

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

**APPROVED Journal of Proceedings - June 15, 2016**

Speaker BERGSTROM: So, welcome to the Wednesday, June 15<sup>th</sup> session of the Cape Cod Regional Government, Assembly of Delegates.

I'd like to call this meeting to order. Is anyone recording this besides our normal recording? Hearing none.

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

(Moment of Silence.)

Speaker BERGSTROM: Thank you. We will now stand for the Pledge of Allegiance.

(Pledge of Allegiance.)

Speaker BERGSTROM: The Clerk will call the roll.

**Roll Call (100%): Ronald Bergstrom (2.84% - Chatham), Lilli-Ann Green - (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), Marcia King (6.49% - Mashpee), Edward Lewis (4.55% -Brewster), Teresa Martin (2.30% -Eastham), Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), Edward McManus (5.67% - Harwich), Brian O'Malley (1.36% - Provincetown), John Ohman (6.58% - Dennis), Patrick Princi (20.92% - Barnstable), Julia Taylor (14.61%- Falmouth), Linda Zuern (9.15% - Bourne).**

Clerk O'CONNELL: Mr. Speaker, we have 100 percent of the Delegates present.

Speaker BERGSTROM: Okay. I'll need a motion to approve today's Calendar of Business.

Mr. MCMANUS: So moved.

Ms. MCAULIFFE: Second.

Speaker BERGSTROM: Moved and seconded. All those in favor? Aye. Opposed? (Motion carried.)

Speaker BERGSTROM: Okay. You should have received a copy of the Journal of June 1<sup>st</sup>, 2016. Are there any additions or corrections to the Journal?

Mr. O'MALLEY: Mr. Speaker, I've read the journal and I move approval as distributed.

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

(Motion carried.)

Communications from the Board of Regional Commissioners

Speaker BERGSTROM: Okay. Now we have Communications from the Board of Regional Commissioners. I see Commissioner Cakounes and Commissioner Flynn. Welcome. What do you have to say for yourselves?

Commissioner FLYNN: Well, I'm about talked out by now. No, it was great this afternoon. We had a strategic planning session, and I think there six or seven members of the Assembly there. It was facilitated by Bob Lawton, and he does a great job.

And I think we really were not in a position yet to make a lot of decisions about what we needed to do or wanted to do, but we certainly took a look at what our plans had been or what our plan looked like last year and kind of took a look at that and said, "Wow!"

And to think we're in a different place, obviously, than we were a year ago, which is good. So we'll have to work on that. And I'm glad to have the Assembly members involved. That was really nice.

Leo, you always have something to say.

Commissioner CAKOUNES: Well, at our regular meetings, the stuff that we've had on our agenda, there hasn't been anything that was too -- that should jump up and flag out.

I will say today's meeting, under the general business, we did vote to give our County Administrator a little bit more authority as opposed to a \$25,000 limit on the items that he -- contractual items that he can sign without our approval. We increased it to \$35,000 and that coincides with Massachusetts General Law and Procurement Laws; I think its 40B. So we're giving him a little bit more authority, which I think it's a good thing.

We've had a number of different requests not only today but the last meeting that we have not had the chance to give you an update on to use the facilities here.

The community continues to use these facilities for parking and for gatherings, and I believe there's a bike ride is what we agreed to today in September for an AIDS benefit.

So there really hasn't been a lot of, what I would say, earth-shattering votes taken by the Commissioners.

We have made the decision to meet on a weekly basis. It makes our agendas shorter, but we do have an awful lot of documents to sign and a lot of contracts to do. So I think it works out better because if we did them biweekly, the agendas would be a little bit longer, and I think we'd be there for hours signing things.

So I personally think it's worked out fine. And I think Commissioner Flynn agrees that meeting weekly and having shorter, quicker, less long meetings seems to be better.

The only thing, if I may, and I would like to add, and I said that at our today's meeting, Commissioner's meeting; I was actually contacted today by a justice, Judge Nickerson, at the Superior Courthouse who seeked me out, and then I was also informed after the meeting that he seeked out my fellow Commissioners to tell them how happy he and the other judges are with the performance that the County has been doing through our Facilities Director Steve Tebo and his team and giving them the space they need and upgrading the accommodations that we have with them.

I thought it deserved mentioning because our tenants are happy. And when our tenants are happy, that's a good thing. And you guys need to hear that he went out of his way to seek the three of us out and tell us that personally. So I'm doing this publicly to all

of you to let you know that we are righting ourselves on the track with being in an excellent relationship with our tenants. And, hopefully, we'll move forward with other things too.

Speaker BERGSTROM: Yes, Suzanne.

Ms. MCAULIFFE: I can't recall; do you have a policy for a rental fee for the parking lot? I understand if it's for 501(c)(3) or a charity that it might be a donation. But if it's ever for a private function or event, is there a policy or a fee schedule?

Commissioner CAKOUNES: There is not at this time. You will hear when I prepare the motions, I always say, "Subject to County policy." There was a policy that existed a number of years ago. We are in the middle of upgrading that. As a matter of fact, Steve Tebo, our facilities manager, reported to us today, excuse me, that he should have an updated version for us to look at and approve and put on the books.

I do not believe in that though is any language of charging private parties for use of the facilities. When we get it, we'll forward it to you guys so you'll have it.

We have to be careful being a municipality and charging private individuals for what some people would argue has been a public parking lot for a long time -- open parking lot for a long time.

We certainly don't want people in our buildings because of the state and our tenants here but as far as the use outside so. But we will forward that policy to you when we get it and it's approved.

Speaker BERGSTROM: Okay. Anyone else? Leo and Mary Pat, in our discussion today, we talked about getting the budget cycle going as early as September, which I mean it seems like we're not even into this fiscal year and now we're talking about next year.

But, normally, the Assembly is anxious to do a review or postmortem, or whatever you call it, on the previous fiscal year, which would be this fiscal year which will end the end of this month. And in previous years, it took a while before we actually wrapped up the books. I just wondered, to give the Assembly a head's up, as to -- I know Jack --

Commissioner CAKOUNES: I was looking for --

Speaker BERGSTROM: -- when do you think you'll have a handle on closing the books on 2016?

