

**CAPE COD REGIONAL GOVERNMENT
ASSEMBLY OF DELEGATES**

APPROVED Journal of Proceedings – March 7, 2012

Speaker BERGSTROM: Welcome to the Wednesday, March 7, 2012 session of the Cape Cod Regional Government Assembly of Delegates.

I'd like to call this meeting to order and we'll begin as usual 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 (97.70%): 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), Deborah McCutcheon (0.93% - Truro), Spyro Mitrokostas (11.02% - Yarmouth), John Ohman (6.58% - Dennis), Paul Pilcher (1.27% - Wellfleet), Anthony Scalse (4.55% - Brewster), Julia Taylor (14.61% - Falmouth).
Absent (2.30%): Teresa Martin (2.30% - Eastham).**

Clerk O'CONNELL: Mr. Speaker, we have a quorum present with 97.70 percent of the Delegates present and 2.30 percent of the Delegates absent.

Committee of the Whole

Speaker BERGSTROM: Okay. Thank you. Now, I'll 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? Hearing none, all those in favor say "aye". Opposed.

Now, you should have received a copy of the Journal of February 15, 2012. Any additions or corrections to the Journal? Hearing none, I need a motion to approve the Journal of February 15, 2012.

Mr. ANDERSON: Motion to Approve the Journal of February 15th.

Ms. KING: Second.

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

Now, we have Communications from the Board of Regional Commissioners. I see the Chair of the Commissioners here.

Communications from the Board of Regional Commissioners

Commissioner FLYNN: Thank you, Mr. Speaker. First I want to present you with an Ordinance, a new Ordinance. It relates to the Dredge, and what we're requesting in the Ordinance is an increase in the salary line of \$50,000. Apparently, the Dredge projects have increased to the point where the individual who works there, who is normally part-time, is continuing to work because there's so much work to do, and also the income is being derived from these projects as well. That pays for it. So it's a way to transfer those incomes to the salary line so we can continue to pay the employee and we can continue to do the projects.

I notice on your Agenda here you are going to discuss the recommendations from the Special Commission. I will just simply say that we expect that the co-chairs, Henri Rauschenbach and Rob O'Leary, will complete their written report and provide them to the commissioners at a meeting so that we will be able to discuss them with them.

Speaker BERGSTROM: They didn't do that today?

Commissioner FLYNN: No, no. We had that on the agenda, but it was only for the purpose of the discussing process; how we might move forward with the recommendations, what we could do, how we would prioritize them, what we could do that doesn't require any other safe legislation or change from any other vote that we could just make on our own.

And also on the terms of the RUSS, we talked about the process moving forward and the importance of establishing the governance committee for the RUSS, which would really be the first step. So we just talked mostly about process and we'll follow that up next week, and continue that on a weekly basis until we have all of those steps in place.

So that's all I have to say.

Speaker BERGSTROM: Thank you. Do you have any questions for Commissioner Flynn? Yes. Tom.

Mr. LYNCH: Just a couple. The time line and status on the fertilizer and pesticide. Is that kind of on track and moving forward? Do you think something by spring or summer?

Commissioner FLYNN: Right now that's being done through the Cape Cod Commission.

Mr. LYNCH: Okay.

Commissioner FLYNN: And I would expect it at summertime, but I don't really know specifically.

Mr. LYNCH: And are you waiting for the written report before you do something like move forward with the Cape Cod Wastewater Authority? Or are you in point of fact drafting something and submitting something?

Commissioner FLYNN: No. We have requested that Paul Niedzwiecki and Andrew Gottlieb develop the regional wastewater plan for the county and that they do public outreach. When on the public outreach, that they meet with all the boards of selectmen in all of the towns and have public meetings, many public meetings to get public input, and they expect that they complete that by the end of December.

So they are really tasked with developing that plan, and if there is any legislation required to implement the plan, that they include in their presentation back to us what that legislation would look like.

So I would expect that -- I know there's been a lot of innuendo about that this will become a Cape Cod Wastewater Authority, like a taxing authority, if you will, and that was not part of their direction at all. Their direction was simply to develop a regional wastewater plan for the county, and the budget to provide a funding mechanism for that, whatever that might be, but not specifically any kind of taxing authority.

Speaker BERGSTROM: Yes. Cheryl and then Julia.

Ms. ANDREWS: I'm intrigued by that only because when you said innuendo, you caught my ear. I thought specifically in the motion we read in the press that the word authority was in your motion.

Commissioner FLYNN: It was not in the motion.

Ms. ANDREWS: So you task them to develop a plan, which is also a little confusing, because the Cape Cod Commission was tasked by the collaborative to do a plan a couple of years ago and we're waiting for that. But no, this is a new motion from the Commissioners. In other words, a new message, and I guess what's the new message then?

Commissioner FLYNN: I think the new message is that the Cape Cod Commission was looking at a wastewater plan, a regional plan, as -- possibly it came from Paul Niedzwiecki's participation as the Senate President's member to a committee that was looking at wastewater solutions in general for the state, and also looking -- and it was really set up to look at financing and funding for that. Then, he also through the commission applied for funding for the plan. I think they received \$150,000 in funding to do the wastewater plan.

But then we looked at with everything else that is happening and what the towns are doing individually and with the issue of the shared watersheds. I mean towns are moving along with their own wastewater plans. But the regional plan really includes the shared watersheds and not every town shares watersheds. Falmouth always shares one watershed and that's with Mashpee. That's what -- so it's really to look at those areas that include regional solutions.

Now, that may also include some other type of funding because when you look at the bill, when I say the bill, the cost to the homeowner, wherever you may live in whatever town you're in, that cost could vary based on what needs to be done. So what we said to them was broaden this to the greatest extent possible in your regional solution, and present it to the county commissioners because it has to have a funding mechanism in it. It can't just be to develop a solution for wastewater that doesn't have any way to pay for it.

Now, you may know that yesterday Representative Keating, Congressman Keating co-signed or co-sponsored a bill in Congress. I forgot who the Congresswoman was who proposed -- what state she was from, but they brought up the fact that the quality of water in the country is not good. There are wastewater issues in every state of the union and they wanted Congress to address this. This is a matter of national importance and its infrastructure, that only the federal government should come to the plate and support this.

So it's a bill that would provide some sort of federal funding to all the states to deal with their issues of water quality and wastewater. Now, whether it goes anywhere, who knows, but at least it's now out there and Congressman Keating has recognized that issue here on the Cape, and is doing what he can to try to see if there aren't some federal funds that could help with this. Particularly, as I said, and if you remember there was a piece in the paper about our entire legislative delegation is behind the concept of regional solutions.

