

**CAPE COD REGIONAL GOVERNMENT - ASSEMBLY OF DELEGATES  
CHAMBER OF THE ASSEMBLY OF DELEGATES  
FIRST DISTRICT COURTHOUSE  
ROUTE 6A, BARNSTABLE, MA 02630**

**APPROVED Journal of Proceedings - October 19, 2016**

Speaker BERGSTROM: It's now 4 o'clock and I'd like to open this session, the Wednesday, October 19<sup>th</sup> session of the Cape Cod Regional Government, Assembly of Delegates.

Is anyone recording this meeting besides our normal recording? No.

In that case, I'll call the meeting to order, and we will begin with a moment of silence to honor our troops who have died in service to our country and all those serving our country in the Armed Forces.

(Moment of silence.)

Speaker BERGSTROM: Thank you.

We will now stand for the Pledge of Allegiance.

(Pledge of Allegiance.)

Speaker BERGSTROM: The Clerk will call the roll.

**Roll Call (90.78%): Ronald Bergstrom (2.84% - Chatham), Lilli-Ann Green - (1.27% - Wellfleet), James Killion (9.58% - Sandwich), Edward Lewis (4.55% -Brewster), Teresa Martin (2.30% -Eastham), Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), Edward McManus (5.67% - Harwich), John Ohman (6.58% - Dennis), Brian O'Malley (1.36% – Provincetown), Patrick Princi (20.92% - Barnstable), Julia Taylor (14.61%- Falmouth), Linda Zuern (9.15% - Bourne) .**

**Absent for Roll Call - Arrived Late (2.73%): Christopher Kanaga (2.73% - Orleans – 4:05).**

**Absent: Marcia King (6.49% - Mashpee).**

Clerk O'CONNELL: Mr. Speaker, we have a quorum with 69.59 percent of the Delegates present; 30.41 percent absent with a few slight changes because a couple just walked in as I was reading the roll call. (Julia Taylor and John Ohman added to reflect 90.78 percent present and 9.22 percent absent (Marcia King absent and Christopher Kanaga arriving late).

Speaker BERGSTROM: Our Assembly just increased by a couple. The longest standing members have now arrived fashionably late.

Ms. MCAULIFFE: Summer traffic.

Speaker BERGSTROM: We'll give them a little slack for their long years of service.

Okay. You have in front of you today's Calendar of Business. Are there any additions or corrections to the calendar? If not, can I have a motion to approve today's calendar?

Ms. MCAULIFFE: So moved.

Ms. MARTIN: Second.

Speaker BERGSTROM: All those in favor? Aye. Opposed?

(Motion carried.)

Speaker BERGSTROM: Okay. You should have a copy of the Journal of October 5<sup>th</sup>, 2016, sent to you. Are there any corrections to the Journal?

Ms. MCAULIFFE: Move approval of the Journal.

Speaker BERGSTROM: Wait a minute. Do I have a hand up there? No. Okay. Move approval and second.

Mr. O'MALLEY: Second.

Speaker BERGSTROM: All those in favor? Aye. Opposed?

(Motion carried.)

### Communications from the Board of Regional Commissioners

Speaker BERGSTROM: Leo, you're the Board of Commissioners right now.

Commissioner CAKOUNES: I don't want to blow anybody's ears out so how's that? Is that okay? New system or something there.

Thank you for having me again. A couple of things, first of all I want to report on today, we did have a meeting October 19<sup>th</sup>. This morning, at 9 o'clock this morning, we had the swearing in ceremony. There were about 30-plus new volunteers, if you will, that are associated with the AmeriCorps. And Commissioner Flynn attended that. I was unable to get here that early.

Our meeting started at 10. A couple of things that we did during our meeting; one, we had a continuing discussion on the performance evaluation of the Cape Cod Commission Director Paul Niedzwiecki. Hopefully that will be completed at our next meeting. This was kind of like the third reading, if you will, on that.

We did have a report on the ending and closing the books of FY16. I will not get into that because I see that you have that on your agenda. I had prepared to give you a little bit of an update but I won't bore you with it twice in a row. We'll let the finance department handle that.

We also had a continuing budget message discussion. I have here vote but it never made it to a vote. Once again, kind of like a third reading on this budget message. Hopefully, it will be brought forth again to our next County Commissioners' meeting and we'll actually vote and move forward with a budget message.

We did sign a proclamation for the Downwinders. The Downwinders of Cape Cod received an award, and the proclamation just kind of recognized that award and congratulated them on receiving it.

A number of various appointments and also we voted in our holiday schedule, which we have to do and like to try to do ahead of time because, as you know, when we close the buildings here. We are affiliated with the State and we want to make sure that we're doing what they want to do and they're doing what we want to do. So we kind of keep that line of communications open, especially in the Superior Court building.

We also voted to establish a fund for a grant for the septic system projects and that's one of the grants that we received through George Heufelder's department.

Just to give you a little bit more of an update. As what happens sometimes, we have two meetings to your one, so I'll go back to October 12. Pretty much more of the same.

We did begin the Executive Director of the Cape Cod Commission's evaluation on that date. There were only two Commissioners present there. That's why we subsequently postponed it to today and then, subsequently, now it's been postponed again

to actually take a vote on it. And the same thing with the budget message discussion.

One thing that did happen at that meeting and I don't want to or I physically probably can't do it now is I had been working on a lease -- I'm sorry, a licensing agreement with the town of Orleans who has shown some interest in having a license agreement to crossover County-owned land. We own the Orleans District Court property, and they own a piece of property behind that. It's called the Old Putnam Farm.

Originally there was some discussion of giving them an easement. An easement would actually be a transfer of property. And because of the easement being forever, it was kind of my feeling that we look at a licensing agreement. And my fellow Commissioners have supported that concept.

I put together a draft license agreement that I brought forth on October 12<sup>th</sup>. Again, there was only one other Commissioner present but we voted that conceptual draft license agreement and have sent it to our County Counsel to put it in legal format, take it out of the farmer format, and put it in a legal format and send it along to the town of Orleans for their consideration.

I, hopefully, if you're meeting is not too long today, I'll be very happy to stay around after the meeting and show you a plan I have. It's a great big plan. I don't have anything that I can project on the wall for you to make it easy, but I'll be very happy to share the information that I have on that easement or license agreement later on.

Again, it's all public record. I could send you an electronic version of the plan, but it's a plan that's this big that is reduced to this big so it might behoove you if you're interested to stay around and I'll be happy to show you.

And that's all I have.

Speaker BERGSTROM: Okay. We'll start with Doc and then Suzanne.

Mr. O'MALLEY: Commissioner, does this Cushing Farm Property relate to the power lines that they're trying to get off of from not being across the pond for the cormorants?

Commissioner CAKOUNES: No.

Mr. O'MALLEY: This is not part of that?

Commissioner CAKOUNES: This is not part of that. It's ironic when you said that, Doc, because it does involve the same power lines but it's on the other side of the highway, but it has nothing to do with the moving of the wires or anything like that.

Mr. O'MALLEY: So the purpose of the easement then?

Commissioner CAKOUNES: There is a piece of property directly behind the piece of property that we own and it is called "The Old Putnam Farm," for those of us have been around long enough to remember it. That particular farm had two ways of egressing it.

One is a very narrow dog leg, if you will, that goes across a very wet conservation area. You could not drive a vehicle over it. It's just much too marshy and too wet.

However, the town was able to bring in an electric line and a water line down that little dog leg. But in order to drive vehicles and the only other access was one, there was kind of sketchy, one of those old Cape Cod right-of-way/ancient ways, if you will, that went parallel, no, perpendicular across the power lines. And power companies did not -- this particular power company easement did not allow for having traffic go this way across it. They didn't want trucks going under the electric lines.

So the agreement that has been on the table was to now bring it in and run it parallel with the power lines. So at no time is the vehicle directly under the high tension

wires.

So that's one of the reasons that brought this forward. And the second reason, and if you see the plan, you'll be able to understand it. It's a much better situation for the town and it's going to benefit us in a little way too.

Speaker BERGSTROM: All right. Suzanne.

Ms. MCAULIFFE: I'm hearing and reading between the lines that you are conducting business over two and three meetings because you only have two Commissioners, and, in fact --

Commissioner CAKOUNES: That's not the case.

Ms. MCAULIFFE: Okay. Because you're not waiting for the third to vote?

Commissioner CAKOUNES: No.

Ms. MCAULIFFE: Okay. Because I would hope that two Commissioners would be enough to vote. It's just you needed more time for these issues then.

Because in the past when one of the Commissioners was ill, two Commissioners handled business. I mean you can't wait for everybody to show up if you're not going to show up.

Commissioner CAKOUNES: The reasons for the postponements on the two items that I mention in my report; one, the budget message, and, one, the evaluation of the Executive Director of the Cape Cod Commission have absolutely nothing at all to do with the amount of Commissioners that are at the meeting. It's strictly --

Ms. MCAULIFFE: Negotiations.

Commissioner CAKOUNES: No. People doing their homework, but I didn't say that publicly.

Mr. LEWIS: You just did.

Speaker BERGSTROM: Leo, the intentions that the town of Orleans has for this property, the Old Putnam Farm --

Commissioner CAKOUNES: Yes.

Speaker BERGSTROM: -- it's not controversial? It's not something that somebody might come to us and say don't give them the easement because they're going to do this, or their going to put up affordable housing, or they're going to put, you know.

We, in other words, do we anticipate that this is going to be --

Commissioner CAKOUNES: I've got your answer.

Speaker BERGSTROM: Okay.

Commissioner CAKOUNES: First of all, the property is owned by the Conservation District or Conservation Commission of the town of Orleans.

Speaker BERGSTROM: Oh.

Commissioner CAKOUNES: It's under their jurisdiction. There is a restriction covenant deed restriction on the property strictly to be used for agricultural purposes. Their intentions at this time are to only use it in the growing season. In fact, the draft license agreement that I put together specifically states that we will not be and they will not be maintaining the access through the winter plowing snow and stuff like that on it because they have no intentions of going out there in the wintertime.

To answer your concerns about any future use, the license agreement addresses that. It's only given to them for an explicit purpose of agricultural use. And from what I understand, it's going to be three plots out there with three different farmers are going to be working on it.

