

**CAPE COD REGIONAL GOVERNMENT
ASSEMBLY OF DELEGATES**

APPROVED Journal of Proceedings May 7, 2014

Speaker BERGSTROM: Good afternoon. Welcome to the Wednesday, May 7th, 2014, session of the Cape Cod Regional Government, Assembly of Delegates.

Is anyone recording this meeting besides our normal staff? In that case, I will begin the meeting with a moment of silence to honor our troops who have died in service to our country and all those serving our country in the Armed Forces.

(Moment of silence.)

Thank you.

We will now stand for the Pledge of Allegiance.

(Pledge of Allegiance.)

Speaker BERGSTROM: The Clerk will call the roll.

Roll Call (97.27%): Richard Anderson (9.15% - Bourne), Cheryl Andrews (1.36% - Provincetown), Ronald Bergstrom (2.84% - Chatham), Leo Cakounes (5.67% - Harwich), Ned Hitchcock (1.27% - Wellfleet), James Killion (9.58% - Sandwich), Marcia King (6.49% - Mashpee), Teresa Martin (2.30% - Eastham), Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), John Ohman (6.58% - Dennis), Patrick Princi (20.92% - Barnstable), Anthony Scalse (4.55% - Brewster), Julia Taylor (14.61% - Falmouth).

Absent (2.73%): Christopher Kanaga (2.73% - Orleans-arrived at 4:05 p.m.).

Clerk O'CONNELL: Mr. Speaker, we have a quorum with 97.27 percent of the Delegates present; 2.73 percent absent.

Committee of the Whole

Speaker BERGSTROM: We'll now need a motion to approve the Calendar of Business.

Deputy Speaker MARTIN: Motion to approve.

Mr. OHMAN: So moved.

Ms. KING: Second.

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

(Motion carried.)

Speaker BERGSTROM: I believe you should have received a copy of the Journal of April 16th, 2014. Are there any additions or corrections to the Journal?

Hearing none.

Deputy Speaker MARTIN: Move to approve.

Ms. KING: Second.

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

Mr. CAKOUNES: One abstention.

Mr. KILLION: Two.

(Motion carried.)

Communications from the Board of Regional Commissioners

Speaker BERGSTROM: Okay. We have two of our three County Commissioners here to address us.

Commissioner DOHERTY: I'm going to defer to our Vice Chair, since she outranks me. Well, what I would report is it's a lovely day.

Commissioner LYONS: Good afternoon. Thank you. And we did not meet today. We did not have a meeting.

Speaker BERGSTROM: What are you doing here?

Commissioner LYONS: Yes, I'm fine. How's everybody here? Everybody busy? Everybody's getting on with their Town Meetings and surviving.

Commissioner DOHERTY: I do have something that I can share.

Commissioner LYONS: Then go right ahead, Commissioner.

Commissioner DOHERTY: Please be advised that the Department of Transportation was happy to confirm that the CapeFlyer, which will start shortly, has been permanently assigned.

So after the experiment, successful experiment last year, we now have regional transportation coming to the Cape on weekends. And there was a committee that I sit on on MMA for all of us is also talking about the importance of extending transportation as a key part of an economic development strategy. There will be some legislation passing through the State House with regard to different areas of interest.

I did speak up about the importance of supporting our Community College and also the vocational schools for the needed skill building that we're going to need in order to support that. And there are many other pieces of that, you know, that deserve our attention.

The other issue that has been brought up is that I had asked the Veterans Affairs' Deputy Secretary to also appear at this meeting to spend some time examining the character of service for those Veterans who have received a less than honorable discharge.

Because one of the things that we found at the National Committee that I sit on, the National Association of County Officials, is that in many cases, the matters that brought someone to the attention of the enforcers of good order and discipline had to do with the place where those folks had served.

So in Massachusetts, which by the way, is one of the, perhaps, the only state that provides state benefits to Veterans as opposed to the other states that only provide a conduit for federal benefits. They are looking into that.