So even though every town is working on its own plan, there may be other areas regionally that could be worked out, and Paul and Andy are in a position to know what those could be. Andy is working with the collaborative, and Paul working on those regional issues for some time.

Speaker BERGSTROM: Julia.

Ms. TAYLOR: The Natural Resources Committee at its hearing had Paul and Andy with us for discussion of the budget, but we went into this issue quite a bit and I think it was helpful.

What Paul is particularly working on is what he called a dynamic plan where it will cover the whole Cape, and it will, but the key word is plan, and town plans and projects can be slotted into this plan and tested as to whether they work and at what cost, and what kinds of solutions. A variety of solutions could be used, and towns will be able to use the Cape Cod Commission's regional plan to

sort of test out their plan. That is completely separate from any possible -- that is proceeding and will be done by the end of next year for sure.

That according to them is completely separate from any other possible concept of some sort of regional authority.

They are going to also do some work on what something like that could look like, but that would be entirely a question of whether towns wanted to buy into that. It wouldn't affect the plan. I am not able to make this as clear as they did, but the plan is going to go ahead no matter what.

Town plans in fact do have to meet certain criteria of the Cape Cod Commission's regional plan because that's how planning on Cape Cod works. If you want to have a local comprehensive plan, it has to be approved by the Cape Cod Commission, and the same is going to be true if you have a wastewater plan. It's going to have to fit into the Cape Cod Commission's regional wastewater plan. Anything about -- and that plan, as I say, is going to have lots of moving parts where you can try out different scenarios for your town and come to your own conclusions as a town as to what might be cost effective and actually also meet the cleanup standards.

Those two things are going to be difficult, but that's just going to be separate from any other authority.

Speaker BERGSTROM: I don't mean to interrupt you, but the proposal for a wastewater authority, whatever you want to call it, is on the agenda after the assembly convenes. It's probably not appropriate to go into depth under this agenda item except to ask the commissioners, you know, what their input is and what their decisions are.

Commissioner FLYNN: Well, let me just say one thing about what Julia commented on. What the Cape Cod Commission is developing is a tool. Paul refers to it as a tool. I have seen it. There was a wastewater workshop in Falmouth about six weeks ago, and DEP Resource and Development office from Cincinnati was there, and Paul has been working with them on creating this tool.

And this representative from DEP actually put the tool on the, you know, on the board and described it, and what it is is it talks about various ways to mitigate nitrogen possibly, personal care products as well, whatever it is you want to do in your community, whatever solution you think might work. You can put it into this model, and he calls it a test, and then you can look to see whether or not -- if you do, if you follow your plan in this direction, what will be the outcome. How much nitrogen might get reduced; what are some of the drawbacks; what are some of the steps along the way that aren't going to work; what could possibly block it. And you work down through all these different solutions until you find the one that will achieve what you want to achieve, and will also be the most cost effective, because you can look at the cost all the way through.

There's a town in the commonwealth, I can't remember which one, somewhere in the 495 area. They have already done something like this and tested it out, and the thing is, the interesting part of it was, and this is the problem, is once you get to the point where you have your plan all set up in this matrix and you come to a decision, you get to the permitting phase and guess what, nobody can permit it because of the way the regulations are. And that's what I said to Paul the other day. He made a presentation to the Cape Cod Commission on this because as it is now the state regulates the wastewater plans town by town, and in order to get your project approved by the state, there has to be a town plan. It has to meet the requirements.

If you come up with a regional plan, there's no entity that can -- has any authority to approve or regulate a regional plan. And that's what the DEP was saying is that we have to do something so that when you do work on regional plans and you come up with something that's going to work, there is a mechanism for either the federal or state DEPs to actually approve it.

So that right now is the stumbling block that they know it and they are working on it. Paul's working with the state on that to see if there can be some way to get that approved. But it's a great little test, and it's easy to use and it gives the towns, you know, you can scramble it any way you want to scramble it. You know where you want to be at the end and trying all these various options will give you your best option and the cost of that option. That's part of that regional solution.

Speaker BERGSTROM: Pat, presuming that Paul and Andrew follow through on this and they come up with a proposal that they are going to then present to the public, now my question is who is going to be behind this? In other words, are the county commissioners going to be behind it initially and say here's our plan and then send it out to the public? Or are you going to step back and kind of throw it out there and see what people say? I mean, it's going to be quite an issue, and I'm just wondering if it's going to be done on behalf of the commission or it's going to be done on behalf of the commissioner's. I mean, is there going to be some kind of juice behind this?

Commissioner FLYNN: I don't think it's going to be a proposal that's going to be presented to the public. I think the public is going to be asked to engage in the development of the proposal. We will come out with a plan that has already been vetted.

Speaker BERGSTROM: By we, you mean ---

Commissioner FLYNN: I mean Paul and Andy. They are supposed -- they have been asked to come back to us with a plan that has had broad public outreach and broad public investment and consensus.

Speaker BERGSTROM: I can think of three members of the public right now who aren't going to give their opinion until the last minute. Anyway. Are there any other questions? Yes. John.

Mr. OHMAN: Thank you, Mr. Speaker. In quite a different vein, Mary Pat, can you tell me this. Did Jack Meade come out with his numbers on the 2013 revenue side for the Registry of Deeds money that he predicted, which tends to be a little more frugal than Mark's numbers.

Commissioner FLYNN: Mark told me that after the last report, January, that he and Jack were meeting together and would have that, and they would present it to the commissioners and to the assembly. But did you notice that January was up like 30%?

Ms. KING: The price was down.

Commissioner FLYNN: Yeah, I know, but the revenues were up by 30%.

Mr. OHMAN: But we're still significantly behind the goal of seven point four five million for the year, for fiscal year 2012. That's one of my concerns. So you're saying that even today John Meade hasn't weighed in on ---

Commissioner FLYNN: No. I'm not saying -- I don't know. When I spoke to Mark two weeks ago, I asked him twice, no, he hasn't met with John, but he was going to meet with him that week, which was a week before last, and we didn't meet last week, and then he's not here today. So I wasn't able to ask him that today, but I will tomorrow. If he has met with John, where they are, and ask him if he needed to make a presentation to the commissioners and to the assembly about -- we are looking at 2013 though. We are not looking at 2012. You want to ask about 2012?

Mr. OHMAN: I want to ask about 2013 and 2012. I have a list actually. So you don't have that coming. I know there is an arcane rule that says that members of the assembly should go through the county administrator to talk with a department head. I would like to ask permission to talk to John Meade directly so I can get to those numbers.

Commissioner FLYNN: I will give Mark a call tomorrow and ask him.