Commissioner FLYNN: Well I was going to say probably sometime in September, that's usually what we do because usually around October the Commissioners begin to talk about the budget for the following year.

But I haven't talked to Mary yet in terms of that September date but somewhere around there. Once the books are closed for this year, then we can start talking about next year.

Speaker BERGSTROM: Okay. Is there anything else for the Commissioners?  
Quiet group. All right.

Yes, Leo, do you have something to say?

Commissioner CAKOUNES: I would just like to add a personal note, and I said this at our meeting today. Our kind of workshop, if you will, and it was a posted meeting so the public could be there. As a matter of fact, I don't even think Bob Lawton would have stopped the public from commenting if they wanted to.

I got a lot out of it, and I'm hoping that through the chair and my fellow Commissioners that we will do a follow up and do something very similar to this again, you know, within maybe six months or four months because I, as an elected official, I got

not only a lot out of being able to have some back-and-forth discussion with some Assembly members, and, by the way, if we do it in the future, we may want to post it as an Assembly meeting because there may be a majority of you there. There wasn't today so no problem.

But we had some really great interaction with our department heads. I mean even their posture; I know Ron will agree, even their posture in sitting and just being able to just talk about issues, it was probably the most productive meeting that I, as an elected official, have been involved in in a long time.

I learned an awful lot today on where we want to go and how we should go there. And I, unfortunately, I did agree with Ed Lewis at least four times too publicly. I hang my head in that.

Speaker BERGSTROM: Well stick around and maybe you can compensate for that today.

Yes, go ahead, Mary Pat.

Commissioner FLYNN: Well, I was just going to say that I think it was the week before last Congressman Keating held a four-hour session down in Woods Hole at the Clark Laboratory on the flood insurance program and floodplain issues --

Commissioner CAKOUNES: The Community Rating System. They're going to give --

Commissioner FLYNN: Yes. They're going to --

Commissioner CAKOUNES: -- she's on their agenda.

Commissioner FLYNN: Yes, Sharon Jarbeau is going to be here today. She was one of the lead speakers. But I wanted to say that there were -- there she is -- I wanted to say that along with Sharon, who was a major part of the agenda, we also have -- there were people there from the federal government.

And Mike Maguire, our Director of Community Resources, actually, yes, he's here too; there he is. Well, I'm not going to talk about it then because they probably will. But they did such a great job. And it was well-attended. I can't say that the whole auditorium was full but there were a lot of people there. It was well attended. The information was well presented.

And I think for people who are in the floodplain or even if they're not, like I'm in a floodplain, and it was certainly very interesting to hear the work that's being done.

And the fact that we're in sync with our congressmen and he with the federal government in trying to move some of these things along so that people who do live in the floodplain certainly can be better protected.

And, also, it's really for the municipalities - is what it's for. It's for the towns to understand -- billing codes have to recognize the fact that the zoning and other issues that relate to housing, they have to pay attention to that flood zone and what that means for the community going forward. So, it was well presented and well done and I thank them for that.

Speaker BERGSTROM: I'd just like to add a note to that. At the last two or three town meetings in Chatham have had to do with this very subject, the floodplain, the conservancy district, the federal floodplain, the grade plain, you know, high can you mound up your house, and how high also -- how high you can build a house. You know, it's under restrict -- if you don't change your restrictions, you only build a house 30 feet high. If

you're in the floodplain, you have to elevate the foundation..... so it's a complicated issue. I was amazed at how complicated it is.

Commissioner FLYNN: But what we're also seeing now are people building these houses on stilts, you know, on poles that are 25 feet in the air. And they're not very nice to look at.

And when you live in an old neighborhood that goes back to the late 1600s or 1700s and all of a sudden you drive down the street and you see something like this. So there is some -- are a lot of issues of compatibility and what's appropriate and what isn't.

Mr. LEWIS: Welcome to the Jersey Shore and the Outer Banks.

Commissioner FLYNN: That's it unless you have questions.

Speaker BERGSTROM: Okay, unless Jack has something to add, Jack?

Commissioner FLYNN: Oh, Jack is next.

Speaker BERGSTROM: Do you have something to add?

Administrator YUNITS: Not much but -- and I'll be very brief because I've heard Shannon speak before, and I don't want to delay anything. You're going to love it.

Thanks, again, for everybody that participated in the strategic plan today. That was wonderful, and I think, like I said there, I was the biggest beneficiary. I learned so much. Thanks so much.

And based on what the Speaker said, we are going to work with our department heads to try to have preliminary -- a good, strong preliminary idea where the budget's going to be as early as the fall and start having meetings as Ed suggested as early as the early fall.

And, hopefully, we'll have another strategic planning meeting or whatever we want to call it, workshop in the fall.

Just a reminder, the One Cape, the Cape Cod Commission annually puts on their economic agenda goals and objectives. It's next -- the 23<sup>rd</sup> and 24<sup>th</sup> if anybody is interested. You can register for the program online.

I don't know whether the new policy, open policy on government that the Commissioners have asked us to put in place was helpful to you all. But in the future, you will not only get an email with the County Commissioners' agenda, you'll have all the documents they're going to review and sign, contracts, etcetera. That will also be posted online so you'll be able to review them as well. That happened this week, I hope. I hope you all got them. And if you had questions on that kind of stuff, you can always call us.

MEMA is hosting, for public officials, is hosting a training session here at 9 o'clock in the Harbor View Room next Wednesday, if anybody's interested.

The HR policy that we're developing, the policy and procedure manual, will be ready for you to look at some time in August, I believe. We seem to be on that path now to be that timeline.

On the audit, you always ask a question on the audit. The audit is, as a result of the audit, we're having Pocasset appraised and possibly will be before the Commissioners and you on a subdivision plan at some point in future. But that all depends on the appraisals and the highest and best use plan that isn't under agreement. So we'll keep you in the loop on that.

