

**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 7, 2017

Speaker MCAULIFFE: I'm going to call the meeting to order, please. It's 4 o'clock. This is the Cape Cod Regional Government, Assembly of Delegates. It's 4 p.m. June 7th, 2017.

And right before we begin our meeting, I would like to introduce our newest member, Mary Chaffee, Dr. Mary Chaffee. She's taking Ed Lewis's place from Brewster, and she was sworn in last Friday, so there will be no swearing in today.

Yes, and welcome. We start our meetings with a moment of silence to honor our troops who have died in service to our country and all those serving our country in the Armed Forces.

(Moment of silence.)

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

(Pledge of Allegiance.)

Speaker MCAULIFFE: Will the Clerk please call the roll?

Roll Call (62.44%): Ronald Bergstrom (2.84% - Chatham), Mary Chaffee (4.55% - Brewster), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), Edward McManus (5.67% - Harwich), Susan Moran (14.61% - Falmouth), Brian O'Malley (1.36% - Provincetown), Linda Zuern (9.15% - Bourne).

Arrived Late (14.34%): Lilli-Ann Green - (1.27% - Wellfleet - Remote Participation - @ 4:10 p.m.), Thomas O'Hara (6.49% - Mashpee - @ 4:03 p.m.), John Ohman (6.58% - Dennis - @ 4:03 p.m.).

Absent (23.22%): Edward Atwood (2.30% - Eastham), Patrick Princi (20.92% - Barnstable).

Clerk O'CONNELL: Madam Speaker, we have a quorum with 62.44 percent of the Delegates present; 37.56 percent absent.

Speaker MCAULIFFE: And we may have Delegate Green calling in, so there may be some phone activity during the meeting.

Yes, is anyone recording other than our regular transcription?

We have one. Thank you. The approval for the Calendar of Business for this meeting; do I have a motion?

Mr. MCMANUS: So moved.

Mr. BERGSTROM: Second.

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

(Motion carried.)

Speaker MCAULIFFE: All right. The next item is approval of the Journal of May 17th, 2017. Yes, Linda.

Ms. ZUERN: Madam Chairwoman, I just have one correction in grammar, I guess. Page 30 under “Ms. Zuern” it says, “I’ll go to those meetings.” I think it should say, “I’d.”

Speaker MCAULIFFE: I’d, okay. I’d instead of I’ll.

Ms. ZUERN: I’d instead of I’ll.

Clerk O’CONNELL: What paragraph, Linda? I’m sorry.

Ms. ZUERN: It’s half-way down page 3.

Speaker MCAULIFFE: Page 3.

Clerk O’CONNELL: All right. Thank you.

Speaker MCAULIFFE: Yes, Brian.

Mr. O’MALLEY: Madam Speaker, I would move adoption as distributed of the minutes of our May 17th meeting. I missed that typo.

Speaker MCAULIFFE: Is there a second?

Mr. MCMANUS: Second.

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

Speaker MCAULIFFE: Abstention.

Ms. CHAFFEE: Abstained.

Speaker MCAULIFFE: Yes, one abstention from Ms. Chaffee.
(Motion carried.)

Communications from the Board of Regional Commissioners

Speaker MCAULIFFE: Communications from the Board of Regional Commissioners and their Chairman is the Board today. Welcome, Leo.

Commissioner CAKOUNES: Thank you. Thank you for having me here again, and welcome to our new member. I have three meetings to report on, so you’re going to have to bear with me. I will dispense of the contractual signing and approved or awards, I should say, of contracts because there’s quite a few of them, and you’re welcome to go through our agenda and see those, but none of them are really relevant to business that, you know, I’d certainly like to make you guys aware of it, but because we have so much today, I’m going to dispense and not read all those contracts.

We go back to May 24th. We had a discussion, and we did have a vote to take action to actually file legislation or ask our Cape Delegation to file legislation for an Early Retirement Incentive Program.

One key thing I just want to mention on this note right now is that this action that we asked our State Delegation to do is only asking for the State Legislature to approve us and allow us to offer this Early Retirement Legislation -- Early Retirement Plan.

The actual plan, itself, has not been developed yet. And to my knowledge, did not need to be developed prior to asking the Legislature if we can do this. It’s kind of a two-stage thing. We have to ask their permission to do it first. Once they say yes and then we will file the plan at that time. So we are still working on the draft plan, if you will.

And, in fact, if the Commissioners decide after reviewing that plan that they don’t even want to offer it, we don’t have to and, basically, we can either tell our

Legislators not continue to ask for the permission to do so.

There was authorization and approval of vacation carryover from FY17 into '18, and that's in accordance with our Barnstable County Personnel Manual Chapter 8.3, Subsection G. We adopted a while ago a policy in which it was unlimited to our employees to how much vacation time they could carryover. An essential thing if you have, and we have had in the past, employees continue to build up vacation time. And at some point when they decide to either retire, we owe them quite a bit of money.

Well, we have this new policy in place now where we don't allow that. You have to specifically request and you can only carry it over once.

There was also an authorization and execution to enter into a license agreement with the Cape and Island Emergency Services System, Inc. For those of you who don't know, that's basically the EMT guys, the training for ambulance people. And this organization will be using the Fire Training Rescue Academy. So we have -- this was a thing that had been on the books for a while. It was drafted in draft form for about two months. After the attorneys looked it all over, both ours and theirs, back on, again, May 24, it was executed. So that agreement now is in place.

With that, I'll jump to our next meeting which is May 31st. We did have a presentation, if you will, by a Greg Berman, who is our Coastal Process Specialist from the Cooperative Extension. He attended a Flood Risk Management Seminar. And, again, our new policies that we have now is anytime our department heads attend these seminars, whether they be in-state or out-of-state, they have to come back or we require them to come back to the Commissioners and report on what they've learned and what they have given information to the other people because we do share information at these different seminars.

