

**CAPE COD REGIONAL GOVERNMENT - ASSEMBLY OF DELEGATES
CHAMBER OF THE ASSEMBLY OF DELEGATES
FIRST DISTRICT COURTHOUSE @ 4:00 P.M.
ROUTE 6A, BARNSTABLE, MA 02630**

APPROVED Journal of Proceedings - November 15, 2017

Call to Order

Speaker MCAULIFFE: It's 4 o'clock. I'm going to call to order the meeting of the Assembly of Delegates, Cape Cod Regional Government. It's Wednesday, November 15th, 2017. It's 4:00 p.m.

Before we start, is there anyone recording? Okay. Thank you.

Could we start 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 MCAULIFFE: Thank you. Please rise for the Pledge of Allegiance.

(Pledge of Allegiance.)

Speaker MCAULIFFE: Thank you. Will the Clerk please call the roll?

Roll Call

Roll Call Attendance (86.17%): Mary Chaffee (4.55% - Brewster), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02% - Yarmouth), Edward McManus (5.67% - Harwich), Susan Moran (14.61% - Falmouth), John Ohman (6.5% - Dennis), Brian O'Malley (1.36% - Provincetown), Patrick Princi (20.92% - Barnstable), Linda Zuern (9.15% - Bourne).

Arrived Late (6.49%): Thomas O'Hara (6.49% - Mashpee - @ 4:05 P.M.).

Absent (7.34%): Edward Atwood (2.30% - Eastham), Ronald Bergstrom (2.84% - Chatham), Lilli-Ann Green - (1.27% - Wellfleet), Deborah McCutcheon (0.93% - Truro).

Clerk O'CONNELL: Madam Speaker, we have a quorum with 86.17 percent of the Delegates present; 13.83 percent absent.

Speaker MCAULIFFE: Thank you. Is there a motion to approve the calendar of business?

Approval of the Calendar of Business

Mr. KILLION: So moved.

Speaker MCAULIFFE: Is there a second?

Ms. CHAFFEE: Second.

Speaker MCAULIFFE: Any discussion? All those in favor? Aye. Any opposed? It passes unanimously.
(Calendar approved.)

Approval of the Journal of Proceedings of November 1, 2017

Speaker MCAULIFFE: Approval of the Journal of November 1st, 2017; is there a motion?

Mr. O'MALLEY: I wasn't here.

Speaker MCAULIFFE: Our usual -- is there a motion?

Ms. MORAN: Motion to approve.

Mr. PRINCI: Second.

Speaker MCAULIFFE: Any discussion? All those in favor? Aye. Any opposed? Abstentions?

Mr. O'MALLEY: (Raised hand.)

Mr. OHMAN: (Raised hand.)

Mr. KANAGA: (Raised hand.)

Speaker MCAULIFFE: There's two -- three abstentions.

(Journal approved.)

Summary: Communications from Board of Regional Commissioners

- Commissioner Cakounes recapped the actions and discussions of the November 1st and 15th Board of Commissioners meeting.
- Code of Ethic proposed policy under review by Commissioners.
- Commissioners discussing storage of county records in Superior Court House building.
- Commissioners approved Eastham DCPC adopted by Assembly on 11/1/17.
- Commissioners approved Emergency Closure Process.
- Commissioners approved FY19 Budget Review Schedule.
- Commissioners approved New Hiring Policy.

Details

Speaker MCAULIFFE: Our next item is a communication report on issues from the Board of Regional Commissioners, and we have Commissioner Cakounes with us today. Welcome.

Commissioner CAKOUNES: Hi. Thank you for having me. Today, I'm going to be reporting on a number of different things. My standard is our meetings. As always, again, we meet every week. You guys meet biweekly, so I have November 8 to report on.

The last time I was in front of you was November 1, so we missed the November 8 meeting. I'll just go down the agenda real quick and then go on to today's meeting.

We approved a number of minutes, which we always do. We had a presentation from the Cape Cod Fishermen's Alliance. I happened to be here when they did the presentation to you guys; I think it was November 1, and I had said -- I'm not sure if I said publicly then or not, but I certainly had said it to the Fisherman's Alliance that the County Commissioners have already endorsed this ask, if you will, about the midwater trawlers, so I decided to put it back on our agenda.

So, on November 8, the County Commissioners got the same presentation that you saw, and then we, subsequently, took a vote to send a letter in support of the Cape Cod Fishermen's

Alliance, especially for their -- specifically for their request of the buffer zone. And that letter has actually gone out, I believe, today. So, I think you guys will be taking that up later.

We had an update on the Barnstable County AmeriCorps Program. This is something that the County Commissioners are going to have to be taking a close look at as we start to move forward and begin our FY19 deliberations for the budget. This was just, basically, a presentation. There was no action at the time.

We had, yet again, another lengthy discussion back again November 8 on the discussion of a pledge of ethical behavior. At that time, it was specifically a pledge. I had taken the time to write a document, and I labeled it a "Pledge" because the idea of it was that all elected officials were going to be given the pledge and asked if they wanted to voluntarily sign it or not.

Subsequently, since then and when I get into my November 15, today's meeting, the County Commissioners have decided not to go with a pledge idea, but, in fact, to go with a policy. So that led me to, again, have to write a draft policy, and we discussed that today, but I'll get into that later.

We also had a very brief discussion for the County archives and records which are stored in the Superior Courthouse. Once again, there was no action taken.

There was a little bit of concern from one of the Commissioners, Commissioner Beaty, as to how the items are being stored down there, and I think he said at that time he was going to look into possible grant applications so that some of those older records could be, I think I used the term "microfiched," and we know that's not used anymore, so turned into some kind of electronic recording system.

Not to get into it too much, but just to remind you all that the Barnstable County court system not only was a tenant, but for many, many years at the beginning of the Commonwealth of Massachusetts the court system was actually run by the County. So, there is a question as to who actually owns some of the records that are down there.

Many of the old court records that go back to the 1800s are property of Barnstable County, but they were property of Barnstable County acting as the courts. So, some would argue that those records now become part of the court. So, not a big deal but we are looking into it.

There was an ordinance in front of us which you actually voted the week before and that's to establish the District of Critical Planning Concern pursuant to Eastham, Massachusetts, and that passed the County Commissioners so that DCPC is now in place.

As far as general Commissioners' Actions, there wasn't anything too major. We approved Jack's timesheet, which we always do. We approved a 2018 Emergency Closure Procedure, which is kind of something we do every single year just to let the, not only our tenants, the court system know but certainly our employees know that in the event that we have snow days how we go about deciding whether we're going to close the facility or not.

We had a couple of Subordinations of Mortgages.

We did have a really nice presentation from the County's Tobacco Program -- Tobacco Control Program. We actually voted and executed some documents to actually fund this program, and the director was there and gave us a nice presentation.

It's interesting enough to say if you want to think of something that actually worked in government, here's one that certainly has. Many of you remember when smoking was really, really common, certainly when I was in school, there was cigarettes hanging out of everybody's mouth. Because of the education programs and the programs, especially the ones here on the Cape that we run through the Tobacco Control Program; we've really seen a decline in the use of

tobacco.

Really interesting to note though, it's something that we can't take a step back on because, believe it or not, the younger kids are trying it more, if you will. Maybe they don't stay with it as long as they used to when we were kids, but there's still that desire to try it. And, unfortunately, this is a program -- unfortunately, this is a program that we will see around for a long time even though it has done exceptionally well.

We also signed a contract with Grouper Design and that's to provide marketing services for Children's Cove, customary contract that we sign every year or they've been awarded, I believe, the last two years.

That brings us to today. Today, we had a relatively short agenda. We did, again, approve some minutes. We had a travel report from Greg Berman, who is our Coastal Process Specialist. He works through the Cape Cod Extension Office. He went down to Fort Lauderdale, Florida, actually, and, actually, he gave a presentation on beach erosion and how we handle it here and brought back some really interesting information.

We had a really lengthy discussion about abutments and jetties and trying to save sand as it washes not only in and out, which everyone kind of thinks about. But what they don't realize is that sand actually goes from right to left and left to right too. So, we had a really great discussion about that. He brought back some very interesting information.