At one time there was some discussion about turning it into a town gardens where many individuals would be able to lease or rent like a 10x20 garden. That is not the

intentions on the table right now. It appears that the only thing they're going to be doing is having three relatively large parcels with three different farmers.

Speaker BERGSTROM: I'm not worried about the use of the property. I'm only worried that if there were objections to what was done, they would try to get us to refuse -- in other words, we would become part of the political battle.

Commissioner CAKOUNES: I don't believe at this time there is any objections at all. I certainly haven't heard any objections at all from anyone in the town of Orleans moving forward with this.

And I do want you to know that my concerns more were the future use of the County property, and this is why I suggested and counsel has agreed with me that a licensing agreement is a much better way to go. Because in the event that we were to put an addition on that current building five or ten years from now, I don't want to have the County be in a position that they can't put on the addition because of a setback from that easement that we granted.

Speaker BERGSTROM: We're all hoping we can downsize our court system rather than expand it. But we'll see. I just want -- optimistic. Anyway --

Deputy Speaker MCCUTCHEON: No, that's not a unanimous.

Speaker BERGSTROM: What?

Deputy Speaker MCCUTCHEON: We've got two votes against that.

Speaker BERGSTROM: Anyway, you just heard from the legal contingent here on the Assembly. All right. If there are no other questions, thank you, very much.

Commissioner CAKOUNES: Okay. Thank you. Next, that's you, Mary. Go get 'em.

#### Communications from Finance Director Mary McIsaac with FY16 Financial Reports

Speaker BERGSTROM: Next we have Mary McIsaac, and I see our Administrator Jack Yunits is here also, and we're going to discuss, I assume, closing the books on 2016 or at least giving us a head's up on how we did.

Finance Director MCISAAC: Jack said he'd listen. He's heard it before. He's heard it many times actually. I have Joanne Nelson with me today from my office. She is the accountant for the County. And I will tell you that Joanne's done a lot of work preparing the statements that you were given, and this is an annual task for Joanne.

And she consistently does a good job on the numbers and the explanations and tying up the numbers, so I'm so happy to have here with me today.

First of all, I would like to tell you that at the end of the day, Fiscal '16, ended on a good note and there's a lot of reasons for that. One, of course, has to do with the numbers but, primarily, it has to do with the efforts of all of the departments, you know, from the managers to the employees.

And when I came on board in September and started looking at the numbers, we started meeting with the departments and we said to them what we need you to do is focus on the revenue side and collect as much money as you can and focus on the expenditure side and stop spending. And please look at your spending critically and conservatively and only spend funds for exactly what's necessary for your operation. Be as frugal as you can because we are in a position where if you're not, the result could be something less than pleasant for the next year.

And knowing that we had already cut and that we may have to cut more if we didn't have a positive result of operations was taken to heart by the departments and they

did good work for us.

So as a result, we ended up that our general fund revenues exceeded our expenditures by over \$400,000. And compared to the prior year, our revenues were a little bit over a million dollars more than the prior year and our expenditures were a million dollars more than the prior year. So we ended up in good stead.

Just key points about the revenues; I would point out that the County excise tax and the Registry of Deeds over and above the estimates combined to give us \$900,000 -- over \$900,000 of the excess revenues that we had on the revenue side.

And on the expenditure side, we had several departments that had larger expenditures and weren't really level expending because it just probably wasn't possible.

One of which is the cost of the retired employees for the Sheriff's Department. The retirement assessment between Fiscal '15 and '16 went up by \$218,000.

And also we had more expenditures in the Water Quality Initiatives side because of more outreach to the communities and more of the grants and contracts that were executed were in force at the time and the spending occurred during '16 as opposed to the prior year spending. And also Information Technologies expenditures increased by about 155,000.

And you have before you three different reports. One of which is the revenue report that you've seen in the past. It's called "Budgeted Revenues." And for Fiscal '16 other than the comments that we've already made, I would point out to you that the tax revenues are pretty self-explanatory. We have in the past discussed intergovernmental funding line for courthouse rental, and I'd like to reinforce the explanation that that really isn't courthouse rental as much as it is reimbursements for expenditures that the County has made on behalf of the buildings that are occupied to 1 percent -- percentage or another by the Trial Courts.

And this year it looks underperformed by about \$151,000. A big part of that which is over \$80,000 was collected by us under that line but it's been identified as being reimbursements for capital projects that are in our capital fund. And so that reimbursement money was reclassified into the Capital Fund to offset against the expenditures that were made in the Trial Court buildings.

And more or less that's the difference. The estimate for budgeted revenue is something that we make from year to year but it's hard really to tell what courthouse -- what that line is going to be like because of the fact that we are requesting reimbursement for actual cost.

And the cost can fluctuate from year to year. I mean, obviously, they're likely to increase because all personnel costs and cost of doing business and maintaining all of the Trial Court buildings is increasing as they age over time. But we really don't know from year to year what our actual allowable expenditures are going to be. And the number seems to sit somewhere around 1.5-1.6 million dollars.

So the estimate is put in there as a good faith estimate without really -- without really having a basis for putting the number in there, you know, close to something we would call real. We're just looking at it from a historical perspective.

And on the Grant Contracts, the next section, you are seeing a lot of negative numbers that look like we didn't achieve the revenues that we expected, but I would point out to you that these are reimbursable grants for the most part. And so the last quarter expenditures have been made and are on the books; however, we haven't received by June 30 the reimbursements from the grantor agencies. Those monies have been collected by us in the first quarter of this year. So they're not reported as last year and so they show as

negatives but it's really a result of the grants being reimbursable-type grants rather than entitlement grants.

And moving along to Departmental Revenues, you know, the numbers speak for themselves. I would point out to you that County Dredge is an Enterprise Fund, and you see \$631,000 of revenue against a one point -- almost \$1.7 million budget. But in an Enterprise Fund, the Enterprise Fund relies heavily on their user fees and their contracts, whatever their mission is as the enterprise. And this year Wayne had difficulty with the towns, you know, there was some issues outside of this but a lot of the issues that drove the lack of contracts had to do with permitting. And there was a lot of change in the regulatory agencies and permits were held up and not issued. And without the permits, there couldn't be contracts in and there couldn't be dredging.

So his operation was scaled back somewhat for reasons other than that but that was a major contributing factor in the number being as low as 600,000 as opposed to what was budgeted.

And also Miscellaneous Receipts, you know, are just small, and most of the other items are not huge other than the Registry of Deeds number which came in \$57,000 higher than the estimate. That number for the first time is a positive result because of Bob Lawton's efforts in scaling back the estimate which really wasn't something that could be achieved. So as a result of that, are revenues looked pretty good at the end of the year.

Does anyone have questions on this particular statement?

Speaker BERGSTROM: Yes, Doc and then Ed.

Mr. O'MALLEY: Please, back to the dredge.

Finance Director MCISAAC: Sure.

Mr. O'MALLEY: So that's a million dollar shortfall there. Do we anticipate that these projects will be done or will the schedule be so clogged in the next year that we actually can't make this revenue up?

Finance Director MCISAAC: You know, that would be a management question, but I would suggest that for the most part the towns that were looking for permits are still looking for them, and they would be looking for the County dredge to do the work.

Mr. O'MALLEY: Okay.

Finance Director MCISAAC: You know, I don't know what his schedule looks like and how much room he has for things that were backlogged, you know, as opposed to things that were in the cue sort of for this year to happen anyway. It definitely would be a management question. We can get that answer for you.

Mr. O'MALLEY: Right, because pretty clearly if their schedule is already packed, the County will wind up going out to the private sector.

Finance Director MCISAAC: Right.

Mr. O'MALLEY: And we lose it.

Finance Director MCISAAC: Well and there will be a new dredge.

Mr. O'MALLEY: Right.

Finance Director MCISAAC: And that will be online in the fall, I'm pretty sure.

Speaker BERGSTROM: Ed, did you have a question?

Mr. LEWIS: Thank you, very much, Mr. Speaker. Mary, did you want to talk a little bit about the Joint Initiatives revenue. It's down \$435,000 or at least it shows being down \$435,000?

Finance Director MCISAAC: The Joint Initiative revenues are a part of the Joint Initiative's budget that is proposed by the Cape Cod Commission. And our projects, such as E-permitting, the flyover mapping, and all the various projects; now they're into performance management, and there are budgets for each of these items and some of those revenues are estimated because we'll be getting fees from the towns for those. And I would suggest under the \$435,000 estimate, there was one particular project that I think the estimate was about \$280,000 and the project didn't get off the ground. So if the project didn't move forward for whatever reason, there were delays, the towns weren't paying -- the towns haven't paid yet for it.

So the project if it was stalled, you know, you have a revenue estimate and you have a budget and the revenues are not occurring and the expenses are not occurring either.

Speaker BERGSTROM: Okay. Mary, I don't want to show my ignorance here, but -- just a minute. Sorry. Quick question. When we do the balance, we do the balance -- and you have an Enterprise Fund like this. You still show revenues and expenditures as part of the overall budget, operating budget?

Finance Director MCISAAC: Absolutely.

Speaker BERGSTROM: So that even though it's not really -- I mean, even though it's sort of separate from our operating budget because it's its own thing.

Finance Director MCISAAC: Yes.

Speaker BERGSTROM: But it's tied into this.

Finance Director MCISAAC: Well, it's always historically been reported here.

Speaker BERGSTROM: Yes.

Finance Director MCISAAC: Technically, it's really a misfit in the schedule, and Joanne and I talked about redesigning the schedule. And I think that the reason historically that has been presented this way is this is the way it's been budgeted and how you see it in the ordinance.

But now that it's an Enterprise Fund, it really is sort of a misfit line item and we need to separate it because it doesn't affect the general fund operations.

Speaker BERGSTROM: Yes, well that's, believe me, because we've always done it this way, there's an explanation for it many times over the course -- Teresa.

Ms. MARTIN: Yes. Actually, first I know earlier in the year we talked about leases and trying to bring revenues where they weren't. So for my own mind, I just want to understand the difference between Building Rentals and Facilities Revenue.

Finance Director MCISAAC: Right.

