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

We’ll start with a moment of silence to honor troops who have died in service to our country and all those serving the Armed Forces of our country currently.

(Moment of silence.)

Speaker MCAULIFFE: Thank you. Please rise for the Pledge of Allegiance.

(Pledge of Allegiance.)

Speaker MCAULIFFE: We have a substitute Clerk today for Janice who is out. Owen Fletcher is the Administrative Assistant at the County and is the Clerk Pro Tempore because he is filling in for us.

Will the Clerk please call the roll.

Roll Call (85.39%): Edward Atwood (2.30% - Eastham), Ronald Bergstrom (2.84% - Chatham), Lilli-Ann Green (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), Edward Lewis (4.55% - Brewster), E. Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), Edward McManus (5.67% - Harwich), Thomas O’Hara (6.49% - Mashpee), John Ohman (6.58% - Dennis), Brian O’Malley (1.36% – Provincetown), Patrick Princi (20.92% - Barnstable), Linda Zuern (9.15% - Bourne).

Absent (14.61%): Susan Moran (14.61% - Falmouth).

Speaker MCAULIFFE: We have a quorum with 85.39 percent present and 14.61 percent absent.

Do I have a motion to approve the calendar of business?

Mr. LEWIS: So moved.

Speaker MCAULIFFE: Is there a second?

Ms. GREEN: Second.

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

Speaker MCAULIFFE: It passes unanimously.

(Motion carried.)

Speaker MCAULIFFE: We did get the Journal of February 1st, 2017. Yes, Brian.

Mr. O’MALLEY: Madam Speaker, because of late distribution, I have not completely read through this recent journal. I would obviously take as an amendment any corrections from any other of the Delegates. Barring none, I will move approval as distributed.
Mr. LEWIS: Second.
Speaker MCAULIFFE: Any discussion? All those in favor? Aye.
Speaker MCAULIFFE: It passes unanimously.
(Motion carried.)

Communications from the Board of Regional Commissioners

Speaker MCAULIFFE: Our next item is communications from the Board of Regional Commissioners, County Administrator, and Finance Director which will include the submission of the Proposed Operating and Capital Budget for FY18. Come on down. There’s plenty of room at the table.
Is there anyone in the audience taping the meeting other than the videographer?
Thank you.
Commissioner CAKOUNES: FY18 Budget.
Speaker MCAULIFFE: Thank you.
Now, in accordance with a request, the copy of the budget that was just handed to me were made available electronically to the Assembly as well as hard copies today. So even though it’s formally submitted today, some of you may have had an opportunity to do a preliminary look. But today is really the official submission of the budget. So who would like to start?
Commissioner CAKOUNES: Madam Speaker, if I may? I would just like to deal with the Commissioners report and save the budget discussion for the final thing, that way there, you know, because the budget does actually encompass both meetings that I’m here to report on today.
The last I was before you was February 1st, right after one of our meetings. I reported at that time what had gone on in our budget review.
On February 8th, we, once again, went through the budget in its entirety again. All Commissioners participated on February 8th, and we were able to come up with the document that you have before you today.
There was two other items that were discussed on that day. One was the discussion of a transfer of funds within the FY17 budget. And this discussion is related to the FY18 budget in that it was a request to transfer the now existing funds in the Cape Water Collaborative line item, if you will, in FY17 and transfer it into a newly established grant fund which we’ll get into talking about that a little later when we talk about the budget.
And also there was discussion on the 8th in actually creating that new grant fund in which, again, we’ll discuss later.
There was a discussion also which was related to the budget to continue funding, if you will, on some of the work that is being done with the Joint Initiative. You will notice that in your budget it does not have funding in FY18 for the continuing funding of the Joint Initiative.
However, it was the consensus of the Commissioners that we would be expending the monies that is in ’17 and working with the Cape Cod Commission in encumbering or rolling over, if you will, those unexpended funds so that any projects that they’re currently working on as we move forward we’ll be able to work through. And, again, I’ll get to that at a later time also.
For general business, there was just a bunch of different things. We approved our minutes. We did appoint Alexander Gerry to the Cape Cod Hoarding Task Force. We agreed to establish a grant fund for the Cape Cod Cooperative Extension from the Mass. Department of Agriculture. We also approved an amendment between the Department of Human Services and the Massachusetts Department of Health and Human Services for the Opioid Abuse and Prevention Collaborative. Again, that was an amendment to an original contract.

We approved some bid awards for Golf Supplies, and there was a list of companies that we approved. We also approved and executed the contracts with the Cape Cod Oyster Company to provide live oyster seeds for the Marine Fisheries Project. And also with contract with the Agricultural Resource (sic) Corporation for hard-shell quahog seeds, again with the Marine Fisheries Program. And then we had a request by an employee for some carry-over extension for vacation time.

That brings us to today. Today was a very short meeting. Because it was short, I decided as chair to put on two things that I wanted to disperse some discussion with.

One was the discussion on the Commissioners’ goals and objectives. Just to give you guys an idea of what was discussed, there was nothing voted today. It was just kind of a discussion, and by the way, for the record, Mary Pat Flynn did not make today’s meeting, and she did not participate by phone.

So being that there was just the two of us there, we decided not to take any action/any votes on this, but we just discussed basically how we’re going to format it. And for instance, my personal goals and objectives that I want to see on the list are things like space allocation, making sure that we continue to keep the state happy. I want to continue to look at the Joint Initiatives with Cape Cod Commission in making sure that we are moving forward in allocating the correct departments to do the work under that.

And, also, there was some discussion during the budgetary hearings about early retirement. So I’d like to keep those things on a goals and objectives list, and Mr. Beaty had some of his own. And, again, Mary Pat was not here.

Very brief discussion on rules of order. It had come to my attention as the chair that the Commissioners have never voted to adopt rules of order on how they run their meetings. And I just thought as a procedural aspect we should at least take some action to adopt. And I had the two documents brought forward. One is the Mason’s Rules of Legislative Procedure -- Manual of Legislative Procedure and Robert’s Rules of Order. And, once again, out of courtesy for Ms. Flynn not being there, there was no action taken but we did discuss it.

We did discuss the ordinance that you have before you again to make sure in case there were any revisions that needed to be done from our previous meeting. There were none so no action was taken on that. That document that I have before you was actually voted on February 8th. So there was no action on it today.

A couple of the other simple things that we did. We did what’s called a Prequalification Bid Form. It solicits -- this is part of the Municipal Modernization Act which some of you who are involved with your towns at home realize this is a new state legislation that helps towns move through the process a little quicker. And one of the ways by doing it is it prequalifies people to bid on things, and I believe there’s a dollar value attached to it. I think $11,000 is maximum but don’t hold me on that.
And the County went through the necessary proceedings, came up with a list of people that we have prequalified, and we’ve approved them today and signed that document.

And, also, we undertook a dredging project for the town of Truro in which today we signed an agreement with them to do some dredging for them.

So with that, that brings us to the big one at the table and that’s the budget. If it’s okay with you, Madam Speaker, I will turn it over to the Finance Director. I do have some personal -- and I actually have things to report from the Commissioners on the budget, but I think at this time I think it might be proper if we let the Finance Director make any comments she likes. The documents you have in front of you were prepared by her.

Speaker MCAULIFFE: Thank you. Mary McIsaac.

Finance Director MCISAAC: Good afternoon, everyone.

You have today in front of you the budget that the Commissioners approved. And what you have is a budget package which is really a boilerplate package for what has been transmitted to the Assembly in the past. Your packet today is fronted by a transmittal letter addressed to the Chair and signed by the Commissioners, followed by the actual ordinance which has the departmental approved budgets approved by the County Commissioners by vote. And that document, that ordinance is signed by all of the Commissioners. Actually, I see Mary Pat’s not a signature on that.

Following that though is a brief budget overview. For all of the Assembly members a fiscal ’18 revenue summary. And what we’ve tried to do in the summary is just sort of bullet the changes from last year to this year and what we expect to see in fiscal ’18.

We’ve done the same thing with the expenditure summary just highlighting various items. Most of the things that you’ve heard about and talked about in this is being talked about in our own towns about the increase expenses related to retirement, related to salaries and wages, and all the personnel costs.

And I think the last time we were here we talked about the fact that the County’s budget contains about 75 percent salaries and wages and personnel costs. So, you know, definitely in a service organization, you’re heavily weighted in your budget to the human factor and the cost of the people that provide all those services that you provide.

And so the rest of the budget is, you know, at 25 percent. It’s not an unhealthy number but it certainly doesn’t impact your deliberations the way changes to the personnel and the salaries can impact your budget deliberations.

This year we’re also talking about the fact that inside of the approved budget is a $750,000 line item for debt service related to the bond sale that we’re having and also covering interest on short-term loans and other costs related to debt and our debt obligations being the capital deficit. So that’s a rather large item in this year’s budget that you haven’t seen in the past, but you’ll be seeing that as an ongoing fixture in your budget -- foundation budget going forward.

After the expenditure summary, we’ve really listed for your review and your edifications the kinds of reserves, the names of the reserves that the County currently has on its books. And we can get into defining them more specifically for you, but it’s sort of an introduction to have in the back of your head the kinds of reserves that the
County does have in place whether they’re funded or unfunded from one year to the next. But some of them have pretty healthy numbers.