And, finally, you may want to hear sometime this summer about the mosquito control plans that are being put in place by Michael's office. Tremendous plans. I was

pretty shocked at the health department in addressing the Zika virus is way ahead of the game and the Extension has been working on this issue for years. So I think you're back the first Wednesday in July; is that right?

And we can have you updated then.

Speaker BERGSTROM: Jack, while you're there, just a question out of left field. But because of recent events, have you had any communication with the sheriff's department and district attorney or local police about security reviews in any of the public buildings or anything like that?

Administrator YUNITS: That's one of the big issues that are going to come up for sure Wednesday with MEMA. Typically speaking, Sean O'Brien would be a great one to come in and talk to you about this issue. But typically speaking, the police chiefs and the fire chiefs control their districts. There's no real -- there is a designated team depending on the event that will happen out of here.

The sheriff has a role to play as well. So there's a lot of moving parts to it. But I certainly -- it was actually an issue that I talked to the sheriff about over a month ago. What if there were nightclub shootings in two different towns on the Cape on the same night on July 3; who's in charge? Who handles the panic? Who directs the media? These are the kinds of things we hope to talk about on Wednesday.

Speaker BERGSTROM: Okay. That's good. Anything else?

Commissioner CAKOUNES: Mr. Speaker.

Speaker BERGSTROM: Yes.

Commissioner CAKOUNES: I'm very sorry. I should have brought my file up with me when I came up originally. One thing that we did today and you need to take this back to your towns with you is the County Commissioners instructed our County Administrator to schedule a public information seminar for the benefit of not only county officials but all municipal officials on the new legislative changes to the public records law in Massachusetts.

And there will also be a second seminar which is hopefully our finance department is going to help us put together which is going to deal with the Massachusetts Department of Revenue process of preparing and filing local recap sheets, all in conjunctions with the Commonwealth of Massachusetts.

So I think it's really important that you guys at least keep an ear to the wall and make sure that I report to you those dates, so you can take back to your respective towns because I think that information is going to be helpful to everyone.

Speaker BERGSTROM: Thank you.

Administrator YUNITS: Thank you.

#### Presentations by Shannon Jarbeau and Cally Harper

Speaker BERGSTROM: Thank you, very much. Okay. Moving right along, we now have a presentation by Shannon Jarbeau from the Cooperative Extension, and Cally Harper, that was an easier one, from the Cape Cod Commission regarding the Community Rating System and Coastal Resilience and discussions related to flood insurance and strategies for coastal land protection. Thank you, very much, for coming.

MS. CALLY HARPER: Thank you, so much, for having us. So, I'm Cally. I'm a

Planner at the Cape Cod Commission, and Shannon is going to talk to you today about the CRS, or the Community Rating System.

Before she gets started, I'm going to talk to you broadly about what the County is doing related to Coastal Resilience.

So I have a presentation for you guys over here. I know it's hard to see, and I apologize for that. I'm just going to turn the lights off. All right.

So before we get started, I just wanted to define for you what "resilience" is. This is a definition provided by NOAA. And resilience is the ability of a community to bounce back after hazard events, such as hurricanes, flooding, coastal storms, rather than simply reacting to those impacts.

So, basically, what this is saying is that a community has two -- there are two times when a community can be resilient; before a hazard event occurs, a storm, or after that event occurs.

This is an example of New Jersey after hurricane super storm Sandy hit in November of 2012. If you really dig into this picture -- I'm sorry it's small for you guys over there, but you do -- hopefully, you can see it. And what you see is that roads are basically impassable. The two neighborhoods on the right and left have been disconnected; houses have been pushed off of their foundations or completely destroyed. So this type of event is devastating.

We didn't have the same level of destruction from super storm Sandy here on the Cape, but we do have a history of damage from coastal storms.

So hurricane Bob had about \$312 million in damage. We also have damage from flooding and hurricanes and wind as well as some from lightning and hail and winter weather.

So, basically, 93 percent of natural hazard-related property damage on the Cape is caused by coastal hazards.

We also have a lot of coastal homes that are at risk. So this is a map of Cape Cod and what you see in blue is the FEMA special flood hazard area and that's basically our A and our B zone. So the regions of the Cape that are vulnerable to flooding.

Within these zones we have about 13,000 single-family homes in that special flood hazard area and that's shown here in these pink dots. And that translates into a property value of about \$9 billion that are at risk for coastal floods.

So we've talked about the damage. We've talked about sort of the doom and gloom, so what do we do about it? How do we build a resilient Cape Cod?

And really Coastal Resilience boiled down to three main topics or areas and that's planning, economics, and project implementation.

So when I talk about planning, what I mean is that there's an outreach process in each of the towns where they figure out and talk to the people in the area to see what is important to them. I, as part of my work, I draft hazards plans for the towns, for all the 15 towns.

You're going to hear from Shannon who's going to talk to you about the CRS, the Community Rating System. And we've also started working with some towns on drafting coastal management plans.

So let's dig into the hazard planning process. It's kind of a complicated process and I'm going to give you just an overarching view of that.

So we have about 12 towns that are working on their FEMA hazard mitigation plans. Some of them are FEMA approved already and some of them are in progress as we speak. And we have about three towns that are -- these three towns are basically going to kick off this planning process very, very soon.

So the Commission has been providing technical assistance to towns to draft these hazard plans since like the early 2000s. But over the last two years, this planning process has gotten a lot easier from some of the work that we've been doing at the Cape Cod Commission.

So we drafted or helped create a template which you see the table of contents here for these hazard plans. And, basically, what that means for these towns is that it's really easy to update their hazard plans with this template. And it's also easier to engage with residents in the towns. So we've engaged with over 2,000 stakeholders and residents in this hazard planning process.

And the template has also broken a Massachusetts state record. So the plans have passed through FEMA, so federal review with no comments from FEMA. That has not happened in the Commonwealth in a very long time.