Ms. MARTIN: And where does that lease discussion end up kind of for future reference?

Finance Director MCISAAC: Well the lease discussion is, you know, sort of overly broad. You know any property that can be occupied by a third party and not related to County employees and operations would be subject to a lease agreement. And for us, the largest component of our leasing involves the state leasing the Trial Court spaces, the District Attorney's Office, and we have other parties leasing.

With respect to courthouse rental, that strictly relates to the Trial Courts. The facilities rental relates to, in this instance, rent that we received from Cape Light Compact for the space that they occupy in the Innovation Building.

Ms. MARTIN: And building rental?

Finance Director MCISAAC: Building rental -- where are we on building rental?

Ms. MARTIN: The building rental, the third and fourth under Department Revenue, Building Rental and Facilities Revenue; so what's the difference?

Ms. JOANNE NELSON: It's CLC and rental income that we receive from the DA's office.

Ms. MARTIN: They each have their own separate category on that?

Ms. JOANNE NELSON: Well --

Ms. MARTIN: I'm looking -- there are two categories.

Ms. JOANNE NELSON: Yes.

Ms. MARTIN: One's called Building Rental and one's called Facilities Rental.

Ms. JOANNE NELSON: Oh, all right.

Ms. MARTIN: So what are the differences?

Ms. JOANNE NELSON: The building rental so is from CLC rental and DA's rental, and then the facilities income is from CLC for custodial and maintenance.

Ms. MARTIN: The nonphysical lease stuff, all the other stuff?

Finance Director MCISAAC: Right.

Ms. MARTIN: Okay. Thank you.

Speaker BERGSTROM: Patrick, and then we'll go back to Ed.

Mr. PRINCI: Thanks for being here today. Looking at the grant contracts under Human Services end, I think, you'll notice the difference being \$28,660, 85.51 percent collected.

Finance Director MCISAAC: Right.

Mr. PRINCI: Are any of those monies relative to that HOME Program that we've talked about in the past?

Finance Director MCISAAC: No.

Mr. PRINCI: Okay.

Finance Director MCISAAC: No.

Mr. PRINCI: Any detail you can give me on what might not be collected?

Finance Director MCISAAC: Joanne has a detail of all of the -- that are here in her general notes. If you want detail of all of the amounts that we collected between July 1 and September 30<sup>th</sup> on behalf of these reimbursable grants, we can get you that.

Mr. PRINCI: Okay. Through the Speaker, I'd like to look at some of that information.

Finance Director MCISAAC: Sure.

Speaker BERGSTROM: Sure. We'll get it.

Finance Director MCISAAC: Absolutely.

Speaker BERGSTROM: First Deborah and then Ed -- we'll go back to Ed.

Deputy Speaker MCCUTCHEON: Yeah, I didn't understand something that you -- let me just see if I understand this. The Sheriff Retirement Assessment went up.

Finance Director MCISAAC: It did.

Deputy Speaker MCCUTCHEON: By a big amount of money.

Finance Director MCISAAC: \$218,000.

Deputy Speaker MCCUTCHEON: How come?

Finance Director MCISAAC: Well, there are a lot of factors. I mean you would think that it shouldn't go up because the pool of people is frozen and through attrition you would reduce the number.

Deputy Speaker MCCUTCHEON: Yes, that's what we always thought was happening here.

Finance Director MCISAAC: Right. But in the retirement calculation in that scenario that gets approved by PERAC, you have all kinds of assumptions. And when you have a live pool of employees actively working, they contribute to the pool that's frozen, which are the retired people.

And on the sheriff's side, we have no active people to help with the assessment. No one's contributing any retirement dollars to that any longer. They're just taking out of the system.

So when you affect things like your assumptions for mortality, your assumptions for interest rates, all those drive an increase in the calculation over time until your attrition catches up with it.

And, apparently, in the study that was done two years prior, some of the assumptions were not factored into the retired sheriffs' calculation, and so they had to do a catch up, which resulted in a much larger increase than we customarily will see on the actuarial schedule. The schedule calls for them to increase about \$65,000 a year through the end of the schedule.

But in this particular year, there were changes in assumptions and there was a rebalancing for lack of a better phrase for the corrections that didn't happen in the prior actuarial review. And it was a huge increase for us between '15 and '16.

Deputy Speaker MCCUTCHEON: Didn't we have the right to spread that over a period of time since it was an actuarial error?

Finance Director MCISAAC: We could have spread it over time but that discussion I understand from the (Inaudible) company representatives never happened.

Deputy Speaker MCCUTCHEON: So I guess the only other thing I don't understand, and even if you think that maybe five more people died or didn't die that should've; those five people that didn't die. Let me just formulate this question. Are there people in this pool of frozen people who are actually working in the other departments or in other positions that have a frozen --

Finance Director MCISAAC: Not for Barnstable County. These are retirees of the Sheriff's Department of Barnstable County who retired before the Sheriff's Department was separated from the County.

Deputy Speaker MCCUTCHEON: Okay. So I know that in many instances in public employee pensions the retiree's income is based on the average of their three highest years. And, therefore, a lot of people go out with a big bump in the end. There aren't any of those people affecting this amount; is that correct?

Finance Director MCISAAC: Well I can't tell you what they retired at. I'm not privy to that data. But what I can tell you is the pool is almost a hundred people right now of retirees. And we asked -- I asked for a listing from the retirement system and there are -- I believe its 97 or 98 people listed as retired from the Sheriff's Department.

Deputy Speaker MCCUTCHEON: Well --

Finance Director MCISAAC: And those are the people that this number generates.

Deputy Speaker MCCUTCHEON: And that's just the Sheriff's Department that was here?

Finance Director MCISAAC: It is, yes.

Deputy Speaker MCCUTCHEON: And how could all these assumptions that you applied about mortality rates and all the rest of them; how could those be derived if you didn't know the demographics of the pool?

Finance Director MCISAAC: Well, the actuary who does the work, they use

all of that data when they do their actuarial review of the Barnstable County Retirement System and all of its units. This is a subunit as it were of our Barnstable County unit in that whole retirement system.

Speaker BERGSTROM: We don't want to get too far away from the budget.

Deputy Speaker MCCUTCHEON: No, I understand.

Speaker BERGSTROM: Today's budget and get into that. That's a bigger issue, I think.

Deputy Speaker MCCUTCHEON: It is. It's a huge hit though and I'm having a little trouble understanding --

Speaker BERGSTROM: Oh, I agree with you there.

Deputy Speaker MCCUTCHEON: -- but wasn't --

Finance Director MCISAAC: Well, and also, if I could add, that number is the subject of legislation that the Cape delegation filed for Barnstable County. It's House Number 4513 and it seeks relief from that number.

Speaker BERGSTROM: Okay. Now, Ed Lewis, did you have your hand up and then Ed McManus.

Mr. LEWIS: Just to go along with what you said as it relates to the dredge. The Commission has its own revenue source and it's separate from the rest of the County; am I correct?

Finance Director MCISAAC: The Cape Cod Commission?

Mr. LEWIS: Yes.

Finance Director MCISAAC: Yes.

Mr. LEWIS: Wouldn't it be better if that were treated separate -- as a separate entity from this kind of report where the Commission, whether income or expenses, because it is its own revenue and it doesn't, as I understand it, I don't know about the pensions and stuff, it doesn't take -- its self-funded, if you will. And I think the legislation forces it to be self-funded.

Finance Director MCISAAC: The legislation provides them with the capability to impose the Environmental Protection Fund Tax.

Mr. LEWIS: Right.

Finance Director MCISAAC: They are funded by grants in the tax in their own reserves, yes. But they're still a County department.

Mr. LEWIS: I understand they're part of the County --

Finance Director MCISAAC: Sure.

Mr. LEWIS: -- but would it be that -- easier if it was treated as against, you know, it's in the tax revenues and then it's in the department revenues, and if we treat it separately so it wasn't buried in between the same way the dredge which is, you know --

Finance Director MCISAAC: Right.

Mr. LEWIS: -- the type of fund that it is because it makes it look a lot worse than it is with the dredge looking like it's a million. It's really a separate -- because any money that they, you know, they have their own fund that's similar to if you had a golf course it was worth the same weight.

Finance Director MCISAAC: Right.

Mr. LEWIS: You could treat it separately.

Finance Director MCISAAC: Right. Well, and I think that that's why we're having the discussion about revamping this form. Because at the end of the day yes it does match the budget ordinance but when we're reporting to you regularly, it's confusing.

Mr. LEWIS: Yes.

Finance Director MCISAAC: And it doesn't provide you with sort of a path to the numbers and a greater understanding of where we really are, you know, as far as Countywide. You know, we really need to break down the components into meaningful segments so that when we come before you you understand what we're talking to you about.

Mr. LEWIS: I agree. Thank you.

Finance Director MCISAAC: Thank you.

Speaker BERGSTROM: Ed McManus and then we'll go to Julia.

Mr. MCMANUS: Just a comment as to the increase in the pension cost having had some experience in a past life with essentially a closed pension system.

Finance Director MCISAAC: Right.

Mr. MCMANUS: It gets fairly tricky. You don't actually want to have too much money in the account because when you get down to the final numbers, it gets real messy how you divide it if there's more than is actually required to pay them off.

Finance Director MCISAAC: Right.

Mr. MCMANUS: So running a little bit behind is typically par for the course for any closed system and having to make periodically infusions to keep it --

Finance Director MCISAAC: While rebalancing it. Right.

Mr. MCMANUS: Yeah.

Finance Director MCISAAC: Exactly.

Speaker BERGSTROM: Julia.

Ms. TAYLOR: Just to the other end, I don't think we would want to segregate the Cape Cod Commission's money in that way because they are a regular department. Their employees work for the County, and it just happens that a great deal of their revenue that comes to the County is from this particular tax.

We could be spending a lot more money on them if we chose to do so. So they're not really that separate. And we did used to spend more money. We don't now but, you know, they are a regular department.

Mr. LEWIS: I don't disagree that they're a regular department. I just think they're self-funded to a large degree. They could be listed separately. That's my opinion.

Ms. TAYLOR: Yes, I wouldn't go along with that.