So, they came in and reported on the stuff that they learned. It was interesting. It was held in Kansas City, Missouri. But one of the interesting things we talked about is that the Floodplain Management is not just coastal; Floodplain Management is also rivers. And as you're all aware of the fact, the middle part of this country is faced with the same problems we have with their river -- rising rivers.

We did have Lev Malakhoff who is a Senior Transportation Engineer from the Cape Cod Commission come in, and he was also with Tom Cahir, and I believe they had two members of their staff with them also, and they wanted to talk about the Cape Cod Regional Transit Authority and the multi-modal transportation incentives, which is they're trying to get people to use things other than their automobiles. It was a very nice presentation.

Along with that, the Commissioners signed a proclamation claiming June 25 to July 1 "Cape Cod Smart Transportation Week." So this now has been expanded. It's not just bicycles. It began some time ago. I know Ron's been here for a while and many of others know about this; it's been around for a while. It started out as bicycles, now it's multi-media transportation. So we encourage people to take buses, transits.

One of the interesting things that we talked about or that we learned about at the Commissioners level too is there's actually an app now to help you get carpools. So if you, for instance, work at Cape Cod Hospital and you happen to live in Bourne, you can download this app and put out there that you're looking for a ride to Cape Cod Hospital during certain hours and other people who happen to live in your area who work at Cape Cod Hospital share the app, it helps put you together with a carpool situation.

So a lot of good information, and I think maybe the Speaker might want to have Mr. Cahir and Lev may come in and give you guys kind of an update on that too.

Probably the one that I think you're going to be talking about a little later is we had an authorization and approval of the Policies and Procedures for the Special Projects Reserve Fund, and that kind of coincides with the Proposed Ordinance 17-and it's to be numbered transferring the remaining monies in FY17 Water Quality Incentive Fund, which is the Cape Cod Water Protection Collaborative to transfer it from that fund into that line item, I should say, into the new Grant Fund starting June 30, 2017.

And I do have that signed Proposed Ordinance here to pass in when I get up. Hopefully, you guys will be able to maybe hold a public hearing and vote on that the same day because we would like to have it. And I apologize for the late hour, but we would like to have it done before the end of the fiscal year. And, again, it's no surprise. We've all talked about this, what we were planning on doing.

On our budget -- I'm sorry -- on our agenda, you will be noticing there were a couple authorizations for approval of funds transferring and the Cape Light Compact. I just want to make sure I clarify for everybody's knowledge this has nothing to do with County funds.

When the Cape Light Compact does their budget at the beginning of the year that they file with DPU using the energy-efficiency funds, they program, I should say they put into slots certain amounts of money for certain things. And then as they end their -- get near to their fiscal year if they need some more money, let's say they programmed \$50,000 for lightbulbs and \$10,000 for refrigerator rebates. Well, if they find that the refrigerator rebates were more than the lightbulbs, they take some money from the lightbulb line item and put it into the refrigerator line item. It's kind of their in-house budgeting calculations, if we will.

So anytime you see on our agenda any transfer or authority changing in budget transfers within the Cape Light Compact, it will specify that it is the program year energy-efficiency fund.

That kind of wraps up -- other than some general contracts and things that we did, that wraps up May 31st, and that brings us to today.

Today we had four things that -- I should say three things that were relevant to personnel issues. We had a recommendation from our Administrator to promote, if you will, the Interim Acting Director of the Resource and Development Office, Julie Ferguson, from the Interim Acting position to the full Director's position, and the Commissioners approved that.

There was also a request from our Administrator to promote the Acting Interim Director of the Health and Environment to the full Director's position, and that would be Sean O'Brien, and the Commissioners voted that.

And, also, there was a recommendation to promote Steve Tebo from the Director of Facilities and County Assets to the position of the Interim Acting -- I'm sorry, the Interim Assistant County Administrator. And all three of these actions take place on July 1, 2017, which is the beginning of our 2018 fiscal year.

There was an authorization and a request from the First District Court to use the County Complex, and we absolutely granted that. I think it would be September 28th, I believe the date is. They're going to have a tent out in the parking lot. They're also going to be using our little gazebo out there for an event, and I'm sure we'll be sending out information on that so you guys can attend it.

Once again, there was another Cape Light Compact transfer. I won't get into that.

We did authorize to create a new fund, and this goes back to, again, our general business and we've done a lot of this stuff that I didn't bother reporting on because of the lengthy report today.

But one I thought would be -- should be mentioned is the Authorization Creation; the new fund from the Massachusetts Department of Environmental Protection. It's a grant of \$135,335.00, and this is really -- goes directly to the Massachusetts Alternative Septic Testing Center.

So, I'm happy to report, once again, that we are getting some grant monies to continue that test center. And these specific funds are going to be allocated to Best Management Practices and passively removing nitrogen from onsite septic systems. So I'm just happy to report that that's continuing.

Other than that, I have a few other things that I would like to take this opportunity to just talk about. Again, the Early Retirement issue was in the press. You probably heard me on the radio a few times, and we were quoted in the press. But I just want to assure all of you that this is in its very early stages. We are putting together a plan that's looking at maybe offering five years of your time stay here, if you will, and five years till age, kind of calculating who would be eligible for that and if, in fact, that is going to help us if, in fact, let's say 20 people are eligible; well, all 20 aren't going to take that. Maybe we've got to figure that maybe half might. So we have to really look at seeing if this whole thing is going to be a worthwhile endeavor. It may not at this stage. I'm really here to tell you that this really at its very, very earliest planning stages. And as we start to move forward, we'll have a better handle on exactly how this is going to impact us and if, in fact, the Commissioners are going to move forward or not with it.