And these plans that we're working on with the towns have gone through the state and federal review in under five months, and typically in the past it takes about a year and a half to two years. So we really made this process a lot easier for the towns on the Cape.

So through this outreach and hazard planning and the CRS which you'll learn about in a minute, the towns basically have a list of adaptation strategies that they want to implement in their town to make the town more resilient.

But with this list of actions, they really need to start thinking about the economics. So that's where we get into this piece. So what are people in town willing to pay to build a resilient community? What's the cost of doing nothing, doing not a single item on the list? What are the benefits and costs of specific projects?

So last fall the Cape Cod Commission applied for a NOAA Coastal Resiliency Grant. It was a national award opportunity. We were one of six communities, 132 applied and we were selected. And in this project we have a lot of regional partners, as well as partners in the Commonwealth.

So we're working with several departments in Barnstable County as well as APCC, Waquoit Bay, Woods Hole Sea Grant, the Provincetown Center for Coastal Studies, and also up in Boston, the Massachusetts Office of Coastal Zone Management.

And, basically, just to give you a brief overview of what this project is about is it has three parts. And the first part is the environmental economics piece that I was talking about earlier and really going out and doing some research on what people are willing to pay for, what are the benefits and costs of specific adaptation strategies in order to figure out what's right for our community. And then to go out and collect data, so really start to dig into the data on the weather data and climate data on storm events as well as the damage data that the state and federal partners have been collecting.

And, lastly, similar to the 208 process, we're going to develop an online tool, a map-based tool that will allow residents and decision-makers to use the tool and figure out what strategies the cost and benefits of certain adaptation strategies that's right for their community.

In your handout or in your packets, you guys have this handout. It's called the

“Resilient Cape Cod.” And that’s a more in-depth description of what this NOAA Coastal Resilience Project is all about. It’s a three-year project, and we’d be happy to keep you informed as we go forward. But that gives you some more specifics of the timeline and what we’re hoping to accomplish in each of the years.

So with that, I’m going to pass it over to Shannon. She’s going to talk to you about the Community Rating System specifically.

So, welcome Shannon.

Mr. LEWIS: Can we ask questions now or do we have to wait until the whole thing is over?

Speaker BERGSTROM: Why don’t you wait until the whole thing’s over with.

Mr. LEWIS: Okay.

MS. SHANNON JARBEAU: Okay. Thank you, Cally. Thank you all for having us here. I’m going to talk about the Community Rating System and managing it on a regional basis. My position was created about a year ago, so I want to update you all on what I’ve been doing and how it complements the work that Cally was just talking about that the Commission does.

So a brief reminder of what the Community Rating System is. It’s a voluntary program within the National Flood Insurance Program that provides discounts on flood insurance in exchange for actions that are taken by the town that improve flood resilience and reduce flood risk.

It incentivizes that resilience, it alleviates the increasing flood insurance costs, and it makes towns and residents safer from flooding. A note, it is towns that participate in the program, although I am helping to manage the program on a regional basis. The towns, themselves, still have to participate. I do not actually -- the County does not participate on behalf of the towns. We help them with it.

This is how the CRS is set up. It is a 10-class system. Every class you improve by 5 percent, so that’s a discount on flood insurance for the residents in each of the towns.

I do want to point out there are a couple of black lines in this chart, if you can see it. The first black line is at a Class 7, which is a 15 percent discount, and that’s there because there’s a certain prerequisite that’s needed to get beyond a 15 percent discount.

And right now in Massachusetts because of our state building code we’re not actually able to get beyond that prerequisite at the moment for coastal communities. But I’ve been working with the state Board of Building Regulations and Standards as well as a couple of federal programs or national-level programs to see if we can correct the issues so that we can continue to move beyond and get the towns better than a 15 percent discount, which I have. I believe that a lot of the towns have some -- a real chance of getting beyond that 15 percent discount.

So to get those discounts, you have to earn 500 points to improve by another class. So every 500 points that you earn, you get an additional 5 percent.

So how do you earn those points? This is where the CRS work really coordinates with the Commission’s work because the actions the towns need to take to earn those points, earn credit in the CRS are actions that contribute to improving flood resilience.

So they fall into these four overarching categories. They are public information, mapping and regulations, flood damage reduction, and warning and response. So some specific examples of things that towns can do to earn credit in these categories; open space

preservation, the statewide building code earns credit, good storm water management, emergency management, and hazard mitigation planning, which I'm going to talk a little bit more about coming up. Those are all things that actually earn credit in the CRS and they're things that the County may be doing, any way the Towns may be doing anyway. There are a lot of things that are already being done that are working toward resilience that will help us to earn credit in the CRS program.

So County partners, the Extension is -- I work for the Extension. The CRS Coordinator is located at the Extension but we have three County partners that have all been working toward activities that will help to earn credit in the CRS. So the Cape Cod Commission is one.

As Cally already talked about, they're doing -- the Commission is taking on certain actions that will help to identify actions within the towns that contribute to resilience and are likely to earn CRS credit. So getting CRS credit will be an additional incentive for the towns to take on some of the actions that the Commission identifies.

Also, the hazard mitigation plans that Cally has been working on, those are, for some towns, they are prerequisite to participating in the program. We have six towns that I'll point up coming up that that's a prerequisite for. So Cally is doing really great work in making wonderful hazard mitigation plans, but, also, it really helps me that her work is meeting that prerequisite for those towns that need it, and it helps to earn actual credit in the CRS program.

AmeriCorps, there is an AmeriCorps member serving her individual placement with me. She's put together some outreach materials and helped to get CRS credit based on outreach in the communities.

And then, also, the Barnstable County Regional Emergency Planning Committee, we've submitted a grant to do some outreach with them. We've also just started a process of creating a Regional Comprehensive Emergency Management Plan that would have a flood response operations component to it that would really go a long way toward improving flood safety and reducing flood risk, and that would be designed to get CRS credit.