Speaker BERGSTROM: I think what we're getting at and I hear both Ed and Julie and also Mary is that we try to segregate, you know, we have -- I mean we're all -- a lot of us come from town finance. We have an operating budget. This is how we operated the County last year; this is how we operated it this year with a number of employees.

If there are enterprise accounts or other facets of the County government which have wide swings because of what they do, but since they have their own revenues, it really doesn't reflect any kind of increase in our expenses that it would be easier for people to understand because you've heard us digest if they were taken separately.

Because, you know, if the dredge didn't make \$1 million dollars this year because they didn't spend it, you know, it shows up in the revenue and it doesn't -- well, anyway, I'm probably making it more confusing.

But we'll start down the end again. Brian.

Mr. O'MALLEY: On the Fire Training Academy, I'm interested in, given all the difficulties this year and the cutbacks, I'm interested to see that we were almost -- we brought in almost twice the revenue predicted. Do you have an explanation for why we did so well there?

Finance Director MCISAAC: They did more training. They were able to do

more training. They've taken a new -- not a new direction, but with codirectors, it seems to have ramped up the interest in training at the Fire Academy. And it's all a function of what you're offering to train firefighters and what their needs are. You know Cape-wide if there's a need for something and the Fire Training Academy can fill it, then there will be the enrollment and the fees will come.

So I think it's a change in -- it's a more aggressive approach to providing training more matching the needs of the Cape Cod departments.

Mr. O'MALLEY: I think it's very welcomed news in the sense it validates the decision that was made to maintain the Fire Training Academy.

Speaker BERGSTROM: Okay. Well --

Deputy Speaker MCCUTCHEON: I have one.

Speaker BERGSTROM: Yep, okay. Go ahead.

Deputy Speaker MCCUTCHEON: I just have one further kind of conceptual question. If you were to report the separate departments that have their separate income in revenue and expenses, it would be -- in order to be consistent, you have to, for example, report their share of the retirement and of the other fringe benefits; is that right?

Finance Director MCISAAC: Well, if we were reporting on departmental operations, I see us still coming to you and reporting on revenues as a whole and our level of expenditure against appropriations. I don't see us reporting to you at least today we're really not able to do that. We haven't drilled down into everything and audited it. So I wouldn't feel comfortable reporting departmentally as calling them their own operation.

Deputy Speaker MCCUTCHEON: Right. No, I understand that. But I mean, for example, Julia just said that we could be spending more on the Cape Cod Commission than we're spending, but we ran into this issue when we were talking about the budget about whether their salary scale was different and higher than ours, right? Do you remember that? And whether then we could then take money from them, which was I think frowned upon.

Finance Director MCISAAC: Well and those are budget questions and questions of budget approval and what the Assembly was reviewing and, you know, what they were deciding about the Cape Cod Commission's budget.

Those are budgetary questions. This report drives toward what was approved and how we did against, you know, what we projected on the revenue side.

Deputy Speaker MCCUTCHEON: Yes, I do understand that, and I appreciate your efforts to try to separate some of these things, explain them so.

Speaker BERGSTROM: I'd just like to say that, if there's no other questions, as I'm sitting here listening to some reflecting on where we were six months ago and there was a lot of talk, especially in the press and so on, about how the County was going to go out of business. We're a financial basket case. We have all sorts of deficits.

And then the Commissioners and the Administrators, yourself and Jack, came up with a budget that was tight and necessitated some increases but basically got us into this year.

And now we've got a report which -- I mean it's, you know, it's not something to celebrate but it's better than what was expected. So I think we've come a long way in a few months especially now I think that we have restored some the confidence the people of Cape Cod should have in the County government.

I know this is not propaganda but I think it's trying to reflect where we were and the impression given then to where we are now, where we seem to be. We're doing far better than we expected.

So thank you for your continuing efforts. And I see Brian or somebody down there. Who is it? Jim? Brian? Who? Brian.

Mr. O'MALLEY: It's me again. I'm sorry. Another line that we talked about earlier on and what I'm interested in is the interest income. We budgeted \$164,000; we brought in \$24,000.

I remember we talked earlier in the year about the management of our investment income and that we were making changes in there.

Finance Director MCISAAC: Right.

Mr. O'MALLEY: I'm a little surprised to see that line so off.

Finance Director MCISAAC: We had -- we were in what's called a compensating balance agreement which had also alongside of it an investment policy of the finance department, the previous finance department to name one particular bank as the bank for the County. And we spent all year diversifying.

We've evaluated numerous banks and we have opened -- we have opened accounts with several different banks that are much better performers, you know, that they give us the key points of safety, liquidity, and yield, which are always our focus when we evaluate banks. And the agreement is terminated effectively.

And what we're doing now is removing ourselves piece by piece as it were because with everything in one place, you have so many factors to try to move the money. You know, when you're moving payroll into a different bank, that's a project. When you're moving -- warrant payments is not really that big of a deal.

But you have to understand that we have money coming in federally, statewide, from everywhere you can imagine, and all of these monies are being direct deposited to our bank accounts.

So there's a process for changing all that over and getting that revenue flow to come into a different bank. And that's happened over time and we're about done with that.

Mr. O'MALLEY: So that I assume then we can anticipate that next year (Inaudible) shortfall.

Finance Director MCISAAC: You should anticipate a better number.

Mr. O'MALLEY: Great. Thank you, so much.

Finance Director MCISAAC: Certainly. It can't be worse than that.

Speaker BERGSTROM: Okay. Leo, did you want to say something?

Commissioner CAKOUNES: Do you mind? Thank you.

Speaker BERGSTROM: We still have some more budgets to go over.

Commissioner CAKOUNES: Well, I just wanted to say for the record that, you know, to make this a little bit easier and to try to, you know, you guys got a lot of numbers in front of you.

Basically, I went back to the FY15 report and the Unassigned Fund Balance was \$5,470. That's what we ended up with. I know everybody hates the term "Free Cash," but that's what we ended up with in FY15.

In FY16, which you have before you tonight, not only do we have some reserve funds that have been reinstated and added some money to, but we are having a fund balance of \$215,000 and \$415,000 which, and, once again, I just want to remind everybody this is pre the increase of the Registry of Deeds tax. This is FY16.

So I can't say enough for the department heads that really came up and did the right thing, cut back as Mary alluded to earlier, and certainly to our finance staff because we're not out of the woods but we're definitely headed in the right direction.

Speaker BERGSTROM: All right. Mary, do you want to continue on. You have some additional information for us?

Finance Director MCISAAC: Sure.

The second report, which I'll be brief on the second report; I think it's pretty self-explanatory and it's called, "Budgeted Expenditures." And basically what that report tells you is for each department that you've approved a budget for and the total budget itself as well as the capital budget down below, you can see the original appropriation, which has added to it supplements if they existed and in addition of transfers and carryforwards to give you a revised budget, and then the expenditures against that year to date.

So I'm not sure that there's anything we need to go into. The 450 line which is Public Safety is what we just talked about which is the price in fiscal '16 of the Sheriffs' retirement assessment.

Speaker BERGSTROM: Okay. Do you guys have any questions on that, on expenditures? I think you've dazzled them. They're looking through this long list trying to find -- cherry pick something and it's going to take a while.

Finance Director MCISAAC: Well it's an overly -- it's a summary form.

Speaker BERGSTROM: Yeah.

Finance Director MCISAAC: So it doesn't really lend itself to a lot of particular questions.

Speaker BERGSTROM: Okay.

Finance Director MCISAAC: If we could, we can move to the next schedule, which is our final schedule.

Speaker BERGSTROM: Yes, sure. Sure.

Finance Director MCISAAC: Joanne spends a lot of time on a statement of receipts and payments of the Treasurer's Office which is sent to the Department of Revenue. And the schedule that you see before you gives you for the General Fund Capital Projects and the Cape Cod Commission, the beginning balances and the activity of the year.

We already went through the revenues of the general fund. With respect to other revenues, I've made comments to you about in the Capital Projects Fund, which is Fund 0005, our recording of the reimbursements from the state as a revenue. We also recorded planometrics revenue which was revenues from the towns for the planometrics projects.

And, also, which is unique and probably not something that you always see is a \$250,000 revenue recording in the Capital Projects Fund. And what that represents is we took our bond anticipation note from 6/30/15 and when it came due in June of '16, we took \$250,000 which was then the debt and interest appropriation line and we paid it down, which means we forgave ourselves for that by using budgetary funds that were in the lines for debt so that when we come to our bond issue, we will not be issuing that.

And the net amount of that particular project, which is Microsoft licensing, will be net of the \$250,000. So instead of bonding a million, if we bonded today, we would only need to bond \$750,000 of it. It is our intent to use what was budgeted this year to shave another \$250,000 off of that so that when we go to the bond sale we will be bonding \$500,000 instead of a million.

So we've taken the opportunity to use the funds that were budgeted in the debt and interest to mitigate some of the cost of that capital expenditure.

Speaker BERGSTROM: Okay.

Finance Director MCISAAC: So as we go forward on this particular schedule,

you have all the revenues. You have all of the expenditures. And then after that on page 2, we start with all of the other funds which include the dredge and include all kinds of special funds including grants which are federal and state.

And there again, it is a report on each particular fund, what the beginning balance was, the receipts, the payments, and the ending balance. It's pretty self-explanatory. I'm happy to answer any questions on the grants that I can answer for you today.

I think it's more important to flip through the rest of this to page 8 and talk about after the line that says, "Fund Balances." All of the listings are reserves.

And what I'd like to talk to you about today is the fact that while we used 2.275 million dollars to balance the budget in fiscal '16 because of how the revenues came in against the expenditures, it was not necessary for us to use those reserves to take care of our budget in fiscal '16. So we were able to drive that money back into reserves and that's exactly what we did.

And we took the \$400,000 that was an excess of revenues over expenditures. We took those Available Funds that we did not or reserves that we did not need and we started the road to building our reserves.

Joanne and I spent a lot of time looking at the reserves, talking about them, talking about our future needs and what the plans, you know, what the regional plans are for the government in talking with Jack and listening to the Commissioners and the Assembly.

And we know we have matters at hand such as legal costs that we have to incur. So we put a substantial amount of money in the legal reserve. And at the end of the year, we have identified that that balance will be \$750,000.