Mr. OHMAN: That was my first question. The second question, do you have February numbers in for 2012 now here in the middle of March?

Commissioner FLYNN: That's what I was referring to, I think, were the February numbers, not January. February that we are up 30%.

Mr. OHMAN: Okay. Good. That's great. That was my second question.

Commissioner FLYNN: I have seen them. I don't have them with me, but I have seen them.

Mr. OHMAN: And how does that — from what I understand, even with February up 30%, we are significantly behind the objective, which is to collect 7.45 million dollars from the deeds revenues. In other words, the pace is still significantly off.

Commissioner FLYNN: Well, it isn't all about the revenues. You know, it's all about spending as well.

Mr. OHMAN: I understand.

Commissioner FLYNN: And Mark seems to feel very confident that with anticipated revenues, and that's being realistic about what they are, not necessarily about what they were budgeted for, but what he has anticipated the revenues might be now, at this time, instead of this time last year, that he feels very confident that we are going to be in line with our revenue numbers in terms of spending.

Mr. OHMAN: You mean even if the revenue is significantly less?

Commissioner FLYNN: That's correct.

Mr. OHMAN: Janice forwarded to all of us a very specific set of numbers with a year to date expended on every one, but it's almost impossible to read this. I know that these expenditures are haphazardly — not haphazardly. At different times, there's a different strength of spending.

Commissioner FLYNN: Yes. Some months they are higher, some months ---

Mr. OHMAN: It's nice to see, but without an interpretation this doesn't do anything for me specifically.

Commissioner FLYNN: Well, maybe we should have him come next week. You're not meeting next week, the week after, and have him give you ---

Mr. OHMAN: We are right in the middle of the budget. This is a really critical time to know these facts, and I would like to know these facts more so that you don't have to haphazardly start cutting budget items — in anticipation of the worst possible news that we don't know yet. Thank you.

Commissioner FLYNN: Well, that's sometimes for us the same thing. When you do the budget in January, it's really hard to know what the next year is going to look like, because all you really have are the trends. But if you wish, you can either speak to him yourself or we can have him come to the assembly at the next meeting if you like. We can have him come once a month and update the assembly on revenues and expenses if you like that.

Speaker BERGSTROM: At this point, I think it would be -- with John's permission, it would be advisable for him to talk directly to the finance committee because they are the ones who are making recommendations on the budget. And then of course when the assembly gets the entire budget, we'd certainly be more willing to entertain him then when we have to look at it.

I think that John's questions are probably pretty apropos. I mean, they were an issue last year and, you know, I assume they are going to be an issue again this year.

Commissioner FLYNN: And they are absolutely realistic questions. They are questions you need to ask all along the way. Questions we needed to ask back in January when we were reviewing the budget, how comfortable are we knowing what the numbers were from December, whether or not what the budget that we were proposing for next year was realistic in terms of revenues and expenses.

So the same is true now, but that's always the way it is. When you have to plan your budget so far in advance, you can only look at the information that's available to you from the past and the trending that you can make toward the future to make a determination whether is this the most reasonable budget that we can present.

Speaker BERGSTROM: Leo.

Mr. CAKOUNES: I can only add my comments and concerns with the fact that, you know, even though that we are not projected to make the revenues because it's a little easier now; here it is March, from March to July 1st, actually. So we are not talking a lot.

My concern and I'm open to the finance committee, we can find out where Mark is planning on making any cuts. As we prepare next year's budget, we'll be able to maybe focus on those areas that he was able to cut this year, and subsequently we can do the same next year or feel comfortable looking at it. So those numbers are particularly interesting to me.

Again, you know I would like to see how we intend on finishing this year out and that information certainly will help me when I prepare next year's budget.

I just want to state for the record also though there's a 30% increase in February in the Registry of Deeds, that's 30% compared to last year's February. Last year's February, from what I understand, was the worst February we have ever encountered. So to say we are 30% higher, I don't want the public to go away thinking that's some kind of a windfall. Quite frankly, we could be 100% higher, and we probably still wouldn't be our best February because we are comparing it to one that was very, very bad. So we are not out of the woods yet. I don't anticipate we will be, and I'm hoping that we can at least share back and forth how we intend on finishing this year out.

Commissioner FLYNN: And another thing I keep reminding of is turn backs. I mean, every year there are turn backs from departments. They are funds that weren't spent. Mark has some idea what those might be, and we also have the option of just cutting spending at a certain point. That's what we do in the towns. You know, if you look and see, you know pretty much what the turn backs are based on what the current activities are in each department, and in terms of employment and whether positions are filled or not filled, you know, all of that, and then you have to look at that in relationship to what kind of spending can we curtail at this point too between now and the end of the year.

I know towns do that all the time, particularly since 2004. Prior to 2004, you didn't have to think about those things, but since 2004 you have to look at them every year.

Speaker BERGSTROM: Leo, do you have follow-up?

Mr. CAKOUNES: To follow up on that point. As I was driving over here today I actually thought about that. My tenure at the Harwich Finance Committee this time of year was two-fold. One, we were working on next year's budget. But the town also works through its finance committee on seeing how we are going to end the current fiscal year budget. That's why towns have special town meetings, in case they need to supplement the budgets.

In our particular town, our finance committee actually had a \$225,000 line item that they could vote to transfer that money so that a particular department could be able to finish the end with a zero balance.

That's not a procedure that happens here though. I take it that's not a question for you so much as maybe our speaker or just put it out there to maybe it's the procedure we should think about doing.

Commissioner FLYNN: If I may, Mr. Speaker.

Speaker BERGSTROM: Sure.

Commissioner FLYNN: That's not required in county financing. It's required in municipal financing. In the municipal relief package that the legislature and the Governor signed about three or four years ago, for the first time they allowed towns to make transfers between departments without going to town meeting. That never happened before. If you had to make transfers, you had to go to town meeting to make those transfers. Now, under the municipal relief package that can be done without but I am not really sure now where the authority is still there in the municipal relief to continue with that. I think transfers certainly within certain departments are allowed. But in the

county that doesn't even apply into the county. The county administrator can move that money in between departments without any other authority because financing is different for towns.

Speaker BERGSTROM: To answer Leo's question, the question of having a, quote, rainy-day fund, or money that could be used to cover these rises and falls in the Registry of Deeds is something I have brought up consistently now for as long as I have been sitting here. And I'm going to authorize the finance committee to go further into it and see what can be done.

Commissioner FLYNN: Mr. Speaker, you don't want to call it a rainy-day fund. Call it a stabilization fund or a reserve fund. Please don't call it a rainy-day fund.

Speaker BERGSTROM: You guys call it reserves. But I think it's a good idea and something to look — frankly it didn't come out of the recommendations. Anyway.