So to give you an idea of where we're at, again, I am at the Cooperative Extension. This position is the first of its kind in the country, managing the CRS on a regional basis. So this is really exciting. I was really excited to hear that the County created this position, and I applaud all of you and the Commissioners and the County for having the foresight to do this.

We're getting a lot of attention from FEMA, from other states, other communities in New England that are interested in taking this approach. So Barnstable County is really being looked to as a leader on regional CRS management.

What I actually do for the towns, I provide a National Flood Insurance Program and Floodplain Management Technical Assistance. You may not be aware that if someone wants a federally-backed mortgage in a floodplain, they have to get flood insurance. And the way to do that is through the National Flood Insurance Program. But towns have to opt to participate in that program and in exchange for those reasonable flood insurance costs; the town has to adopt certain regulations. So a lot of those regulations are in the building code and they may have to do zoning and some other things as well. So I helped to serve as a technical resource for those basic National Flood Insurance Program regulations.

I manage the CRS for all of the towns that are interested in the program. I help the towns apply, help them maintain their participation, help them improve their ratings and get the highest discount we possibly can, and, overall, help to improve food safety and resilience.

This map on the left here shows you where all of the towns are at. There are four towns that were in the program before I started working for the County. They are Provincetown, Orleans, Harwich, and Chatham. Provincetown and Orleans get a 5 percent discount, and Harwich and Chatham get a 10 percent discount. I'll be working with Chatham in the fall. Hopefully we'll be able to get that up to 15 percent discount.

Since I started four towns have submitted applications. Those are Wellfleet, Eastham, Brewster, and Mashpee, and we're in the process of going through all of the documentation and gathering all of the information that we need. Typically, it's about an 18-month to two-year process to actually get the towns into the program.

Falmouth, Sandwich, and Barnstable have all started their applications but those three towns as well as Bourne, Yarmouth, and Dennis cannot actually join the CRS until those hazard mitigation plans are completed. And Cally is working with some of those towns to see that that happens.

So once those hazard mitigation plans are completed, then they will be able to move forward with their CRS applications.

Finally, I just want to show you some numbers. There is a very similar table in a handout in your packet. I apologize; it is slightly different, but what I want to bring your attention to is the number of policies in force that we have and the number of CRS policies in force. That is a slightly different number. Not everyone gets a CRS discount but you can see over 10,000 out of our 12,500 policyholders do get the CRS discount.

The average premium Cape-wide is over \$1,400, so that's what folks are paying per year in flood insurance cost on average. Total; our residents are paying over 15 million a year in flood insurance costs. And the savings are in the final column on the right here. My goal is to get all of the towns to a Class 7, which is a 15 percent discount. And you can see what the savings would be for each town. Also in your handouts, you can see what the saving would be from a 5, 10, and 15 percent discount.

So if all of the towns are able to get to that 15 percent discount, it's over \$2 million in savings, and that number will continue to increase as the flood insurance rates increase annually as well.

But that money, if we're able to achieve that, goes back into our residents' pockets and the actions that are taken to get us to that point help to improve our resilience and flood safety overall.

With that, Cally and I can both take questions.

Speaker BERGSTROM: Okay. Well, we're going to get some lights on to see. They'll take care of the lights in the back. Marcia has it there.

Okay. Do we have any questions for -- yes, I see a hand up. Ed.

Mr. LEWIS: Question for Cally. When you talked about all the different hazards with hurricanes and the storms of any type, about eight or ten years ago, I'm not sure, in December, we had an event that really took place in Brewster, Orleans, and Eastham. We refer to it as "Freaky Friday." And that probably produced more damage than hurricane Bob in 1991, I believe.

But it didn't happen in the mid-Cape and it didn't happen in the upper-Cape. So it was sort of ignored to a certain degree because if it doesn't happen in Falmouth or Barnstable, it really didn't happen.

Mr. KILLION: And Sandwich.

Mr. LEWIS: And Sandwich -- it really didn't happen. So when you're doing these hazard plans, I hope that you understand that things happen all around the Cape.

Obviously, when Nor'easters hit, the Weather Channel always is in Chatham, so everybody knows what's going on in Chatham. But the rest of us in the lower-Cape, we're pretty in tuned to what's happening. So I wonder if you want to comment on that.

Ms. CALLY HARPER: Sure. Two things, actually. So when we do have -- when we draft these hazard plans in each of the towns, there's an extensive process when we meet where local knowledge and data that's supplied by, you know, DPW, all departments, planning, fire, police, and that data gets incorporated into the plans. And you're right, it's very different across towns. And that local knowledge, that local data is really important and FEMA looks for that. So we make sure to include that.

Regionally, for the NOAA Grant that we have for the next three years, we're going to be doing an extensive outreach process where we go out subregionally to each of the four subregions and gather data and people's experience with storms because local data is still data. So I appreciate that.

Speaker BERGSTROM: Brian.

Mr. O'MALLEY: As I think this is probably more for Cally; but as you approach the towns, obviously, there's costs of doing things and costs of not. What do you generally find to be the low-hanging fruit, where you're going to get the most points? Where are people going? What are people able to say, "Well, we can manage that"?

Ms. CALLY HARPER: You mean for hazard mitigation plans?

Mr. O'MALLEY: For hazard mitigation, yes.

Ms. CALLY HARPER: Yes, most of action items in hazard plans fall into several categories. First is emergency preparedness, education, and coordination with County departments. That's pretty consistent across all hazard plans.

A lot of the towns now are doing planning processes for their coastal infrastructure. So looking at -- and that's what I was calling a coastal management plan. The idea being the town gets together at they assess -- they've done their hazard plan but they do an in-depth analysis of those coastal -- basically, coastal assets that are vulnerable to erosion and any sort of flooding.

Mr. O'MALLEY: Power supply, water supply?

Ms. CALLY HARPER: Power supply, water supply, so critical infrastructure. And then identify very specific actions that they can do. So when grant funding becomes available through the state or through the federal government, they can kind of pick off one of those apples or low-hanging fruits and really ship it into this granting agency and it's ready to go. And if they don't get it, then they just go for it again. So that coastal infrastructure is -- and planning process around that is a big one. It's in all towns.