So I thought that since we're all concerned about not just giving Veterans an attaboy, but actually doing something -- that we are doing something about that.

So that's basically the two things I wanted to cover.

Commissioner LYONS: Thank you, Bill.

Commissioner DOHERTY: You're welcome.

Commissioner LYONS: And I think that's really about it. If I think of anything else to say, I'll ask permission. But, right now, nothing is coming to me.

Speaker BERGSTROM: Leo.

Mr. CAKOUNES: Thank you. I know that we're in the midst of Town Meetings across the Cape, and I know that you have been on -- some of the staff in the County had

been attending some of them in regards to the Cape Cod Commission withdrawal petition.

Could you give us just a brief update on the Towns that you know have taken a vote and those that are still pending?

Commissioner LYONS: All of the towns that have taken a vote have rejected the petition and those towns are: Harwich, Brewster, Sandwich, Dennis, Bourne -- and it's the first time for Bourne, Barnstable and Mashpee.

Commissioner DOHERTY: The two towns that are left are --

Commissioner LYONS: And there are two towns left, Orleans and Chatham both are Monday night. So it's gone very well and actually there were more positive comments about the Commission. And the Town Meeting in Sandwich that I attended and I happened to be at the Dennis meeting and they didn't even discuss it. They --

Commissioner DOHERTY: Did you mention Bourne had passed it?

Commissioner LYONS: Yes. And Bourne passed. So I think that in many ways this is a validation for the Cape Cod Commission since it has been up a couple of times in its history in the town of Bourne because they were just, you know, unhappy that they couldn't get out.

Commissioner DOHERTY: Bourne had actually voted against it.

Commissioner LYONS: Voting against it.

Commissioner DOHERTY: In the beginning, however, this -- the action that created the Cape Cod Commission was one in which all of the voters in Barnstable County were involved and the venue was a County-wide referendum.

Commissioner LYONS: Yeah, this is why this is a defective and useless and it wastes everybody's time, this petition, because there is no "their" there. This is not the route to go if you want to make changes in the Cape Cod Commission.

And as you were all presented, from that presentation by Paul Niedzwiecki, it's our Regional Planning Agency. So we have to have -- we have to belong to a planning agency.

And the fact that they have regulatory authority is because of the environment the state recognized the highly sensitive environment that we live on and Martha's Vineyard.

So that is why those two Regional Planning Agencies have regulatory authority.

But those have been modified in the last six years, a lot of that regulation. And as some people know and I'll say it again, the Regional Policy Plan is going to be reviewed starting I think next month. It is a process that the public is welcome to. And if there are changes in regulations, they are welcomed to attend and suggest those.

I was in the last process five years ago, and it is really an amazing process where you have the original document, everybody's comments are taken, they are put in red-lined, and then they're all discussed again.

Speaker BERGSTROM: We don't want to go too far afield.

Commissioner LYONS: So I'm just saying that it's very good process and if anybody really wants to make a substantive change that is the time to do it.

Speaker BERGSTROM: So this is in the hands of the individual town voters, as much as I would like to --

Commissioner LYONS: It is not in the hands of the town voters. It is in the hands of the voters of the County.

Speaker BERGSTROM: Yes, I know that but the Ordinances are --

Commissioner DOHERTY: The voters. The operative word is the voters.

Commissioner LYONS: Yes. The collective voters.

Speaker BERGSTROM: The collective voters.

Commissioner DOHERTY: One other thing, this Monday, the 12th, will be the third Smarter Cape Summit.

Commissioner LYONS: Oh yes.

Commissioner DOHERTY: Yes, that's coming up, so that's an important milestone. I don't what the main theme of it is, but it is taking place in Wequassett, which we know pays taxes in Harwich but is identified in Chatham.

Speaker BERGSTROM: Claims to be in Chatham, yes.

Commissioner LYONS: Okay. So, and that is also a worthwhile conference. And if you have the time to attend that, you should. And I do know that there are going to be reviewing some --

Commissioner DOHERTY: Lunch and -- breakfast and lunch.