We did have a discussion and an authorization an approval for the two-thousand -- FY19 Operating Budget and Capital Budget Schedule. I think that Janice, your Clerk, will be getting a copy of that. This, basically, just sets our schedule on what we're anticipating our department heads to have done and the dates that they will have it done, so that we can meet our date to give you guys a budget sometime in February.

We had a discussion and authorization of approval of a full-time custodial position, and this is interesting because this was probably, I believe, the first rehire, if you will, that came forward to the County Commissioners since the implementation of the new County Hiring Policy.

The County implemented a new Hiring Policy and that was really in coordination with the possible Early Retirement Program, but the new hiring policy does require the department heads now to go before not only Jack but the finance department and justify, you know, the hiring.

This particular one happened to be a replacement hire. We had a gentleman who retired and we, actually, I believe, lost a half-time position. So, this new hire for a full-time is not a new funded position. This is something that is in our FY18 budget. It was approved but we had made them go through the steps that is involved in our new hiring process to validate, if you will, this new hire.

And, by the way for the record, this custodial position is funded by our tenants through our lease agreement, so it doesn't have a huge impact on our FY18 budget.

Once again, I'm getting kind of tired of talking about this subject, but we had a lengthy discussion about the Professional Behavior and Code of Conduct now. As I mentioned earlier, the County Commissioners felt that this pledge idea that I brought forward was probably not the best way to handle this, and they wanted to look at what an actual Code of Conduct would be like.

So, I presented them today with a copy of a draft that I put together. It is a work in progress, and I ask that my fellow Commissioners look at it and bring back any input they have

because I would like to put this on next week's agenda for a final vote and approval because I'd like to put this particular issue to bed.

There were some other minor businesses that we did. Again, the timesheet, which we always do.

We also authorized the approval of some extension for leave without pay. This particular employee has some unused vacation days and sick days; however, feel that the request came in and in the event that those sick days are used up, she's going to take some extra days unpaid. And we authorized that.

We also had a subcontract that we had to execute through the University of Massachusetts, Amherst. This was in the amount of \$57,300. This, specifically, goes to the operations through the Cape Cod Cooperative Extension Service from October of this year until September of next year, and it funds projects like the 4-H, the Agriculture & Landscape Program, the Natural Resources & Environmental Conservation Program, and the Nutrient Education Program.

Once again, it's kind of bulletproof stuff that we have to do, these certain contracts and things that come before us on a yearly basis, and this is, yet again, is just another one.

That pretty much ends my report. I think -- am I on for a budget message or are we not doing that today?

Speaker MCAULIFFE: I didn't have you on for a budget message, but if you wanted to do that next time.

Commissioner CAKOUNES: You did or you didn't?

Speaker MCAULIFFE: I did not. We don't have a copy of the budget message.

Commissioner CAKOUNES: Oh, okay. No, the only thing I would like to say on the budget message if you want me to come and make a presentation on it or discuss it at all; I do want to tell everyone that has received a copy of it that I apologize, wholeheartedly. This document was on my computer as a Word document. I brought it forward to the County Commissioners; I think it was September 27th. We discussed it. We made some amendments to it. And as I hastily typed in different amendments to hit save, that document somehow became the document that went out. It never went through an edit situation, and I know there were certain members on this board who have received things from me that I've written before and know how greatly I need them to be edited before they go out to the general public.

So, with that said, when you read the budget message, please read it in the context that a farmer wrote it, a farmer edited, and it was sent to you prematurely and give me a little bit of leeway. The context is there. We certainly discussed it in length, and you'll see what our intent was at our meeting. But, again, I wholeheartedly apologize for having my either misspelled words or some sentences that tend to run on a little bit that need a little bit of editing. But the context of the budget message is pretty clear and did not vary too much from last year.

So, if you'd like to put me on for that, I'd be more than happy to go through each line.

Speaker MCAULIFFE: I think so. I haven't had a chance to review it yet; I don't know about other people.

Commissioner CAKOUNES: Good.

Speaker MCAULIFFE: So this will give other people a chance to read it --

Commissioner CAKOUNES: Don't pick on me when you do.

Speaker MCAULIFFE: -- and then put it on for the next meeting.

Commissioner CAKOUNES: Excellent.

Speaker MCAULIFFE: Great. Any questions? Susan.

Ms. MORAN: Yes, Commissioner, with respect to the Code of Conduct, was there a discussion amongst the Commissioners about whether they would be subject to the Code of Conduct?

Commissioner CAKOUNES: Absolutely, they will be subject to it. That's the difficulty in writing it. But yes, all elected officials and appointees. This also covers committees that we appoint that are representing Barnstable County. I can't think of one off-hand, but I know we make a number of different appointments.

So, anyone who is appointed by the Barnstable County Commissioners to serve on any committee that represents the County also will be subject to it and all elected officials, that's including you guys.

Ms. MORAN: And a quick follow-up. Is there a social media concept to the Code of Conduct?

Commissioner CAKOUNES: There is a social media reference in the Code of Conduct. After a lengthy discussion today, I believe I won, anyhow. We're still going to leave it in. It is one paragraph; however, and I said this at our meeting today, we are going to have specifically a social media policy coming out which will be on my agenda after this one gets voted just because I can only deal with one thing at a time.

The only reference in this particular draft is that page 2, second bullet point down, it just says, "When engaging in social media as an individual, you must take every possible effort to add a disclaimer indicating that you do so as an individual and not representing the position of the board/committee of which you serve or Barnstable County as a whole."

And it also goes on to say, "Avoid all using social media to address matters pending before the board," and that's about all the reference to social media in this particular document. But, again, we are going to have a social media policy coming out that also reflect those two items too, so it's going to be redundant.

Ms. MORAN: Thank you.

Speaker MCAULIFFE: Did you want any input on the policy?

Commissioner CAKOUNES: Do you really want to see it again? I'll be happy to send it out.

Speaker MCAULIFFE: I gave you input. I'm just saying if there are individuals who --

Commissioner CAKOUNES: If there's individuals who would love to give me time and give me input --

Speaker MCAULIFFE: -- who have been interested in it, perhaps they can contact you and maybe give you their input. I just gave you a quick edit.

Commissioner CAKOUNES: Absolutely.

Speaker MCAULIFFE: But you might benefit from other eyes as well.

Commissioner CAKOUNES: If anyone --

Speaker MCAULIFFE: We won't make it a formal thing, just individuals can contact you.

Commissioner CAKOUNES: Right. I hesitate sending it out only because I've got so many different drafts floating around right now, it's starting to become confusing for me. However, I would welcome wholeheartedly any individual who contacts me. I will send it to them immediately, and I would ask you to either keep your comments, you know, directly back

to me or a other single Commissioner or through Owen, and then we'll be happy to bring those things up. It's probably better if you go through me so I can bring your edits up to the floor, you know, when we discuss it as a board so that they will be presented to the other Commissioners.

Again, I don't want to get into it too much, but it's very, very difficult to have the words "censure" and to have the words "sanction." Both of those are legal terms, carry legal definitions with them, and our Charter does not give the authority to the County Commissioners to censure people.

You know, when we're talking about Charter changes, it might be something we might want to look at. We're actually looking at -- or I, personally, am looking at other language like letters to the offender stating that your conduct is not becoming or, I'm sorry, your conduct is not in conjunction with --

Speaker MCAULIFFE: Compliance, yeah.

Commissioner CAKOUNES: -- the Code of Conduct, things like that, a public letter. But, again, it's very difficult for censures and things like that, and we do not have that ability in our Charter. Believe me, I am on the phone with County Counsel every day.

Speaker MCAULIFFE: Ed, did you have something you wanted to say?

Mr. MCMANUS: Reprimand and chastise come to mind. But, in any event, you seem to get about as much mileage of "I'm just a farmer," as I get out, "I'm just a carpenter." (Laughter.)

Commissioner CAKOUNES: Yes.

Believe you/me, when you read some of the things I wrote, you'll know that I'm just a farmer. I know there's some of you up there that have done editing for me.

Speaker MCAULIFFE: Patrick.

Mr. PRINCI: I know this really has been in the history of the Commissioners sort of uncommon in your role as Chair of the County Commissioners' role. But just a ballpark figure just so the public can kind of know, how much time do you feel you spend on these types of outside shenanigans, so to speak --

Commissioner CAKOUNES: Way too much.