Mr. O'MALLEY: Okay. Thank you.

Speaker BERGSTROM: Yes, Linda.

Ms. ZUERN: A few years ago a new flood map came out. A lot of land was then in flood zone which had never been in before. And I read that they -- FEMA used the wrong

data, that they were using a Pacific program instead of the Atlantic program. So is that corrected now? And is that why the rates are lower? And do you know what company is being used for the data?

Ms. SHANNON JARBEAU: That is correct, that they used a West Coast model. I am not one of the mappers, so I can't really speak to that. But that -- my understanding is that it has remained the same because FEMA felt that that was an appropriate model to use. The parts that were West Coast I guess they thought were acceptable here.

The reason that the rates are lower -- if they go lower would be participation in the CRS program. Otherwise, the rates are increasing. There was a recent reform in Congress that made all of the National Flood Insurance Program rates continue to increase into the foreseeable future.

Speaker BERGSTROM: Yes, John.

Mr. OHMAN: Thank you, Mr. Speaker. Yes, Biggert-Waters is law. It's not going to be -- no matter how defective, it is, its law. But I can't remember one of the seminars I went to there was a plan of percentage of increase, maximum increase and it's really daunting, I think the public should know, as much as planning to go up is a maximum per year it can go up and it could be devastating to families.

I think even according to some of my anecdotal knowledge, Mr. Maguire had a property that is involved in that.

Speaker BERGSTROM: Anyway, let me ask you a couple questions.

Mr. OHMAN: Wait, no. I was asking the question; I was wanting an answer.

Speaker BERGSTROM: Go ahead.

Mr. OHMAN: Do you have

percentages or maximum percentages that, under this Biggert-Waters, that they can go up?

Ms. SHANNON JARBEAU: It varies a lot by the type of structure you have, the age of the structure, when you were added to the floodplain. There are certain structures that were built before the towns joined or before the first flood insurance rate maps became effective. In each town, that date is different for each town. If folks want to know that date for their towns, feel free to reach out to me. I can give you that date.

If the structure was built before that date and it is a second home or business, then rates are going up 25 percent per year until they reach an actuarial rate. Right now they're paying about half of what they should be because they've been subsidized.

Others, if they're not those older structures, then they're going up at lower rates, it's a maximum of 18 percent per policy.

Speaker BERGSTROM: Yes, Deborah.

Deputy Speaker MCCUTCHEON: And Massachusetts already has a problem with the Fair Plan. A lot of insurance companies that used to write in Massachusetts now don't write on Cape Cod and turned Cape Cod customers, family customers over to the Massachusetts Fair Plan, which is the, for anybody who doesn't know this, the assigned risk insurance.

What's the relationship between the Fair Plan and FEMA, if at all, and how can people -- is there any way that the FEMA situation alleviates or exacerbates the Fair Plan rate-setting problem?

MS. SHANNON JARBEAU: One of the reasons that Fair Plans were created is that after hurricane Katrina when there is a blank slate, when there is just a slab left, the

insurance companies got into an argument over whether it was wind or water that destroyed the house. And flood insurance is entirely separate from homeowners insurance.

So the Fair Plan is entirely separate from flood insurance but because of Katrina and what happened with Katrina, the insurance companies have shied away from coastal areas because that question of was it wind or water? But the flood insurance program itself is not tied at all to the Fair Plan.

Deputy Speaker MCCUTCHEON: Thank you.

Speaker BERGSTROM: Let me ask you a few questions. The properties you're talking about that are affected by this plan, by FEMA's rates, are the ones that are in the floodplain. In other words, if I live on top of a hill, this doesn't affect me; is that right?

Ms. SHANNON JARBEAU: Not entirely.

Speaker BERGSTROM: Okay.

MS. SHANNON JARBEAU: The largest rate increases are going to be for those folks that are in the floodplain in the graphic that Cally showed. However, if you have a flood insurance policy, then you're not in the floodplain. For example, I have a flood insurance policy but I'm not in a flood plain. My rates are still going up as well. They will be going up a lot less -- much less drastically than those that are in the floodplain.

Speaker BERGSTROM: My understanding is that FEMA is essentially a subsidy. In other words, the people -- and forgive me if I'm wrong because you know about this and I don't, but people who have houses on the water are not paying as much as the market would bear if they were covering the true cost of potential damage to their house. The federal government is stepping in and subsidizing them.

MS. SHANNON JARBEAU: Yes.

Speaker BERGSTROM: And is there any monetary limit on the value of their property? In other words, if I build a \$2 million house in Chatham, I'm insured up to \$2 million.

Ms. SHANNON JARBEAU: So you are correct that the federal government has been subsidizing those structures that were built before the first flood insurance rate map went into effect in a town, and that is why there are these rate increases. That is why there are those 25 percent annual rate increases to get those structures -- or those policyholders paying their true cost.

There is a maximum for residential structures. Flood insurance only covers up to \$250,000, and for commercial structures it's only \$500,000. So it really doesn't go that far for the folks that have the \$2 million house right on the water. It really affecting those middle-income folks who are still in the floodplain but not right on the water.

Speaker BERGSTROM: Okay. Another thing, I've been around for a while so I've been through a couple -- several events; hurricane Bob, the no-name storm that came after that and blew from the east of Chatham, both of them affected us.

But probably coastal structures are, and this goes to municipal structures like the Fish Pier and Stage Harbor Docks and stuff, is they have to be replaced anyway. I mean even if we never had a storm, we still have to replace them every 15 years. They deteriorate as minor things.

And after hurricane Bob, the insurance companies came in and they wrote big checks for everybody who lost anything. In other words, you have a little boathouse; you were -- it was replaced 100 percent and stuff like that.