Commissioner LYONS: -- there's breakfast and lunch and some really good speakers. But there is a lot of innovation that's going to be debuted, per se.

Speaker BERGSTROM: Yes. Suzanne.

Ms. MCAULIFFE: Yes, I'm going to bring up the Aquaculture Research Corporation. A while ago, when this was before you, I wasn't on the Assembly when it was presented, there was a discussion about purchase of that property and then it kind of went dark.

And I did, when I got on the Assembly, get a commitment from Chairman Flynn that there was any more activity or action on the purchase of the property that it would come before us early on because there's some serious questions, many, many questions about business plans, about voting the property, the access road, and many, many questions.

I'm hearing rumblings now that there's sort of an end run that might be occurring in going to the Legislature. And I just want to remind you that if there's any County – anything involved in terms of finances that have to come before the Assembly, you really need to get to us early on because I don't think it's wise for the County to commit to something that might not pass muster on any level.

Commissioner LYONS: I absolutely agree and would we never do such a thing.

Right now, it is -- no, no, we really would not do anything like that. Right now, there is nothing to report from the County end.

I do know that there is work being done on that. It does look promising. There are a number of scenarios involved. Right now, it does not involve us.

But if you have any questions, I would guide you to Senator Dan Wolf's Chief of Staff Seth Rolbein.

Commissioner DOHERTY: Well, Bill Clark is --

Commissioner LYONS: And also Bill Clark of our Cooperative.

Commissioner DOHERTY: Right.

Commissioner LYONS: I think he may know more of the details but still there is no County involved in other than maybe just his input at this point. So there's no monetary commitment or even total awareness of what the whole situation is at this point.

Ms. MCAULIFFE: And, also, just I don't know if you're aware, there's litigation on the wind towers in the Historic District is still on appeal. So it's still active.

Commissioner LYONS: Right. And that is also being addressed, and I think it's probably not going to be an issue. But there are parties working on this. I've been made

aware that that's happening, and it may not even involve the County in the end.

Ms. MCAULIFFE: Okay.

Commissioner LYONS: Okay.

Speaker BERGSTROM: All right. Well, thank you, very much and enjoy this --

Commissioner DOHERTY: We do care.

Speaker BERGSTROM: Yes. I'm sure you do.

Commissioner LYONS: Yes. Thank you. Yes, have a wonderful week and weekend.

Speaker BERGSTROM: Okay. Are there any Communication from Public Officials?

Communications from Members of the Public

Speaker BERGSTROM: Do we have any Communications from members of the Public?

Okay. We'll start here and then we'll work our way over there. Please come to the mic and identify yourself.

JAMES ROGERS: James Rogers, Sandwich. I'd like to make you aware of two upcoming meetings. First, Cape Light Compact meets next Wednesday, and it's my understanding that CVEC's treasurer will make an appeal to Cape Light Compact for a loan and/or grant from Cape Light Compact.

So, why should you care about that? In addition to it being ratepayer money, you might take a look at the budget, this year's budget that Janice, I believe, has circulated.

The first column is the fiscal '13-'14 budget. The second is what's been spent year-to-date, and the third is projected until July 1.

If you were to add the second two columns, just looking at the total expenses at the Bottom, 379,067 and 229,050 add up to \$608,117. The budget, the projected budget was for 402,745. That's 50 percent over what was projected, 150 percent of the budget.

We have trouble in Sandwich passing a two-and-a-half percent override. If anybody ever suggested passing something like a 50 percent override, I can't imagine what would ensue.

The budget, by the way, is not at CVEC's website, not yet. I have -- I paid for this. I paid CVEC for this, but as a special offer today, I'm giving it to you for free.

Secondly, there's a hearing held by the Department of Public Utilities next Wednesday in Mashpee on Cape Light Compact's new Aggregation Plan. You might take a look at the proposed plan on Cape Light Compact's website and see how much you agree or disagree with this proposal.