Are there any other questions for our long-suffering commissioner here?

Commissioner FLYNN: I am going to have a half hour presentation to make.

Speaker BERGSTROM: I see Spyro.

Mr. MITROKOSTAS: Before I get to my main point. I think what we call it right now is the main general fund balance. If you look at the reconciliation on page 26, we would have started out the fiscal year with five million dollars in the bank and projected fund balance at the end of the fiscal year is only three million dollars. So in effect we are doing that without calling it a rainy-day fund.

This is not a question for the commissioner. I want to commend you on your efforts with the 2013 budget. I think it's an improvement from last year's budget in trying to be realistic with the revenues that we have.

But I'd like to chide the members of the assembly a little bit. If you are thinking that we need permission to talk to an elected official. Insofar as Jack is a department head, Jack Meade, is responsible for his part in his budget, he is not responsible for the county's revenues. Any one of us in this room can ask the elected Registrar of Deeds anything we want to ask him about the anticipated revenues, the existing revenues, the past revenues, whatever we think is relevant to our discussion. I have no problem with doing that as a private citizen. I don't think I'm going to be inhibited by doing that now as an elected official.

Speaker BERGSTROM: Anyway, I didn't know you were referring to Jack Meade. I thought by department head you were talking about some internal person. Jack Meade has always been very cooperative. I haven't asked him anything yet.

Commissioner FLYNN: I forgot about the fact that he's an elected official. Spyro is absolutely right.

Speaker BERGSTROM: Okay. Do we have anything else? Well, thank you very much, Pat. We'll be anxious to hear from you, and good luck.

Commissioner FLYNN: Thank you.

Speaker BERGSTROM: Are there any Communications from Public Officials?

Any Communications from Members of the Public? Hearing none, I will now convene the assembly.

We will begin with a report from the Standing Committee on Finance and a recommendation on Proposed Ordinance 12-01. John.

Assembly Convenes

Proposed Ordinance 12-01: To add to the County's operating budget for Fiscal Year 2012, as enacted in Ordinance 11-06, by making supplemental appropriations for the Fiscal Year two-thousand and twelve.

Mr. OHMAN: Thank you, Mr. Speaker. This is a report on 12-01; Proposed Ordinance was submitted to the Assembly of Delegates by the Board of County Commissioners at the Assembly of Delegates regular meeting on January 18, 2012. We subsequently held a meeting on February 1, 2012 where all five members of the finance committee were there, but Mr. Zielinski was not able to attend and explain it. We continued the meeting to February 15 where we discussed a \$600,000 transfer from reserves to the ongoing re-doing of the health department up on the hill.

The committee received via email a narrative and sketches that were provided by Facilities Manager, John Blaisdell. Mark Zielinski provided the committee with background information regarding the funding history of the project. The total estimate of the project is two point five million, about \$280.00 per square foot. There was no money left in the budget to complete the project. They requested \$600,000 with a fairly detailed list of specific projects that that would entail.

After much discussion we voted five zero to support it, and as such I would ask you to support the \$600,000 on No. 12-01 to the full assembly.

Speaker BERGSTROM: I just had a brief conference with the clerk here. This was a public hearing. So we don't normally require that you approve minutes through the public hearing. But we will. If there's a minority report, I will listen and hear it. Leo.

Mr. CAKOUNES: The only thing I'd like to clarify. Well, first of all, was that a motion, John? Because I'll second it.

Speaker BERGSTROM: Yes, it is. I'll need a second.

Mr. CAKOUNES: I'll second it.

Speaker BERGSTROM: Okay.

Mr. CAKOUNES: And under discussion, Mr. Speaker, the only thing I'd like to add to clarify the transfer from reserves. There are actually two accounts that were set aside for capital improvement reserves. This is not money coming from the general fund as per se. It was money allocated previously into a separate building renovation fund, if you will. So it was previously allocated for that. I apologize. I don't have my notes in front of me, but I think it leaves a very small balance in that account, if I remember right, about \$200,000. Thank you.

Speaker BERGSTROM: All right. The motion on the floor is so moved and seconded. Any further discussion on this? Hearing none, we will take a vote.

Roll CALL VOTE on Motion to approve Proposed Ordinance 12-01: To add to the County's operating budget for Fiscal Year 2012, as enacted in ordinance 11-06, by making supplemental appropriations for the Fiscal Year two-thousand and twelve.

Voting Yes (97.70%): 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), Deborah McCutcheon (0.93% - Truro), Spyro Mitrokostas (11.02% - Yarmouth), John Ohman (6.58% - Dennis), Paul Pilcher (1.27% - Wellfleet), Anthony Scalse (4.55% - Brewster), Julia Taylor (14.61% - Falmouth).

Absent (2.30%): Teresa Martin (2.30% - Eastham).

Clerk O'CONNELL: Mr. Speaker, Proposed Ordinance 12-01 passes with 97.70% of the delegates voting in the affirmative. 2.30 absent.

Whereupon, it was moved, seconded, and by a roll call vote with 97.70% voting yes and 2.30% absent: VOTED to adopt Proposed ordinance 12-01: To add to the County's operating budget for Fiscal Year 2012, as enacted in Ordinance 11-06, by making supplemental appropriations for the Fiscal Year two-thousand and twelve.

Proposed Recommendations from Special Commission on County Governance

Speaker BERGSTROM: Okay. Thank you. We will now move onto Item 12 on our agenda, Proposed Recommendations from Special Commission on County Governance.

Do you want to take this, Julia, or should I?

Ms. TAYLOR: Well, you can start.

Speaker BERGSTROM: Okay. After many a meeting and long deliberation by just about everybody who has any kind of a profile here on Cape Cod, 27 people, we managed to take some votes at the last meeting which was last Thursday on recommendations from the Special Commission.

The recommendations varied. There were things about consolidating things like Mosquito Control and other things within the county structure. But the major recommendations -- one of them you have already heard, which was the wastewater, to have a regional wastewater approach to the problems we have on Cape Cod, which was pretty much -- I don't want to say unanimously recommended, but certainly a large plurality.

The other recommendations was on governance, and the report came from the town managers, and specifically from Bob Lawton and Bud Dunham, and I think from Brewster, I forget his name, Charlie Summers, and they recommended a consolidated governance body consisting of seven members, five elected regionally, and two at-large that would replace the existing governance structure in the county.