We've also bumped up the vehicle reserve so that we can march on with the plan of having a fleet maintenance for the entire fleet of the County. We've identified all of our vehicles. Now we need to start tracking them. We need to look at the depreciation and the useful life of it against what it's costing us to keep the vehicle in play.

So, globally, we're looking at revamping the vehicle policy and hopefully using this reserve to mostly replace our vehicles as we go. And we'd also try to drive-in surplus money of any reimbursement from the state for purchasing vehicles that would be used in the Trial Court up in Orleans or any vehicle the facility uses in the complex can be sent in for reimbursement and the County will be reimbursed I believe it's 65 percent. The complex rate is somewhere in the 60s I believe. So that if the facilities department buys a vehicle that they use in the complex, the Trial Court system will reimburse us 65 percent of the cost and that way we'll be able just do some replenishing of our expenditures out of the fund.

The most important, I think, item in the reserves for me anyway is our -- was our ability to put a Capital Trust Fund line in and we set a million dollars into that. And the reason that that's so important is that we have a huge capital, you know, we have a huge capital debt to take care of. And we don't know how that will fall out in terms of preparing for the bond issue because there will be numbers that will be disallowed, and we will need to strategize about how to cover that deficit without a bond sale. So we're analyzing and really picking it apart to determine what's going to go into the bond sale, which we'll have two series in the issue; one is tax exempt and one is taxable.

The taxable dollars spent are older spending. But at some point we will get to the point where bond counsel will tell us, "Well that spending is too old." And that could be 2010 spending or 2011 spending. And we have a hefty number of dollars that was

spent before 2010 and 2011.

So that has to be restructured. And we have to strategize about how we're going to take care of that. Are we going to restructure it through the legislature which is likely going to be something we're going to have to do and possibly -- possibly pay for that, restructure it, and pay it back to ourselves over 20 years.

And so the Capital Trust Fund can help us do that. The Capital Trust Fund can also provide us with the difference between what a project costs and how much the state reimbursed us if that's -- if it's that kind of applicable project. So if we had a project and it was \$500,000 and the state was reimbursing us at 80 percent, we could take the other 20 percent out of the Capital Trust Fund and never have to bond that project at all and that's the plan.

So we're going to carefully use those dollars but, you know, we're fortunate to be able to set up a Capital Trust Fund in order to be able to strategize and move forward to recover from this capital deficit that we're facing, hopefully without causing as much pain as could be, you know, in establishing a foundation budget because if we had to pay a million dollars in debt payments every year, that's going to be a hardship for sure.

Speaker BERGSTROM: Yeah, that brings my -- my question is I mean we can't do capital exclusion. If this was a town, we'd go to Town Meeting. We'd say we need X number of dollars. They would, in turn, raise the tax -- raise the levy. We can't do that. We have to operate under existing revenues or anticipated revenues.

Finance Director MCISAAC: Right.

Speaker BERGSTROM: Have you really come up with a debt service number that you think would be viable for the County considering our budget?

Finance Director MCISAAC: In terms of what we could afford?

Speaker BERGSTROM: Yes, like 10 percent, you know any idea? No, yes, no?

Finance Director MCISAAC: You know, I think it will settle somewhere between \$500,000 and \$750,000.

Speaker BERGSTROM: Okay.

Finance Director MCISAAC: You know, I'm hoping that we settle into that and the restructuring might end up being outside of that. But as long as there's a good faith effort to clear that Capital Projects Fund of its deficit, then bond counsel, you know, then the ratings -- people will be happy and bond counsel will be happy and certainly we will too.

Speaker BERGSTROM: We'll be happy too.

Finance Director MCISAAC: Yes, absolutely.

Speaker BERGSTROM: I'm going to find out if Deborah's happy right now. She normally isn't but we'll see.

Deputy Speaker MCCUTCHEON: I'm a pretty happy camper. I just like to know things. Do you feel that you've done a really good job within this year that you've been here because I do?

Finance Director MCISAAC: Well thank you for that. I think people are their worst critics most of the time, you know.

Deputy Speaker MCCUTCHEON: Probably.

Finance Director MCISAAC: So you can always see where you could improve. We all can improve. We all can learn. I'm always learning, you know, you can never stop learning. So we've made a diligent effort in the Finance Department, and I think that we're on the road back.

Deputy Speaker MCCUTCHEON: Well, I have to say I think you pulled us out of a -- or at least begun to pull us out of a hole and I appreciate it.

Finance Director MCISAAC: Well thank you.

Deputy Speaker MCCUTCHEON: Everybody here does.

Finance Director MCISAAC: Well thank you for that. I appreciate it.

Speaker BERGSTROM: Ed McManus, did you have a question? You raised your hand, waived a little bit.

Mr. MCMANUS: To sort of follow on to the comment, just having a better understanding of where we are financially and having much more clarity of that is a godsend for our understanding of how to consider and make the decisions that we have put before us.

Finance Director MCISAAC: Thank you.

Speaker BERGSTROM: Suzanne.

Ms. MCAULIFFE: Yes and this part goes to understanding more. Under your bank account balances, there is one TD Bank Mitigation Fund Money Market and its 2.8 million dollars. A mitigation fund, is that the Cape Cod Commission Mitigation Fund? Were they --

Mr. MCMANUS: Yes.

Ms. MCAULIFFE: Okay. Because I know they give mitigation; the County doesn't but they do. Okay. And then the Power Supply Reserve Fund is that related to CLC and CVEC?

Finance Director MCISAAC: Not CVEC; CLC.

Ms. MCAULIFFE: Oh, the CLC.

Finance Director MCISAAC: Yes.

Ms. MCAULIFFE: And then the other ones are CLC and CVEC. Okay. Those are the only ones I would -- there's other ones listed specifically.

Finance Director MCISAAC: Right.

Ms. MCAULIFFE: CLC Energy which is 8 million dollars and CLC/CVEC a guarantee letter of credit for.....

Mr. MCMANUS: Oh.

Ms. MCAULIFFE: Okay. I just wanted a clear understanding of the bank account. Thank you.

Speaker BERGSTROM: Yes. Ed Lewis.

Mr. LEWIS: Yes, again, thank you, very much, Mary. It's nice to see all the work that you put in. I want to comment on the \$22,000 for OPEB.

Finance Director MCISAAC: Sure. And that was a close second, I think, to the Capital Trust Fund. And the County has had over time \$22,000 as a set aside for OPEB. And we decided that the least that we would do is add another \$500,000 to that number.

And we recently asked the County Commissioners in a meeting and they've approved the acceptance of Chapter 32B, Section 20, which allows us to create an OPEB Liability Trust Fund.

I'm in the process of drafting an investment policy statement which covers OPEB as well as investments in general for the County. And, also, we have draft of a Declaration of Trust to create an irrevocable trust for OPEB.

And we'll be bringing all of that before the Commissioners after November 7, which is the effective date of the Municipal Modernization Act. And the reason that we're holding is because part of the language in the Act updates the language in Chapter 32B,

Section 20 oddly enough.

We're accepting the updated language, but we need, under the law, we need to confirm that we're accepting the language as amended by the Municipal Modernization Act.

So we intend to bring it all forward, create an investment committee, have an irrevocable trust, and really start planning to add money to the OPEB Fund regularly. You know, it's not as much of a priority as other things but we'll do it when we can.

Speaker BERGSTROM: Yes, go ahead.

Mr. LEWIS: Just a quick follow-up and I agree with everything you said. The only thing and this is maybe not even an entire question; does the Assembly get involved with the same approvals or is this strictly going to the executive branch of County government? In other areas, in other words school district, the school committee has to approve accepting that and going forward with it.

Finance Director MCISAAC: Right.

Mr. LEWIS: And a policy as to how much you contribute.

Finance Director MCISAAC: Right.

Mr. LEWIS: And from my limited experience with that, the bond market likes to see that there's something there on a regular basis and you've got a policy.

Finance Director MCISAAC: Right.

Mr. LEWIS: That isn't I'll give you a \$100,000 this year, \$20,000 one year.

Finance Director MCISAAC: Yes.

Mr. LEWIS: So I just wondered, A, if that's your goal, and, B, is the Assembly involved with all of this because I was surprised when I saw the OPEB here without ever having it come before this group?

Finance Director MCISAAC: Right. Well, historically, these reserves are added to in the closing of each fiscal year by the finance department. So it's a decision of the finance director and the finance department in consultation with Jack, the County Administrator, about where -- what is the acceptable allocation of unassigned, basically, fund balance.

And so that's what we've done. And we strategized based on what we've come to know over the last year and our vision for how we need to take care of business going forward.

On the OPEB side, when you go to a ratings call, they want to see that you have -- they want to see that you have a policy. And one of the things that is really important to them is that they see that you are creating a fund that can't be reached into by everybody for any particular purpose, which is really why you go the route of irrevocable trust or OPEB Liability Trust Fund because there is -- I won't get into it, but there's a question about whether a town can really be a party to an irrevocable trust. So we're having a declaration of trust and we're stating categorically that this money is for OPEB and the contributions will be as we can afford them to be. Really, they want to see that you have that in place. And it's not even so important as the stream. They'd like to see it grow but they want to see that you have it. They want to see that you have it. They want to see that you have an investment policy statement that guides a company to invest for you. And you want to see that those funds are restricted from any other purpose other than OPEB.

Mr. LEWIS: Well I think just with accepting the legislation, you don't need the Assembly's approval for that. That's strictly the executive branch.

Finance Director MCISAAC: That is the executive branch.

Mr. LEWIS: Okay. I just wondered --

Finance Director MCISAAC: Which I think policy is also.

Mr. LEWIS: Okay.

Finance Director MCISAAC: We've confirmed that policy is also. But we'll come to you and talk to you about what we're doing with respect to policies because there are a lot of policies that will be coming forward, not just vehicle use and investment policies, but all manner of things that we should really have policies about.

Speaker BERGSTROM: Mary, it's my understanding I mean that this Assembly cannot encumber future Assemblies. We can't put in a policy saying the next Assembly has to do this or has to spend this money.

Finance Director MCISAAC: Right.

Speaker BERGSTROM: So you can set up your account but it's subject to -- see, everything in the world is subject to appropriation I find out, especially up in Boston.