Who knows more about Cape Light Compact than you, members of the Assembly? Certainly the Selectmen, who are the nominal heads of CVEC and CLC, do not.

A number of us started asking questions about CLC and CVEC asking for financial documents in 2011. We're still asking and still being toyed with by Cape Light Compact and CVEC.

Please see the letter addressed to Ms. Downey -- that I occasioned this to Ms. Downey, not to me, but it was sent to me by the Secretary of State since I was the occasioned of the letter.

I was going to read to you the last paragraph but I won't do that because I haven't got a copy. I'll ask you to read the last paragraph to yourselves.

Once again, please consider attending these meetings next week. They're really foundational meetings for the financial organization of CVEC and for the basic organization of CLC.

Thanks very much.

Mr. CAKOUNES: Could I just ask a quick question, Mr. Speaker?

Speaker BERGSTROM: Well, as long as it doesn't wander off too far.

Mr. CAKOUNES: No, no. Mr. Rogers, can you just repeat the dates, please, because I didn't write them down.

JAMES ROGERS: The dates of the meetings are both next week. I'm sorry I don't have the time. Cape Light Compact meets next Wednesday.

Mr. CAKOUNES: Wednesday.

JAMES ROGERS: And also the DPU Hearing in Mashpee is next Wednesday evening. I will have to find the times and send them to you.

Mr. CAKOUNES: Thank you.

Speaker BERGSTROM: Okay. Thank you. And now we have another public comment.

ELENITA MUNIZ: Thank you. I'm Elenita Muniz. I'm the coordinator for the Barnstable County Human Rights Commission. And I have brought copies for you of the report from the spring session of the high school and middle school Human Rights Academy.

I thought you would like to know what students from your schools in your area are doing for their projects this year. Some of them are quite remarkable.

We had ten schools with us in the spring. We had 17 with us at the fall session, but for various reasons some could not attend the spring session, and an eleventh school, Chatham Middle School sent us a report once they saw we were going give you a report. So they wanted to be included.

It's fun to see what the kids are doing. They're very enthusiastic and the work they're doing is both remarkable and very heartwarming and I think bodes well for the future of Cape Cod and perhaps for the world if we're really optimistic.

So I hope you enjoy the information.

Speaker BERGSTROM: Thank you. Any other members of the public wish to address the Assembly? Hearing none.

Assembly Convenes

Speaker BERGSTROM: We will now convene the Assembly, and we'll begin with a Committee Report, Standing Committee on Finance, the Minutes and Recommendations on Proposed Ordinance 14-01.

John, this is you.

Mr. OHMAN: Thank you, Mr. Speaker. We met, the Finance Committee met, on April 16 at 2 p.m. to discuss Proposed Ordinance 14-01.

And I'm sad to say that there was no public comment made at the meeting and there was one letter that we addressed from Mr. Beatty and gave it an appropriate time slot and recommendation.

So, we listened mostly to ourselves and to the well-attended members of the Barnstable County Management Team; the department heads were all here.

Most discussion was about the IT Department and some of us with the lack of understanding of the technicalities involved in the very significant increases in both spending on equipment and manpower and licensing fees.

So it was very well explained. I still can tell you that I've probably got about 60 percent of it. And during discussion, no one at the time had any serious disagreements with the information that was presented.

We discussed a request by the Cooperative Extension for a flood-rating insurance specialist. I was very curious about that because it seems as though we talked the talk about regionalization and this is a regional plan that would have one specialist come in and maybe save the taxpayers and homeowners of Cape Cod as much as \$2.5 million and that was put off and for some good reason.

But we're assured that as the time went on this year, it will be rediscussed and possibly resubmitted as a supplemental budget.

There was some discussion about the Capital Expenses/Facility Expenses. The way the budget reads it's difficult to know that -- it sounds like it's something that's being repetitive but what it is actually, according to Mr. Zielinski, was an oncoming set of proposals, parking lot work and jail house work were properly explained and accepted by the board.