Now, as you know, I was very skeptical about this, but Julia and I talked about it as time went on and we realized that this was where this committee was headed. And if I can speak for Julia for a minute, we were trying to salvage what we could out of this, since I think they asked for recommendations maintaining -- remember they were empowered to look at the structure of county governance. They were not going to come out of it saying we're not going to do anything. So seeing which way they were headed, we tried to get as larger -- body, at least make better recommendations despite what we may feel, as large a representative body as possible, and they finally settled on, according to these recommendations, a body that would be neither commissioners nor delegates. The title was something we debated back and forth, call it counselors, call it whatever you want. It would be somewhere in the middle, more than twice what we have now for commissioners and a little less than half of what we have for delegates. So that was their recommendation.

Now, the one part about that that troubled me was that various times during these deliberations I asked about the process. You heard Commissioner Flynn talk about what we are going to go to process. There was very little talked about where it goes from here, which made me a little uncomfortable.

In other words, we have the process that's written up in the contract if you guys want to take a look at it. It goes through the assembly to the legislature and to the ballot. Suggestions were made just offhandedly, then maybe they could bypass that by going to the legislature, but I looked. It's quite a complicated process. So the one hole, the one fly in the ointment right now is I don't know where this is going and that's going to be up to the commissioners. Now, Julie, if you want to go further or correct ---

Ms. TAYLOR: Not correct, but add to it. I think in some ways the most important recommendation change was for a strong, appointed manager, and really an executive, and with all sorts of powers that are now held by our commissioners.

So that would go -- that is really a pretty radical change from having three commissioners with those kinds of executive powers and employees including an administrator, but this would be kind of a super administrator and really a chief executive.

I can understand that that could certainly be a change from 300 plus years of county government, but I don't think it's a crazy idea. And I think that as far -- they much very -- this was very unanimous. I would say Ron and I were the least all over it, but I'm not opposed to a regionally-elected person as a legislature. I feel very, very, very strongly that we need some sort of legislative body, but does it have to be town-based.

When I was originally on the charter commission, it seems like another life now; we didn't have the nerve to go to a regionally-elected setup. We thought that the towns and people in the towns wouldn't support it, because it would be too big a change, and they weren't ready for regional government and they couldn't give up their town identities, etc.

I made the point I think a number of times at the Special Commission that I had not seen dreadful evidence of parochial town-based decision-making on the assembly. I said I don't think that that's how it operates and I think you'd be hard-pressed to come up with examples of where that has been the basis for people's voting.

But basically they don't believe that. This group didn't believe that, and basically I don't think that we are still at the point where we couldn't have regionally-elected people as opposed to town-elected people.

So I think that we do know where this is going. The commissioners have things that they could do and implement when they get this report, but changing the charter isn't really one of them. They could support that change politically, but they don't have -- they're not the people who are in charge of doing it. We are. And so we have a choice, and I don't think we need to make the choice today, but I think we need to be thinking about it.

Do we feel very, very strongly that we have the right system right now, and the Special Commission is totally on the wrong track with their ideas. And if we feel that way, then we can just drop it and state that publicly, and let the chips fall where they may. And there may be enough political will from some of the people involved to do it the other way, which would be a signature campaign.

I would suggest, however, that we not take that position and that we spend some time. Not a two-year charter review. I don't really think that's the right approach at all is my thought, but that we really decide do we want to consider a strong executive and a single legislative group that is not town-based.

I think the details of how that is set up and the exact powers and what the regions would be, they recommended nonpartisan election. That's an issue. They recommend five elected regionally and two Cape-wide. I personally think that's ridiculous, but at any rate we could discuss those issues.

Do we think there's some reason for having a strong executive and a single legislature? If we did think so after discussion, we would then be in a position to make the actual suggested charter changes. If we are absolutely opposed to that, then let others deal with it. But if we want to have a say in it, we could, we definitely could, and along those general lines we could have a lot of say in it.

So I think that's what we have to decide. Is there any appetite for taking on this or do we want to -- I don't want to say stonewall it ---

Speaker BERGSTROM: Say it.

Ms. TAYLOR: At any rate ---

Speaker BERGSTROM: Let me just add a couple of quick things and that'll open up the discussion, is that Julia's point that she made initially something really weighed heavily on me, because, you know, my experience as a selectman, and I know that all of us here served on town government. You know that over the last 20 years town governments have gone to a strong, centralized manager, away from the old system, and I can see the benefits in that.

So I believe there was almost unanimous support, including my support, for a strong executive county executive. Now, if we maintain the assembly the way it exists and we have budgetary authority and so on, and you have a strong executive who signs contracts, and hires and fires, then the question becomes what the commissioners do. In other words, it sort of puts them -- it puts the odd people out. We can't have two legislative bodies. So that was the one thing we talked about.

But also in the division, the political division of Cape Cod, I looked, I called up, whatever it is ---

Ms. KING: Secretary of State.

Speaker BERGSTROM: The Secretary of State and they wouldn't help me at all, because they are in the midst of figuring this out themselves. Each individual town has to divide their populations. It's up to them. They have to make a map. There are 351 towns. They wouldn't talk to me. I asked them for a map of the districts, the precincts, and they told me to go to the library.

So I was -- prompted by an email from, I think it was Spyro, I did some math. Using percentages, if you look at our percentages, you want to get, if you have five towns, if you have five divisions, you want 20% more or less in each division. You can do that by maintaining town borders. You can do it by Sarah Peake's district, which goes to Brewster and Harwich. You can do Dennis and Yarmouth. You can do Falmouth and Mashpee, and you can do Barnstable standing alone, and you can do Bourne and Sandwich. And that would be more or less -- I think the lowest would be 17.8 or something and the highest would be 21.

So I threw that out there. I said well, okay, I give up. Here's the division. We can do five and two. That got shot down. They said, no, we don't want to go by towns. We want to get away from the towns. At that point, I said, fine. You do the math. You divide it up. So I -- anyway. So that's our report. Yes. Cheryl.

Ms. TAYLOR: Well, let me say one more thing.

Speaker BERGSTROM: Okay.

Ms. TAYLOR: I'm crazy about Rob O'Leary, but he did I feel kind of went off the deep end. He then proposed and had on the ballot that the town managers would have some sort of secondary or veto budget authority. I was shocked at that. But that didn't really fortunately get much traction, and I think his idea was there. It's the town managers that you would like to get involved in thinking about the county and working with county, and of the special commissioners, I would certainly single out those three that were managers as being particularly useful and, of course, knowledgeable, and on top of stuff.

So I don't mean that as a criticism of the town managers in the least. So I do think that's -- I don't think they should have some sort of unelected people having some sort of budget authority veto, but I do think that's a challenge that we could take on. How do you, if you do make a change that isn't town-based elected officials, how could you involve them in some meaningful way, and I don't have a good thought about it. But I think it's an issue and I think it's something we could work on.