Finance Director MCISAAC: Sure.

Speaker BERGSTROM: They say, "Yes, we're going to do this. We're absolutely going to do it but" --

Finance Director MCISAAC: But we're not giving you the money.

Speaker BERGSTROM: Right. "It's subject to appropriation." So, I mean, I could see to answer Ed's question is, yes, you certainly should set up an account, but it relies on the good faith of the Commissioners and the Assembly to make the appropriations year to year.

Finance Director MCISAAC: Right.

Speaker BERGSTROM: It's just a point that you can't force a future Assembly to spend money or not spend money.

Finance Director MCISAAC: Well you can build something like that into your foundation budget and you can have it as a budgetary practice that every year you're going to appropriate \$50,000 for OPEB. And you know even a small amount is something that's going in.

The difficulty with the County is that you don't have the opportunities that communities have because we don't really have Free Cash. You know, we have it at this point, but it's not something that we have tracked and have a history and we know every year that we might expend X number of millions of dollars like a town might of their Free Cash but they're going to get it back at the end of the year. They already know where it's coming from.

Other people have dedicated revenue streams like hotel/motel tax, meals tax, you know, all manner of revenue streams that have come to them that instead of using them or just letting them go into the pot for everything else, they've diverted it as a matter of their policy to fund their OPEB. So people have borrowed for it. And, you know, we're not in a position to do any of those things.

So the important thing is to set up the trust, have an investment policy statement, and have a committee get working.

Speaker BERGSTROM: Anyway, all right. Well is that pretty much what you've got for us?

Finance Director MCISAAC: That's all for today.

Speaker BERGSTROM: For today. Okay. If there's no further questions from the assembly of multitude, thank you, very much, and we'll be waiting for the first-quarter report.

Finance Director MCISAAC: They're on their way.

Speaker BERGSTROM: Okay.

Finance Director MCISAAC: Thank you, very much, for your time and attention today. We appreciate it.

Speaker BERGSTROM: All right. Moving right along. Do we have any communications from Public Officials?

Communications from Members of the Public

Speaker BERGSTROM: Do we have any communications from Members of the Public? We've got a member of the public. Please identify yourself. Speak into the microphone and the green light has to be on for us to hear you.

Mr. ATWOOD: How are you? Excuse me. How are you guys? Thank you for your time today. My name is Edward Atwood and I'm coming here to introduce myself as a write-in candidate from the town of Eastham to serve on the County of Barnstable.

And, you know, much applaud to Teresa Martin who's done a fantastic job and I have some big shoes to fill if that happens. So I just wanted to introduce myself.

Ms. MCAULIFFE: Welcome.

Commissioner CAKOUNES: There's nobody on the ballot, right?

Mr. ATWOOD: Nobody on the ballot as of now.

Ms. MCAULIFFE: Get your name out.

MR. ATWOOD: Certainly.

Speaker BERGSTROM: Please, no politics, please. Communications -- okay.

Assembly Convenes

**Proposed Resolution 16-09:**

Whereas, the Cape Cod National Seashore Advisory Commission representing the towns of Orleans, Chatham, Eastham, Wellfleet, Truro and Provincetown, in Barnstable County, and appointed by the Secretary of the Interior of the United States has repeatedly expressed grave concerns about the degraded Pilgrim Nuclear Power Plant and has written numerous letters requesting a closure of the power plant.

Whereas, the Cape Cod National Seashore Advisory Commission has written a recent letter to Governor Baker asking that he communicate with the Nuclear Regulatory Commission in order to close Pilgrim now to protect the citizens of Cape Cod.

**NOW, THEREFORE,**

**BE IT HEREBY RESOLVED that the Barnstable County Assembly of Delegates**

**Resolves: to call upon Governor Charles Baker, by delivering a copy of this resolution and a letter authorized by the Barnstable County Assembly of Delegates and signed by the Assembly Speaker, via mail and email, to ask that in his role as chief safety officer of the Commonwealth of Massachusetts he communicate with the Nuclear Regulatory Commission that it is imperative that the Pilgrim Nuclear Power Plant closes now to protect the citizens of Cape Cod.**

A copy of this resolution and letter to Governor Baker shall also be delivered to the Massachusetts Lt. Governor, both State Senators and all State Representatives for Barnstable County, as well as both US Senators and the US Representative representing Barnstable County.

Letter to Governor:

We, the members of the Barnstable County Assembly of Delegates, representing the 15 towns of Barnstable County write to you to express our grave concerns about the degraded Pilgrim Nuclear Power Plant in Plymouth. We ask that in your role as chief safety officer of the Commonwealth you communicate with the Nuclear Regulatory Commission the importance of closing Pilgrim now to protect the citizens of Cape Cod.

In 2015, the Nuclear Regulatory Commission (NRC) downgraded Pilgrim's performance to one of the three worst nuclear power plants in the country, declaring it one step away from a shutdown. We are aware that Entergy will be decommissioning Pilgrim in 2019, but despite a lengthy list of violations and unplanned shut downs it continues to operate. Over the past several months our concern about a potential radiological disaster at the plant has risen as we regularly learn of its myriad malfunctions.

Citizens of Cape Cod seem especially vulnerable to a radiological plume from Pilgrim because there is no evacuation plan for us, instead we would be told to shelter in place and await relocation to where?

In response to a question as to what the plan is for us post radiological disaster, MEMA director Kurt Swartz answered as follows:

"Over the next number of days, we would have mapped this area and once we had identified this area we would then issue a relocation order and order anyone within this area to leave the area. And we would enforce that order. *This is not an evacuation.* [emphasis added] An evacuation is an emergency quick get out of town order which says get in your car and get the hell out of town because there is an imminent danger. This is not an evacuation. This is a relocation." (Kurt Schwartz, Director of Massachusetts Emergency Management Agency, comments to the Barnstable County Regional Emergency Planning Committee on Oct. 3, 2012).

In our collective opinion, this is an unrealistic plan. Even the rumor of an accident in Plymouth would send people to their cars in an attempt to get off the Cape rather than sheltering in place. This would cause chaos and traffic jams on our only evacuation route, Route Six, and at the other side of the bridges, preventing the southward or westward evacuation of those in the 10 mile emergency zone around Pilgrim.

In fact, it is shocking to know, should there be an actual emergency, the only access to Cape Cod, the two bridges, would be closed and NO ONE would be able to leave Cape Cod by car. This is totally unacceptable. A true disaster plan that protects the health and life of people on Cape Cod needs to be developed.

In addition to the public health and safety threat that the degraded Pilgrim plant poses, there is the looming threat of a major economic disaster for the Commonwealth of

Massachusetts. On Cape Cod, tourism and real estate are the major economic engines. Both could be severely impacted for years, and house values would plummet should there be a radiological event at Pilgrim. Indeed Cape Cod towns could become uninhabitable and the economic losses would be incalculable.

In February of 2014, the Cape Cod National Seashore Advisory Commission released a study outlining the disastrous economic consequences of a radiological event at Pilgrim. <sup>(1)</sup> We have attached that paper for your review. Among its findings the report estimated that “a small-scale release of radioactive material at the plant could result in the loss of \$741 million to \$1.6 billion in tourist expenditures and \$23 million to \$63 million in state tax revenue over five years. A large scale disaster would likely increase the damage to \$2.2 to \$12.1 billion in tourist expenditure losses and cut overall economic output by \$45 to \$71 billion over 10 years”. The study further predicts that the effects of a radiological accident at Pilgrim “could contract the gross domestic product by up to 1.5%, possibly resulting in a recession.”

Recently we learned that the Massachusetts congressional delegation sent a letter to the Nuclear Regulatory Commission (NRC) asking it to deny Entergy’s request for an extension for critical safety upgrades to the Pilgrim Nuclear Power Station. These safety upgrades were recommended by a panel of Energy’s own engineers after the March 2011 disaster at Fukushima Daichi in Japan.

Pilgrim is the same design as the reactors in Fukushima and subject to the same vulnerabilities. Signing the letter were Senators Edward J. Markey and Elizabeth Warren, and Reps. Michael E. Capuano, William R. Keating, Joseph P. Kennedy, III, Stephen F. Lynch, James P. McGovern, Seth Moulton, Richard Neal, Niki Tsongas.

To quote from their letter to NRC chairman Stephen Burns:

“Notwithstanding its intention to shut down the plant, Entergy has a paramount responsibility to minimize the risk of catastrophic accidents similar to the one that occurred at Fukushima, exempting Pilgrim from the NRC’s safety requirements would allow Entergy to abdicate that responsibility, unjustifiably exposing Massachusetts communities to danger.”

The facts show that neither Entergy nor the Nuclear Regulatory Commission have demonstrated any concern for our citizens. We need your leadership in demanding that the Pilgrim nuclear reactor is shut down now rather than allowed to operate in an unsafe manner. We also ask that a true disaster plan for Cape Cod is developed that puts the health and safety of the people first.

We thank you Governor for considering this serious matter and for communicating with us as to your results.

Ronald Bergstrom, Speaker  
Barnstable County Assembly of Delegates

1. An Analysis of the Impact of Disaster at the Pilgrim Nuclear power Plant on the Economy of Cape Cod  
[www.nps.gov/caco/parkmgmt/upload/PilgrimreportfinalV7.pdf](http://www.nps.gov/caco/parkmgmt/upload/PilgrimreportfinalV7.pdf)

Speaker BERGSTROM: So I will now convene the Assembly and we'll begin with Proposed Resolution 16-09, Pilgrim Power Plant closure submitted by Delegate Lilli-Ann Green from Wellfleet. Lilli, do you want to give us a breakdown on this or introduce it?

Ms. GREEN: Thank you. I have a question before I do this. Oh, okay. I have a question. If I have a question for Jack, is he going to be speaking --

Speaker BERGSTROM: No. You would have to move to suspend the rules. I'd have to call for a vote of the Assembly to approve that. Then if they approve it, then someone from outside the Assembly can address us or answer questions.

**Ms. GREEN: Okay. May I make a motion to suspend the rules, please?**

**Mr. MCMANUS: Second.**

Speaker BERGSTROM: Okay. All those in favor? Aye. Opposed?