So there seemed to be a lot of discipline on the part of the people who were getting -- who were applying for relief. And I always thought that that might add to the problem is that we're not being realistic about the replacement values of some of these structures. I mean I've seen this with my own eyes. So probably the insurance companies don't see it but I see it. So that's a problem.

And I also know for a fact, having read up on this a little bit, that FEMA is in the hole for several hundred billion. I mean it's some enormous amount.

Ms. SHANNON JARBEAU: It's 24 billion.

Speaker BERGSTROM: It's 24, okay, so it's not all that much. So they're trying to make up a deficit; otherwise, it gets dumped on the taxpayer who lives in New Hampshire and doesn't worry about these things.

So, anyway. Yes, Ed.

Mr. MCMANUS: Yes, the picture you had of the Jersey Shore after the Sandy event that's reminiscent of a picture that's in a book by Ian McHarg called, "Design with Nature," which was put out in 1964 for the same Jersey Shore, same level of devastation and why they -- of all the rebuilding only to be knocked down.

Anyway, the question I have in the regulatory changes in building codes, what sort of changes are you looking to towns to make?

Ms. SHANNON JARBEAU: So the towns actually cannot make building code changes. That's something that only the state can do. The issue is that the state reduced the wind speeds from what was recommended by the International Code Council. The International Code Council sets building codes and many states or towns adopt those building codes. The argument is that that was done for a reason, of course, and that that reason should stand and they should stay.

So what we're doing is trying to work with the program that makes that decision about whether or not that's acceptable and to see if they can agree to that.

So, right now, we are not asking the towns to do anything. The towns really don't have the ability to do anything about the building code. So we're working with the state and national level programs to see if we can correct it.

If that program does not accept those reduced wind speeds, then I'll be working with the CRS program to see if we can find some other prerequisite because, right now, it's a wind provision that's holding us back in a flood program. So we want to see if we can correct that.

Speaker BERGSTROM: Yes. Ed.

Mr. LEWIS: In looking at the town-by-town savings, I know that the lowest in the whole group is Brewster. And is that because there are so few places -- so few houses in the floodplain or is there any other reason why we are light years below everybody else?

Ms. SHANNON JARBEAU: It is because there are fewer insured houses in the floodplain.

Mr. LEWIS: Fewer insured so --

Ms. SHANNON JARBEAU: Yes. So these numbers are all based on who has flood insurance policies. So there are fewer structures in the floodplain in Brewster, which is good news for Brewster, but there are also fewer flood insurance policies in the town.

Mr. LEWIS: So there are essentially structures out there that are in the floodplain that don't have flood insurance?

Ms. SHANNON JARBEAU: That is correct.

Mr. LEWIS: And I assume all of those don't have mortgages because, otherwise, they would have it.

MS. SHANNON JARBEAU: Correct. Correct.

Mr. LEWIS: That they're foolish but that's okay.

Speaker BERGSTROM: Okay. One more question is that this just came to my mind is that the erosion that I've seen in Chatham and it's been quite a bit, it wasn't really traditional flooding like you might see in the Midwest where you have whole subdivisions, you know like say New Orleans.

It's basically coastal erosion which undermines the structures so that the sand gets knocked down, the foundations knocked down. Next thing you know your house is sitting cantilevered on the bluff. Is that considered flood damage or is it considered wind? What do they --

Ms. SHANNON JARBEAU: That is flood.

Speaker BERGSTROM: That is flood.

MS. SHANNON JARBEAU: That is flood.

Speaker BERGSTROM: Yes, Deborah.

Deputy Speaker MCCUTCHEON: Is your -- I'm the Delegate from Truro, and I'm also the Truro Conservation Commission Chair and I'm wondering -- I know you're coming to the Conservation Commission. I know our agent's been very active. We're trying to get this program. Why are we still purple?

Ms. SHANNON JARBEAU: Well, I guess you would have to tell me. The town folks that we were working with in the town decided that at this point they weren't ready to move forward so perhaps that's changed. The last time --

MS. CALLY HARPER: It has changed.

MS. SHANNON JARBEAU: It has changed, okay.

Deputy Speaker MCCUTCHEON: Yes, it has.

MS. SHANNON JARBEAU: Okay. I have actually not heard --

Deputy Speaker MCCUTCHEON: I think we're entitled to maybe be turquoise at this point.

Ms. SHANNON JARBEAU: Okay. I will make that change. I have actually not heard from anyone in Truro at this point yet. I have worked with the conservation agent who we had talked about doing some trainings but hadn't heard back from her yet.

Deputy Speaker MCCUTCHEON: Well I will take care of that.

Ms. CALLY HARPER: So just to speak to that. So I've been meeting with the planning team in Truro for the hazard plan pretty regularly. We finished all our meetings last week.

And as one of the mitigation actions in the Truro hazard plan is to get into the Community Rating System at least at a Class 9. So those discussions have started.

Deputy Speaker MCCUTCHEON: Well, that's good. I'm glad. Thank you.

Speaker BERGSTROM: Okay. Well thank you, very much. It gives us something to think about the next time -- next winter when we're sitting there and all of the sudden the wind starts to blow and it's a high course tide, so I'll think about your comments and tie everything down.

MS. CALLY HARPER: Thank you.

MS. SHANNON JARBEAU: Thank you.

Mr. MICHAEL MAGUIRE: Ron, would you recognize me?

Speaker BERGSTROM: Yes, sure. Come on up.

Mr. MICHAEL MAGUIRE: I'm Mike Maguire, the Director of the Cooperative Extension. Two quick points I wanted to point out.

First, actually, Shannon shot me this and wanted to let you all know last week Shannon had been corresponding with Bill Lesser, who is the head of the CRS program for the entire country. Shannon's heading out to Michigan to a national conference on CRS and has been communicating with Bill. And he said that Barnstable County is the talk of the town related to CRS work.

So congratulations to the County for being forward thinking and putting us on the map nationally. They are looking at what we're doing here as a model for the rest of the country. So that speaks volumes about the progressive nature of the work that's happening here.