With that, Julia made a motion that was seconded and we -- no, Mr. Cakounes -- and we closed the Public Hearing. And we decided 4 to 0 to forward the budget as proposed by the County Commissioners 4 to 0.

I thank you for your time.

Speaker BERGSTROM: Okay. Why don't we get a motion, John, to put the budget on the --

Mr. OHMAN: I would, therefore, move 14-01 as presented by the County Commissioners.

Ms. KING: Second.

Speaker BERGSTROM: Okay. It's been moved and seconded. Okay. You guys have 26-some-odd million dollars in front of you here. Do we have any discussion?

Ms. MCCUTCHEON: I have a point of information.

Speaker BERGSTROM: Sure.

Ms. MCCUTCHEON: I see on our agenda we have like two votes here; a vote on the appropriations and then a vote on the ordinance.

Speaker BERGSTROM: Wait a minute.

Ms. MCCUTCHEON: See, it says Standing Committee/Proposed Ordinance --

Speaker BERGSTROM: No. One is the report on the --

Deputy Speaker MARTIN: The Finance Committee's Report.

Speaker BERGSTROM: -- and the recommendation of the Ordinance from the Finance Committee. And then b) is Proposed Ordinance 14-01. Is that what it says?

Clerk O'CONNELL: Yes. The Committee presents its report and the Assembly votes. So, Committee Report will be a), and the Assembly vote will be b).

Ms. MCCUTCHEON: Okay. It just looked to me like the appropriations were separated out from the expenditures.

Speaker BERGSTROM: We tried that but the Finance Committee wouldn't go for it

so. Okay. So --

Ms. MCCUTCHEON: I do have a comment.

Speaker BERGSTROM: Okay. Good.

Ms. MCCUTCHEON: If we pass this budget, we're implicitly acquiescing a non-disclosure practice which when examined I do not support, and I think this body ought not to support.

First, we know that the people who work for other entities, such as the Cape Light Compact, CVEC, and several other small organizations are payrolled through Barnstable County, and that they have County employment benefits, health insurance, retirement and such. We're told that their employer reimburses the County.

Nowhere in the budget do these figures appear. We don't know how many employees, how much they and their benefits cost, or how much reimbursement, if any, comes to the County.

Second, we know that some part of the massive and expensive expansion of our Information Technology. Our computers and telephone services has been built for and is used by the employees who work for these other entities.

Last year when asked about the County's telephone services upgrade, the newly appointed Information Technology Director for the County responded that the new system was required for Cape Light Compact to fulfill its obligation to provide 24/7 emergency services to its customers.

And last month when the Finance Director was asked whether the users present and potential of the County's advanced technology computer system included all the employees who worked for other entities. He responded that all these groups use the County computer system and share the cost.

Members of this Assembly at the Finance Committee hearing as for specifics; who are these users? How? And how much is the County reimbursed? The information is not in the budget and it wasn't provided.

Today, we are asked to approve a 2-1/2 percent increase in the County tax assessment paid by each of the cities and towns in Barnstable County to support our County government.

Can you say this tax increase is necessary to support County government? Or is it necessary to support something else? Or would it be necessary if all these sharing arrangements were transparent and fair?

Until I know that the budget is a full and fair disclosure of all of the financial arrangements in Barnstable County, I cannot vote to support it, nor can I vote to impose a tax increase that may or may not be a fair and reasonable.

Speaker BERGSTROM: Okay. Do we have any other comments on the budget? I, you know, I agree with Deborah, and I've always advocated that if the County is supposed to be the managing entity or fiscal agent or whatever it claims to be for these various groups and it incurs an expense. It's not that they should be shut out. In other words, the County having assumed that responsibility then basically uses the County facilities including computers, phones, so on and so forth and that expense should be compensated by the other members of -- For instance, the Cape Light Compact would be -- the other members of Cape Light Compact should pay the County for whatever expenses we incur.