Speaker BERGSTROM: Cheryl.

Ms. ANDREWS: Thank you. Mr. Speaker, I don't want to put you on the spot and ask you word for word what the motions were from this Special Commission, but I'm looking at it as being a bit confused because I thought the Special Commission recommended a wastewater authority and I thought ---

Ms. TAYLOR: It did.

Ms. ANDREWS: Well, he didn't say that. You went on about regional plans.

Speaker BERGSTROM: It started that these are the recommendations we voted on.

Ms. ANDREWS: But you never said authority. Was it debated?

Speaker BERGSTROM: Well, I don't think the authority was in there. We debated on that for like 20 minutes. Whether we call it authority.

Ms. TAYLOR: Ron.

Speaker BERGSTROM: What did we call it?

Ms. TAYLOR: No question, they might not have used the word authority. They voted in favor of a regional governing structure separate from the county that had to do with wastewater, yes, but that is not — that's not what our commissioners have. That's separate from what the previous discussion about what our commissioners were doing.

Ms. ANDREWS: So it goes by any other name. And the reason why I'm asking about this is, I've said before and I'll say it again, is two proposals go together. Changing government structure and having — managing to implement a wastewater authority. In my mind, there's no surprise here coming forward.

If indeed the Special Commission supports the concept of wastewater authority, it seemed from what I read, and after what I've been through in the last few weeks with the press, I understand they get things wrong. But it seems that after the Special Commission announced their vote about a wastewater authority, then I read that the county commissioners had then tasked Andy and Paul to investigate what a wastewater authority would look like. Now, I am hearing they didn't. So I guess if two department heads, two county department heads are investigating the wastewater authority, someone might have directed them to do that. I am just unclear.

Speaker BERGSTROM: You've got to remember that everything that came out of the Special Commission on Governance didn't direct anybody to do anything. It's recommendations to the commissioners, and as far as I know, they haven't made any final decisions on that because I haven't got the written report. But the committee was nearly unanimous in recommending a regional body to approach wastewater for the reasons that Commissioner Flynn talked about. And there was a lot of debate on it. I think the language was kind of dumbed down to make it more morpous than what it originally started out to be, you know. What happened to it after that ---

Ms. TAYLOR: And we don't have the final report yet anyway.

Speaker BERGSTROM: So, anyway, we'll start with Deborah.

Ms. MCCUTCHEON: Just so I understand, Julia, what you're sort of recommending. What I'm hearing is it's a sort of an all or nothing proposition. It sounds like a cafeteria plan, if you take some of this and some of that, and take something else.

Ms. TAYLOR: Oh, I think it could be. We can do whatever we want. I think there's a lot of support outside of this group for what I've described, a regionally-elected body, legislative body, and a strong executive. I think we could become involved in refining that, but we might not have a lot of support if it were radically different from what they are recommending.

Speaker BERGSTROM: Okay. Paul.

Mr. PILCHER: I've changed my opinion about this as I have listened over the last few months, because I think originally I thought the idea of a regionally-based legislative/oversight board was a good idea. I don't think it's a good idea.

I think that we, this group, does remarkably well considering that we each represent an individual town in adopting a regional approach and certainly settling our differences. If there are other people, and I know there are a lot of them, who tend not to think so, and I think maybe it's up to us to educate them that this is a pretty good approach. And I'm afraid that some of these smaller towns, Deborah, like you and me, will get lost in the shuffle if we have a regional board.

I would just point out one other thing. In the proposal, I noticed that this was done in the name of efficiency, and that the salaries quoted would come out to twice as much for this regional board as we presently pay for the commissioners and the assembly together.

Ms. TAYLOR: I did speak on that, Paul, and took a very different approach to how much should be paid, but that was -- I was looking for a cheaper solution.

Speaker BERGSTROM: Julia recommended \$4,999 because that would exempt us from the pension and health care. So I came back with \$5,001, and Robert O'Leary upped the ante to 15 to 25. I don't know, maybe he's planning on running. Anyway.

Go ahead, Marcia.

Ms. KING: Thank you, Mr. Speaker. And, Paul, actually my town got lost. If I'm lumped in with Falmouth, the votes are all going to be in Falmouth. So my town will lose representation too.

It really does bother me. I think as you just said, this is the best representation of this county by having the people from the towns. But I actually sat in on the meeting today with the commissioners, and I thought it was very interesting some of the things that they talked about. I guess the vote was for an executive and the commissioners started talking about they can do this right now without legislation, write a job description. Today they started talking about write a job description, post it and start interviewing. I was really surprised by that actually, and Sheila was very concerned about getting legal counsel. I think some of the commissioners feel there's going to be a fight. And so that was brought up repeatedly about getting outside legal help to determine what they can and can't do.

I thought it was extremely interesting because at some point maybe we ought to get legal counsel. If it's really going to become that nasty, I didn't think it was. And what I kept hearing was they wanted a legislative body and an executive. Well, I think we have that with a legislative body. We can get a strong executive. I think they are going after the wrong board. As I said all along, they should retire the three commissioners. You have the legislative body here. And I've said this all along.

Ms. TAYLOR: We would have to do that, not them.

Ms. KING: I think we should think about it. But I have felt all along that was a solution looking for a problem. Surprise, surprise, they want to get rid of the assembly and merge it into the commissioners.

I am very disappointed by that. I just think that is such a slap in the democratic way we vote around here, that they would take away -- my town is threatened. Deborah's - you guys down on the lower Cape. You are all threatened. You will end up having all of that. The big argument seems to be what Barnstable has. Barnstable still has a one person completely taking care of that town. My town may lose. Your town will lose representation. And I'm just extremely disappointed that that's the way they went. Thank you.

Ms. TAYLOR: They are taking the position, the Special Commission that it isn't about towns. It's about citizens, and that citizens will have an equal vote across the Cape.

Ms. KING: But I would argue that they don't then. I mean, it ends up my town doesn't really have a vote because of someone from the larger town. Also, another interesting thing they said that you actually mentioned, Pat, in the meeting was, they were talking about merging the county with the Town of Barnstable, and there was a bit of discussion on that which I thought was really fascinating, because I was noticing, wow, you did, and you and Bill had a big discussion about the assets of the town, and I will say you did discuss you can't be having this because of home rule. But that was I guess something that was brought up in the meetings.

Speaker BERGSTROM: We will discuss it. I just want to read something from the charter while we're discussing this, so we don't want to go too far afield.

The assembly of delegates may by a two-thirds vote of its full membership provide for the submission of any proposed amendments to this charter to the voters, except any amendment which related in any way to the composition, mode of election or term of office of the legislative body or the

mode of election or appointment or term of office of the chief executive or administrative officer of the Cape Cod Regional Government.