You all are well-aware of the OneCape, which is the large event that the Cape Cod Commission hosts. I believe the days are June 22nd and 23rd. I am working with the Cape Cod Commission. I will be making a presentation to the Councilors and Selectmen's dinner, which I believe is Friday night of that event.

Speaker MCAULIFFE: I was corrected. I believe its Thursday night.

Ms. MORAN: It is Thursday, yes; Thursday and Friday, yes.

Commissioner CAKOUNES: Thursday night event. And why is this important to you? Because at that presentation, I'm going to be making the plea of kind of presenting County government past, present, and future. And one of the key points of that presentation is going to be future.

Today, I worked on with our staff a survey that I'm going to be handing out at that presentation and also be making it available not only online but there at our table so that people can take it. And the survey is basically going to be geared to these are the things that the County has been offering. Can you please rate them on 1 to 5 as whether you think we should continue to operate them or not, and which are the most importance to you as a town, especially as a selectman or councilor or a department head?

And then at the bottom we will have boxes; it's going to be anonymous, but we would like to know if the person is a selectmen/councilor, if they're a department head, or if they're just a member of the public so that we can weigh that survey accordingly.

Two other things and I'll wrap it up. The audit that you've all been

waiting for in full anticipation of is completed. We have been issued a draft audit. I have not released it to even my fellow Commissioners yet out of respect for the state. They asked us not to.

Staff, a couple of staff have looked at it, myself, but it will be out very soon for the general public. I'm anticipating maybe by Friday; if not, you'll probably see it the beginning of next week. As soon as the document is released for public viewing, I assure you that the members of the Assembly of Delegates will be the first to get it.

And if I could just -- hopefully I still have this somewhere; if I could just kind of -- I don't want to say bend the rules a little bit, but if I could, for one second, put my CVEC hat on. As you all know, I am your representative to the CVEC board, which is the Cape and Vineyard Electric Co-op. I am also the President of CVEC.

So I wanted to take this opportunity to tell you that today I called a special meeting of the Executive Board of CVEC because of the fact that last Friday Eversource has submitted a revision to their rate case. As you all know, there is a pending rate case right now, and Eversource has been submitting revisions to this.

It has come to our attention that when we take those revisions and we look at them and calculate into them the estimated affects that this new rate is going to have, the Executive Committee has determined that the impact of this case is going to be very potentially negative to a lot of the towns and to our members who are enjoying what we call net metering credits.

Why we think this is very important? We're concerned about it is many of our member communities, many of the towns that you all represent, take advantage of these net metering credits. And their values when they're doing their budgets and if, in fact, this rate change were to go through and our calculations were to be correct, in some cases the towns would be seeing a reduction in their value of those net metering credits.

So I'm sending out a letter relatively soon. Hopefully, if I can get somebody to help me put it on the right letterheads; our secretary is out on a medical leave, so I'm reaching out to somebody else to give us a hand. We'll be sending out -- I will be sending out a letter as the President of CVEC alerting the towns to this discovery, if you will.

And, also, I'll be calling a special meeting of the CVEC board because I think CVEC should probably be the leaders maybe for the towns and making this argument to not only the DEP or DPU, I mean, but also maybe contacting the Attorney Generals and letting them know where we stand on it, and how this new rate will affect our members.

So I only mention it here today. It's very early. I don't know -- I just know it's concerning enough that it needed to be mentioned today so you can go back to your towns, especially those who are participating not only in CVEC, but who are participating in any kind of a net metering credit program. They need to be aware of this new filing that happened last Friday because it does have a potential impact on their future dollars.

And I think that wraps it up.

Speaker MCAULIFFE: Thank you. Lilli-Ann, are you participating?

Ms. GREEN: Yes, I am. Thank you for asking.

Speaker MCAULIFFE: Okay. Thank you. Are there any questions for Commissioner Cakounes? Yes, Ron.

Mr. BERGSTROM: Yes, Leo, I understand the purpose of this OneCape thing and your question asked to the towns, but I mean normally the communications between the towns and the relationship between the towns and the County run through Board of Commissioners and members of the Assembly.

So in some ways, you're sort of jumping over us; do you know what I mean? Going directly to the Board of Selectmen whereas we are elected directly by the people in the town. So I mean I understand why you're doing it, but, you know, that's -- it's awkward because I think that they look to us to tell them what's going on and to really direct them to the community. Some towns may benefit and some towns may not.

The other thing is, if you switch gears for a minute, is the Cape Light Compact has been designated as an intervener in this -- in the DPU and Eversource. Do you know that -- does CVEC piggyback on that or do you have anyone directly up there in Boston negotiating this?

Commissioner CAKOUNES: No, we do not. We are not an intervener, a legal intervener, if you would, on this particular argument. That's not to say that it was mentioned today at our Executive Board that we should possibly see if we could file to be a late intervener --

Mr. BERGSTROM: Yes.

Commissioner CAKOUNES: -- only because of this new rate that was filed on Friday. The Attorney General's Office is saying that because of its potential impact, they want a longer -- they're asking the DPU for a longer comment period, because the comment period is now closed.

Mr. BERGSTROM: Yes.

Commissioner CAKOUNES: So it would be interesting to see what the DEP -- DPU's reaction to that request from the Attorney General's going to be. If it's no, then, quite frankly, we probably don't have any legal ramification.