And as far as the benefits for the employees, once again we get into a gray area of when are they employees and when are they not? When are they under the County authority

and when are they under the authority --

It is an issue and, you know, as Deborah brings it up, I feel bad that we didn't delve into it. I guess one of the reasons we didn't is because it's part of a further ongoing controversy in discussions we've had with Cape Light Compact and the Commissioners.

But I will pass on Ms. McCutcheon's comments to the County Commissioners and the current Administrator and see if we can get a response. Certainly, if we're not going to change the budget, at least we can get the information that she asked for. So, that's where we'll go with that.

Leo.

Mr. CAKOUNES: I have to echo the representative from Truro. I think that she's right on the mark. I asked numerous times at meetings, and I do apologize and take some blame that I didn't follow up and actually go over and sit down with Mark.

But I, too, am very concerned and have been concerned with the number of different entities that work out of the County's budget, and us at least doing the -- taking the steps to allocate where these individuals work and how much time they spend on non -- I'm going to say non-County business. I know that's probably, politically correct, wrong thing to say, but not County business as opposed to working for other entities that are subsequently doing some County business.

I'm very concerned that if we don't start doing this now, the OPEB thing is going to come and be something that we're going to be dealing with next year. We're going to be scrambling to make sure that we are collecting the correct amount from the different services that we are providing.

There are other retirement benefits. And then certainly other allocated costs that I feel that the County deservingly should be reimbursed for.

So at this point, I'm not prepared to make an amendment. The main reason why is that I really didn't know how much bite it would have amending the budget asking for information that I don't have.

I certainly will be prepared in our next few meetings to come forth with a separate Resolution asking our Administrator and Finance Director and the County Commissioners to join us in the request to create this new style of budgeting or implement this new style of budgeting.

I do know that it's not a difficult thing to do. The Cape Cod Commission does it, and they do a very good job of it, have been doing it since day one. I remember saying this a few meetings ago, if you looked at their budget, there's one whole sheet in there that shows the different allocations of time for their employees.

And I did talk to Mark about it, but, once again, I will take some personal hit for not following up on it myself. I know Mark is a busy guy, but, once again, it's been a number of weeks and I failed to follow up and actually go see him on it and pressure him more for the information.

I know it's out there and I know it exists, and I feel that we should be doing our due diligence to make sure that the budget does reflect those numbers.

So, thank you.

Speaker BERGSTROM: Okay. Well, if there's no further comment, we have a motion on the floor which is the Fiscal 2015 Budget of Barnstable County, and I guess we will take a roll call vote.

Roll Call Vote on Proposed Ordinance 14-01: To make appropriations for Barnstable County's operating budget for the Fiscal Year 2015, including the operations of the County Assembly, Executive branch, County agencies, boards, commissions, departments and institutions and the maintenance of certain County functions; for interest, reserve funds and serial bond requirements of the County, and for County capital improvements and to borrow money to pay therefore.

Voting YES (47.25%): Ronald Bergstrom (2.84% - Chatham),

Teresa Martin (2.30% - Eastham), John Ohman (6.58% - Dennis), Patrick Princi (20.92% - Barnstable), Julia Taylor (14.61% - Falmouth).

Voting NO (52.75%): Richard Anderson (9.15% - Bourne), Cheryl Andrews (1.36% - Provincetown), Leo Cakounes (5.67% - Harwich), Ned Hitchcock (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), Marcia King (6.49% - Mashpee), Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), Anthony Scalse (4.55% - Brewster).

Clerk O'CONNELL: Mr. Speaker, Proposed Ordinance 14-01 failed to pass with 47.25 percent of the delegates voting "yes" and 52.75 percent of the delegates voting "no".

Speaker BERGSTROM: Okay. Well, I understand perfectly why they Assembly voted the way they did. What happens now is we have to go through a reconciliation process and, Janice, as the Clerk, will have some of the details.

But this isn't the end of the world. We go back to the Commissioners. They change the budget. They come back to us and we'll work out our differences and hopefully pass this budget by the time the first check has to be written on July 1.