For instance, the Capital Trust, we were able to set aside a million dollars, and that Capital Trust Fund has a million dollars in it in order to help us fund the ongoing maintenance of our infrastructure and our capital assets that belong to the County.

The budget itself is balanced at $28,685,423. The revenue estimates are conservative, in my opinion, based on -- and based on historical numbers, we did deliver the spreadsheet to you of the actual revenues for a number of prior years. We’ll drop in ’18 into the same categories that you have on your spreadsheet, and we’ll deliver you an updated spreadsheet electronically.

Also, prior to your Standing Committee on Finance meetings, you will receive the personnel schedules that accompany the departmental budgets. And we’ll also be providing to you in advance of your meetings of the standing committees some historical actual numbers for the departmental appropriations so you can look back three years and see what kind of spending occurred in all of the lines. And it’s actual spending as opposed to budgeted spending.

Because the actuals are going to give you a better basis to evaluate, you know, your opinion on the numbers that are presented in this budget today.

Speaker MCAULIFFE: Jack, did you have anything?

Administrator YUNITS: No. There’s not much more I could add to Mary’s summary except to say that under the “Commissioners Budget Message” we are consistently maintaining the hiring freeze. It doesn’t mean people aren’t hired, but the case has to be made that if you’re being hired to replace somebody who has left through attrition or otherwise, the case has got to be made and it’s going to be solid.

In addition to that, all our department heads held the line. There are no dramatic increases in anybody’s line item, again consistent with the Commissioners’ budget message to hold the line.

And as Mary indicated to you, the bulk of these expenses are solely attributed to the cost of running government and those people. We have to address that. We intend to address it. We’re looking at all kinds of options including changing the merit-based pay system that takes time. It’s going to be phased in over time. We’re looking at early retirement options, and we will be trying to do everything we can to hold the line at the -- in the one place that we value the most, but we recognize that the huge budget pressures that’s going to be put on us going forward is those pension obligation costs and everything else continue to increase.

Health care costs were 11 percent this year. And the other cost of personnel is about 3-1/2 percent. So these aren’t really -- they really threatened the basic fabric, the services we continue to apply to the County going forward. And that’s what we’ll be dealing with in this next year.

Speaker MCAULIFFE: Leo.

Commissioner CAKOUNES: Thank you. There are a couple things that I would just like to draw your attention to. Well, first of all, for the record, although the ordinance that you have in front of you is not signed by Commissioner Flynn, she did participate in putting it together and voted on it. She was not here. She participated remotely. So the fact that her signature is not on it should not be -- nothing should be read into that. She did participate in it.
For the record, I really want to come out and say that the budget that you have in front of you today is not just a work of cuts and slashes as being perceived by many people not only in the community but certainly from members of the Assembly.

All right. The budget that you have before you today reflects policy changes. It reflects doing business in a different manner than we used to do. And quite frankly, I think the County is long overdue for changing the way it’s been doing business.

I just want to give you an example of something as you go into this budget. The 2017 budget was $27,700,000 and change. The adjusted budget that we got presented to us, by adjusted budget, I mean the budget that the department heads submitted and then our staff had to adjust the numbers for the rising cost of healthcare and rising cost - - I wouldn’t say rising -- fixed costs. That number was $29,500,000 and change. That’s a difference of $1,800,000.

If any one of you believes that the County’s revenue is rising by $1,800,000 every single year, you better start doing your homework because that’s not what’s happening.

After the Commissioners took a look at it and came up with some policy changes and some reductions, we came up with a figure which is right even with our revenues at $28,685,000. Still, $951,000 over the FY17 budget.

Believe me when I tell you these rising costs that we have no control over are going to be the Sword of Damocles hanging over us. I sat on that board up there for six years and I preached this and no one listened then, and I’ve been sitting here for two years, and I’m hoping that finally somebody starts to listen.

If we continue going down the road that we’ve been going down, we will not be able to survive. It’s not an economically feasible way of doing business.

With that said, I just want to go very briefly through some of the things in the budget so you’ll understand where the Commissioners have voted.

We did not -- we did cut the $502,000 out of the request from the Cape Water Collaborative. We did that because we want to do business differently. We want to establish a grant fund.

And as I mentioned earlier, it’s the intentions of the Commissioners to start in FY17, take the remaining funds that are in the Cape Water Collaborative account line item, which could be around between $400,000 and $500,000 and move that into a Grant Reserve Fund.

And subsequently as we get requests coming forward for these grants, we’ll be able to access that Grant Reserve Fund. It will not be exclusively used for the Collaborative; no. It can be used for things like Meals on Wheels.

You will notice that Meals on Wheels is not in the budget. Again, that’s a policy change. The Commissioners have agreed that we do not want to have grants of non-County departments in the budget. We don’t think it’s fair. We don’t think it’s fiscally responsible, and we don’t think it’s really fair to other agencies that want to come forward and ask for monies from us. They should not be subject to coming in here or coming in front of us, going through the budget process, and then, once again, coming to the Assembly going through the budget process. A grant process policies and procedures are going to be established to make that process a lot easier.

One other thing that I want to touch upon is the License Plate Fund. You will see no expenditures of License Plate Funds in the budget. It’s not required to be there.
Quite frankly, the License Plate Fund is under the direction of the Commissioners. We have an Advisory Board, the Economic Development Council, and basically we can, not having to use the budget to distribute the monies, but we can distribute money from the License Plate Fund throughout the year.

It’s the new policy of the Commissioners now to, in fact, do that. You will not see in your budget the Arts Foundation, who used to get monies from the License Plate Fund in the budget. It does not make fiscal sense to have a non-Barnstable County government in our budget. They will be able to apply, just like anyone, to the Commissioners through a policy and procedure process and ask for a donation. And I believe, having sat through our budget hearing meetings and how we are moving forward in creating these new policies that things like the Arts Foundation will, in fact, be funded but they’ll be funded through a different procedure.

Route 6 rest area. Another one that’s hitting the press quite a bit. We do not have the funds and we can no longer continue to fund it out of the general funds. I do believe that it is the consensus of the Commissioners to fund it at least at minimum for one more year using License Plate Funds but working very diligently with not only the Yarmouth Chamber of Commerce but the Cape Cod Chamber of Commerce, the state, and the federal government to make sure that we have a secure and better funding source. And it should not be subject to Barnstable County’s annual operating budget. So it’s not in there now.

Joint Initiatives I touched on very briefly. Joint Initiatives was something that started when I began here at the Assembly. The Assembly used to give a sum of money to the Cape Cod Commission in the $500,000 range for years. No one really understood why or where it went to. So what they created was this Joint Initiative’s line item where they actually used the contributions, if you will, from the general County government to fund certain projects that were requested by the County government to the Cape Cod Commission to do.

Once again, in the previous administration’s laxness of kicking the can down the road, this has ended up into a situation that is just not working. The Cape Cod Commission, I do believe and I think you’ll hear it in your deliberations, they do not want to be doing functions that they are not really responsible for doing. They have no problem setting up things, but they don’t want to be the ones that are managing things like the IT, the RAN, and the E-Permitting. They’d love to help us set it up but they do not believe that they’re the ones that should be operating it; the County should.

So in this year’s budget, and I said this at our meeting, the Commissioners have taken the stand that we can ask this to be changed over and over and over again and it doesn’t seem to happen. So, basically, we stopped funding of it to force it to be changed.

Now the things that are important are going to move forward because there is enough money currently in the FY17 budget in the Joint Initiatives, and I’ve discussed this with the Cape Cod Commission, to move forward, but throughout fiscal year ’18, there are going to have to be some changes. And the Commission, I believe, is going to feel -- come out a lot better in doing things that they should be doing and the County is going to step up and do things that we should be doing. There may be some individuals/positions to move back and forth. I’m not really sure how it’s going to handle it. But I’m going to allow my department heads to do that and work on it.
through Jack and Mary because they’re the ones that are going to have to put this together.

But I assure you none of this was done behind closed doors. All the department heads know its coming, knew it was coming. They may not be thrilled about it, I’m not going to lie to you, but things have to change. I just can’t repeat enough that we are still $1 million over last year’s budget, and we cannot continue to incur expenses like that without looking at how we do business and trying to make it better.

So with that, if there are any questions, I’ll be more than happy to answer them.

Thank you.

Speaker MCAULIFFE: Thank you. Before I open it to questions, one comment for the Assembly. Our next meeting, March 1st, there will be a discussion on the Cape Cod Water Protection Collaborative with the Collaborative, with the administration and County Commissioners, and with the Cape Cod Commission.

So they’ve got a lot of balls in the air as far as what’s going on with them, and so that will be an opportunity to present what’s going on and get questions answered so that people aren’t feeling that things are being tossed aside or abandoned that things are really being taken care of. March 1st that will happen.

The second item I just wanted to mention; you’re going to be diving into this budget now through subcommittees. And I’ve asked that all presenters of information come before subcommittees get their information to the subcommittees prior to the meeting. It does no good to be sitting in a subcommittee meeting and being handed information. So you will get your information prior to the meetings.