Mr. PRINCI: -- on issues that could be towards the good work of the people in the County? I'd like to know because I think that's important because I've received numerous phone calls as a Delegate from Barnstable regarding the matter, and it does take up a bit of my time, which I feel is better spent on looking at issues like the budget, Charter changes, and ordinances and resolutions that come before the board.

So, I appreciate what you're trying to do with putting together this Code of Conduct, but I just don't really see it going anywhere unless we put in some real concrete Charter changes for recalls.

Commissioner CAKOUNES: The only thing I'll specifically say to that is -- well, first of all, on the recall thing, we'll we won't talk about that. If you want to agenda it, I have a lot of input --

Speaker MCAULIFFE: Yeah, how about next meeting.

Commissioner CAKOUNES: -- I have on agendas on that item. But as far as my time goes, I waste way too much time. I suppose I should've said this publicly to clarify it with all of you because I respect all of you in the time and effort that you put in here, but it was publicly stated by me that I'm seriously considering resigning because I'm tired of babysitting.

And I'll have to tell you publicly that I am not going to resign. Although, there

have been many times where way too much of my time that could be either spent here doing County business or spent on my farm or with my family is starting to become to the level where I'm not enjoying this anymore.

And if you would allow me to charge you for my hours, I'd be more than happy to track them from now on and give you a bill. But let me just tell you for the record, I waste far too many hours dealing with things.

And as far as this Code of Conduct goes, I do not support it. I had it before me as a County Commissioner over a year ago and I didn't support it then. However, at this stage, I believe that we should support it and we should move forward, but it is a document that has no teeth. And what we all have to remember is this Code of Conduct cannot change the Charter.

So, we can put anything we want in there but unless we have the ability through the Charter, then it's, as you had said, a waste of time. And, again, this is a waste of time.

Speaker MCAULIFFE: Jim.

Commissioner CAKOUNES: But it's a feel-good.

Mr. KILLION: Thank you, Madam Speaker. Good afternoon, Commissioner. Just to go off of what the Delegate from Barnstable had said, I had questioned some time ago asked for an accounting of what the -- how much County Counsel was being paid to address some of these conflict issues. Can we get an accounting of that?

Commissioner CAKOUNES: I'll ask, specifically.

Mr. KILLION: Yes.

Commissioner CAKOUNES: I, personally, shouldn't think there's a problem but I'll certainly ask.

Mr. KILLION: Thank you.

Speaker MCAULIFFE: Tom.

Mr. O'HARA: To the point on this, like you said, you're spending all this time and effort on this and, yet, there's no teeth to it -- to the Code of Conduct. I mean what's the point?

Shouldn't we just be concentrating on the Charter and putting some teeth in the Charter so that there can be a slap on the wrist and beyond that. Otherwise, you're spending all this time and energy for nothing.

Commissioner CAKOUNES: I decided to focus my time and energy on this particular matter at this time because there's been an outcry from a certain number of people in the public, and I believe it's my first and foremost duty as an elected official to serve them and my constituents, and they've asked me to try to do something.

So, I'm going this route now, not to say that once this is passed and knowing what it takes to bring forward Charter amendments, there's no reason for me to waste, not waste, but put time into it now when I feel that I'll be able to put some time into a Charter amendment later so that we'll be meeting the correct timeframe to bring something like that forward.

But right now, I think this is something that the public is looking for, and I'm hoping it's going to satisfy some people and some concerns. Sorry.

Mr. O'HARA: So that's exactly what it is; you're just trying to appease the request for some action but there's really no teeth to it.

Speaker MCAULIFFE: My response would be, too, I think that the Code of Conduct that I see spells things out so clearly that most elected officials know. But I don't think it hurts to have that in black-and-white to be told you need to be at the table; you need to have the authority of a board; you can't act individually. I think it doesn't hurt to have that in black-and-

white. I'm not sure if it's going to make any difference, but I think that's a good first step.

And then to your point about the Charter changes, we're going to be having an ordinance coming forward on the change of the County governmental structure in January. Perhaps what we could also do is make a move to bring forward several other ordinances whether it's a recall ordinance or whether other people have other ordinances that they feel that might be appropriate to put before the electorate to see if there's a small thing that we could do to improve the situation now.

Yes, John and then Brian.

Mr. OHMAN: Thank you, Madam Speaker. Leo, I really appreciate you coming here consistently and updating us on all on the Commissioners' actions, and I do appreciate your time and energy.

The last I remember there were three County Commissioners. Is there any chance that any one of those other two County Commissioners might come before us and allow us to ask them questions?

Commissioner CAKOUNES: I don't know. You'd have to ask them that question. I feel as the Chair it's my responsibility to be here and that's why I show up. Many times when I used to come when I wasn't the Chair, I would just sit back there and the chair still gave the report, but I always came just to be present, I guess, for some moral support.

I think that the Charter is clear that we don't have to come here to every one of your meetings. The Speaker has been gracious enough to allow me to come to every one of your meetings, but the Charter is pretty clear that I really only should do this I believe it's two times a year I have to come.

So, I guess that's a question for my fellow Commissioners.

Mr. OHMAN: Thanks.

Speaker MCAULIFFE: Brian.

Mr. O'MALLEY: Yes, you know, Commissioner, I would certainly concur with our Speaker in the sense that although there's no real teeth to what you drafted, I think making a Code of Conduct quite explicit for an elected official is certainly helpful. It lays out some very clear guidelines on what should happen in a meeting and outside and should not happen inside a meeting or outside of a meeting; that the individual does not operate on their own. They operate as a member of a board.

Even without the teeth, I think that there's a certain moral quality to this that we all need to be aware of and adopt. And if that's transgressed, we go beyond that. But, frankly, it's good guidelines.

So, I encourage you to go forward with the work you've been doing.

Commissioner CAKOUNES: Thank you. I appreciate that very much. Actually, that's one of the things that's been keeping me going on this particular project because as I read through the document, it certainly doubles as a handbook, if you will, where a lot of times elected officials or appointed officials should get things like this in a packet so they can go home when they're first time serving, if you will, and they'd have this stuff right here in front of them.

So, if I must say so myself, it's actually a pretty good document but thank you.

Speaker MCAULIFFE: And it goes back to the training; there's no training for County Commissioners like there are for Selectmen.

Commissioner CAKOUNES: Well, it's all elected officials; it's not just County Commissioners, so you're right.

Speaker MCAULIFFE: But I'm just saying a lot of groups, specifically, have training sessions for whether it's selectmen or school committee. You know, the Assembly doesn't have a group that trains them.

So, I think that's a -- your point is well taken. It's a good handbook. Mary.

I also have had questions and concerns from Brewster residents about the matter that has arisen that's taking up so much of your time. And I agree with my fellow Delegates that there is significant power in crafting a Code of Conduct even if you cannot sanction someone. And I think it's a very appropriate step toward looking at changing the Charter.

So, I think that there will be value in crafting it at this time.

Commissioner CAKOUNES: Thank you. I appreciate that.

Speaker MCAULIFFE: Anyone else? Okay. Thank you, very much.

Commissioner CAKOUNES: Thank you, all.

Ms. CH

Summary: Communications from County Public Health Nurse Deirdre Arvidson

- Presentation and discussion regarding county public health programs.

Details

Speaker MCAULIFFE: Next, we have our County Public Registered Nurse Deirdre Arvidson.

Ms. DEIRDRE ARVIDSON: Yes.

Speaker MCAULIFFE: Hello.

Ms. DEIRDRE ARVIDSON: Hi.

Speaker MCAULIFFE: Welcome.

Ms. DEIRDRE ARVIDSON: Thank you. I just --

Speaker MCAULIFFE: And you had a handout --

Ms. DEIRDRE ARVIDSON: Yes.

Speaker MCAULIFFE: -- that was handed out at everyone's place.

Ms. DEIRDRE ARVIDSON: Yes, just some highlights. Our program, it was suggested to me that I might want to -- well, originally, I was before the County Commissioners with this presentation.

Speaker MCAULIFFE: You're going to have to use the microphone.

Ms. DEIRDRE ARVIDSON: Okay.

Speaker MCAULIFFE: Okay. Only because --

Ms. DEIRDRE ARVIDSON: Let me pull this up first.