So, can we do, Janice, do you know offhand can we do that at the existing scheduled meetings or are we going to have to have a special meeting?

Clerk O'CONNELL: I'm not sure. I guess if we start right away, we might be able to get it done by June.

Speaker BERGSTROM: Well, we have only two meetings in June.

Clerk O'CONNELL: It's going to depend upon what happens once it goes over to the --

Speaker BERGSTROM: The Commissioners.

Clerk O'CONNELL: Right. In terms of how prolonged it gets.

Speaker BERGSTROM: Okay.

Clerk O'CONNELL: It's addressed in the Charter and we'll follow that process.

Speaker BERGSTROM: Well, all I can say is that I hope the Commissioners -- I know that they can't speak to this now because, you know, they haven't got a meeting. But we'll address this at the next available meeting, get to us right away and I will schedule another look at this as soon as possible. Okay. Yes.

Ms. KING: Mr. Speaker, just for fairly new members and even members like myself who have been here, this happened once before under Tom Bernardo.

Speaker BERGSTROM: Yes. Oh, I was here.

Ms. KING: And I believe we -- you set up a -- like almost like a joint committee that would come back to the full Assembly. We're not going to go through this whole process as a full Assembly; correct?

Speaker BERGSTROM: No.

Ms. KING: I think that you may want to try to explain what the next process is.

Speaker BERGSTROM: I hoping that there are two things that can happen here. I mean, you're right. If we can't agree, normally what would happen is -- what happened -- I don't know what happened under Tom Bernardo, but when I was here what happened is that the Assembly amended the budget; all right. The Commissioners didn't like the amendment so they vetoed what we did.

Then it goes back-and-forth with an organization -- the Commissioners -- at this point, the ball's in the Commissioners' court. They want to resubmit the budget, but the question is that I think that we have to give them a heads up as to what we want. It's one thing to say we can't -- in other words, we can't not have a budget.

What I'm saying is that this is a process of negotiation, you know. So if you say, "I don't like your looks. I don't want your budget. Please dye your hair," then they could do that. But you can't just say "No." So we have to make -- we have to have the Commissioners come back to us. If they don't revise their budget, then we have to go through a reconciliation process. Okay? We could go through it right away but that's going to take some time; do you know what I'm saying?

Ms. KING: Mr. Speaker, but I think some of us, myself included, and I would have voted for the budget, but I believe that Deborah was quite pointed and quite correct, and I back what she said, so that's what turned my vote to a "No."

I think that that may be one of the big things that made the other members who decided to vote no, not on the budget per se, but the particular questions that I think have been brought up repeatedly, and that's so eloquently was brought up by Deborah currently.

So, I think if that was some information that we received, some of us may choose to switch our vote and leave the budget -- because I have no general issue with the budget, but I think those are serious questions that we've had.

We've had on this Assembly, and I've been on here for 14 years, and I think it's been going on well over six years, been asking and trying to figure out, and I've also felt we have all these shadow departments that, correct, that we don't really see, that the Cape Light Compact I think is like a \$40 million outfit but I have no idea.

Speaker BERGSTROM: You know, I totally agree with you.

Ms. KING: So those are some of the issues so eloquently put that some of us are very concerned about.

Speaker BERGSTROM: But the problem I'm having now is not -- it's not a policy or procedural issue. I agree with what you guys are doing, but the problem is now I have to look and make sure we don't have an Ordinance that says you can't bring back an Ordinance once defeated. Therefore, it's -- suppose the Charter says, "Well, once an Ordinance goes down in flames, you can't resubmit it."

So I'm just concerned about procedure here. So, I've never had -- Yes, Pat, help me out here.

Mr. PRINCI: I've been on the Assembly two years, and as far as procedures go, I'm a little taken aback by this vote because why do we spend so much time with the committee process? Why wasn't this all flushed out through the committee process? That's why we do this. I mean that's why we have these committees and so forth.