Mr. BERGSTROM: Now what I understand is they are going to put additional charges on people who have solar panels. I don't know if that includes the towns or not. But they also suggest that it would be people who installed these solar panels after a certain date; is that your understanding? Did you discuss that?

Commissioner CAKOUNES: I'm not even going to go there, Ron, to be honest with you because I don't know enough about it. All I know is that through our calculations of some of our members on our Executive Committee, they just felt that the net metering credit portion of this entire package is now going to be affected greatly.

This is a little different than what Cape Light Compact is arguing for their case. They don't really deal in net metering credits; CVEC does. So this is why CVEC has, anyhow, our board has decided that we need to take a look at it on our own because it's a little different way with -- little bit different responsibility, I should say, than what CLC has.

So all I can tell you is I'm going to learn more about it when we call our meeting. Hopefully, I'll have a meeting next week. The window is very, very limited though. Because from what I understand, the Attorney General's letter went out to the DPU, and the DPU is going to make a determination on whether they're going to reopen, if you will, and then extend the comment period. And from what I'm hearing, it's probably not going to happen.

Mr. BERGSTROM: Are all these recent filings available online? Is this something we can access?

Commissioner CAKOUNES: Yes, they are. Yes, they are.

Mr. BERGSTROM: Thank you.

Commissioner CAKOUNES: Don't ask me where, but they are online.

And the only other comment I would make to the fact that the Commissioners are somehow circumventing the Assembly of Delegates, I take issue with that. I don't think the Commissioners are doing that whatsoever.

All right. The Commissioners now are trying to put together the future of the County. We're trying to find out exactly where the towns -- because I, as one single Commissioner and I believe I'm joined by at least one other, that the purpose of County government is here to help the towns. And we have not -- the County has not reached out directly to the towns.

I've been sitting up there for six years, and sitting up here for two, and we have not done anything in those seven years or eight years directly to the towns to ask them their opinion on where they want the County government to go to. So I can't wait any longer. I want to start.

I, personally, as chair, am going to start the FY19 budget very early on. We're going to start it in September. And as I mentioned many of times to this board that we're looking into doing a lot of restructuring. And I think I have to do my due diligence.

I, also, am elected by the people of Barnstable County from Provincetown to Bourne. However, I feel the Charter is really clear; I serve the towns directly. I serve the towns directly as the executive branch of this body. So, I feel I have an obligation to reach out to them. And I make no disrespect to any of you that I'm circumventing you guys and going over you. I feel I have a direct responsibility to the towns as their executive branch so.

Speaker MCAULIFFE: Susan.

Ms. MORAN: Sure. And just an additional comment on the Commissioners' report; as the President of the Cape and Islands Selectmen and Councilors' Association, the Commissioners were granted the opportunity as really another method of communication. When you're talking about, you know, whether it's Selectmen or Administrators of towns or employees of towns, there needs to be really repeated efforts at reaching out.

And before my time, I understand, that the Commissioners used to actually visit every town and ask the towns what services they were interested in, report on the great services that the County has done, and I think, particularly, at this point in time, Commissioner Cakounes' efforts to hone and pair-down, if necessary, the services would only make sense if you actually ask the customers.

So I've stated publicly that I think, certainly, that the OneCape forum would be one opportunity. Our organization is glad to provide it, but it really, you know, it's going to be a continuing effort, I think, really as an outsider to the Commissioners' efforts, and it's just one more thing. That was my thinking.

I think right now just hearing about the opportunity, my expectation, I'm consistently bringing things back to my Board of Selectmen. I happen to be chair, so I get to do that a little more easily.

But I really appreciate the efforts. I think it's going to take really a Yeoman's effort and really turning the communication and getting the feedback. So I'm happy to provide the forum with the Cape and Island Selectmen and Councilors'

Association at OpenCape.

And I also encourage the Commissioners to take every opportunity, whether it's going out to the boards, answering questions, providing a direct line of communication at every chance.

Thank you.

Speaker MCAULIFFE: Any other? Yes, John.

Mr. OHMAN: I'd like to piggyback on Sue Moran's comments. You know, in my time here, the Commissioners used to instruct their staff to provide a detailed list of each individual service that was provided to each town, and it was very helpful for me to go back to my town and say -- a lot of them don't really understand exactly how much the County provides to them.

So if there's any way in your tenure here that you can reinvigorate that thought process, I think that would be very helpful to me and to the Selectmen's Association and everyone else that they could actually do a laundry list of things that the County does do for the towns because it's more extensive, including members here in the audience that provide some tremendous services that some people are not aware of.

Speaker MCAULIFFE: Yes, Ron.

Mr. BERGSTROM: Just to keep consistent with my contrarian ways, the point they're trying to make is that when someone's elected governor, they don't turn around and say, "Well, what do you want me to do?" When someone's elected president, they don't say, "Okay. Now, I'm President. What do you think my agenda should be?" They run for office with specific proposals.

And the reason -- that's my approach to it. The next guy who runs from Commissioner says, "If I'm elected, I'm going to do this, that. I'm going to play with this; I'm going to add this." And that's normally how it works.

You know, I don't mind when we're in the middle of a term and stuff saying, "Now, what do you want us to do?" But my feeling has been more consistent if people, myself, you, everybody here, when we run for office, we says, "This is our approach to County government. If you elect me, this is what we're going to do."

Commissioner CAKOUNES: Well, I appreciate that. And if I can just answer it briefly without getting into a back-and-forth thing on it; I am probably the only elected official in recent memory, to my knowledge anyhow, that has actually ran on a platform and completed everything he said he was going to do within two years, and I still have two years left. So I'm very proud of that fact; Number 1.

Number 2, the difference between governor or president is that those people do things, policies and things that affect people directly. And right here in the County, again, our Charter is real clear. We're here to serve the towns.