Speaker MCAULIFFE: Okay. We're on camera.

Ms. DEIRDRE ARVIDSON: Of course.

Speaker MCAULIFFE: People at home will just see pantomime.

Speaker MCAULIFFE: Last time we had a presentation, we had someone from IT available.

Ms. DEIRDRE ARVIDSON: Well, they were here and set it up for me but that's as far as you get.

Ms. DEIRDRE ARVIDSON: Okay. So, this is just a quick presentation, a few slides that I was initially advised to bring before the County Commissioners because it was brought to my attention that people don't know what we do.

So, this is the same presentation that I brought to them. And what I gave you was just

some highlights and some letters of support from some of the places that we have programs at. It's pretty quick. Don't worry.

Okay. So, these are some of the programs that we have running right now. Many of them are original programs that I started when I started here seven years ago.

Currently, let's see, so it's just, let's see, some safety tick disease prevention, some safety trainings, biometric screenings. Those were here when I started, but then I was able to add a bunch of programs, approximately six of them since I started here. And these are the major programs that are offered to all of our towns.

The Public Immunization Program was started -- when I first started, the main immunizations we were providing for was to public safety, police and fire, mainly flu vaccine, and then we had a County flu clinic.

The Cape Cod Community College, their Health Center closed at one point and there needed to be -- they asked for a resource, if I did immunizations. And I said, "Well, why not."

And, actually, what happened was the public safety had been purchasing their vaccines through a pharmacy which -- and then the nurse here would go pick it up for them and do the clinic, which costs more money.

And so, what I was able to do was to get contracts with the major pharmaceutical companies that distribute vaccines and save a lot of money for public safety, and then I was able to order other vaccines. So, the Public Immunization Program started that way.

And now we, you know, I know most of the school nurses; they know I do this, so we also provide immunizations to children in a timely way so they can start school. We're part of the Federal Vaccine for Children Program where kids who are 18 and under who have no insurance, Medicaid, MassHealth can receive free immunizations.

We also have state-supplied immunizations for those that are uninsured and, believe it or not, there's plenty of people that aren't -- don't have insurance. Many of them are going through the immigration process, and we collaborate with Tristan Medical. They do physicals and some shots, and then they send them over to me for some others, especially if they don't have insurance. So, it really fills a gap.

The other thing that we do is travel immunizations. The infographic I gave you shows all the vaccines we have available and the payment options. We definitely are filling a need for affordable travel vaccines.

In fact, just today, we got a call from -- it was a couple who are traveling on a cruise in January and they needed -- the most standard travel vaccines are hepatitis A and typhoid, basically. And so, they wanted those and they thought they needed hepatitis B too.

And I guess the husband decided he couldn't wait, and he went to a physician in Falmouth that does do travel vaccines, and he paid \$570 for those three vaccines. And our cost for those same three vaccines is 140. So, we're going to be seeing the wife who could wait, you know.

So, we are providing a substantial service. There was another physician in Hyannis that used to do travel immunizations but he doesn't do that anymore. Otherwise, people have to go off-Cape and it still can be costly. The administration fee for a lot of places is a lot more than what we charge.

So, it's a huge service and we get I don't know how many calls a day for immunization appointments. I hold clinics every Tuesday and Thursday by appointment, so people call and make an appointment and then they come in. And this program has been just growing

substantially.

We did a media release as it says the end of June with some radio spots, some print ads, and our new infographic that we've been trying to get out to primary cares that don't do immunizations or that do just certain immunizations, or even the pediatricians we sent to because they don't generally do travel vaccines.

So, we're filling a gap for the communities in a lot of places. So, with that infographic I gave you, go to your town hall and put it up on the bulletin board. You know, that's how we've been doing it, and I've been handing them out to the clients that come into my office and said, "Pass this on to your primary care," you know, or put it up at your -- wherever you go so that people can get the message out.

We did the media release because I saw so many people that said, "Well, gee, I didn't even know you guys were here." And so, we've attempted to at least, you know, make it known that there's an option.

Okay. Another very successful program is called, "Ask A Public Health Nurse," that started in 2012. My purpose for this was to reach out, do outreach to vulnerable and underserved populations. And I discovered the food pantries to be a perfect place. You kind of have a captive audience where people are waiting for groceries and services.

And so, what we ended up doing is I started it myself and just one pantry at a time working with the pantry managers and setting up times a couple times a month in general where we would have a table and we offer health information, health literature. Currently, we do free blood pressure screenings, free glucose testing, and during the season we offer flu shots also.

So, like I said, it's really grown. We collaborate with the Cape Cod Hunger Network which is a collaboration of all the food pantries on the Cape. And, also, now Outer-Cape Health, no, it's Outer Cape -- no, no, it's Lower-Cape --

Mr. O'MALLEY: Outreach Council, Lower-Cape Outreach Council.

Ms. DEIRDRE ARVIDSON: -- yes, thank you, very much. The Lower-Cape Outreach Council, I'm sorry, has also partnered with us.

The Falmouth Food Pantry received a grant a couple years ago, and they started or kind of added on to what I was doing and they called it, "The Foods To Encourage Program." It was basically similar but it added a nutrition, more of a nutrition component to it where clients of food pantries, certain food pantries, not all of them do it, could enroll in this program. They were allowed to come; they have to be hypertensive, prediabetic, or diabetic. They're allowed to come every week to get their other chronic disease management piece. A nurse will discuss one intervention with them while they're there. There's a nutrition educator there also who will answer nutrition questions and have some kind of a healthy snack. And the encouragement that the pantries had for the clients was they receive an extra bag of produce when they choose to come in. So, it's been hugely successful and has grown.

We have, let's see, who is doing it: Falmouth Service Center, the Harwich Family Pantry, Friends of Bourne Pantry, the Wellfleet Congregant Dinner, Orleans Methodist Church Pantry, and we just started new locations of this Foods To Encourage Program at the Provincetown CoA and Soup Kitchen.

And Lower-Cape outreach pays for our nurses to do this. We provide the supplies and they pay for our nurses. So, it's been a great program. My philosophy behind what I do has always been to go to where people are, you know, and to meet them where they are, and that's how you do outreach, I guess, you know, in my opinion there. It seems to have been successful.

Nurses consult with average 30 clients a visit on our regular pantries. We also have somebody who goes to the WIC office in Hyannis once a month and the BabyCenter in Hyannis twice a month. And we just started a new Ask A Public Health Nurse Program at Cromwell Court. And then I do the Salvation Army Soup Kitchen twice a month, which is a lot of fun.

Anyway, I don't know, I think it's been fun, and we also, you know, we've come across many people who didn't know they had diabetes or, you know, we've had to send people to the call paramedics for them. They might have been symptomatic with high blood pressure, high blood glucose.

If they don't have doctors, we refer them to the Community Health Centers, Outer-Cape Health, or the Duffy Health Center depending on their location.

So, we're out there right there helping people. It's been shown through research that chronic disease management is a big issue. And so when they're able to see healthcare providers, knowledgeable healthcare providers on a more regular basis, it works. It works to control chronic diseases.

Okay. I'm talking too much. Sorry. Okay. These are some of the other major programs. We have the Biometric Screenings have been going on for a while in conjunction with the Municipal Health Group as you know. The Municipal Health Group offers programs to the towns every year through their contractor. And so, one of them is Biometric Health Screenings, which is basically preventative health screenings.

So, we collaborate with them. They send out the letter and book the dates, and then we provide the nurses and all the supplies. And that's been going on, it's offered yearly to every town, schools, town halls if they choose to take advantage of it.

We also do blood pressure clinics, not a lot. I've chosen to try to do blood pressure clinics in places outside of the CoA's and senior centers. I just felt like those were kind of covered. So, we have one at the YMCA in which she does -- you have a letter from them. She does blood pressure and glucose testing. The Chatham Community Center has a great nurse; she's a nurse practitioner who does a blood pressure clinic there twice a month who -- she's amazing. She listens to heart sounds. She listens to lungs. They get a little more than their blood pressure taken. So, it's been fabulous. We have a clinic at the Eastham Public Library and at the Falmouth Eats Together Congregant Dinner.