I see all the minutes coming through 4-0 approved and maybe one person doesn't approve. It's frustrating to me because we have budget deadlines to meet. We had all this time to work on the budget and flush all of this out. And if you're not finding answers and

you had meetings, general Assembly meetings while these committees were going on. Show up at the meetings and demand answers. I mean this is our forum here. I don't think we did things properly then through the committee process.

Speaker BERGSTROM: Yes, we'll ask an attorney here what his opinion is.

Mr. KANAGA: Yes, thanks for that.

Speaker BERGSTROM: On one hand --

Mr. KANAGA: I would just point out, I mean, that is part of the problem which what Marcia's saying.

And if you look at Page 3 of the Finance Committee meetings, you'll see that both I and the Delegate from Harwich asked specifically for breakdowns and groups of users with respect to various IT expenses, which are quite large, and a cost allocation sheet basically showing where the money was being spent.

That, in and of itself, might not have touched off as much consternation if there hadn't already been an ongoing two-year/three-year lack of forthcoming information.

Speaker BERGSTROM: Okay. I'm going to -- the Speaker is in charge of all procedural matters, so I'm going to make a ruling that this Ordinance -- if this budget is changed by so much as a single dollar, it will be considered a new Ordinance, and, therefore, we can consider it when that new Ordinance is proposed to the Assembly.

So I will review the budget procedures with Janice and, meanwhile, the Commissioners will look at this, and I'm sure that as long as there isn't a two-way conversation, anyone can communicate with the Commissioners. They will communicate back but we can -- that's my opinion. I don't know. You guys have taken the Ethics Test, so you probably know.

So, yes, I mean that's where we are. Okay.

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

Report from the Clerk

Clerk O'CONNELL: Yes. A reminder that on the 21st of May, the Standing Committee on Finance will be meeting with the auditors to review the audit for Fiscal Year '13.

They may be a meeting for something else too at this point; I don't know yet. And, surely, you will be kept apprised of other meetings that may be necessary.

And in addition to that, I just want to remind you all that I still have a few individuals who have not supplied me with their Conflict of Interest form. And if you have that, I would appreciate getting that today because I will be submitting them all tomorrow.

The deadline has passed that I have been asked to comply with over at Administration, so I'll be sending them what I have at this point.

And that's it.

Speaker BERGSTROM: Yes, there seems to be some confusion on that. I went online and they said elected officials don't have to submit it until the middle of May. But it turns out we may not have to submit it to the State at all. It's actually the County that's asking for it. We have to meet their deadlines. But if we don't, what are they going to do to us? But I would think it's a matter of courtesy that we get it in as soon as possible.

Okay. Yes, Leo.

Mr. CAKOUNES: Does anybody know that if -- I completed that but I left my little certificate thing at home. Does anybody know, can I go into the computer in here and call

up my account and ask to reprint another certificate?

Ms. KING: Yes.

Mr. CAKOUNES: Or is only a one-time deal?

Ms. KING: Yes.

Ms. TAYLOR: You can get it back.

Ms. MCAULIFFE: You can bring it up again.

Ms. KING: Yes.

Speaker BERGSTROM: Get one for me too, Leo.

Ms. MCAULIFFE: But once you take the test -- you go right to the test, answer the ten questions which you spent the previous time maybe took 20-30 minutes, you can go if you need to get your certificate, go right to the Assessment, take the test, and then fill in your information and print it out. It will take one minute.

Speaker BERGSTROM: Is there anything else to be brought before the Assembly?
Oh, wait a minute, anything else from the Clerk?

Clerk O'CONNELL: No.

Speaker BERGSTROM: Do I hear a motion?

Deputy Speaker MARTIN: Move to adjourn.

Ms. KING: Second.

Speaker BERGSTROM: All those in favor, say "Aye."

Whereupon, it was moved, seconded, and voted to adjourn the Assembly of Delegates at 4:40 p.m.

Respectfully submitted by:

Janice O'Connell, Clerk
Assembly of Delegates