I get elected by the people of Barnstable County, but my obligation really is to serve the towns, and I want to go back to the Charter, and I said that during my campaign that I want to go back and follow the Charter and be here to serve the towns. What better way to serve the towns then to ask them what do they need and what do they want, and where do they want us to go in the future?

I mean just because I'm going to be taking these surveys does not necessarily mean that my fellow Commissioners are going to follow what comes out of them. But I think it's an important outreach, and I said I was going to do that during my campaign and I am.

Speaker MCAULIFFE: I would just add on a personal note, the town of

Yarmouth has been asking me what does the County do for me. So, I do have to defend what the County is doing, and they are looking at the value for what the Town of Yarmouth gives to the County.

And when you add it all up and what they get back from County services, they need to feel like it's a worth-while proposition for them.

So we haven't come to any conclusion yet, but I think this helps if they feel like, well, I think I knew that they were helping Yarmouth out with the funding this year for the rest area, which was on Yarmouth's list for help this year.

So there are little things that add up, and I think anything we can do that makes the municipalities feel like they have a voice and that we're not just telling them what we're going to do I think helps. So I appreciate the Selectmen and Councilors taking the lead on this.

Thank you.

Commissioner CAKOUNES: I want to personally thank all my Assembly of Delegates members too because, again, spending six years on that side of the table, during that 6-year tenure, I believe I was one of maybe three Assembly members who actually made a presentation almost every three months to their Selectmen. And I didn't just wait for them to call me in once a year to get a quick update.

And I think it's very important that you continue to do that and reach out to your Selectmen because, once again, you've got to hear from them and then let us know. That's the way it works, and I'm very happy to do that.

Thank you.

Communications and update from Mike Maguire and Larry Dapsis

Speaker MCAULIFFE: Thank you. Next item will be communications on our tick disease update, and with us are the Cooperative Extension Director Mike Maguire and our County Entomologist Larry Dapsis. Welcome.

Mr. MIKE MAGUIRE: Thank you. All right. Good afternoon. Thank you, so much, Speaker McAuliffe for inviting us to present. I know we were here a year ago and you wanted an update on what Larry's been up to. And I'd like to preface this before Larry's presentation to talk to you a little bit about what the Barnstable County Tick-borne Disease Task Force has been doing.

So, Sean O'Brien, who's here in the back, from County Health; Deirdre Arvidson who's the Public Health Nurse; Larry, and myself all sit on the County Disease -- Tick Disease Task Force.

And we've worked on many different regional issues together. The most recent presentation that we provided was the Physicians Forum, which Doc O'Malley was at, and that's a presentation that the County sponsors would bring in the country's experts on evolving tick-borne disease, research, and what's being done. We educate local physicians about newer trends and different treatment philosophies. So that was a good success.

I know Brian O'Malley and, I'm sorry, is it Dr. Chaffee or?

So you may be interested in this in the future as well, but it was a great success.

We've also been thinking a lot on the Task Force about how to address the bigger issue. And that issue is if Lyme disease was treated like West Nile virus and Powassan was treated like Zika, there would be a lot more attention and funding and resources provided to this.

Now, if you look at the number of mosquito-borne disease cases in our County, they're fairly low relative to what we see in tick-borne disease, and that's why we've been focusing so much on what we're doing as far as tick-borne research and preventing disease in our region.

So Larry's going to talk to you quite a bit about what he's been doing for the past year, I think, if his presentation works. I'm sorry, Larry, the projector conked out on you.

Mr. LARRY DAPSIS: Yes. We might need IT here.

Mr. MICHAEL MAGUIRE: But in the meantime what I will say is that the chairperson of the tick Task Force, his name is Henry Lind, and Sean and myself will be heading up to UMass Amherst tomorrow to discuss with the Lab Medical Zoology Director, Dr. Stephen Rich, about having a statewide forum to discuss several things.

One of which is that there was a Lyme disease in Massachusetts Special Commission Report. This report was issued in 2013. It came out of state Legislature with a consensus on five areas of recommendations how the state should move forward in addressing tick-borne disease in the Commonwealth.

And the County here, we've done a good job in addressing many of those issues, and there are individual municipalities throughout the state that have done a lot. But we're not seeing a cohesive effort from some of the state agencies that we'd like to.

So we're talking about putting together a symposium in the fall at UMass to address tick-borne disease resources in the Commonwealth, and how we can work together as individual municipalities and with the state to progress and address some of these issues. So that's kind of my spiel.

I know Larry's --

Speaker MCAULIFFE: So this isn't coming up for you? The presentation isn't coming up then, Larry?

Mr. LARRY DAPSIS: No, it's not. I'm rebooting things.

Speaker MCAULIFFE: And to further add to your troubles, is there any way you can swing your projector 90 degrees and project it on that wall.

Mr. MICHAEL MAGUIRE: Sure, we can do that.

Mr. LARRY DAPSIS: We'll solve one problem first.

Speaker MCAULIFFE: Yes.

Mr. MIKE MAGUIRE: So one other thing I would add is that I've seen Larry does many, many presentations, and it generally attracts many questions, and I've asked Larry to keep the presentation to 15 minutes. So probably for the flow, I would suggest maybe we hold questions until the end, and then you can ask him then for the sake of time.

Speaker MCAULIFFE: Yes. Thank you. I appreciate you shifting the screen. This way we can stay in our seats. Thank you.

We're still waiting for the -- Susan, you had a question?

Ms. MORAN: Sure. Just a quick question. In terms of the available physicians on the Cape that practice in this area, can you speak to a shortage and any

good news in the future where that might be corrected?