By the way, it doesn't mention the commissioners in there, so theoretically we could change the commissioners tomorrow, if we go by the charter.

So whether or not the commissioners can make significant changes in the way the administrative officer operates, according to this, if it doesn't have to do with the mode of election, appointment or term of office, I suppose they could. But that was an issue.

I should warn you that the reason I pushed them on how this is going to happen is because the Chamber of Commerce at the last minute said let's not do anything. We had gone through weeks and weeks recommending changes. Let's not do anything until the governance is settled. So thoughts were in my head, saying that could take four years. If we miss this election. If we have to go to the ballot and we miss this election, it wouldn't go to the ballot for two years. Changes would not take effect for two years after that. So four years. I thought at that point I just thought that was absolutely crazy. It's important.

No. They don't understand that process, and they don't understand -- at least my feeling is some of them don't understand the weighted vote is always an issue. I kept telling them that it's mandated by the constitution, one person, one vote. You can't do anything about it. But they just said, oh, that's terrible. You got to get a weighted vote. So I did my best.

Leo. Then John.

Mr. CAKOUNES: When this actual report, if you will, is submitted to the county commissioners, are we going to request a copy of it? Because as you all know, I have been dying to have this conversation. But it's difficult to have it without having the report first and actually reading it and having to take some time to comprehend it.

So I'm going to follow my friend, Mr. Lynch's suggestion. Why don't we wait until we get the report in our hand and maybe schedule and have a really nice work session on this because it's something that's going to take a lot of discussion, I believe.

Speaker BERGSTROM: I think the minutes, if you really want to dig into it; the minutes have been pretty regularly published. You know, you can go have -- there's actually a spreadsheet which I should have brought with me. Julia, I'm sure you didn't bring it either. Anyway. John.

Mr. OHMAN: Well, I think it would be instructional to see the voting records of all these things. I attended many of these meetings. The first voting was 13 votes if I recall and literally at one point in time they pulled somebody out of the audience for two votes, the two absent members. I kid you not. For those who were in attendance. That's true and she got two votes by not even being on the commission. And there was other voting by proxy too as a matter of fact. Some of it happened on a regular basis. I'd love to see the voting records and who actually voted in this. I think that would be instructional.

One thing that was brought up, and I think it was determined that they didn't want to get into the weeds with it, was, and that was the quote, that they were going to add the Cape Cod Mosquito Control. They were going to add several other agencies, and they were going to -- I'm assuming 15 to \$25,000, maybe a staff member because it's such a large group that's represented. It's going to be -- with far less services unless you have a taxing authority. So when that has actually kept -- I think Ron brought it up. What are you going to do to add taxes to fund all of these extra things we are going to do. And they didn't want to get into the weeds of it. So I thought there were other instructional things.

Ms. TAYLOR: I disagree. There was some comment, but later when there was discussion of would the Special Commission members support the concept of increased taxation, there was a unanimous support.

Now, we didn't go to what form that would take, but there was not a single -- I was shocked actually. There was not a single person who spoke against the concept of increased taxation.

Mr. OHMAN: Because they're not elected officials.

Ms. TAYLOR: I understand. I'm just pointing it out they weren't opposed to that.

Speaker BERGSTROM: Deborah.

Ms. MCCUTCHEON: I'm done.

Speaker BERGSTROM: Okay. All I can say is that we will have to wait for the commissioners whether they accept this report or recommendations they make. It kind of throws us all here into a little bit of a, you know, never-never land. If we don't know if somebody is going to continue. But Julia's quite correct.

If you read the further sections of the charter, any change that has to do with this body, the structure of the governance of the county, has to go through the assembly, to the legislature, and then if the legislature approves it, then it goes on the ballot. And it goes further to say, although I've got it in front of me, but I can't page it through it, any petition, citizen's petition, to change county government, has to go to the assembly and then to the legislature.

Now, Senator O'Leary hinted that the legislature can do anything they want. So they can bypass that, but they would have to change -- I also looked into the legislative process as to how, even if we did approve change, how it would proceed, and very unlikely it's going to proceed with any kind of alacrity because the legislature is now considering the budget.

So I am concerned because one part of me says, well, if we stay where we are, I'll be very happy. On the other hand, we had 26 people spend a part of their lives doing this. And we had, you know, O'Leary and Rauschenbach there every week or every two weeks and they went through a lot of stuff, and I'd hate to see this go down the drain. Because there were a lot of good recommendations that were made by that commission as far as how the county should be structured, and to just say we are going to throw it out the window, I think it's unfortunate. But that's what they're doing. Deborah.

Ms. MCCUTCHEON: On second thought, I do have something to offer, something I think people should consider here. I get a little confused when you talk about home rule, because Massachusetts is built on home rule, and home rule, as I understand it, means cities and towns making their own decisions about how they are run.

Now, I understand that the county government might like to do away with that home rule model.

Ms. TAYLOR: We are a home rule charter, the county.

Ms. MCCUTCHEON: I understand, but it was adopted through that process. I'm simply pointing out, I think -- I very much agree with Marcia. There are a lot of things I think that this Special Commission -- I've got to admit I'm a little naïve. I don't know all of these people. Some of them were elected officials at one point in time that is on it now. You know, I'm not -- I don't see them as speaking for the people that I know and I have worked with on the Cape. I just don't see that being represented. But not to digress.

The thing that I am most concerned about is the amount of credibility that's been given this report and the fact that pieces of it that are valuable I think are going to get lost in the weeds. I mean, I saw the mosquito language, and I think they are absolutely right, that the mosquito treatment will have to be part of the county. But I think those things we were describing I think are going to get lost in the debate, and I think that's unfortunate.

Speaker BERGSTROM: And also, now I'm running off about this, but somebody pointed out, I think it was Cheryl that pointed it out, they are asking two big issues here. One is they are recommending changing the structure of county government. They are also recommending this

wastewater authority which you know is going to be -- I know you want to call it an authority. Call it what you want, is going to be a big issue. I think it was Julia first recommended, and I agree with her, they are making a mistake doing that because -- there are like -- as Deborah says, there are a lot of valuable things in there and you're going to throw this big package at people, it could all go down based on their opposition to wastewater.

But, you know, Senator O'Leary and a couple of other things, obviously Paul and Andrew, felt that, and they stated to the commission that there was a window of opportunity, and they felt that this was a window and if the window passed, we would miss it. That was their presentation, and then when the Chamber of Commerce said well, wait, we have to do governance structure before we do anything else. I just threw my hands up in frustration.