And the second thing I wanted to point out was, to me, it's a great thing to see Cally and Shannon together at the table. And repeatedly I've heard from many of you and from the County Commissioners and from Jack that we need to make sure that our different departments are communicating with each other and that we're complementing each other's services, not duplicating.

So this is a great example of how we've leveraged funds from Sea Grant to pay for part of Shannon's salary and create this program and, of course, the great grant proposal the Commission put together to get funding from NOAA for some of the work they're going to be doing over the next three years.

In a few weeks, you're going to be hearing from the Extension Service about some of the tickborne disease work we're doing and about the Zika stuff that the County Health is doing.

So, again, I wanted to reassure you that as a department head I'm communicating with other department heads in the County and that we're complementing each other, not duplicating each other's efforts. There's far too much work, particularly in this area, for us to be doing the same things.

Speaker BERGSTROM: Okay. Thank you. John.

Mr. OHMAN: I'll first go into that. I know that Cape Cod Mosquito Control is not part of County government.

Mr. MICHAEL MAGUIRE: Right.

Mr. OHMAN: Although I understand they'd like to be. But at the moment, do you work with them at all too? Is there some sort of memorandum of understanding? Are you --

Mr. MICHAEL MAGUIRE: There isn't and certainly -- so Mosquito Control's a state agency. Gabrielle, who's their director for the Cape Cod division of Mosquito Control, is in regular contact with Larry Dapsis, who's our County entomologist, the tick guy as you know him. He's come in and probably tried to scare you about Lyme and other tickborne illnesses.

So, yes, the agreement is that Larry and Gabrielle -- they probably communicate on a weekly basis if not biweekly about things that are happening. Certainly our role -- we don't do much mosquito work simply because there's a state agency already doing that. Ours is

particularly focused on tickborne illness.

But it is our role to provide outreach and education. So if the state has information, that's certainly something that we can provide as well as County Health.

And when it comes to Zika, George Heufelder and his team are -- they're taking the lead and planning for any potential needs in our region because it's really a public health issue at that point. Any kind of outbreak wouldn't be something that Extension would do except to provide outreach and education.

Speaker BERGSTROM: Okay. Well, thank you, very much.

Mr. MICHAEL MAGUIRE: Thank you.

Speaker BERGSTROM: Okay. Moving right along, do we have any communications from Public Officials?

Do we have any communications from Members of the Public? Hearing none.

### Assembly Convenes

Speaker BERGSTROM: The Assembly will now convene.

Are there any committee reports? I don't think there would be since we dispensed with that during the budget process.

### Report from the Clerk

Speaker BERGSTROM: And now we get the report from the Clerk.

Clerk O'CONNELL: Good afternoon. Just a reminder, I still have three Delegates that have not turned in their mileage logs. And we really need to get them because we're at the end of the fiscal year. So check your folder before you leave and just turn it into me.

And that's it.

Speaker BERGSTROM: Okay. I'd like to add to that that I had some difficulty with the SFI. I don't know if you guys did too? The computer, as usual, the state's computer system leaves a lot to be desired. I don't know if you guys have turned it in. I got the impression from talking to them informally that they might give us a little slack since most of it is their fault. But if you haven't done that, do it. There's still time. They won't arrest you.

Ms. MCAULIFFE: Ron.

Speaker BERGSTROM: Yes.

Ms. MCAULIFFE: It wasn't this go-around, but the last time they wanted me to turn off either pop-up blockers or something like that.

Speaker BERGSTROM: Yes.

Ms. MCAULIFFE: Don't do that.

Speaker BERGSTROM: Okay.

Ms. MCAULIFFE: No. I ended up having my computer -- having to take it in and get debugged after that. So -- and I was able to go through and do it this time without turning off the pop-up blockers.

Speaker BERGSTROM: Well I got half-way through it and then they wouldn't let

me go any further. So then I had to download -- they told me to download Google Chrome, which I did eventually, and that allowed me to continue the whole thing.

Ms. MCAULIFFE: I didn't do that.

Other Business

Speaker BERGSTROM: Anyway, is there any other business -- Doc, did you have something? Doc, under other business, are you all set?

Mr. O'MALLEY: Yes. All set.

Speaker BERGSTROM: Yes. Lilli.

Ms. GREEN: Thank you. In Wellfleet this Saturday, there will be an Energy Fair sponsored by the Wellfleet energy committee. I'm secretary of the committee. It's 11 to 3 o'clock at the Council on Aging.

And there are three different flyers. I can just leave them for everybody on the Assembly and in the public. Everyone's welcome to attend.

There are 17 exhibits and there are 14 presentations in short mini talks from -- most of them are about 10 minutes long on various topics throughout the day.

There are five solar vendors that will be there. So if anybody's interested in solar, this is an opportunity to meet all of the five vendors, ask them questions, and then each one will be speaking as well.

A number of other topics; insulated shades and shutters. A lot of talks on sustainability, and I think it will be very informative. Community organizations and nonprofit organizations will also be displaying, as well as vendors.

So if you have any questions, feel welcome to ask me. And I, again, extend the invitation to everyone.

Speaker BERGSTROM: Okay. Anything else? We're going now to sort of the summer session. Our next meeting is the 6<sup>th</sup>, so it's quite a ways off.

A lot of times people are gone, you know, or they have relatives and they'd rather be with them than us. So if you cannot make any of these next few meetings, I suggest you notify Janice because we want to make sure we have a quorum, otherwise, it doesn't make sense.

So in that case, other than that --

Deputy Speaker MCCUTCHEON: Motion to adjourn.

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

**Whereupon, it was moved, seconded, and voted to adjourn the Assembly of Delegates at 5:00 p.m.**

**Submitted by:**

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

List of materials used at the meeting:

- Business Calendar of 6/15/16
- Unapproved Journal of Proceedings of 6/1/16
- PowerPoint Presentation titled Coastal Resiliency on Cape Cod
- Resilient Cape Cod Fact Sheet handout
- Barnstable County and the Community Rating System handout