Mr. MIKE MAGUIRE: I might defer to Sean from the Health Department on this, but what I can tell you right now is that Dr. Donta, who was the practicing physician that most folks had seen, he has since retired but Dr. Donta is on our Task Force. And at the Physicians Forum, one of the folks -- one of the physicians that treats in the similar manner that he did came and presented and she's from Plymouth. She's the physician off-Cape. I don't know if, Sean, you wanted to add to that?

Mr. SEAN O'BRIEN: Well, I mean --

Speaker MCAULIFFE: Sean, why don't you come up and just grab a microphone so people at home can hear you as well.

Mr. SEAN O'BRIEN: Okay. Good afternoon.

Speaker MCAULIFFE: Good afternoon.

Mr. SEAN O'BRIEN: How are you?

Speaker MCAULIFFE: And congratulations.

Mr. SEAN O'BRIEN: Oh, thank you, very much. For the record, I'm Sean O'Brien and this is the first time I'm going to say it; I'm the Director of the County Health Department.

Commissioner CAKOUNES: Not yet.

Mr. SEAN O'BRIEN: Actually, effective July 1. So, we do. We have quite a few physicians on our Task Force or actually three; two, we're working on a third. So we have Dr. Donta. When we put together the Physicians Forum, we try to make sure we bring in some wide range of expertise when it comes to certain areas of treatment.

So there's a little bit of a -- I guess the best way to put it is a little bit of conflict. There's some physicians that believe long-term -- don't necessarily believe in long-term Lyme and some do. And so it's always interesting because some folks feel short-term antibiotics work, and then there's the thought process that long-term may be needed as well. So it actually created a little friction last year and with the -- and with our Governor's office. So, I hope I --

Ms. MORAN: Just a quick follow-up.

Speaker MCAULIFFE: Yes.

Ms. MORAN: That is helpful and addresses the question. I'm also interested in how that works in parallel with the insurance companies because, of course, payment for services certainly drives a lot of medical decisions.

Mr. SEAN O'BRIEN: Absolutely. And that actually is what happened last year. There was a bill in front of the governor last year to actually stop long-term antibiotic treatment for Lyme patients and that did not make it through.

So there seems to be a pretty good correlation with treatment and with the insurance reimbursement. And so I think that's going to move along and stay pretty much consistent.

So it seems as if most insurance or a good portion of the insurance is able to handle and it does cover the patient for both short-term and long-term.

Ms. MORAN: It would be interesting to invite the insurers to the conference.

Mr. SEAN O'BRIEN: Well, and that's one of the things that we're trying to do with this, with the statewide conference is make sure that organizations like

Blue Cross/Blue Shield, Harvard Pilgrim Health, Tufts are brought to the table and can work with us on a lot of those insurance issues, even things such as testing ticks.

Speaker MCAULIFFE: Yes, and Brian, I was going to ask you to weigh-in because I think your first hurdle is the doctors.

Mr. SEAN O'BRIEN: Yes.

Mr. O'MALLEY: Right. And I think that's exactly the case. You know, the reason -- I alluded to this. I did report out on the Physicians Forum at our last meeting.

As an example, one of the things that the County's doing, and I alluded to the fact that the origins of this conference were in the fact that there was this real dichotomy of perspective on what long-term -- what may be called "Chronic Lyme disease" late/posttreatment Lyme disease is about.

And it's not just an insurance issue; it is a fundamental dispute about the evidence and the solidity of the evidence as to whether -- not whether this condition exists but how it's treated.

Mr. SEAN O'BRIEN: Correct.

Mr. O'MALLEY: Whether antibiotics make any difference at all. And we continue to hear some interesting science on the subject.

Mr. SEAN O'BRIEN: Absolutely.

Mr. O'MALLEY: And some very suggestive stuff, and yet at the same time, the evidence remains kind of sketchy. So going forward, you know, I don't know that -- until some really definitive study is done or a real breakthrough happens, I think we're going to live with -- some of us are unconvinced and some are convinced that antibiotics work if you do it for six months.

Mr. SEAN O'BRIEN: And I think that's one of the critical reasons to maintain this Physicians Forum because what it's doing is it's presenting the most up-to-date information and a lot of the research that may be happening as well.

We heard from one doctor who was using, I think she was Plymouth, who was discussing the use of antibiotics and sulfur drugs along with treatment. So it's really provided a good room for the doctors to listen to what's happening there.

Now, one of the most important things for us with this statewide consortium is back in 2011 a Senate and House Committee was convened in order to start addressing many of the Lyme disease issues, and they came out with a report in 2013 to address in one of those areas it was diagnosis, treatment, prevention, and education. But what also came in as a part of that too was insurance.

And so what was really important for us was making sure that this whole 2013 document that was developed is actually taken to the next level and discussed even further. And it had a wide range of folks from the House, from the Senate. It was -- and with the help of Representative Vieira out of Falmouth, we've actually been able to at least start to get the foundation to look at this -- look at this document that was produced back in 2013 and take it and not just let it be another document that sits on a shelf and actually looks at what those recommendations are and see if, as a state, we can work together and maybe change the way things are happening on a state level but also on a national level as well.

Speaker MCAULIFFE: Okay. We have IT here so, hopefully, we can get this picture up.

Ms. MORAN: Thank you. That was perfect.

Mr. MICHAEL MAGUIRE: This is what happens for me telling Larry to get here at 3:30 to make sure it was --

Speaker MCAULIFFE: Well he was all set.

Mr. MICHAEL MAGUIRE: I know. It was all set and then it timed out.

Speaker MCAULIFFE: In fact, he didn't even leave it because -- yes, okay. Great. Thank you.