So if you have any questions or need further information, contact your chair and, hopefully, they will be able to get the information to the committee before the meeting. And this, I think, will help, particularly given this year of the change in the budget structure and the change of things that have been going on to give us a little bit more valuable committee time if we’ve got a little bit of preparation ahead of time.

Okay. Questions? Yes, Brian.

Mr. O’MALLEY: This question is directed to the Chair of the Commissioners, and I want to begin by saying you’ve actually touched on a couple things today that I’m going to cite and recognize already that they’re a little out.

Partial transcript of your presentation from our last Assembly meeting reads as follows, “It was really our last meeting in which we were doing the budget reviews. At that time, we had you guys, the Assembly of Delegates, the Arts Foundation, Elder Services; we also did some revenue projections.” Nothing more was reported.

So we got the budget two days ago. I’ve been looking at it and I see, number one, the Assembly has had its legal services fund of $15,000 cut, and it’s professional services budget of $15,750 cut from the approved budget. That’s a 9.1 percent budget cut and it wasn’t mentioned.

The Arts Foundation as you now mentioned there’s a change in policy; the Elder Services, there’s a change of policy there.

But there was no discussion of these cuts. We have a process for the budget. I’m not going to talk about them now.

Commissioner CAKOUNES: Can I respond one at a time?

Speaker MCAULIFFE: Just a minute.

Mr. O’MALLEY: My question to you is the completeness of your report. I
would say there’s such a thing as truth, and then there’s the whole truth. And I think what was being presented last time was somewhat less than the whole truth. You were less than fully candid about what was coming.

So I ask now where is discussion of County priorities with this body? How do you explain the breezy dismissal of significant budget priority decisions that you’ve overseen in your report to the Assembly? And are you asserting an executive authority that needs no legislative approval?

Speaker MCAULIFFE: Okay. Going forward, one of the housekeeping things I wanted to do in this chamber was to address how we address each other and also how the public addresses us.

I want to keep this professional, businesslike. Try and keep personal feelings and characterizations out of comments. I know that this is -- people have strong feelings.

But I would really prefer that if someone has questions that they don’t, perhaps, use adjectives that might be a little bit aggressive or inflammatory.

I will just say that I did sent Brian O’Malley an email saying that some of these things had already been discussed in front of the Assembly when we presented our budget. So it wasn’t presented to the full Assembly because I don’t know if it had even been discussed or voted.

But, please, let’s keep this as professional and as businesslike as possible.

Leo.

Commissioner CAKOUNES: I may ask you, Brian O’Malley, to repeat some of the questions if I forget to answer them directly. But let me remind everyone on this board how this played out.

Last time I was before you was February 1st. February 1st was the first day that the County Commissioners amongst themselves talked about their own amendments to the budget. Yes, we went through line item by line item, and, yes, we did make some votes.

When I came here to report to you at 4 o’clock in the afternoon, I was not comfortable in telling you verbatim that those votes were going to last, stick, or meant anything.

Two reasons why. One is we had scheduled the February 8th meeting, which I said all along was going to be the final vote of the budget. The final vote of the budget.

February 1st, Commissioner Flynn did not participate. I wasn’t about to come here to the Assembly and tell them that some votes and actions were taken when I knew for a fact that they were going to be brought up again on the 8th subject to all three of us discussing it once again and taking a final vote.

So if you want me to do my report to the Assembly as a verbatim discussion of everything that we talked about at our meetings, I’ll be more than happy to change how I do it. What I tried to bring to this board are things that we voted on, actions that we have taken, and I do for many times elaborate on things that we talked about and we will be taking up at a later date.

This budget process was my first budget process as a chair. I had mentioned earlier we did not receive what I would say is a finished product. The way we did this is each department came in front of us with their requests, and then I scheduled three days: the 1st, the 8th, and the 15th for the Commissioners to have open discussion in
putting forward their recommendations. We were able to do it on the 8th. I was very proud to see there were no changes today.

So to answer one of your questions directly, Brian O’Malley, it was out of pure, 110% respect for Commissioner Flynn, who was not able to attend the February 1st meeting that I did not report any action that was done on February 1st as a clear action of the Commissioners.

We did on February 8th go through every single line item, and she was told of the votes that were taken on the 1st and had the ability to then choose to either revisit them or support them, and that’s how we came to the final number.

I did not want to bring forward what I would say would be unsubstantiated actions at that time. And, again, I believe you’re referring to the February 1st meeting. Nothing that I was able to report to you I feel was substantiated at all on February 1st. It was pure conjecture, pure discussion, and trying to reach an over a million dollar savings on the budget.

In fact, by the time I came here, I don’t even think we had a bottom line accounting yet of what our projected round one, if you will, decisions were at.

I apologize if you read it any different, but that’s the way it just played out. And I don’t -- I think that answered all your questions. If you have any more, I’d like to address them.

Mr. O’MALLEY: If you would, address, please, the question about the budget for the Assembly --

Commissioner CAKOUNES: The budget of the Assembly. The first -- I have been told for the first time that in the history of the Assembly by your own Clerk that the Assembly has never presented their budget to the Commissioners. I requested it as Chair that she shows up at that meeting. It was a public meeting and it was discussed both facets of what happened at the end were discussed.

I will have to look at my notes, Dr. O’Malley, to tell you when those actual votes were taken. I believe one of them, the legal fees was taken on the 1st of February and was not changed on the 8th. And I believe on the 8th, the second matter of the recording clerk was taken up. So I couldn’t have reported the clerk one. I could’ve alluded or let you know about the legal one.

If anyone had taken the time to follow our meetings, you will find that the legal situation was, again, a policy discussion of the Commissioners. We do not want our department heads to carry a single line item for legal fees. We do not feel it’s fiscally responsible, and we don’t think it’s a good way to manage the legal account.

We have a legal reserve account. There’s nothing prohibiting the Assembly from coming forth as laid out in the Charter requesting a special legal counsel. And as long as you submit the bill, quite frankly, it’s no business of yours what line item it’s coming out of; it’s actually Mary’s job. She’s the one that’s going to allocate it out of a certain line item.

We feel that it’s just better and financially more responsible to have a single legal reserve. You were not the only department that asked for it. The Commissioners’ office asked for their own line item for legal reserves. The County Commissioners voted against it.

Speaker MCAULIFFE: And to be fair, when Janice and Ron Bergstrom and I believe John Ohman -- were you there for this meeting; two finance committee
members, the Clerk, and I were at the meeting, and we weren’t there for votes but we were told what the Commissioners were thinking at the time. The reason it wasn’t reported was I don’t -- when the budget is being made, you can’t react until it’s a vote because there are a lot of things that happen during the budget process that may or may not be in the final budget.

Yes, John.

Mr. OHMAN: Thank you, Madam Chair. I just want to know, did we just get relegated as the department of the County?

Deputy Speaker MCCUTCHEON: Yes.

Mr. OHMAN: Or are we still an equal legislative body?

Commissioner CAKOUNES: No. I referred to you as a department of the County only in the budgetary manner. You are a separate line item and treated as a separate section of the County. So in that aspect of department, yes, I do see you as a department, just a personal thing. Yes. You’re the legislative department. I mean its --

Speaker MCAULIFFE: Okay. We’re not going to debate that. That’s your opinion. I’ll go to Ed and then Ron.

Mr. LEWIS: Thank you, Commissioner Cakounes, for that fine lecture. I appreciate it. I think that the Assembly should understand that this is part of the budget process. Commissioners come forth with their recommendations and their budget. The Assembly has every right to change what they want and not change with whatever they feel is necessary. We are the legislative body. It is not -- the budget for the County is not just the Commissioners; it is also the Assembly.

And so if there’s something that the Assembly disagrees with, then they had every right to change that budget. And then it goes back and it becomes a give-and-take, so to speak, according to what I read in the Charter.

The question that I have is regarding -- and I know the Collaborative is coming in, but I did want to ask this one question because it would appear that the Collaborative was set up by an ordinance, as I understand it, by the Assembly of Delegates.

And the Collaborative is being changed now as a separate -- as an entity to be funded through a fund that’s being set up by the Commissioners, and the Commissioners have complete control over this fund that’s stated -- I understood it was stated, and it’s not being funded as a budget as it was intended by this ordinance, which is that’s fine, and I’m not debating the entire question of what the Commissioners feel one way or the other.

But what I’m asking is, whether or not this may have to go to legal counsel, is whether this can be done without the Assembly revoking, if you will, the ordinance that set up the Collaborative, and also whether or not this so-called Grant Fund which now funds several different items that were in the budget, whether it be the Collaborative or Elder Services or the Arts Foundation no longer request anything from the legislative body because it’s no longer funded in the budget. But it becomes strictly up to the Commissioners as to whether or not they see fit to give this money out in any way, shape, or form. You may feel that it’s the right thing to do now, but someone else may feel it’s not the right thing and it’s a policy change.

And I wonder whether or not the legislative body has any word or thought process as it relates to this entire process, which is sort of changing the way we govern?
Speaker MCAULIFFE: Rather than getting into that now, why don’t we deal with that on March 1st.

