminate weekends -- (Laughter.)

Speaker BERGSTROM: Thank you, again.

Commissioner FLYNN: Okay. Thanks.

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

Do we have any Communications from Members of the Public? Yes. Come up to the mic and identify yourself.

Communications from Members of the Public

MR. JIM ROGERS: Good afternoon. Jim Rogers from Sandwich. Okay. I know you're all in receipt of my letter that I sent out a day ago, and I addressed it to Mr. Bergstrom, and I also invoked the name of my Delegate, Mr. Killion, asking for some help to get the requested documents from CVEC.

I since learned that the way to do this is to have the Assembly make a Resolution for requesting these documents. So I'm hopeful that there is a member, maybe more than one member here, who would make such a Resolution requesting the financial documents of CVEC.

Just like Mr. Bergstrom, I don't like a box of paper being dumped on me, and I don't like being ignored. So I hope you feel that way too, and I hope that somebody here will make the Resolution to request those documents of CVEC.

Thanks very much.

Speaker BERGSTROM: Thank you. Would anyone else like to address -- yes.

MR. PRESTON RIBNICK: I'm Preston Ribnick. I live in Wellfleet.

Mr. Speaker and Delegates, thank you for the opportunity to speak on a topic that we all wish had already been resolved. Unfortunately, this is not the case.

As I stated two weeks ago, I was very disappointed by the matter in which the County Administrator -- I was very disappointed by the manner in which the County Administrator, who's also the Treasurer of CVEC, who is also the fiscal agent for CLC, has responded to the Assembly's January 16 letter, which requested a list of specific financial reports in specific formats be forwarded to the Assembly within seven business days.

I am disappointed but certainly not surprised. Mr. Zielinski provided hundreds of pages of CLC documents but not in the requested format and almost a week past the deadline set by the Assembly. And as far as I know, CVEC has still not responded.

These two public bodies have displayed such an astounding degree of open disdain to all attempts by the public by the Special Committee of Inquiry and now to the Legislative body of the County government to secure access to basic public information and documents that I believe decisive action is required.

I believe it is essential that the Assembly today reissue its letter to Mr. Zielinski and to the President of CVEC, Mr. John Checklick, that CVEC provide requested financial records in the specific format outlined in the Assembly's January 18, 2013 Request for Financial Documents letter.

I ask you to seriously consider imposing consequences of the documents in the format request that are not delivered within the time frame you determine reasonable.

And, again, I formally request that the Assembly approve the first recommendation in the Special Committee's Report to the Assembly on Page 16 to refer the report and its recommendations to the Mass. Inspector General's Office to review CLC's operations and finances from its inception to the present.

Thank you for your time.

Speaker BERGSTROM: Thank you. Does anyone else like to address the Assembly? Hearing none.

Assembly Convenes

Speaker BERGSTROM: Okay. The Assembly will now convene. We have a report from Committees. John, are you prepared to give a report or do you want to wait?

Committee Reports

Mr. OHMAN: Thank you, Mr. Speaker. Let me get myself organized here.

The Finance Committee met in a Public Hearing regarding Proposed Ordinance 13-01. And after much discussion -- for the general public, it involves a County Services-based facilities department needs a significant amount of money, almost \$500,000.00 to continue the completion of the conversion of the gym at the jail to a County Health Department.

And it has also been expanded to include the Dredge Department and the Human Services Department. So all three of those departments will be up at the gym at the jail. They asked for a specific amount of money for building conversion, and then they had an additional amount of money for I guess it's also for building conversion.

We discussed it at length. It essentially would drain two different what we call "Reserves"; the Capital Improvement Reserve and the Statutory Reserve. And we were hoping to hear directly from Mr. Zielinski if there were better options than doing that including bonding to the tune of a half a million dollars. Mr. Zielinski was not able to be here.

And we had real concerns, but in contrast to that, the other thing that happened is that this is an ongoing project that if it starts now will cause extra time delay for it to be functional before summer, the big business time for the revenue-producing part of the Health Department. And also it will cost a lot of money because the crews that are there will not have funding to continue. So there are two sides of this.