Mr. LARRY DAPSIS: Well, good afternoon on this bright, sunny day and I'm actually here to make it a little bit brighter by engaging you in a robust discussion of infectious disease because that's what we do here in Extension.

So as Mike indicated, it's been about a year since we last met. So I was asked to give you a thumbnail summary of our activity since we last met.

So let's start out with Lone Star tick. This is our newest player to the Cape Cod landscape. And as we told you, we found an established population of Lone Star tick three years ago in Sandy Neck Beach Park with the help of Cape Cod Mosquito Control. And so this is pretty significant. We found the first established population of Lone Star tick on the Massachusetts mainland. So we're kind of lucky.

And what we did is, last fall, we found another established population in West Falmouth along the Shining Sea Bike Trail, okay? And what happened and why I know this is that a doctor called me because a woman who was sitting in the grassy area next to the path about halfway between the end points, she was attacked by Lone Star tick larvae. They lay their eggs in a cluster so when they hatch out in August into September, you have a very concentrated family of ticks. You bump into one, generally you meet everybody.

Well, the doctor called and said this woman had 182 ticks attached to her, but she wasn't sure they were ticks, and she was asking me, "How the heck do you remove these things that are like grains of salt?" And I said, "The wonder product Duct tape. Just put it over there, peel it off, send it to me, and I'll confirm the ID," which I did.

So it got me thinking about distribution of this thing that's kind of interesting. It's a very different creature that we're trying to learn about. And what I was looking at is that are these man-made corridors, like a bike path, a way that these ticks can be dispersed by animals that participate or are associated with them.

Now Lone Star ticks, they don't like little furry things like mice and shrews like our deer ticks do. They prefer a more intermediate size host. And I had a list of suspects; it was kind of short. And on the top of that list was our friend the wild turkey and also coyotes. I was wondering if these are agents that now these are established, are they able to start moving these things around. And I put out surveillance cameras and captured about 5,000 frames of imagery. And low and behold, along that bike path, yes, wild turkeys. We do have a few of them. And they were marching up and down. So on one day they would be going north, and a few days later, this flock would be coming south. And it's not a stretch to think about, you know, adult-stage Lone Star ticks dropping off a bird and laying her eggs right there. So I think the turkeys are playing a big role in what's going on here.

I also found coyotes, yes. So my number one and two suspects I've confirmed that I think they're playing a role here, and we've got some data a little bit later on I'll share that's kind of confirming what we're thinking going on here.

All right. Let's look at some data. All right. This is incidence rate of

Lyme disease by county in the state, and Nantucket and the Vineyard are Number 1 and 2, okay; they've always have been.

Barnstable County, we've been number three for as long as I've looked back and seen the data. And last year, Plymouth County soared past Barnstable County by a fair margin. And I know when I get this next data set, Bristol County's going to pass us, and we're going to drop to Number 5. This is a race we're losing and that's a good thing.

Well, this got the attention of the Harvard School of Medicine, a Dr. David Scales. He and his colleagues were looking at trend data, and when they were looking at the Cape, they saw that every single county in the state is on the increase except Barnstable. And they were wondering what the heck is different here than all the other counties in the state.

So they started probing around asking some questions. And what they found out is that we're the only county in the state that has an aggressive education program for some time between County Extension and County Health and Environment, and it's clear that it's taking traction. We are holding our own, absolutely. I'd like to see those numbers go down, obviously, but it's not going up, which is a good thing.

Dr. Scales is also a freelance writer, and what he's doing now is he's putting together a series of articles for NPR Boston. So we're going to get some pretty good coverage about this. He's already come to a couple of my meetings, so he's writing up and describing, you know, what's going on here that other counties might want to pay attention to.

Well, it's interesting that the people in Plymouth County now have a pretty good feeling for what's going on there. Things are bad and they're now discovering this. And some of them heard about what we're doing here on the Cape.

Last fall, they invited me to speak to their County Commissioners and the equivalent of you guys. What they do instead of an Assembly, they have Selectmen from each town representing all 27 towns.

So what I did, gave them an overview. They kicked the tires and pressure tested it, and they concluded that they want to duplicate our program in its entirety. So what they've done is they've posted a position to hire a County Entomologist, I'm on the search committee, and I will be their principle matter.

So it sets up some interesting potential synergies between our two counties now in terms of added value.

All right. Powassan virus; this is one of the primary things we talked to you last year about that in this three-year period from DPH, we've had 14 cases in the state and they know it was from tick bites in Massachusetts. And this typically takes the form, the clinical presentation is encephalitis; it will land you in the hospital in a heartbeat if you're that unfortunate.

Of these 14 cases, 3 were fatal, okay? Two of those fatalities were on Cape Cod, okay; one in Falmouth and one in Sandwich. And I've met the widows of both of these men. I was doing a workshop at the Falmouth Library and that woman told her story to the entire group, and everybody was just in awe. They could not believe this guy got bitten, and he was in the hospital for eight months before he passed away.

The woman in Sandwich actually came to visit me and because she wants me to teach her how to teach other people. She wants to help people prevent going

through what she and her husband did and stuff. So, pretty serious stuff.

So what you probably all know is we've had a close collaboration with the Laboratory of Medical Zoology at UMass Amherst. Dr. Steve Rich over here is the Lab Director; Guang Xu is his Research Associate, and that's Emily, one of Steve's doctoral students.

And what we did last year that we reported, we had a sampling program last spring from Falmouth all the way out to Truro, so its six sites. And the data we showed you was that we found Powassan virus in ticks from Falmouth all the way out to Truro. So this suggested this has been on Cape Cod for thousands of years and it's just flown under the medical radar screen.