Commissioner CAKOUNES: With all due respect, you have a question hanging out there and I think I have the right to at least answer it.

Speaker MCAULIFFE: Okay. But I’m not sure you have all the information.

Commissioner CAKOUNES: I have enough.

Speaker MCAULIFFE: Okay.

Commissioner CAKOUNES: Thank you, Madam Speaker. First of all, thank you for the education on the budget process. After 9 years I didn’t realize the Assembly has an input into the budget.

Speaker MCAULIFFE: Let’s keep this civil. I know emotions are high. Please.

Commissioner CAKOUNES: In regards to your statements in the monies now being under the direction of the Commission, you need to know that the current way that it is, the monies are under the direction of the Commissioners.

The Collaborative cannot sign checks, cannot sign contracts, and cannot give out the grants without the Commissioners signing off on it.

And then as far as the ordinance goes, the ordinance only says we are to provide them with a director, and we are doing in the new way. It’s just not a contracted personnel; it’s in-house; Number 1.

Number two; the funding source has just changed from the general budget to a grant fund. So I believe, and I did run it by counsel, we are well within the ordinance.

However, however, you need to know that there will be a change to the Collaborative’s ordinance coming forward if they want to become the 208 review board. The County and the Cape Cod Commission are mandated by state to come forward with a 208 review board.

Now the County can do one or two things. We’ve asked the Collaborative to, in fact, see if they want to step up to the plate and do that so we will be subsequently coming back here changing their ordinance and their job description, or we’re going to have to create, yet again, another 15 member board. So, yes, this is a moving and ongoing situation.

Speaker MCAULIFFE: Ron.

Mr. BERGSTROM: Yes, I don’t want to get too far into the discussion, but Ed is absolutely right in what he said. If we put in money in this budget for the Meals on Wheels, it goes into the budget. It goes into Meals on Wheels. What you’re saying is you want a discretionary fund on -- that you’re going to take some money, $400,000 that’s going to be discretionary to the Commissioners.

I mean we put in, you know, we vote this stuff up or down. And to suggest that, well, it’s not going to happen unless you sign off on it; well, why are we sitting here? You know, I mean it’s --

Commissioner CAKOUNES: I’m not sure I understand it.

Mr. BERGSTROM: Leo, let’s be honest here. We’re taking money that was normally in the budget that we approve. You’re saying you want it to be put into a fund under your supervision that it would cover these -- these normal expenses which would normally be in the budget.

Commissioner CAKOUNES: Especially with the situations like Meals on
Wheels; you’re a hundred percent right.

Mr. BERGSTROM: So I mean it’s -- and I’m not arguing at that point but I want it to be recognized.

Commissioner CAKOUNES: You’re a hundred percent correct.

Mr. BERGSTROM: All right. Now what about the EDC money; my understanding is restricted to economic development.

Commissioner CAKOUNES: That is correct.

Mr. BERGSTROM: But now it’s under the auspices of the EDC itself.

Commissioner CAKOUNES: It’s not under the auspice of EDC. The EDC is a recommending body. They are brought together to review applications and come forward with recommendations to the Commissioners.

It’s up to Commissioners on spending that money. They can either agree with EDC’s recommendations or they do not necessarily have to. There is nowhere in the legislation that says they have to -- the Commissioners have to follow the EDC’s recommendations.

Mr. BERGSTROM: Yes, but can you vote the money without the EDC’s recommendation?

Commissioner CAKOUNES: Absolutely according to our attorneys, yes.

Mr. BERGSTROM: Okay. So, once again, it’s going to be up to the discretion of three people.

Commissioner CAKOUNES: Always has been, always has been. Whether they’ve used that discretion or not is really up to them. But it always has been up to their discretion.

A lot of people also are getting confused -- the County’s Economic Development Council; the Economic Development Council, Incorporated, which actually took some of the money and is now in with the Cape Cod Chamber of Commerce. That’s a little different so we can’t -- let’s not confuse the two entities.

Mr. BERGSTROM: Now the one other thing I’d like to say, which I agree with, is you said that the trend line is not good. In other words, each year we’re faced with a deficit unless we change our ways. Well, unfortunately, what we’re doing is we’re starting to slash services.

Once those services are slashed, it’s not like we can slash them again next year; they’re gone. So next year we’re going to have to do something else. We’ll have to cut something else, and the next year after that cut something else, and the next year after that cut something else.

And I’m going to say your task as Commissioner and our task as an Assembly is to get us out of that box to find where we have a steady income that would cover what we do and maintain those services because every year saying, well, we can no longer do this and next year we can no longer do that where there’s a zero-sum gain.

And as emphatic as you were about that, you really didn’t come up with any solutions. And I’m not blaming you but I haven’t gotten any solutions either.

Commissioner CAKOUNES: I respectfully disagree. I think we came up with a solution in the grant fund situation because the grant fund will no longer now be subject to having been appropriated every year in the budgetary process where it is scrutinized by not only the three Commissioners but 15 Assembly members.

But, in fact, the grant fund, if once it is established, when we end the year out
and we do have excess cash or as some people referred to as free cash; we need the decision of the executive body to allocate some of that cash for that fund to, in fact, continue doing those things that you have just so graciously expressed are important to the communities.

But quite frankly, doing it in a budget that we have been doing and funding with free cash for the last 10 years has not been the correct way and financially stable for the County.

My way, I call it my way, the County’s way or the Commissioners’ way I believe is going to be. Because as we close out each fiscal year, we are going to have, hopefully, reserve funds or excess funds. Again, I hate using the term “free cash” and we’ll be able to allocate those free cashes to certain reserve funds for that purpose to give out grants.

Mr. BERGSTROM: All right. Just one comment is, yes, but you’re talking about discretionary things. We’re going to run out of discretionary things after a while. That’s what I’m saying.

Deputy Speaker MCCUTCHEON: There was a question -- oh yes, Linda.
Ms. ZUERN: I have a comment and a question, Madam Speaker. First of all, I’d like to thank all three of you for the work that you’ve done. And I know, Commissioner Cakounes, that this is not an easy task. I want to thank you, very much, for your creative thinking and prioritizing and the cutting and moving things around so that the budget does work. I would even be in support of cutting even more.
Commissioner CAKOUNES: Good luck.
Ms. ZUERN: I know. I do have a question too, and that is about the License Plate Fund. How much was that before?
Commissioner CAKOUNES: I’m sorry; when you ask how much was it before, what are you talking about?
Ms. ZUERN: Well, what was it budgeted before it --
Commissioner CAKOUNES: In the past in our budget in the past, we have had in the budget License Plate Funds allocated to the Cape Cod Commission in the tune of, in the past, upwards of $300,000; $290,000. I believe this year when the budget was presented to us, there was a request for -- it was either $200,000 or $240,000 for the year.

In the past, we have allocated within the budget $40,000 to use to clean the restrooms. That was a budget allocation. The only other thing -- and I don’t believe there’s anything else that I can remember that was -- oh, I think, actually, when I was on the Assembly, I do believe, through the budget, they used the License Plate Fund to fund the Arts Foundation also through the budget.

And what I’m trying to say is today when the Commissioners are taking the stand that we no longer want to do that through the budget -- I’m not saying we don’t want to fund those programs. What I’m saying is that we don’t believe it should be a budgetary situation.
Ms. ZUERN: And so my other question is, is this going to be part of that grant money or is it separate for different kinds of expenditures?
Commissioner CAKOUNES: No. They’re two entirely different pots. The grant reserve fund or the grant fund, the new one that we want to establish, has not been established yet. That is a completely different source of revenue; that will be made up
of strictly County revenue.

As I mentioned earlier, it would be my process as we close out the ends of the years and we look -- if we do have extra money and we look where to put that, that would be a good time to fund that account, as we do for our truck replacement vehicle accounts and things like that. You know, we try to spread that money around.

The License Plate Fund has always been established. It has been established since the day that the license plate was put together. It is already an established separate fund. I will tell you though it is going down. The revenues that we used to receive in the past were somewhere in the excess of $500,000 a year and now I don’t believe we’re breaking $300,000. But don’t quote me on those exact numbers, but that revenue source is going down. Whatever reasons; people aren’t buying the plate. There are so many different kinds of plates that are out there. It’s hard really to say why because the revenue is directly related to the sale of plates. So it’s obvious that the plates aren’t being as popular as they used to be.

Ms. ZUERN: Thank you, once again. Thank you.

Speaker MCAULIFFE: Yes, Ed.

Mr. LEWIS: Just one last question and I think this is more for Mary than anybody else. What was used as a COLA for overall County?

Finance Director MCISAAC: For employees it was a 2 percent.

Two percent COLA was included in the budget.

Mr. LEWIS: Thank you.

Speaker MCAULIFFE: Yes, Brian.

Mr. O’MALLEY: Coming back to the question of the Water Protection Collaborative. The money that’s been moved into this grant fund, my understanding is that that was funds that were intended to match one-for-one the state funds. They committed a million dollars to this program that we have used -- we’ve used, I believe, only one portion of it; I think there’s $750,000 remaining in my understanding the last three years of this.