So, what did I say? Oh, in FY16, fiscal year '16, we did 668 blood pressures at three sites. So, it's been successful. I haven't had any complaints, put it that way.

So, just in closing, the question was asked, "Why do we need nurses?" So, as I've mentioned, we bring professional public health nursing services to the residents at no cost. I mean, it's paid for by the taxpayer. This is a service that's paid for by the taxpayer already. So, we're out there, you know, doing the outreach from Bourne to Provincetown.

I also provide mentorship for schools that need -- a lot of times I come across schools that have a RN to BSN program. It's online. Some of the students live out here. So, as part of their Public Community Health Class they must do an internship. So, I've always taken students for that; UMass Amherst, UMass Boston, UMass Dartmouth. I had a doctorate student once. We also take students from the community college usually in the spring, every week, once a week and then they rotate through.

So, it's been a lot of fun really. I don't say no because, I probably should, but I don't say no because I believe in giving back. You know, somebody helped me at some point, and I believe that that's important.

So, my plans, because I always have them, is to build our public health nursing division to be more like what you see in County health departments in other states. I come across many people who ask me, “What other services do you do here?” Because they’re used to if you go online and look at any other County health departments in other states, they provide a lot of services; STD testing, HIV testing, those types of things.

So, you know, a little at a time, I hope to be able to add some more programming to our division. And we have great nurses that work for us, some that have been nurses for many, many years, some that are semiretired, some that also work at the hospital but also do some work for us too.

So, it’s a great group of people and we do a whole lot on a very little amount of money.

So, anyway, does anybody have any questions?

Speaker MCAULIFFE: Any questions for -- Mary.

Ms. DEIRDRE ARVIDSON: Yes.

Ms. CHAFFEE: Hi. I have two immunization-related questions.

Ms. DEIRDRE ARVIDSON: Sure.

Ms. CHAFFEE: First, has the County been notified when --

Speaker MCAULIFFE: Is your microphone on, Mary?

Ms. CHAFFEE: Yes.

Speaker MCAULIFFE: Okay. Sorry, a little closer.

Ms. CHAFFEE: Sure. Has the County been notified when the new herpes zoster vaccine Shingrix is going to be available?

Ms. DEIRDRE ARVIDSON: Yes, we’re working on that. Yes. According to the manufacturer, it’s supposed to come out in late October, I mean late November, excuse me. And we are in the process of trying to find out the --

Ms. ARVIDSON’S ASSISTANT: CPT code, billing.

Ms. DEIRDRE ARVIDSON: -- CPT codes so that we, hopefully, we’ll be able to be able to bill for it. We work with the UMass Med School, School of Healthcare and Finance, has a billing program for local public health departments. So, they form the contracts with the insurers including Medicare and MassHealth, and then they send us a form that our patients fill out, and then we send it back to them and they do the actual individual billing.

So, they have contracts with most of the major insurance companies. We had to apply to be Medicare providers and MassHealth providers, which we are.

So, with the new vaccine, you know, we must -- MassHealth must, you know, UMass billing program must get on board too so that we can bill insurance for it. You have no idea what the insurance, oh my gosh, that could be a whole job.

Ms. CHAFFEE: And a follow-up to that, is it your understanding that anyone who has already received Zostavax who needs to be immunized with the new vaccine?

Mr. O’MALLEY: Probably.

Ms. DEIRDRE ARVIDSON: Well, according to what I’ve read so far, the new shingles vaccine is more effective than the Zostavax. So, I don’t think it would hurt anybody. It also appears as if the efficacy starts the highest at age 50. So, I’m hoping insurers or the ACIP, and I believe they are making the recommendation for adults 50 and older; the other vaccine was approved for adults 50 or older but insurance wouldn’t pay for it until you were 60.

So, I don’t think that that’s going to happen with the new vaccine.

Ms. CHAFFEE: So once you sort out the financial issues, have you talked about going

back to patients that you have already immunized to alert them?

Ms. DEIRDRE ARVIDSON: I don't know. I have even thought about that because we've gotten calls already on the new vaccine. So, we're just trying to get it set up, you know, so that the people that have called so far, you know, that we can offer it and be able to purchase it and offer it and then we can look back.

Ms. CHAFFEE: Thank you.

Ms. DEIRDRE ARVIDSON: Thanks.

Speaker MCAULIFFE: I'll go Brian and then Linda.

Mr. O'MALLEY: Thank you for the presentation. I think this is less of a question than an observation that I think the work you're doing is really very important. I mean what you're trying to do is identify individuals at risk who are not adequately being cared for.

And I'm sorry to say it's a reflection on the very sorry state of our healthcare non-system in this country that there are so many people who are falling through the cracks.

Clearly community health has a very large role to play in many the conditions you're looking at: weight, hypertension, diabetes/prediabetes and working through the community is probably a far more effective way of managing that than it is for people seeing their individual provider.

But we've really got a long way to go. And all I can say is keep up the struggle, you know, until we get a healthcare system that really covers everybody; we're going to need lots of little plugs.

Ms. DEIRDRE ARVIDSON: Thank you. And in Falmouth, at the Falmouth Service Center in their Foods to Encourage Program, the other thing that happens is there's a lot of bonding with the clients. And some of those clients, you know, have formed groups that go to like an exercise group together and things like that. So, there's a lot of positive things that come out of these things. It brings people together.

Mr. O'MALLEY: I wholeheartedly concur. Group efforts have a way of really increasing the efficacy of change efforts. Doing it alone one by one is very, very inefficient.

Ms. DEIRDRE ARVIDSON: Oh yes.

Mr. O'MALLEY: Thank you.

Ms. DEIRDRE ARVIDSON: Thank you.

Speaker MCAULIFFE: Linda.

Ms. ZUERN: Thank you, Madam Speaker. And I appreciate what you're doing as well, and I've been to some of the community -- these events that the County has put on, and I appreciate being able to do that.

I do have a concern about the vaccines, and I have worked with kids who are autistic. I know someone who took the flu shot and became paralyzed from the neck down. Some kid, one girl, she was five, she took two vaccines too close together six months apart, and then they diagnosed her as autistic after that. She's now 13 and she's still having a lot of problems.

People who have children with Attention Deficit Disorder have said after their kids have taken the vaccines that they seem to be worse. And, also, I've done some reading where it said if your system is -- the immune system is low at that time, it might affect you.

One of the ingredients that seems to pop up all the time is Thimerosal. So, my question is do you provide the vaccines that are Thimerosal-free that people have that choice? That's one question I have.

Ms. DEIRDRE ARVIDSON: Well, what I know is that there has been no scientific

evidence to show that the immunizations cause autism. There is no scientific evidence. And --

Ms. ZUERN: I know they say that.

Ms. DEIRDRE ARVIDSON: Well, that's all I know; do you know what I mean? I mean I've got to look at, you know, the facts, the concrete facts.

Ms. ZUERN: But do you provide vaccines that would-be Thimerosal-free?

Ms. DEIRDRE ARVIDSON: Some of them would be just in their nature. I mean they're made differently, like, you know, the ones that are single-dose and prefilled syringes are preservative free. Some of them are, I don't know; I can't name them offhand. I do have a chart that shows, and you could probably find it online too, for each vaccine what it contains and the percentage of that ingredient that it contains. It's minuscule. It really is.

And the fact that so many people do receive immunizations and so many people -- so many less people are dying now because of these vaccines including children is huge.

Ms. ZUERN: I understand that.

Ms. DEIRDRE ARVIDSON: And there are reactions, of course. Some are severe. Some are severe. Reactions to an immunization, the most common range from soreness at the site to what you mentioned, Guillain-Barre syndrome from a flu shot. That can happen. It's a small, small percentage compared to how many receive it.

I mean that doesn't make a huge difference when you're the one that's got it. I know; I understand that. But I still fully believe because my dad had polio growing up, and I fully believe, and I've seen statistics that show how many people died and were very ill prior to the vaccine era.

But it's an individual choice. If people don't want to do that, that's okay too. But you must understand we live in a global world where many people are traveling from country to country and they bring with them whatever's endemic in their country.

So, you make that choice based on the knowledge you get.

Ms. ZUERN: I have another question too. One person in Bourne who worked for the food pantry mentioned to me even years ago that a lot of the people who are getting food from the food pantry don't know how to always prepare fresh food.