So what we decided was, number one, to wait for Mark Zielinski. Next week, we're going to meet in sort of an emergency matter at five o'clock next Wednesday. You are all welcome to come, anybody in the public is welcome to come and go over that.

We're not as concerned with the money that's coming out of the Capital Improvement Reserve -- not as concerned because that money is there for that purpose.

So it's an ongoing process. We'll get back to you for the March 6 meeting with a formal recommendation.

Speaker BERGSTROM: Thank you. I don't think we had any other committee reports.

Speaker BERGSTROM: So, do we have a report from the Clerk?

Report from the Clerk

Clerk O'CONNELL: Yes. Good afternoon. Just briefly, you'll note that I will keep you updated and posted with regards to the upcoming budget review meeting schedule, which shall begin next Wednesday with Economic Affairs and Natural Resources, and the continuation of the Public Hearing with Finance at 5 o'clock.

And I will just keep you updated and posted. It's going to be pretty busy for the next month, meeting every Wednesday. And I will have that list posted somewhere on the Web so that people can see in advance the budget meetings that are going to take place as well as

posting them individually every week.

So I guess that's it unless anybody has any questions of me?

Ms. ANDREWS: Just one.

Speaker BERGSTROM: Cheryl.

Ms. ANDREWS: I've got on my schedule one Committee that meets next week. Is there --

Clerk O'CONNELL: Well --

Ms. ANDREWS: Oh, wait a minute. Maybe I cut and pasted the ones I'm going to. (Laughter.) I was trying to be efficient.

Mr. ANDERSON: Save paper. You were trying to save paper.

Ms. ANDREWS: What time is the other committee coming in?

Clerk O'CONNELL: Economic Affairs is at 2 and Natural Resources starts at 3, and then Finance will be at 5.

Ms. ANDREWS: Thank you.

Clerk O'CONNELL: That's for the 27th.

Ms. ANDREWS: Thank you, very much.

Other Business

Speaker BERGSTROM: All right. Under "Other Business," I was sorry to find that the Administrator, Mark Zielinski, couldn't be here. Obviously he's sick, but not only does this put us behind a little bit, but also in discussing the Agenda with the Clerk, I deliberately didn't put anything else on of substance on there because I felt that he was going to be here to be a protracted discussion.

So here it is, it's only ten to five and already we've run through the meeting. We might have had an opportunity to --

So our Budget Hearings may also contain other items which come up from time to time now because we're going to have a contracted Agenda.

So, anyway, we'll muddle through somehow; isn't that what they say in Britain?

Okay. Is there any other business to be brought before the Assembly?

Deputy Speaker MARTIN: Motion to Adjourn.

Speaker BERGSTROM: Wait a minute. What's the next order of business?

(Mr. Cakounes handing document to Speaker and Clerk.)

Delegate Cakounes is filing a Resolution --

Mr. CAKOUNES: An Ordinance.

Speaker BERGSTROM: Okay. Sorry. Yes.

Mr. CAKOUNES: Mr. Speaker I just handed in an Ordinance. It's pretty self-explanatory. I am under the advisement that it's going to have to go in front of the Governance Committee.

I do know that we are pressed for time with the budget hearings and stuff.

But with all due respect, I hope that you will try to put this on their Agenda, and hopefully my fellow Delegates will have the opportunity to review it and comment on it before it comes back before us for a vote.

Thank you.

Speaker BERGSTROM: Okay. Thank you. Any other business to be brought before the Assembly? Hearing none.

Deputy Speaker MARTIN: Motion to Adjourn.

Ms. KING: Second.

Speaker BERGSTROM: Moved and seconded. All those in favor say, “Aye.”
“Opposed”?

Whereupon, it was moved, seconded, and voted to adjourn the Assembly of Delegates at
4:50 p.m.

Respectfully submitted by:

Janice O’Connell, Clerk
Assembly of Delegates