What happens to that matching money? Do we lose out on that? Clearly, if we put this funding in a grant fund and it goes to Meals on Wheels, then we don’t have it to match the state. Where does that go with our 208 program? I don’t understand.

Commissioner CAKOUNES: Well, quite frankly, I wouldn’t believe that any one of the current three Commissioners would want to give $500,000 to the Meals on Wheels. But in the event that happened, yes, I guess it’s probable that that could happen but I think it’s unfeasible; Number 1.

Number 2, just to correct you, Mr. O’Malley, the fund has not been established yet. This is an action that we want to take. We want to see how this plays out. I’m sure we’re going to wait for this joint meeting that we’re having with the Assembly. We want to see if people are on board with it. It would be smart if everyone is somewhat comfortable with it to move forward in FY17 though.

And to answer your question, there would be absolutely no difference in how we are distributing the money except for the fact that our treasurer and our finance director would be instead of taking the money out that the Commissioners have to approve for the matching grant, instead of taking it out of the Cape Water Collaborative’s Special Project line item, it will be coming out of the grant fund line item period. There is absolutely nothing different.
And if anyone thinks just because they have money in their line item, especially these special projects that they can spend that without the Commissioners’ approval, I would caution you on that statement because I do not believe that is correct. Since I’ve been sitting up there as the Commissioners, it’s my name on those contracts for those water testings. It’s been my approval of allocating the funds to the different agencies that are doing those works. It’s not the board of Cape Water Collaborative signing it.

So, again, I strictly see this as a little way of doing business a little different. I would hope, and I can’t stress enough, that I think that Delegate Bergstrom’s point was well taken.

As we move forward and we do have excess money, it’s good to have a place to put it for purposes like this. Grant purposes, matching grant purposes because there’s going to be a lot of these coming down the pike.

And, again, this is more of a big picture, but Commissioners are also looking to put together a grant review board. You know, many of these grants are filed for, the matching money is put up, and then they’re never followed through. The money is never received from wherever. That has to stop.

And one way that that’s going to stop is we’re going to come up with a new policy putting together a grant review board which is going to be reviewing every grant that the County either gives and puts up as a matching situation or receives to make sure that we’re receiving the stuff properly.

For years, many of you have been here a long time; you know that we’ve had grants come in. We’ve hired people with those grants, and we’ve never been reimbursed for the -- I want to say the operation management of that, which we could have. State law allows you to put in 10-15 percent on top of those grants. We’ve never done that.

Well, this new grant review board is going to make sure that the County is going to receive those funds so.

Speaker MCAULIFFE: And we have already someone appointed to that; John Ohman is our representative to that grant review board.

Lilli-Ann.

Ms. GREEN: Thank you, Madam Speaker. I would like to ask a question after I express my concerns about the new structure. I can appreciate all the hard work that you’ve put in and the thinking that you’ve put behind it, and sincerely all the hard work that everyone in this team is doing.

However, to see $40,000 be sort of in limbo for the Arts Foundation, which, to me, seems like a really small amount of money.

Commissioner CAKOUNES: Five.

Ms. GREEN: How much?

Commissioner CAKOUNES: Arts Foundation was $5,000.

Ms. GREEN: $5,000.

Commissioner CAKOUNES: That’s all.

Ms. GREEN: $5,000, that was all. Okay. I don’t know where I got the other --

Speaker MCAULIFFE: I think it used to be $40,000 but because --

Commissioner CAKOUNES: Meals on Wheels is $40,000.

Ms. GREEN: $40,000. Well, I mean, again, that’s an even smaller figure. But without any commitment to these small, I think, allocations, you know, I understand
that there’s money to be -- there are concerns about the budget. But it just seems like it’s a very small amount of money.

Would the Commissioners have any interest in putting together a letter of intent to fund these recipients like Meals on Wheels and also the Arts Foundation and other services that you’re saying that would they come before you and the money’s there that you would probably fund them as at least the same level as last year?

Commissioner CAKOUNES: I want to respond to that in two ways. First of all, it is a small amount of money but that particular -- this particular action that you're talking about I don’t think is done by the Commissioners to reflect anything in the bottom line. It was done as a policy change.

It’s ludicrous to be giving donations to an organization that someone picked out and decided it was a worthy organization within our budget. It’s not fair to the hundreds of organizations that are out there that are as equally as worthy as receiving that $5,000 as the Arts Foundation is, yet their kept out of the process because the Art Foundation has a line item in the Commissioners’ budget. It doesn’t make sense. Not only that, I think that the state after they go through all our books are going to say it’s not right.

And to answer your question, the second half, yes. During the budget season, they did come before us. I’ve had long discussions with the young lady that runs the Arts Foundation and the two young ladies that run the Human Services -- I mean the Meals on Wheels and explained to them both that this is a policy change. They will be invited to come back.

Can I commit in a letter that they're going to get the vote of the Commissioners to give them the money? I can’t do that. All I can promise them it will be on the board. And I do believe that they have reached out to the other Commissioners, which they have the right to do, and I think they feel very comfortable on how we’re moving with this. But you’ll have to ask them that question. But I am not going to say that we -- I’m not going to speak for my fellow Commissioners and commit them to a vote that hasn’t happened yet.

Ms. GREEN: No. I wasn’t asking you to commit to both. I was asking you to commit to a process where you bring it before the Commissioners to have a letter --

Commissioner CAKOUNES: They already know their process. They have already been informed of that process.

Ms. GREEN: No, no. A letter of intent to fund the --

Commissioner CAKOUNES: They’ve been informed of the process in which they will have to come back before us and ask for a donation from the License Plate Funds directly for that purpose. They’re already been told the process that’s going to be in place.

Speaker MCAULIFFE: Deb.

Deputy Speaker MCCUTCHEON: With respect to the Water Protection Collaborative, that’s a sort of creature of state law; isn’t it? It’s not a corporation?

Commissioner CAKOUNES: No, you’re not correct. The Cape Cod Water Collaborative was a creature of Barnstable County actually. It was created by an ordinance, and it was created with the then Administrator, Mr. Zelinski, and staff wanting to put together -- and I believe Paul -- I’m not sure if Paul was here or not.

But the Commission had a little input in it. It was basically just bring the towns
Deputy Speaker MCCUTCHEON: Right.
Commissioner CAKOUNES: After that though, the lawsuit was filed and we ended up sinking a lot of money in through the Cape Cod Commission to, in fact, address the lawsuit, and that’s where we came up with the 208 Plan. That’s why now, by statute of our response to the lawsuit in creating the 208 Plan, one part of that is now that we have to have a 208 review board. So I don’t want you to confuse the two.
Deputy Speaker MCCUTCHEON: No, I’m not. I’m not. My question is the Cape Cod -- the Water Collaborative has never been like an independent entity; it does not have a 501(c)(3) number; is that right?
Commissioner CAKOUNES: No.
Deputy Speaker MCCUTCHEON: It doesn’t handle its own money. It’s all handled through the County.
Commissioner CAKOUNES: Correct.
Deputy Speaker MCCUTCHEON: And it’s governed by a board that is one member from each town; is that right?
Commissioner CAKOUNES: Correct.
Deputy Speaker MCCUTCHEON: It is a member of the Collaborative?
Commissioner CAKOUNES: Correct.
Deputy Speaker MCCUTCHEON: Now, does that money all go through the Barnstable County books?
Commissioner CAKOUNES: It’s a line item in the Barnstable County Regional Government’s budget, yes.
Deputy Speaker MCCUTCHEON: Right. So that money --
Commissioner CAKOUNES: And, by the way, the creation of it, it never excluded the fact that towns could not contribute to it, although no one ever has over the years.
Deputy Speaker MCCUTCHEON: Right.
Commissioner CAKOUNES: But there was language in there that the towns could contribute to it. But it’s only been funded by the general fund of Barnstable County.
Deputy Speaker MCCUTCHEON: Right. Now how many, just ballpark, such entities exist? There are a lot of little entities in Barnstable County that have similar characteristics. They are not corporations. Their agencies or operations are run by the County. They don’t have 501(c)(3) numbers. They can’t function financially independently because they can’t have their own banking. They’re not entitled to it. They have boards that are comprised of a member from each town. How many?
Commissioner CAKOUNES: I’m not aware of any that are funded fully by Barnstable County. I’m aware of a situation like the Cape Light Compact but they’re not funded by the County.
Deputy Speaker MCCUTCHEON: Well, they work for --
Commissioner CAKOUNES: I’m not going to go backwards.
Speaker MCAULIFFE: Yes.
Deputy Speaker MCCUTCHEON: Well, leading the question a bit backwards, and what you brought up is that there may be some other entities that are funded in part by Barnstable County; is that right?
Commissioner CAKOUNES: AmeriCorps? I mean I’m not sure where we’re headed with this question. AmeriCorps is a Barnstable County -- I’m afraid to say department because I’m going to get yelled at -- a function, if you will, that kind of operates with a mount of County funds being given to them and it’s kind of, I don’t want to say matching grant, but it is a matching grant situation, and then the feds -- the state gives us grants to run the project.