And so, she was setting up a workshop herself teaching younger parents or parents who didn't really know how to cook how to use fresh vegetables and cook like that.

So, my question is do you have anything like that or has anyone thought about that?

Ms. DEIRDRE ARVIDSON: Yes, we do. With the Foods to Encourage Program, there's a nutrition educator that's involved and that's what they do depending on what produce is in the bag that the clients get. They try to use those ingredients to show them how to prepare it. And they also have the recipe available too, and they can taste it. So, we do do that.

Ms. ZUERN: Thank you.

Speaker MCAULIFFE: Yes, Brian.

Mr. O'MALLEY: If I could, I would like to amplify on your response to the previous question. I think it's stronger to say that there's -- stronger than saying there is no evidence about the causation, there is, in fact, very clear, clear scientific disproof that these vaccines are responsible for autism.

And I regret to hear that an alternative fact continues to be perpetuated. I think the public is going to hear this and it's going to raise those questions again. That has been disproven beyond a doubt at this point.

Speaker MCAULIFFE: Is there anyone else? Yes, Mary.

Ms. CHAFFEE: As a nurse, I feel compelled also to commend you for focusing on the science and the data. And I noticed that on your website, your immunizations page, which is well done as far as providing understandable information about immunizations.

As I read it, I thought, wow, I almost wish you had a paragraph about the myths and misinformation largely on the Internet that continues to be spread often by commercial entities who are selling alternative vaccine products for profit.

So, I think that it is so incredibly important to address the fact that myths and misinformation about that, as Dr. O'Malley just said, there is absolutely no evidence to support a lot of these myths and to perhaps offer visitors to your website some information about where exactly that they should go for good scientific data so that they can make decisions.

Ms. DEIRDRE ARVIDSON: Yeah, that's a good idea. I do have some trusted websites and things like that that we could put up there. And it's true, I had a couple students from the college come interview me for a project, no, there was three of them, and it was about vaccines.

And the one kid said the same thing, he asked the same thing, "Is it true, you know, that vaccines cause autism?" I mean, yeah, it's still -- even though the doctor that perpetuated that originally has been -- lost his license, you know, and been discredited, false knowledge is still out there.

So, yes, that's a good idea. I appreciate that.

Speaker MCAULIFFE: And I think anecdotal things always seem to find a voice as well. You can have, "My father had an experience with this" or "I knew someone who" -- and people kind of latch on to that as opposed to a scientific study or data across thousands and thousands of immunizations.

Ms. DEIRDRE ARVIDSON: Sure.

Speaker MCAULIFFE: It's sort of what hooks people or captivates them a little bit. Thank you so much.

Ms. DEIRDRE ARVIDSON: Thank you.

Speaker MCAULIFFE: Ed. I'm sorry. I'm thought I was -- I recognize Ed.

Mr. MCMANUS: Just to comment, I appreciate the work you're doing combining a medical evaluation of clients with the food pantries with Outer-Cape Health, which the Board of Health has joined up with Harwich Family Pantry.

And so many of our older clients come in and they have one illness or condition or another, but if the heart -- a lot of it stems from the fact that they're not eating. They are, in many cases, too proud to go to the family pantry, but when it's presented as they're doing it now as a prescription for nutrition that we've could get folks to bring food into their home or take it and get on their regular nutrition plan, which has sort of helped to fight back on a lot of the formalities that they experience--

Ms. DEIRDRE ARVIDSON: Oh, absolutely. Yeah, and part of the program, the way I developed it, was that I wanted the same one or two nurses to go every time to that pantry so that they could develop these relationships with the clients, and the clients could build trust with them too. And that's happened, whereas, they will come in for their blood pressure and glucose, but then they'll talk about other medical issues or they ask questions about their medications.

I had somebody ask me, you know, "What does this do again that I take?" You know, they didn't even know. So there's a lot of need out there. People have a lot of questions.

Speaker MCAULIFFE: And this is a great service for the residents of the County. I think, you know, as the legislative body, it is always something when we -- a lot of people say,

“Well, what does the County do?” Well, this is something that the County does do --

Ms. DEIRDRE ARVIDSON: I know.

Speaker MCAULIFFE: -- in a very concrete meaningful way. It’s great that you have put this positive face on the County.

Before you leave, what is your structure? How many full-time people do you have? I mean it sounds like you have --

Ms. DEIRDRE ARVIDSON: I’m the only full-time one.

Speaker MCAULIFFE: Okay. So then it’s clear that you have them --

Ms. DEIRDRE ARVIDSON: Per diem nurses, contract nurses.

Speaker MCAULIFFE: Per diem, okay. Contract nurses, okay.

Ms. DEIRDRE ARVIDSON: Yes.

Speaker MCAULIFFE: It’s clear that you have an army at your disposal.

Ms. DEIRDRE ARVIDSON: I finally have a part-time admin assistant. Oh my gosh, because as I grew programs and started programs, of course you have more administrative work.

Speaker MCAULIFFE: Right.

Ms. DEIRDRE ARVIDSON: And so it’s very helpful to have somebody even just answering the phone now because we have a lot of phone calls for immunizations.

Speaker MCAULIFFE: Well, in that case then, I think you’re doing yeoman work for one person kind of coordinating, overseeing, and developing new programs and making things grow. I think that’s very commendable.

Thank you.

Ms. DEIRDRE ARVIDSON: Thanks for having me and, you know, post those infographics up. Thank you.

Speaker MCAULIFFE: John.

Mr. OHMAN: I just want to thank you again, too. And I do want to reencourage you to try to get any information you can about vaccinations.

I happen to have two sons with autism. They are now 26 and 24, fully vaccinated, and I get the question, if not daily, several times a week about how did they get autism and what about those vaccinations? It’s pervasive and it isn’t going away.

Ms. DEIRDRE ARVIDSON: I know it is.

Mr. OHMAN: And it’s very disturbing to parents of people with autism to have to answer that question knowing the answer already.

Thank you.

Ms. DEIRDRE ARVIDSON: Yes. Thank you.

Speaker MCAULIFFE: Thank you, very much.

Ms. DEIRDRE ARVIDSON: Thank you.

Speaker MCAULIFFE: I don’t believe we have -- do we have -- no public officials, any communications?

And members of the public?

Assembly Convenes

Summary: Proposed Resolution 17-08 – Herring Buffer Zone

- Assembly votes to adopt Proposed Resolution 17-08 – becomes Resolution 17-06 (submitted to the County Commissioners as Resolution 17-06 for approval or rejection).

Proposed Resolution 17-08:

Whereas, two species of herring (river and ocean) school together in waters surrounding Cape Cod, and

Whereas, herring are an intermediate “link” in the ocean’s web of life; they eat plankton and in turn serve as “forage fish” sought by larger ones like codfish, bluefish, striped bass, tuna and others, and

Whereas, river herring fisheries have been depleted causing the Commonwealth to prohibit the taking of a single herring from Cape Cod’s waterways, and

Whereas, large commercial fishing vessels called mid-water trawlers scoop millions of pounds of river herring unintentionally as they trawl for *ocean* herring, leaving the river herring dead, and

Whereas, mid-water trawlers may currently trawl as close as three miles from shore, and

Whereas, when these trawlers remove entire schools of herring from near-shore areas, cod, tuna and other large fish must move farther offshore to search for food, and

Whereas, the movement of the larger fish farther offshore disrupts the entire marine food-chain and leaves small-boat fishermen challenged to find sufficient catch, and

Whereas, this disruption due to herring depletion has environmental, economic and recreational fishing consequences, and

Whereas, a commercial trawling buffer zone could be implemented that would require mid-water trawlers to operate farther offshore, and

Whereas, the Cape Cod Commercial Fisherman’s Alliance and the Association to Preserve Cape Cod are advocating for implementation of a buffer zone, and

Whereas, there is historical precedent for such action; when foreign commercial fleets were decimating local fisheries in the 1960s and 1970s, the U.S. Congress passed the Magnuson-Stevens Act banning foreign fishing fleets from operating within 200 miles of the U.S. coast, and

Whereas, the New England Fishery Management Council is the regional council charged by Federal law with conserving and managing fishery resources from three to 200 miles off the coast of Massachusetts and the other New England states, and

Whereas, the Council is weighing implementation of a buffer zone and will take action on the matter in December 2017,

NOW, THEREFORE,

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

Supports the establishment of a Federally-designated buffer zone around Cape Cod that would prohibit mid-water trawlers from operating near the Cape’s shores.