Commissioner CAKOUNES: Question for you, Jack.

Speaker BERGSTROM: Now you have to ask it.

Commissioner CAKOUNES: You've got the hot seat.

Ms. GREEN: Thank you.

Speaker BERGSTROM: It has to be on this subject though.

Ms. GREEN: It has to be on the subject --

Speaker BERGSTROM: That we have on the floor, your Resolution.

Ms. GREEN: Oh, on the Resolution. Oh goodness. It wasn't. It was about something that he talked to us about last time. He can't --

Mr. LEWIS: No.

Speaker BERGSTROM: It has to be -- you can't bring up a non-agenda item for something that the public is not aware of will be discussed. I don't want to be a bad guy but that's the rules.

Ms. GREEN: But we've got communication from Public Officials? No?

Speaker BERGSTROM: No.

Ms. GREEN: Sorry, I apologize.

Speaker BERGSTROM: No. Any subject -- if the subject varies from what we have on our agenda or it varies from something that they discussed and reported to us on, it has to be reported.

Ms. GREEN: But typically we've had a report from Jack at every single Assembly meeting.

Speaker BERGSTROM: Yes. But he's only reporting on the things that he dealt with.

Ms. GREEN: This is something he dealt with since we last met. Can we bring it up under other business?

**Speaker BERGSTROM: Lilli, I'm going to have to rule that out of order just because it varies with practice. Sorry about that.**

Ms. GREEN: All right.

Speaker BERGSTROM: Let's go back to your Resolution.

**Ms. GREEN: Okay. I'd like to make a motion to adopt Resolution 16-09 with the letter to the Governor and with an amendment to the link at the end of the**

**letter. I'd like to update the link which is an old link.**

**Deputy Speaker MCCUTCHEON: Second.**

Speaker BERGSTROM: It's been moved and seconded.

Ms. GREEN: And the origin of this resolution and letter stems from the last Cape Cod National Seashore Advisory Commission meeting. I represent Wellfleet on this commission. It was discussed that it may be helpful to send a letter to the Governor in an effort for action steps to be taken now. And it was voted unanimously to send such a letter.

Furthermore, each Commissioner offered to bring a letter before their boards of selectmen. And, in addition, I offered to bring a resolution and letter before the Assembly.

I hope each Delegate will see fit to vote for this resolution and also to bring a letter before your respected Boards of Selectmen. If you're not on the lower-Cape seashore towns to show the support to take action steps to close Pilgrim Nuclear Power Station as soon as possible for the safety of the people of Cape Cod.

Speaker BERGSTROM: Okay. It's moved and seconded -- excuse me.

Deputy Speaker MCCUTCHEON: Mr. Speaker.

Speaker BERGSTROM: Discussion?

Deputy Speaker MCCUTCHEON: Yes, I'd like to speak to this.

Speaker BERGSTROM: Deborah.

Deputy Speaker MCCUTCHEON: Many people have said that this is not a resolution that's going to be heated because it's -- they already set a date for closing of the plant.

I'm glad they set a date for that but I'd like to see it closed tomorrow. I live in Truro, as everybody here knows. We talk about that all the time. We are in the path, and they're even saying that we're just going to stay there until, you know, shelter in place until they're ready to I guess shoot us out in some kind of sealed containers or something God knows where.

But I really think that, yes, it can be viewed with a little humor. I tend to look at gallows humor perhaps. Because if you look at what happened to the people of Japan from an almost identical plant, it's not safe to have this plant there. It needs to be dismantled and it ought to have already happen several years ago.

It's not too late to make it right, but delaying it further could end up being a very, very big wrong, and I don't want that to happen at a time when I could have put my voice and perhaps persuaded some of the people here to put their voices behind the idea that we've got to all understand that that's a dangerous, dangerous, dangerous accident waiting to happen.

And, yes, we are particularly at risk, but the entire Cape is at risk from this and much of Massachusetts. And laughing about it's nice but we're going to see that whole part of Plymouth to the tip of Cape Cod Bay uninhabitable if that goes as badly as it could.

So I urge you to support this, even if it has little, if any, chance of success, we have to lend our voices to the things that are right.

Speaker BERGSTROM: Okay. Brian.

Mr. O'MALLEY: Well, I certainly share those sentiments, but I'm here representing the town of Provincetown. And so I'm going to read from a Provincetown Annual Town Meeting, April 3<sup>rd</sup>, 2013, of Article 20, basically to see if:

“Whereas, Massachusetts or MEMA Director Kurt Schwartz has acknowledged that Cape Cod residents and visitors are “in harm’s way” in the event of a radiological accident at the Pilgrim Nuclear Power Station 26 miles across the bay in

Plymouth; and

Whereas, MEMA has determined that Cape residents will not be evacuated but will be relocated after possible exposure to dangerous radioactive materials released in an accident at Pilgrim; and

Whereas, citizens of the town of Provincetown find the State response to Pilgrim's threat to our health and safety unacceptable and in violation of the public trust; and,

Whereas, the Pilgrim Nuclear Plant is the same design and make as the Fukushima Nuclear Power Station in Japan, where safety systems failed during a natural disaster causing catastrophic meltdown, radiation exposure to people, and long-lived contamination of land in an accident still not under control.

Therefore, be it resolved that we the people of Provincetown respectfully ask Massachusetts Governor Deval Patrick to require the U.S. Nuclear Regulatory Commission to uphold its mandate to protect the public by shutting down the Pilgrim Nuclear Power Station because the safety of Cape and Islands residents and visitors cannot be assured if there is an accident."

And the last paragraph concerns distribution. This Resolution was passed by a vote -- it was approved by the Board of Selectmen by 4 to 1. The town manager moved approval and it was passed by a vote of 197 in favor and 2 against.

I'll leave it with that. I support this Resolution.

Speaker BERGSTROM: Yes, Linda.

Ms. ZUERN: Thank you. I have a lot of concerns about this Resolution. First of all, I know some of our power plants have been closed and that as a result of that our electric bills have been much higher.

I'd like to know whether -- what the consequences would be if we closed this plant sooner than three years, what that's going to do to our utility rates; how much higher our rates are going to be, and whether there's enough energy supply to supply what we need. I don't have those kinds of answers.

I'd also like to know why the State has a three-year plan and if there are safety measures in that plan. I'd be more concerned about making sure that the plant is safe for the next three years instead of closing it down right away without knowing what the results are of that.

I know you've talked about sheltering in place. I was on the Local Emergency Planning Committee in Bourne for several years as a Selectmen and also as a citizen. And we actually fought the State's evacuation plan in cases like this because it's better to stay - - shelter in place if you have a nuclear accident rather than have 300,000 people in their cars exposed to the radiation as they're trying to get off the Cape.

So, you know, I would rather stay in my house, shut my windows, go down to a cellar or room where, you know, the air can't get in and stay there as long as I need to.

So I don't think that that even has any consideration that that's why we need to shut it down because we don't have a different evacuation plan.

So I don't see any reason to support this at this time. Thank you.

Speaker BERGSTROM: Julie.

Ms. TAYLOR: Well, I'm not too worried about the electric price. I mean it's terrible but I'm not going to -- that wouldn't influence me. But I would want to know before I urged a speedier shutdown what the reason for the three-year plan is and what the safety issues are. I do think -- that's my -- that was my first question.

I can't say we need to do something faster if I don't know why there's a three-

year plan. I assume it's going to close. Why the delay? Is that really a financial thing or is it because it takes a while to dismantle nuclear power plants?

Speaker BERGSTROM: Yes, Ed, and then I'll get to you guys.

Mr. LEWIS: To me, this is sort of, you know, the Resolution, I really don't have a problem with the Resolution. The Cape Cod delegation has asked for this. They've asked for the closure. So many different organizations have asked for the different -- Boards of Selectmen have done this.

So I can, to a certain degree, support the Resolution. I agree with what Delegate Zuern said because I'd really like to know some of the numbers that are involved, you know, how much electricity does Pilgrim provide? They're going to have to produce -- whether they close tomorrow or they close in three years that number's going to have to come out as to where we're going to get the electricity that they're already providing. I assume that they know what that is.

My only concern is not with the Resolution but the letter. To me, the letter is somewhat condescending, and I think that's the way the Governor might look at it. I'd rather have a shorter letter, one with basic facts without a lot of opinion in there and stuff like that. I'd rather have that.

I can support the Resolution because I understand where it comes from. But the letter, I'd rather have something that was written by the County, whether the Speaker wrote it or the Executive Director wrote it or something to that effect rather -- this, to me, is long and winded and I don't think it will get read, and I'd rather have something short and sweet that will get read.

Thank you.

Speaker BERGSTROM: Okay. Chris.

Mr. KANAGA: Yes. At the risk of seconding something that has just been said, I second what's just been said because I feel like there's nothing wrong with urging somebody to do something. I'm sure they have reasons for delaying.

My concern is that these dates for closures in my experience tend to migrate in the wrong direction, and there's nothing wrong with having a voice saying do it as soon as possible.

So I'm in favor of this.

Speaker BERGSTROM: Okay. I'd just like to add something. I mean I have no problem with the Resolution. I think that urging the State and the federal government to close down Pilgrim as soon as possible is a good one.

But I just have problems with a popular movement appealing to the government on the basis of the fact that those people in charge, the people in the Nuclear Regulatory Commission, the Governor, and the President are deliberately exposing Cape Cod to some kind of catastrophic disaster.

You have to go to a really dark place to believe that we are being deliberately put in jeopardy of our lives and the destruction of this peninsula. You have to go to a really dark place to believe that.

I mean I don't have faith in everything the government does, but I have faith in the Center for Disease Control when they tell me something. And I have a faith in the Nuclear Regulatory Commission when they tell me something. But the very fact that they have expertise that go far beyond anything I could even comprehend. So --

Mr. KANAGA: Did you include the IRS in that?

Speaker BERGSTROM: Yes, well, I didn't include the IRS and there was a reason for that. So, like I say, I don't disagree with the idea that we should encourage the

closure of Pilgrim as soon as possible, but I don't want to -- I don't know what's in the contents of the letter to be honest with you. I should have read it, but I don't want to send a message to the Governor that you guys are all corrupt and irresponsible and you're trying to kill us. That's the problem.