And that is controlled by and it is within Barnstable County but they have a board. They have a board that reviews the projects that they’re going to do. I’m sorry; I’m missing the question.

Speaker MCAULIFFE: Can we bring this back to the budget?
Commissioner CAKOUNES: Yes.
Deputy Speaker MCCUTCHEON: Well I --
Commissioner CAKOUNES: I’m not following your question.
Deputy Speaker MCCUTCHEON: I understand. But what I understood it was described was that the Water Protection Collaborative which had been a line item in the budget for a long time is now not going to be one. It’s going to be slid out to another --

Commissioner CAKOUNES: Nothing’s going to happen in the current situation the way if this vote was to take place in the budget that you have before you, nothing will happen to the Collaborative. They are still going to be established. They’re established by ordinance. They will still have a director that will be paid for by the County; however, the director will no longer be a private contracted director. It’s going to be a director that’s going to be an employee of Barnstable County.

They will still do the same functions. They will still meet. They will still vote and review grant applications. And then they will come forward with proposals, as they’ve done in the past, to the County Commissioners and say, “We would like to have $200,000 a year because we found this matching grant from the state.” And then the Commissioners will sign the contracts and vote it.

The only difference is Mary will be taking the money out of the grant fund as opposed to the line item for the Collaborative. Nothing is changing the structure of the Collaborative.

Deputy Speaker MCCUTCHEON: And the Collaborative will not be a line item in the County’s budget, correct?
Commissioner CAKOUNES: No.
Speaker MCAULIFFE: Ron.
Mr. BERGSTROM: Yes. Leo, I’m reading between the lines here and I think we have to get a question settled right-of-way. It’s a question I’ve been asking now for quite a while.

In listening to what you’re saying is if this body decides to fund the Arts Foundation, and if we decide to fund in the budget the Meals on Wheels, and if we decide in the budget to fund as a line item the Wastewater Collaborative, are suggesting that you, as a Commissioner, have the discretion of not spending that money?

Commissioner CAKOUNES: No. I’m suggesting that when -- if you were to put the $500,000 into the Collaborative’s line item because they’re two separate entities, and the Collaborative has their money back in their line item, they cannot go out tomorrow and sign contracts and give a grant to someone for $250,000. I still have to sign that grant.
Mr. BERGSTROM: I understand that.
Commissioner CAKOUNES: That’s my point. If you put money into any specific line item, yes, it can stay there but it’s still going to take action of the Commissioners to sign checks and get it out.

Mr. BERGSTROM: So if we put in $5,000 for the Arts Foundation or $40,000 for Meals on Wheels, you’re suggesting that if you don’t like you, you don’t have to sign the check.
Commissioner CAKOUNES: No, that’s entirely different. That’s a grant situation and we’re not in control of that. You have to remember when the Arts Foundation gets their $5,000, they don’t come to the Commissioners and ask them how should we spend this? That’s a grant. We’re giving that money to them.
The Collaborative is a different situation. I mean, I’m going to use the word again; I hope I don’t get yelled at --

Mr. BERGSTROM: Say the Collaborative -- leave the Collaborative --
Commissioner CAKOUNES: But as a department, they do not have the authority to sign contracts or spend money. The Commissioners do that for them.

Mr. BERGSTROM: I agree with you there. I agree with you there.
Commissioner CAKOUNES: So they’re two different arguments.
Mr. BERGSTROM: I’m just trying to say that it may be that this body wants to fund Meals on Wheels.
Commissioner CAKOUNES: That’s fine.

Mr. BERGSTROM: And that we will put that in the budget.
Commissioner CAKOUNES: That’s fine.

Mr. BERGSTROM: Okay. And in a sense, we could use some of that grant money to do it. I mean it wouldn’t necessarily --
Commissioner CAKOUNES: There isn’t any of the grant money in the budget. So if you’re going to come up with $40,000 for Meals on Wheels, you have to get it from somewhere else.

Mr. BERGSTROM: Right.
Commissioner CAKOUNES: Because there is no line item for grants.

Mr. BERGSTROM: But the grant has to be established by this budget?
Commissioner CAKOUNES: I’m sorry?

Mr. BERGSTROM: In other words, the fund that’s used -- that you will use to fund these is established when this budget is voted.
Commissioner CAKOUNES: Actually, the Commissioners have voted to see how this plays out. If it looks like it’s going to be acceptable, we’re actually going to create a fund in FY17 so that by the time this budget comes into play, July 1st of ’18 -- ’17, the fund will already be established.

Mr. BERGSTROM: We’re getting into the weeds here.
Speaker MCAULIFFE: Yes. We have plenty of weeks, plenty of subcommittee time going forward. But I think the major feeling that I’m hearing from the Assembly is that we do have the prerogative of questioning, trying to figure things out.

Commissioner CAKOUNES: Please.
Speaker MCAULIFFE: Following/not following. So as you go forward, you know, you have the liberty to do what you will with the budget, but just remember it
does have to balance. So if you’re going to put monies in, you have to take money from somewhere else, which we’ve done in the past.

I’m going to move on. I want to thank you, very much, for all the information. And the Water Collaborative will be revisited in more detail next meeting. Thank you, very much.

Commissioner CAKOUNES: Thank you.

Speaker MCAULIFFE: The next item is communications from Public Officials? Is there anyone?

Communications from Members of the Public? Anyone?

Assembly Convenes

Proposed Resolution 17-02:

Whereas, Delegate John Ohman has served on the Assembly of Delegates for ten complete sessions, and

Whereas, Delegate John Ohman has the longest service record of any delegate on the Assembly of Delegates.

NOW, THEREFORE,

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

Dennis Delegate John Ohman hereby holds the honorary position of Dean of the Assembly of Delegates.

Speaker MCAULIFFE: All right. Then we’ll convene the Assembly.

Our first item of business is something that is a very positive thing. I think it’s, as we all know and we all experience, it is self-satisfying but sort of thankless job to be an elected official at times.

And I think anyone who keeps coming back and doing it more and more and more deserves the credit and the support and the accolades that are due to them, especially since the Assembly has the ability in its Charter and in its Article of Governance to recognize a senior member.

So I will read Proposed Resolution 17-02.

“Whereas, Delegate John Ohman has served on the Assembly of Delegates for 10 complete sessions; and whereas, Delegate John Ohman has the longest service record of any Delegate in the Assembly of Delegates.

Now, therefore, be it hereby resolved by the Barnstable County Assembly of Delegates that Dennis Delegate John Ohman hereby hold the honorary position of Dean of the Assembly of Delegates.”

This is submitted by Suzanne McAuliffe at a regular meeting of the Assembly of Delegates on February 1, 2017.”

Mr. LEWIS: Second.

Speaker MCAULIFFE: And any discussion of the resolution?

Mr. O’MALLEY: Here, here.

Speaker MCAULIFFE: Here, here, yes.

Speaker MCAULIFFE: Ten sessions is actually 20 years, and that is a long time to be of service to your town and your community and your county. And
sometimes, especially recently, it can be a very prickly and thankless job, but I think, as I said, personal satisfaction I think is what drives most of us, and I think you’ve contributed greatly not only to the Assembly but also back to your community and Dennis. And we are very proud to have someone who has been here for 20 years, and someone who will continue to be our historian and our senior member.

Mr. OHMAN: Thank you.

Speaker MCAULIFFE: So I will call for a vote on the resolution. All those -- can we do a voice vote? Yes. All those in favor? Aye. Any opposed? It passes unanimously. It is a resolution. John Ohman is now Dean of the Assembly.

Mr. OHMAN: Thank you, Madam Speaker. Sometimes it feels like a lot more than 20 years.

Speaker MCAULIFFE: We should get you a pay raise. Is that your next resolution?

Mr. OHMAN: Well, thank you. I prepared something very brief in honor of my fellow Delegates. It’s been my honor to have served with so many dedicated colleagues from every Cape Cod town over the past 20 years.

We all do this public service. We put in long hours and, in many case, long drives, often with little public recognition.

I look forward to working with this Assembly, possibly the most intelligent and qualified in my entire tenure, along with our esteemed Assembly alumnus Chair Cakounes, former Assembly member for six years.

In helping the citizens of Barnstable County maintain a sustainable workforce, a healthy environment to live in, and a government that strives to take care of all people in this County regardless of race, religion, or economic status.

I accept this honorary post and the gigantic raise it must have going with it, and I accept that with thanks and appreciation. Thank you, very much.

Speaker MCAULIFFE: Thank you, John. Unsung heroes.

Mr. LEWIS: Mr. McManus now says you get three extra candies.

Speaker MCAULIFFE: Extra food when we go to Liam’s. Thank you.

Committee Reports and Assembly Votes

Speaker MCAULIFFE: Our next items are Committee Reports and Assembly Votes. First, is the Finance Committee on Proposed Ordinance 17-01, the supplemental appropriation for $32,205 for the Fire Training Academy Vehicle Replacement.

Are you doing this, Ron? Yes.