Details

Speaker MCAULIFFE: Okay. The Assembly will convene, and our first item is Proposed Resolution 17-08, the herring buffer zone, and this was submitted by Brewster

Delegate Mary Chaffee and Provincetown Delegate Brian O'Malley.

And, I think -- I'll take a motion to put this on the floor, and then Mary can do a brief --

Mr. O'MALLEY: So moved.

Speaker MCAULIFFE: Yes. Is there a second?

Mr. OHMAN: Second.

Speaker MCAULIFFE: Okay. Mary, would you like to just do a quick summary?

Ms. CHAFFEE: Yes. Thank you, Madam Speaker. This resolution is intended to draw attention to the problem of commercial fishing vessels known as midwater trawlers and their harmful impact on river herring.

Next month, the New England Fisheries Management Council, which is the regional council mandated by federal law to conserve and manage ocean fisheries, will consider implementing a buffer zone around Cape Cod. And this zone would require the commercial trawlers that now fish as close as three miles from Cape shores to move farther offshore.

Right now, these trawlers when they are fishing for ocean herring unintentionally scoop up millions of pounds of river herring. The river herring has done collateral damage to the ocean herring fishing. The Commonwealth and Cape communities have worked hard to protect river herring but these trawlers are having devastating effects.

By having trawlers move offshore, further offshore, river herring, a critical part of the marine food chain and all the larger fish who need them in their diet, would thrive closer to shore. And this is critical for small boat fishing operations and recreational fishing.

A number of towns have weighed in with their opinion on this and are supporting the implementation of a buffer zone. These include Brewster, Provincetown, Harwich, Orleans, Chatham, Wellfleet, Mashpee, and Eastham, and the Selectmen and Councilors' Association has also supported the implementation of a buffer zone as well.

Thank you.

Speaker MCAULIFFE: Any further comments? Any further questions? Yes, Linda.

Ms. ZUERN: I feel -- I guess the question at the last meeting, you know, what the opposition was and we were given the answer that the fishermen who go for lobster were opposed to this. And I really haven't been able to find out that information as to why they're opposed, what affect it has on the lobster fishermen.

I feel that we didn't have the opposing view presented to us. So, I really don't feel that at this time I can support this resolution.

And I also consider myself as a Delegate representative from the town of Bourne and that we do have people in Bourne who are relying on their income from fishing lobster, and this is going to have some effect on them that I would like to know those facts first before I take such a vote.

So, I will not be supporting this.

Speaker MCAULIFFE: Anyone else? All right. I think we will -- I will call for vote then. Do you just want to tell him we're taking the vote?

Mr. O'MALLEY: Did I miss a vote?

Speaker MCAULIFFE: No. That's why we called you back.

Mr. O'MALLEY: I'm sorry.

Speaker MCAULIFFE: That's all right.

Clerk O'CONNELL: Ready?

Speaker MCAULIFFE: Yes.

Roll Call vote on Proposed Resolution 17-08

Roll Call voting “Yes” (73.93%): Mary Chaffee (4.55% - Brewster), Christopher Kanaga (2.73% - Orleans), E. Suzanne McAuliffe (11.02% - Yarmouth), Edward McManus (5.67% - Harwich), Susan Moran (14.61% - Falmouth), Thomas O’Hara (6.49% - Mashpee), John Ohman (6.5% - Dennis), Brian O’Malley (1.36% – Provincetown), Patrick Princi (20.92% - Barnstable).

Roll Call voting “No” (18.73%): James Killion (9.58% - Sandwich), Linda Zuern (9.15% - Bourne).

Absent (7.34%): Edward Atwood (2.30% - Eastham), Ronald Bergstrom (2.84% - Chatham), Lilli-Ann Green - (1.27% - Wellfleet), Deborah McCutcheon (0.93% - Truro).

Clerk O’CONNELL: Madam Speaker, Proposed Resolution 17-08 passes with 73.93 percent of the Delegates voting yes; 18.73 percent voting no; 7.34 percent absent, now known as Resolution 17-06.

Resolution 17-06:

Whereas, two species of herring (river and ocean) school together in waters surrounding Cape Cod, and

Whereas, herring are an intermediate “link” in the ocean’s web of life; they eat plankton and in turn serve as “forage fish” sought by larger ones like codfish, bluefish, striped bass, tuna and others, and

Whereas, river herring fisheries have been depleted causing the Commonwealth to prohibit the taking of a single herring from Cape Cod’s waterways, and

Whereas, large commercial fishing vessels called mid-water trawlers scoop millions of pounds of river herring unintentionally as they trawl for *ocean* herring, leaving the river herring dead, and

Whereas, mid-water trawlers may currently trawl as close as three miles from shore, and

Whereas, when these trawlers remove entire schools of herring from near-shore areas, cod, tuna and other large fish must move farther offshore to search for food, and

Whereas, the movement of the larger fish farther offshore disrupts the entire marine food-chain and leaves small-boat fishermen challenged to find sufficient catch, and

Whereas, this disruption due to herring depletion has environmental, economic and recreational fishing consequences, and

Whereas, a commercial trawling buffer zone could be implemented that would require mid-water trawlers to operate farther offshore, and

Whereas, the Cape Cod Commercial Fisherman’s Alliance and the Association to Preserve Cape Cod are advocating for implementation of a buffer zone, and

Whereas, there is historical precedent for such action; when foreign commercial fleets were decimating local fisheries in the 1960s and 1970s, the U.S. Congress passed the Magnuson-Stevens Act banning foreign fishing fleets from operating within 200 miles of the U.S. coast, and

Whereas, the New England Fishery Management Council is the regional council charged by Federal law with conserving and managing fishery resources from three to 200 miles off the coast of Massachusetts and the other New England states, and

Whereas, the Council is weighing implementation of a buffer zone and will take action on the matter in December 2017,

NOW, THEREFORE,

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

Supports the establishment of a Federally-designated buffer zone around Cape Cod that would prohibit mid-water trawlers from operating near the Cape's shores.

And I want to add that the Speaker has requested that a place on the Resolution be provided for individual signatures of Delegates. And I had to wait for the vote in order to create that. So, I would appreciate it if the Delegates would just hold back at the end of the meeting so that I can prepare that document and have it signed by the Delegates.

Speaker MCAULIFFE: Thank you.

Speaker MCAULIFFE: Any committee reports? Ed, did you want to hold until you have minutes or?

Mr. MCMANUS: Yes.

Speaker MCAULIFFE: Okay.

Summary: Report from the Clerk

- FY19 Budget Schedules forwarded via email.
- Coverage related to the absence of the Clerk.

Details

Speaker MCAULIFFE: Report from the Clerk.

Clerk O'CONNELL: I just wanted to let everyone know that the budget schedules that Commissioner Cakounes talked about earlier in his presentation I did forward today -- that's the Operating and the Capital schedules -- important for you to know that because it will help define for you when you can anticipate when the Assembly is going to get the budget and the all-important committee meetings that typically take place a little more frequently than the Assembly meeting dates.

Very often during that timeframe, you will find that committees are meeting every week versus every other week. So just to make you aware of that.

And to also remind you that I will be away from the office. I'm hoping to get back to the second Assembly meeting in December. I think possibly my physician thinks otherwise but it's a challenge.

Speaker MCAULIFFE: They don't know you.

Clerk O'CONNELL: So, I will have a message on my email indicating that if it's something that you need immediate assistance for, you should contact Owen Fletcher, and I'll have that information available. There will be a sign on the door, a message on the phone.

And I expect that I'll probably be able to have a little connectivity while I'm recuperating and sort of following along as well.

So, Owen will be here for the meeting on December 6; I will not, but I hope to be back by the 20th.

And that's all I must report.

Speaker MCAULIFFE: Don't push it. Take the time you need. Take the time you need.

Clerk O'CONNELL: Thank you.