I don't think they understood the ramifications of making that recommendation, but nonetheless the commissioners will straighten it out and we'll hear from them. Okay.

If there's no further comment, we will then go to the Reports of Committees, Economic Affairs.

Report of Committees

Mr. PILCHER: The Economic Affairs Committee met on February 29th. We made two recommendations. That the Cape Cod Commission portion of the budget that was -- submitted as proposed, and the planning for the arts council, I would ask -- I think we have a quorum, the members who were there. I guess I need to ask them to approve the minutes as distributed. That was Spyro and John was there.

Speaker BERGSTROM: We need a motion.

Mr. MITROKOSTAS: So moved.

Mr. OHMAN: Second.

Speaker BERGSTROM: All those in favor, say "aye". Three to nothing. Good enough. There are 14 of us here. How many people on your committee?

Mr. PILCHER: There were five. Four who are present; one who is not.

Speaker BERGSTROM: Natural Resources. Julia.

Ms. TAYLOR: We had a nice meeting, a lot of good reports from very talented county employees and department heads. The only group that were going to be spending more money were the health and environmental people because they do plan -- the commissioner's approval of their budget includes additional equipment, and I think the reason for approving it is that that will pay for itself pretty quickly. It definitely makes money in the long run and even pretty quickly in the short run.

Deborah was not able to be there, but asked us to inquire about the number of employees and what their status was on the pay step level. There is definitely a plan by the commissioners to not increase staff period. No additional employees seem to be included in any of the budgets and some employees are not being replaced, or if they are leaving are being replaced at a lower step. But in some areas everyone in the group was at the top. I don't have my notes in front of me, I'm sorry, was at the top step but in others they were maybe about 50% at the top and the rest scattered throughout.

We did vote to accept the budgets as submitted with the caveat of Leo's that we have to reserve the right to cut them if we needed to, based on revenues, what we thought were the revenues.

We couldn't really get much in the way whether there were certain things they could imagine being cut as opposed to across the board. Certainly George Heufelder said no, would just have to be just a 10% below type of thing.

Speaker BERGSTROM: Leo.

Mr. CAKOUNES: Furlough.

Ms. TAYLOR: That's a right, a furlough. Someone else talked about just a small percentage cut. They all felt they were pretty, bare-boned, and that was the impression that we got.

Speaker BERGSTROM: Okay. You need to approve the minutes.

Ms. TAYLOR: Yes. Could I have a motion to approve the minutes? Did you all get your copy? I just unfortunately took mine out with me.

Mr. CAKOUNES: I make a motion that we approve the Minutes as presented.

Ms. TAYLOR: I'll second. All right. Teresa is out. All in favor.

Speaker BERGSTROM: Okay. Takes care of that.

Report from the Clerk

Clerk O'CONNELL: Thank you, Mr. Speaker. On a lighter note, I want to comment on the fact that I think the committee meetings for budget reviews are going very well. Things are moving right along, technically half way through. So before you know it, that piece will be done and over with. And with regards to remote policy, I am still working on that with the IT department. I'm working on the telephone number issue, and he's got to deal with the vendor, but before you know it, we'll be there with that.

That's it for today.

Other Business

Speaker BERGSTROM: Okay. Just under Other Business. Do we know when -- we have to do a financial disclosure report. Do we know when that's due? Has anybody done that? May 1st hasn't come yet. I didn't think so.

Mr. MITROKOSTAS: Financial disclosures were due January 15. Ethics, we are waiting for an email from that agency online.

Speaker BERGSTROM: I'm not talking about a financial committee. Each -- every elected official has to do a financial ---

Mr. MITROKOSTAS: I understand. I am just repeating the email I got which notifies this month --you have a certain amount of time to do it online.

Speaker BERGSTROM: Marcia.

Ms. KING: --- told him and they were to notify -- May 1st or May 31st, but that's the ticket you need to put your papers in. It's around May.

Speaker BERGSTROM: But I think you have to do one anyway, whether you're running or not.

Ms. KING: That's correct, but they will notify you around May I think is when the window will be open to go online and do it.

Speaker BERGSTROM: Good enough. Yes. Cheryl.

Ms. ANDREWS: Two things. One, because I had the unfortunate experience of watching language get twisted and we got bad information when your freshman class ran. Try not to use the word ethics. Use the word SFI. You guys that have been around for a while know what a statement of financial interest is. I certainly didn't. I had never heard of it. So at the time all of us running for office were told, ethics, ethics, and we give ethics, and we got left off the ballot. SFI is what you're talking about right now. And I called the state and asked them when we were going to get it, and they said March. Well, here's March, and we're waiting. But SFI is what we're talking about.

The ethics online training course. My town clerk -- because I sit on the town board, we have to do the same thing for town boards. He didn't want to be dealing with this, and he just told us all to take the course and it's already on line, which it's up to your clerk -- you know, it's up to whoever you answer to. But he just said, basically coming into town meeting, just take the test online, Cheryl,

and pass it. So I did. I'm all set. But it is the reality of it that we got told that was going to be updated, and they are just behind. So that's what's going on with that.

Speaker BERGSTROM: It's good that you bring it up, because I'm a procrastinator. As you say, it usually creeps up on me. Any other business? Leo.

Mr. CAKOUNES: Thank you. For those of you that don't get enough of me, as your token farmer on the board, and you would like to meet some more Cape Cod farmers, the Cape Cod Farm Bureau and the Harwich Conservation Trust is sponsoring a Meet the Farmer this coming Saturday. It will run from one to four at the Harwich Community Center.

This is an opportunity to come and meet not only local farmers, find out where your places are going to be, where they are going to be set up during the season to sell food, and find out where they're going to have their own farmers market, even in their town or your town. The county will be there. Buy fresh, buy local, will be there. Extension service will be there in case anyone has any gardening questions. So we hope to see you all there. Thank you.

Speaker BERGSTROM: Marcia.

Ms. KING: Thank you, Mr. Speaker. I just remembered that Friday, the Selectmen and Councilors breakfast, and they will be talking about the Special Commission. It's in Orleans, I believe.

Speaker BERGSTROM: They are going to talk about wastewater, but the recommendation.

Ms. KING: The Special Commission and the wastewater.

Speaker BERGSTROM: I think it's in Orleans.

Ms. KING: That's at 7:30 in Orleans. We are part of that. So if people wanted to go, you should RSVP. It's this Friday. But you should RSVP because last time I went to the meeting last month, someone did not RSVP and they were not happy.

Speaker BERGSTROM: Okay. Is any other business?

Mr. ANDERSON: 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 5:20 p.m.

Respectfully submitted by:

Janice O'Connell, Clerk
Assembly of Delegates