Mr. BERGSTROM: Yes, sure. This is a report on Proposed Ordinance 17-01. A public hearing was scheduled, held by the Standing Committee. I won’t read the whole thing, but the purpose of the ordinance was to appropriate $32,025 from the Vehicle Replacement Stabilization Fund as a supplemental, excuse me, appropriation for Barnstable County for fiscal year ending June 30th.

To cut to the chase, Deborah motioned; it was seconded to waive the reading of the public hearing, and the motion carried four to nothing.

There is a strategy being developed to periodically replace vehicles rather than
wait until, you know, they stop and don’t start again. We’re going to look at -- we’re going to look and sunset some of them as they age, as we all like to do with our own vehicles.

So, hopefully, that policy will be in place so that we can periodically replace the vehicles and we’ll know this will be ongoing expenses and ongoing appropriations for this kind of replacement.

So that was 17-01; 17-02, we need to transfer a legal fund from our general legal fund to a specific legal fund that deals with the situation at the Fire Training Academy.

And we bandied it around a bit, and at the end, the motion to transfer those funds of $100,000 -- wait a minute; did we transfer or receive?
Deputy Speaker MCCUTCHEON: Receive.
Mr. BERGSTROM: It was $100,000.
Speaker MCAULIFFE: Yes.
Mr. BERGSTROM: There was only $4,000 remaining in the original fund. So we transferred the $100,000 and the motion --
Mr. LEWIS: $100,000.
Mr. BERGSTROM: $100,000. The motion carried --
Mr. LEWIS: Five-zero.
Mr. BERGSTROM: Five to nothing.
Speaker MCAULIFFE: To recommend. Why don’t we vote these separately then. Would you like to move --

Proposed Ordinance 17-01:
To add to the County’s operating budget for Fiscal Year 2017, as enacted in ordinance No. 16-02, by making supplemental appropriations for Fiscal Year two-thousand and seventeen.
Section 1.
Based on a revised estimate of income of Barnstable County for the current fiscal year, made as of December 31, 2016, the sum set forth in section one, for the purpose set forth therein and subject to the conditions set forth in sections two through four of Barnstable County Ordinance 16-02, are hereby appropriated from the vehicle replacement Stabilization Fund as a supplemental appropriation for Barnstable County for the fiscal year ending June thirtieth, two thousand and seventeen. Said funds shall be derived from the Vehicle replacement Stabilization Fund for FY2017.

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<tr>
<th>Budget#</th>
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<th>$ Amount</th>
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<tbody>
<tr>
<td>0014605</td>
<td>Fire Training Academy</td>
<td>- New Vehicle</td>
<td>5 $32,205</td>
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TOTAL SUPPLEMENTAL APPROPRIATION $ 32,205

Mr. LEWIS: I’ll move Proposed Ordinance 17-01 for 32,205.
Speaker MCAULIFFE: Is there a second?
Mr. PRINCI: Second.
Speaker MCAULIFFE: Yes, Brian.
Mr. O’MALLEY: Just a question on that one. On the comments pro, the
second bullet reads the revenue, this vehicle will generate -- has not yet been placed in
the budget. What is this vehicle that generates revenue?

Mr. BERGSTROM: That’s a good question.
Speaker MCAULIFFE: It’s Fire Training Academy.
Mr. O’MALLEY: Fire Training Academy vehicle.
Mr. BERGSTROM: Yes.
Speaker MCAULIFFE: Patrick or Ron.
Mr. BERGSTROM: Well, it can carry materials that are necessary for the
operation of the Fire Training Academy. Maybe John has the answer.

Mr. OHMAN: As I recall, the vehicle is used Cape-wide to go from town to
town to do presentations to the fire departments so they don’t have to come to the
county to do it.

So the vehicle goes there and they get money for it by putting training programs
from town to town. It’s a much more efficient way of getting the job done for the Fire
Training Academy.

Mr. O’MALLEY: Good. Thank you.
Speaker MCAULIFFE: Thank you. Okay.
Deputy Speaker MCCUTCHEON: Can I add a comment?
Speaker MCAULIFFE: Yes, you may. I’m sorry; I didn’t see your hand.
Deputy Speaker MCCUTCHEON: You know, I was there at the hearing for
this, and I don’t recall a discussion about this revenue from this had not yet been placed
in the budget. How much revenue do you think that this vehicle renders every year?

Speaker MCAULIFFE: John, do you have any --
Mr. OHMAN: I can tell you that no one came up with any numbers to my
knowledge of any revenue projections of that.

Mr. PRINCI: We could suspend the rules and hear from the department head,
Mr. Tebo. But what I recall is that, you know, the revenue is the whole over mission of
the -- the new mission for the Fire Training Academy to bring in revenues. And part of
the revenues that are net -- that will be brought in are a result of them getting this
vehicle that they really need to have on that site.

Another important point that was mentioned at the hearing was that, you know,
if in case, you know, the vehicle isn’t just solely for the Fire Training Academy. If a
vehicle goes down here and they need that vehicle to come here and assist on some of
the County property here, it certain can.

But they really do need a well-equipped vehicle to continue the mission going
forward with the revenues that we’re hoping to come in through the Fire Training
Academy.

Speaker MCAULIFFE: So they don’t have a hard number yet. Yes, Ron.
Mr. BERGSTROM: Just I don’t want the suggestion to be out there that we’re
expending this money because we hope to get the revenues back to pay for it. This is a
necessary vehicle. It’s replacing things that are gone. So we need it.

But the comment to say, well, there may be revenues in the future that will
cover half the cost, but that’s not the purpose of expending it -- of buying this vehicle.
The purpose is we need the vehicle. That’s why we’re spending.

Deputy Speaker MCCUTCHEON: No, I understand that. That’s not my point.
Speaker MCAULIFFE: Should we do -- yes, it’s a rollcall vote, please.
Roll Call Voting “YES” (78.79%): Edward Atwood (2.30% - Eastham), Ronald Bergstrom (2.84% - Chatham), Lilli-Ann Green (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), Edward Lewis (4.55% - Brewster), E. Suzanne McAuliffe (11.02% - Yarmouth), Thomas O’Hara (6.49% - Mashpee), John Ohman (6.58% - Dennis), Brian O’Malley (1.36% - Provincetown), Patrick Princi (20.92% - Barnstable), Linda Zuern (9.15% - Bourne).

Voting “NO” (0.93%: Deborah McCutcheon (0.93% - Truro).

Voting “PRRSENT” (5.67%): Edward McManus (5.67% - Harwich).

Absent (14.61%): Susan Moran (14.61% - Falmouth).

Clerk Pro Tempore FLETCHER: 78.79 percent yes; 0.93 percent no; and 5.67 present; 14.615 absent.

Speaker MCAULIFFE: So this motion -- this ordinance passes by the requisite majority.

Ordinance 17-01:
To add to the County’s operating budget for Fiscal Year 2017, as enacted in ordinance No. 16-02, by making supplemental appropriations for Fiscal Year two-thousand and seventeen.

Section 1.
Based on a revised estimate of income of Barnstable County for the current fiscal year, made as of December 31, 2016, the sum set forth in section one, for the purpose set forth therein and subject to the conditions set forth in sections two through four of Barnstable County Ordinance 16-02, are hereby appropriated from the Vehicle replacement Stabilization Fund as a supplemental appropriation for Barnstable County for the fiscal year ending June thirtieth, two thousand and seventeen. Said funds shall be derived from the Vehicle replacement Stabilization Fund for FY2017.

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<td>Fire Training Academy</td>
<td>5</td>
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<td></td>
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TOTAL SUPPLEMENTAL APPROPRIATION    $ 32,205

Speaker MCAULIFFE: Okay. Now 17-02.

Proposed Ordinance 17-02:
To add to the County’s operating budget for Fiscal Year 2017, as enacted in ordinance No. 16-02, by making supplemental appropriations for Fiscal Year two-thousand and seventeen.

Section 1.
Based on a revised estimate of income of Barnstable County for the current fiscal year, made as of December 31, 2016, the sum set forth in section one, for the purpose set forth therein and subject to the conditions set forth in sections two through four of Barnstable County Ordinance 16-02, are hereby appropriated from Legal Reserve fund as a supplemental appropriation for Barnstable County for the fiscal year ending June
thirtieth, two thousand and seventeen. Said funds are to be expended for the ongoing legal costs related to the Fire Training Academy remediation. Said funds shall be derived from the Legal Reserve Fund for FY2017.

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<th>Budget #</th>
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<th>Amount</th>
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<tr>
<td>0019107 5790</td>
<td>General Fund – Transfer Out</td>
<td>$ 100,000</td>
</tr>
<tr>
<td></td>
<td>Into Special Revenue Fund for Legal Services</td>
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**TOTAL SUPPLEMENTAL APPROPRIATION** $ 100,000

Mr. LEWIS: I’ll move Ordinance 17-02 for a $100,000 transfer from the legal fund.

Mr. BERGSTROM: Second.

Speaker MCAULIFFE: Any discussion or questions on this resolution?

Yes, Ed.

Mr. MCMANUS: I tried to get attention before the voting on the last ordinance. But my comment is at the end of last year Ed Lewis suggested that we all brush up on our ordinances and procedures.