Ms. GREEN: The one thing that was very concerning to me, and I said this before in this meeting, is that the plan for the people on Cape Cod, should there be a problem, is that the bridges are closed. I mean literally you cannot leave Cape Cod if there is a disaster.

And there have been a series of problems at Pilgrim regarding safety, and that was the issue that was brought before the Seashore Advisory Commission and we discussed what we could do other than noting the fact that we were discussing it.

And it was determined that writing a letter might help to raise the awareness that there was a concern about that, and there have been a series of safety issues at Pilgrim.

Speaker BERGSTROM: Yes, go ahead, Deborah, and then Jim.

Deputy Speaker MCCUTCHEON: You know, I'm a little more pragmatic. If changing the tone of the letter gets the letter sent with the unanimous consent of this group, those of us that are here, I say let's change the letter.

Because when I was a kid they said to us, "Let's go sit under our desk and then the radiation won't get on your little body and you will not" -- now I understand that that shows my age, but I don't think you can go down in your basement and wait for the radiation to go away. I don't think that's what happens.

I do believe that what has been proved about what's going on on Pilgrim is it's an economic decision to keep that program -- to keep that plant operating for the next three years. That's an economic decision that we can't afford to pay the cost of.

You know, I urge you, Madam, it's your motion, of course, if that's what it takes is to change the letter, I say change the letter.

Speaker BERGSTROM: Jim, did you have a comment?

Mr. KILLION: Yes, thank you, Mr. Speaker, just a couple comments. Although I can appreciate the sentiments that which the Delegate from Wellfleet put this together, with all due respect to the Delegate from Orleans, this is more a fear than anything else.

The fact of the matter is to answer a couple questions about unwinding a nuclear power plant or any power plant, the ISO New England has some regulations. You can't just pull the plug. They need to plan how they're going to replace the thousand megawatts you're about to take offline and it takes some time to do that.

And, in fact, I think we've seen a number of these actions over the years about closing Pilgrim but now we actually have a date. So Pilgrim will come offline, and Brayton Point in Fall River will come offline.

So to answer your question, yes, we have to import our electricity and it will cost us more to do so until we come up with another solution.

The other thing I think would be more helpful is the fact, okay, this place is going to close but the larger issue facing Pilgrim, in fact the country, is the waste that is on-site. The byproduct of nuclear reaction is one of the most hazardous substances known to man. And the federal government has not figured out what they're going to do with it. They had a plan to put it all in Nevada in the Yucca Mountain, spend billions of dollars on a facility. And thanks to Senator Harry Reid that plan will never happen.

So my suggestion is if we really want to try and make a difference about actually looking at this problem because we can close the plant down tomorrow but there will be tons of nuclear waste there indefinitely, is to approach our federal representatives, Congressman Keating, Massachusetts delegation, our Senators for them to get a solution to how to deal with this waste in the future. Because this is really small potatoes in the scheme of what's going to have to be done, undertaken to actually fix this problem.

So in that regard, I'm not going to support this Resolution because I think it's not going to solve very much, but I'd be more than willing to revise this resolution to include reaching out to our elected officials on the federal level and, perhaps, demanding that this matter be taken up immediately so that this problem can be solved.

Thank you.

Speaker BERGSTROM: You know, Lilli, you're relatively new to this body and maybe to how these things operate. But when you look around the room, each one of us has a percentage of the vote. Okay. And I'm not being condescending, but I'm just trying to explain how I would look at it if I were you.

So you've heard the comments, so you see which way the thing -- so your options are you can either go full speed ahead, damn the torpedoes, and get it passed or failed, or you could table it and come back with something that would be more acceptable or you could, I don't know. That's the options when you see a divided, you know, take your chances or fight on another day. So --

**Ms. GREEN: I think you're -- I really appreciate your comments and I will take your suggestion and table the Resolution.**

Speaker BERGSTROM: Do we have another -- we have a second on that?

**Mr. MCMANUS: Second.**

Speaker BERGSTROM: Okay. All those in favor? Aye. Opposed? Okay.  
Thank you.

**(Proposed Resolution 16-09 tabled.)**

Deputy Speaker MCCUTCHEON: If she's going to table it, can we talk about when it's going to be brought back?

Speaker BERGSTROM: Well, it can be brought back when sufficient changes are made by the Delegate when she feels comfortable bringing it back. In other words I'm not going to write something up.

Ms. MCAULIFFE: She can work with Jim or you.

Speaker BERGSTROM: What's that?

Ms. MCAULIFFE: She can work with Jim Killion or you to come up with --

Speaker BERGSTROM: She can discuss -- yes. You can discuss with -- you can get a sense of -- you've gotten a sense of the meeting and what our concerns are right here in public so you know it.

Anyway, report --

Ms. GREEN: May I ask another question?

Speaker BERGSTROM: Sure.

Ms. GREEN: So if I have a question about the -- Item Number 8, Communications from the Board of Regional Commissioners, can I ask that question?

Speaker BERGSTROM: Well, that's been a back and forth. There's usually communications from the Board of Regional Commissioners. They tell us what they discussed at the meetings like Leo did, right? So we can discuss those issues but we can't really bring up an issue that they haven't discussed.

Ms. GREEN: But they --

Speaker BERGSTROM: We do it anyway but we're not supposed to do it.

Ms. GREEN: But it's my understanding that they have discussed this issue at their meeting.

Mr. KANAGA: Our meeting.

Ms. GREEN: At the meeting and it wasn't reported on. So it was -- it was a minor detail in their meeting but it --

Speaker BERGSTROM: Well, if you want to, you can suspend -- you could move to suspend the rules, ask your question. If everybody's not ready to rush out the door right now, maybe they'll go along with it.

**Ms. GREEN: I appreciate it. I'd like to make a motion to suspend the rules --**

**Mr. MCMANUS: Second.**

**Ms. GREEN: -- to discuss Number 8 on the agenda.**

Speaker BERGSTROM: All those in favor?

Mr. MCMANUS: Aye.

Ms. ZUERN: We need a second.

Speaker BERGSTROM: Oh, we need a second.

Mr. MCMANUS: I seconded it.

Speaker BERGSTROM: There was a second, yes. All those in favor? Aye. Opposed?

Speaker BERGSTROM: We're going to have to take a rollcall vote. There seems to be a lot of abstentions.

**Roll Call to suspend the rules voting "YES" (35.35%): Ronald Bergstrom (2.84% - Chatham), Lilli-Ann Green (1.27% - Wellfleet), James Killion (9.58% - Sandwich), Edward Lewis (4.55% - Brewster), Deborah McCutcheon (0.93% - Truro), Edward McManus (5.67% - Harwich), Brian O'Malley (1.36% - Provincetown), Linda Zuern (9.15% - Bourne) .**

**Roll Call to suspend the rules voting "NO" (58.16%): Christopher Kanaga (2.73% - Orleans), Teresa Martin (2.30% - Eastham), Suzanne McAuliffe (11.02% - Yarmouth), John Ohman (6.58% - Dennis), Patrick Princi (20.92% - Barnstable), Julia Taylor (14.61% - Falmouth).**

**Absent: Marcia King (6.49% - Mashpee).**

Clerk O'CONNELL: 58.16 no; 35.35 percent yes; 6.49 percent absent. So it's no.

**(Motion failed.)**

Speaker BERGSTROM: Okay. Where are we now? Report from the Clerk.

MS. O'CONNELL: I don't have anything to report today.

Deputy Speaker MCCUTCHEON: Move to adjourn.

Ms. MCAULIFFE:

Speaker BERGSTROM: Nothing to report -- what, you have an objection to the nothing to report?

Other Business

Ms. MCAULIFFE: No. I have other business.

Speaker BERGSTROM: Okay. Well wait until I get to that. Okay. Under “Other Business.” Yes.

Ms. MCAULIFFE: I’m requesting that the Assembly of Delegates have Attorney Troy come to the next meeting to discuss what we need to do in the interim about Cape Light Compact and the relationship to the County because as the attorney has stated what is currently in progress is not right and there may be a long interim before we get this fixed.

And I would like Troy to come in and discuss with us what our options are to be working with Cape Light Compact.

Speaker BERGSTROM: I think there might've been a meeting on that. I'm not really prepared to ask but --

Ms. MCAULIFFE: No. We got a notification that they're no longer in negotiations and that --

Speaker BERGSTROM: Oh, I didn't know that.

Ms. MCAULIFFE: -- Cape Light Compact is going to --

Mr. LEWIS: There was a note after that. There's a correction to that.

Ms. MCAULIFFE: Oh, I didn't get that.

Mr. LEWIS: It came later this morning.

Ms. MCAULIFFE: Okay. Then what was the corrected one?

Speaker BERGSTROM: I don't know.

Ms. TAYLOR: Negotiations are ongoing.

Ms. MCAULIFFE: Okay. Negotiations are ongoing.

Ms. TAYLOR: And -- and --

Ms. MCAULIFFE: Okay. Then I've got --

Ms. TAYLOR: -- renegotiation of the existing service agreement is ongoing. So sort of two separate things.

Ms. MCAULIFFE: Okay. Then I don't need to have anything -- I don't need to have anything unless this is longer than a week or two. Then we are in limbo in an interim figuring this out and the legal issues that Troy mentioned continue.

Speaker BERGSTROM: I will discuss with the administrator and the attorney when they feel comfortable and what they feel comfortable speaking about. We'll get them in as soon as we can.

Any other business to be brought before the Assembly? Do I hear a motion?

Deputy Speaker MCCUTCHEON: To adjourn.

Ms. MCAULIFFE: To adjourn.

Speaker BERGSTROM: Do I hear a second?

The DELEGATES: Second.

Speaker BERGSTROM: All those in favor?

The DELEGATES: Aye.

Whereupon, it was moved, seconded, and voted to adjourn the Assembly of Delegates at 5:30 p.m.

Submitted by:

Janice O’Connell, Clerk  
Assembly of Delegates

List of materials used and submitted at the meeting:

- Business Calendar of 10/19/16
- Unapproved Journal of Proceedings of 10/5/16
- FY16 Financial Reports
- Proposed Resolution 16-09 (including letter to Governor)