Summary: Other Business

- Submission of two proposed resolutions by Delegate O'Malley (Proposed Resolution 17-09 – Pilgrim Power Station & 17-10 – Sheriff's Office/ICE)
- Submission of proposed resolution by Delegate McManus (Proposed Resolution 17-11- Trailer Permitted Use)

Details

Speaker MCAULIFFE: Other business. Yes, Brian.

Mr. O'MALLEY: Madam Speaker, I have two Proposed Resolutions, and I suppose they should be numbered 17-09 and 17-10 at this point. I don't know where they should be numbered or 07 and 8; I'm not sure how they should be numbered-----

Clerk O'CONNELL: I do that.

Speaker MCAULIFFE: You can just submit it and she will take care of that; okay?

Mr. O'MALLEY: I call them XX and XZ at this point.

Speaker MCAULIFFE: Okay.

Mr. O'MALLEY: The first of them is timely in the sense that it follows last week's vote in Barnstable town on election day making Barnstable the 15th of 15 towns who have voted overwhelmingly in favor of a proposal to the Governor to ask him to expedite transfer of spent fuel assemblies from the attic of the nuclear reactor to dry cast storage on site.

In this, we're just really backing up what the towns have already -- every one of them done by votes of over -- 81 percent at a minimum and Barnstable voted by 91 percent in their town election. So, I'll submit that. And, of course, that is simply a matter of expressing our opinion as a resolution.

The second is along the same lines, and this one concerns the application by Barnstable County Sheriff's office to have its officers deputized as agents of the U.S. Immigration and Customs Enforcement.

I find this a troublesome, a troublesome inroad into what is otherwise an environment of community policing in most towns on the Cape, and I find this to be a dangerous concern that is not only from a kind of a civil rights perspective, but also very strongly from the perspective of employers.

This is a community that is heavily dependent upon seasonal employment. They've already had great difficulty filling positions this past year for reductions in the quotas. And I think this sort of activity is likely to dissuade people.

So, I'm submitting these both today.

Speaker MCAULIFFE: Okay. Thank you. Any -- yes, Ed.

Mr. MCMANUS: Madam Speaker, I think many of us read the article in the newspaper, the Times, yesterday regarding Sparky which in Brewster has a very long-standing summer

hayride that it goes from 6A down to Paines Creek Beach, I believe. The police chief discovered some portion of state law that makes that apparently illegal.

In looking at the state law, it not only affects Sparky's operation, but the way it's worded, it would, in Harwich, at our annual town parade, our town band rides on the back of a trailer, that becomes illegal.

Sparky comes over to Harwich for a beach day to provide the hayride event at Red River Beach for the children, that would become illegal. He also shows up at Christmas time to deliver Santa Claus and the elves for our Christmas stroll. All of those sorts of events become illegal under the reading of the law, and there's no relief allowed.

Apparently in the clause before in the General Laws if you're a non-firefighter or garbage collector, you can get a permit from your Selectmen to in a parade ride on the outside of one of those trucks. But there's no such allowance for a permit to allow people to be in a parade riding in a trailer or a semi-trailer.

So, I've prepared a Resolution and these are very, I think, important traditions on the Cape in many of our towns to ask that our legislative delegation present a bill or a petition to the state legislature to provide for a permit process that can be granted by our towns to allow for these types of traditional activities to continue.

Speaker MCAULIFFE: Thank you. Okay. So that will go on our next agenda. We'll have the three Resolutions on our next agenda.

Are there -- yes, Chris.

Mr. KANAGA: This is just real short. There's already an exemption; I think it was passed two years ago for hayrides in the Massachusetts statutes. So, anyway, I'm just saying that that's out there.

And, also, the fact that something's illegal doesn't mean anything unless the local police chief decides to make it an issue -- which is unfortunate.

Speaker MCAULIFFE: Well, I think what happens is their liability comes into question if they know it's illegal.

Mr. KANAGA: No, it doesn't. No, it doesn't.

Speaker MCAULIFFE: Well, they feel very exposed, let's say.

Yes, Ed.

Mr. MCMANUS: But the point a hayride is different from riding in the back of a trailer pulled by a --

Speaker MCAULIFFE: Okay. Yes, we can have this further discussion at our next meeting.

Just briefly, our next meeting I had scheduled Kim Slade to talk to us. She, if you recall, was mentioned by Beth Albert at the Health Department who is the expert on the education and the information on marijuana. Unfortunately, she has been in an accident, so she is out of work for a few weeks. So, she will not be able to attend and I'm not sure when --

I will try to find out or if anyone has any suggestions about anyone who could speak to this group because I know all the municipalities are facing this issue in terms of -- and I know it's of interest to some specific members on this board to see if there is someone who could give us some information or help people formulate their thoughts on how they want to think going forward.

I've been trying to get Kim -- I mean OpenCape to come. They have not been responding, so I'm going to keep going after them.

So, in addition to the resolutions, we'll have Steve Tebo here to talk about the Fire Academy and the Dredge information. And, also, we'll talk about the budget message.

So, if there's anything that anyone has for topics coming up, let me know. But I think we will, with the resolutions, have a lot to discuss.

Yes, Linda.

Ms. ZUERN: I know Vinny deMacedo, our Senator, is very well-informed on the marijuana issue and went to Colorado himself, and he also did presentations to the community. So, he may be -- it depends on who you're --

Speaker MCAULIFFE: He's not available on Wednesdays until December, and December 20 is when we have Julian Cyr, we're hoping for, and deMacedo to come December 20. That was their schedule because of their commitments in Boston. So that was the soonest we could get them. I have, believe me, been trying since September.

Ms. ZUERN: Okay.

Speaker MCAULIFFE: Yes, anyone else? Yes, Ed.

Mr. MCMANUS: Madam Speaker, I know last week I was in Boston attending the MMA Regional Municipal Policy Committee and the new chairman of the Cannabis Control Commission, Steven Hoffman, was there and one of the other Commissioners; I can't remember her name but she's a former attorney who worked for Kopelman & Paige and is sort of spearheading the town issues with the Cannabis Control Commission. And they're very careful not to take a position on what towns should do.

Speaker MCAULIFFE: Right.

Mr. MCMANUS: But they're very good at laying out what all the issues are that the towns need to consider and what they're considering. They have been given a very tight-knit line which includes them having the draft regulations done by the end of this month so it can be put into the hearing process. They have to adopt the regulation by March 30 and be ready to accept applications on April 15, and they will be setting up regulatory procedures in four categories: retail sales, testing labs, cultivation, and processing and manufacturing because those are the four distinct types of operations that each will have a separate licensing procedure.

So, if you want, I could contact those folks and see if one of them (Inaudible).

Speaker MCAULIFFE: Yes, see what their availability is.

Mr. MCMANUS: Sure.

Speaker MCAULIFFE: That would be great. Thank you.

Mr. MCMANUS: Okay.

Speaker MCAULIFFE: Anyone else? I'll take -- Tom.

Mr. O'HARA: Yes, it was at the Cape Cod Selectmen's meeting that my question came up because we had two different groups, pros and cons, for marijuana, and they had the two different -- they used the Colorado study and they came out with total opposite results --

Speaker MCAULIFFE: Two different interpretations, yes.

Mr. O'HARA: -- from reading that.

Speaker MCAULIFFE: Yes.

Mr. O'HARA: And that's what, to me, is so confusing. It's like really?

Speaker MCAULIFFE: Yes.

Mr. O'HARA: I mean, how do you --

Speaker MCAULIFFE: It's all how you spin the numbers.

Mr. O'HARA: Exactly. Exactly. So, I'm looking to someone that can dissect it and tell

us without spinning it what the results really are.

Mr. MCMANUS: Yes.

Speaker MCAULIFFE: Yes. Okay. Good. I'll take a motion.

Ms. MORAN: Motion to adjourn.

Speaker MCAULIFFE: We are adjourned.

Whereupon, it was moved to adjourn the Assembly of Delegates at 5:24 p.m.

Submitted by:

**Janice O'Connell, Clerk
Assembly of Delegates**

List of materials used and submitted at the meeting:

- Business Calendar of 11/15/17
- Unapproved Journal of Proceedings of 11/1/17
- County Public Nurse Handout
- Proposed Resolution 17-08
- Proposed Resolutions 17-09 & 17-10 submitted by Delegate O'Malley
- Proposed Resolution 17-11 submitted by Delegate McManus