In section 2.8 of the Charter, Exercise of Power, Section C, Form of Ordinance. “Every proposed ordinance shall be introduced in writing in the form required for final adoption. The enacting cause shall be the Cape Cod Regional Government known as Barnstable County hereby ordains.”

Neither the last ordinance had that phrase in it nor does this go in with that. **I propose that we amend the Proposed Ordinance placing that line before the body of the written material of the ordinance.**

Speaker MCAULIFFE: Good catch. Are you amending 17-02 then?

Mr. MCMANUS: Yes.

Speaker MCAULIFFE: Is there a second?

Mr. LEWIS: Second.


(Amendment to 17-01 passed.)

Speaker MCAULIFFE: All right. Let’s go to a rollcall vote on 17-02.

Mr. OHMAN: We have to pass the ordinance.

Speaker MCAULIFFE: I’m sorry?

Mr. OHMAN: We passed the amendment. We didn’t pass the ordinance.

Speaker MCAULIFFE: Yes, a rollcall vote on 17-02; yes.

Roll Call Voting “YES”(85.39%): Edward Atwood (2.30% - Eastham), Ronald Bergstrom (2.84% - Chatham), Lilli-Ann Green (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), Edward Lewis (4.55% - Brewster), E. Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), Edward McManus (5.67% - Harwich), Thomas O’Hara (6.49% - Mashpee), John Ohman (6.58% - Dennis), Brian O’Malley (1.36% - Provincetown), Patrick Princi (20.92% - Barnstable), Linda Zuern
(9.15% - Bourne).
Absent (14.61%): Susan Moran (14.61% - Falmouth).

Clerk Pro Tempore FLETCHER: That is 85.39 percent yes; zero percent no; zero percent abstained; and 14.61 percent absent.
Speaker MCAULIFFE: So it passes by the requisite majority.

Ordinance 17-02:
To add to the County’s operating budget for Fiscal Year 2017, as enacted in ordinance No. 16-02, by making supplemental appropriations for Fiscal Year two-thousand and seventeen.
The Cape Cod Regional Government, known as Barnstable County, hereby ordains:
Section 1. Based on a revised estimate of income of Barnstable County for the current fiscal year, made as of December 31, 2016, the sum set forth in section one, for the purpose set forth therein and subject to the conditions set forth in sections two through four of Barnstable County Ordinance 16-02, are hereby appropriated from Legal Reserve fund as a supplemental appropriation for Barnstable County for the fiscal year ending June thirtieth, two thousand and seventeen. Said funds are to be expended for the ongoing legal costs related to the Fire Training Academy remediation. Said funds shall be derived from the Legal Reserve Fund for FY2017.

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<tr>
<td>0019107</td>
<td>5790 General Fund – Transfer Out</td>
<td>$ 100,000</td>
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TOTAL SUPPLEMENTAL APPROPRIATION $ 100,000

Speaker MCAULIFFE: In terms of 17-01, it’s been voted. So I’m not sure that we can dig the body up. So I’m going to go ahead and go forward with it and see if Troy will give us a ruling that we can go forward with the current language. If not, I will bring it back at the next meeting to be revoted.
But thank you, Ed. I’m sorry I didn’t see your hand. You have to wave and shout if things are going too fast. Thank you.

Report from the Clerk

Speaker MCAULIFFE: Our next item would be a report from the Clerk. Do you have a report?
Clerk Pro Tempore FLETCHER: No, I don’t.

Other Business

Speaker MCAULIFFE: Okay. Any other business to come before the Assembly? John.
Mr. OHMAN: Thank you. I am remiss. We all are here because we have
strong families behind us, and it’s very important to me to recognize that my strong family behind me allows me to have been here for 20 years.

And in the audience I have my lovely wife, Kathy, and my sons, Liam and John, who are very much behind me and the reason I can stay here for these 20-plus years.

Speaker MCAULIFFE: Thank you for sharing, John.

Mr. OHMAN: Sometime you’ll have to get the real story of how Leo Cakounes became a part of County government.

Commissioner CAKOUNES: Oh watch it now. Let’s not go in the closet.

Speaker MCAULIFFE: Thank you.

Commissioner CAKOUNES: Let’s not dig up the bones.

Speaker MCAULIFFE: Yes, Ed.

Mr. MCMANUS: Well, some of us are also here because we have understanding families behind us. In this case, my understanding wife who has allowed me to be here rather than celebrating our 30th anniversary.

Speaker MCAULIFFE: Well, hopefully, you’ll get home in time to celebrate. Yes, Ed.

Mr. LEWIS: Madam Chair, I would like to formally request that the comportment issue that’s come up in the past week be put on a future agenda within the next two meetings.

At some point when there is a personal attack made on an individual in the Assembly, personal, there’s a personal attack made on every member of the legislative body. And I think that this needs to be discussed because it really can’t be tolerated.

We lived in a different society, but when you personally attack somebody -- when you attack their policies, their budgetary thought processes, that’s one thing. When you attack them personally and their families, the legislative body as a whole is being attacked, and we need to stand up and have that discussion.

Thank you.

Speaker MCAULIFFE: As you have all read with Attorney Troy’s letter, the discretion for the agenda items comes to the speaker and to the chair. And, initially, my conversation -- in my conversation, the issue you’re discussing is considered a personal issue even though it involves two county elected officials.

So I believe in going forward the issue is past. I don’t want to bring personal issues before the Assembly. I think that we need to stick with County business at this point.

And I do intend to bring forward some policies just in terms of general guidelines from comportment from how we treat each other, how we speak to each other, and also how the public addresses this body.

And I don’t -- I think we go forward now and put that incident behind us.

Speaker MCAULIFFE: Yes, Brian.

Mr. O’MALLEY: Madam Moderator, with respect to that issue, again, with no intent to have this be a personal kind of thing; in fact, I think that’s precisely the problem.

I’m submitting a Proposed Resolution (17-03) that would simply direct another line in our County employee handbook to address this kind of behavior. I think it’s destructive. I think that when discussions between public officials become kind of public and personal, it takes down -- it takes down the gravitas of this entire County
government and this body.

And so I’m going to propose the following simple thing.

“Whereas, Delegates to the Barnstable County Assembly are elected by their respective communities on a nonpartisan basis; and,

Whereas, a nonpartisan atmosphere is more conducive to shared solutions and consensus decision-making in the Assembly; and,

Whereas, we would seek to foster such atmosphere across County government to improve our decision-making process; and,

As we do recognize the inherent individual Constitutional right of free speech, and we desire to maintain a healthy tolerance for airing differences of opinion and perspective.

Now, therefore, we set forth this proposed standard of behavior to be included in the County Policies and Procedures’ Handbook as the new Chapter 1.9, later chapters renumbered, and explicitly applicable to all employees including elected officials and this is the language:

‘Every Barnstable County employee, including elected officials, is expected to keep to specific questions of policy in all their public communications referencing other members of County government and to refrain from publicly airing differences of a personal or partisan nature.’”

Simply, this is not to censure anyone. It’s to simply say this is not behavior we want of our employees and ourselves.

Speaker MCAULIFFE: Okay. Thank you.

Mr. O’MALLEY: I’m submitting this.

Speaker MCAULIFFE: You submit that and that will be probably on the next agenda.

Mr. O’MALLEY: Right.

Speaker MCAULIFFE: Yes.

Mr. O’MALLEY: I have another Proposed Resolution 917-04); Cape Cod Water Protection Collaborative Reorganization. Under our Charter as Section 2.8, Deed/Acts required to be by Ordinance is the following:

“Establish, alter, or abolish any department, office, or agency. A department -- an agency is defined as a body providing specific service for government.

The Water Protection Collaborative was created through an ordinance process exactly. It has operated as a County agency for funding, budget oversight, and reporting.

Transfer of the Water Protection Collaborative function and oversight to either the Commission or the Health Department is an alteration of such -- in each existing agency an ordinance will be required.”

Speaker MCAULIFFE: Okay. Well, if you can submit that; I will need to run that by counsel. So you’re not questioning the dissolution of the Collaborative, just the ability to --

Mr. O’MALLEY: A question needs reorganization. I believe that the Charter specifically requires that that be by ordinance that this body hears it.

Speaker MCAULIFFE: Okay. Thank you. And it will be timely because that will be on our agenda.

Any other business before the Assembly? Is there a motion?
Mr. LEWIS: Move to adjourn.
Speaker MCAULIFFE: We are adjourned.
Whereupon, it was moved and seconded to adjourn the Assembly of Delegates at 5:30 p.m.

Submitted by:

Owen Fletcher, Clerk Pro Tempore
Assembly of Delegates

List of materials used and submitted at the meeting:
- Business Calendar of 2/15/17
- Unapproved Journal of Proceedings of 2/1/17
- Commissioners’ FY18 Proposed Budget
- Proposed Resolution 17-02
- Finance Report dated 2/1/15 for Proposed Ordinance 17-01
- Proposed Ordinance 17-01
- Finance Report dated 2/1/15 for Proposed Ordinance 17-02
- Proposed Ordinance 17-02
- Proposed Resolution 17-03 submitted by Delegate O’Malley
- Proposed Resolution 17-04 submitted by Delegate O’Malley