So we decided let's do some expanded surveillance, and this is what we told you we were going to do last July. We floated a proposal to Cape Cod Healthcare for their Community Benefits Grant Program. We've now received four consecutive years of funding from this group. Ticks and tick diseases are clearly on their radar screen, and they like the work that we've been doing.

Last year, they funded this. This was a project to provide a subsidy for the cost of tick testing. So \$15 instead of \$50 until the monies ran out.

So we decided to float a proposal this year similarly, and what the difference here is that they like, we folded in Powassan virus. We also folded in Rocky Mountain spotted fever since we had a case of a little girl in Brewster last year.

And the Grant Review Committee really liked the way we're marketing this thing. "Send a Tick to College." In fact, Gaby from Mosquito Control and I are walking billboards marketing this program and has been very, very successful, well-received.

And it reinforces the point and the importance of doing a tick test because what we maintain is this provides now a patient hard data of what they were potentially exposed to.

So here's a tick report from UMass. So this was a fully engorged tick found on this three-year-old boy's head, and so that tick was probably on this kid for probably four if not five days; plenty of time to transmit pathogens. And this tick tested positive for *Borrelia burgdorferi* which causes Lyme disease. So it's pretty clear that without medical intervention, this kid probably would have come down with Lyme disease.

And kids, you know, under age 9 have the highest incidence rate of Lyme disease in the state. So I tell parents we need to do a better job of what we're doing.

This kid was also exposed to *Babesia*. Now Babesiosis is very uncommon in younger people but it doesn't mean it doesn't happen. And the other thing this points out is that we have a co-infection. So what would the clinical presentation even look like? So this gives the doctor a leg up on the things that they should be doing.

And so people have embraced this, and now people, we're finding the medical community, are telling their patients that I'm not going to do anything until I see your tick report, and then we'll determine a course of action. So it's been very, very successful.

All right. So with the Powassan virus, with this program, we ended up doing 533 tests, okay? And in those tests we had four positives for Powassan; two in Eastham and two in Wellfleet. So this reinforces the fact that last year we didn't create a panic when we found Powassan virus. We had a very balanced message out there that we have something that seems to be quite rare and in some instances where it shows up,

yes, it can be quite serious, but we're not throwing the Zika scare like CDC has done for the last couple years.

So our message has been consistent to people that there is an exposure risk to this thing, and so we just want people to be aware of it, including the medical community when people come up and have that kind of clinical presentation.

And so this summarizes, basically, the other pathogens that these 533 tests represent. So for Lyme disease, about 20 to 40 percent of the ticks were infected with that bacteria, that's fairly typical of what we see.

Now this is kind of interesting. We have emergent diseases like Babesiosis and Anaplasmosis, so 3 to 17 or so percent of the ticks were infected. The interesting thing is these higher infection rates are basically Brewster and east, so the much lower rates are on the Upper-Cape to the Mid-Cape.

And Relapsing Fever which is really *Borrelia miyamotoi*. Again, 2 to 4 percent which is what we've seen in the past few years. So this will probably follow the pattern of these other diseases, and we didn't find any Rocky Mountain spotted fever in about 150 dog ticks that were submitted. So that's good news.

The other thing that's interesting is that there was a number of Lone Star ticks that were submitted, and 90 percent of them were from Falmouth, which is kind of interesting and kind of confirms our thinking of what's going on in that region.

All right; Outreach. We do a lot of this. I do in-class workshops. I do events like Brewster Conservation Day where I have a display table, and it's a chance to just sit there and chat with people. And when people contact me and ask me if I'm interested in doing an event, my immediate response is, "Oh yes, oh yes." This is the best way to get these messages out. I've never turned down an outreach opportunity in my six years here. This is really good stuff to engage.

I have a lot of different venues; so libraries, community centers, our AmeriCorps interns, very important; camp counselors like at the YMCA camps, Camp Burgess and Hayward. Garden Clubs; they actually bring the best baked goods to their meetings; I love doing Garden Clubs. Conservation Land Trust, important.

So when you roll up the whole enchilada, that's where we have been and will be for this calendar year. When you add up all these events, I will have done probably 75 by the end of this calendar year, at there are more coming in each week. So that number is just going to go up and that's a good thing.

And we also get very good media coverage, okay? Cape Cod Broadcasting with Matt Pitta. You've probably heard me on the radio a few times with him; Sunday Journal. Pat Desmarais, WXTK, call-in radio format, which I love. Same as Mindy Todd at NPR Woods Hole. She's a very good in-studio host.

And my newest outreach partner here is Paula Hersey of Cape Cod Community Media, local cable channel 99. We've already done a Public Service Announcement with her. And what we're planning on doing this fall, they have a television studio, and what we're going to do is have me do a workshop with a live studio audience and call-in format. So I'm looking forward to that a lot.

And we get a lot of print media, okay, very good coverage from all of these publications. And this year it wasn't just about ticks. Certainly ticks -- we were in the news as much as we wanted to be, but a lot about Gypsy moth. People were wondering, you know, why has it been so bad the last couple years? Is this year going to be bad? Yes, it is. And what's the future look like. So we've been talking a lot about

that.

So the nice thing about this is the media; we've cultivated this as really important outreach partners. If I have some information I want to get out and I've got a storyline to go with it, we can get ink or air time. This is really, really good.

And, as most of you know, last July when I was here, I had Marnie Crawford with me of the Boston Picture Group, and she's filming a documentary about this program. And so she is now done with this film, okay, and, actually, you guys are in it, all right, except for Mary. All right. You didn't make the cut.

But we are premiering at the Provincetown Film Festival "Tick Days," and Mike and I saw the rough cut of this about six weeks ago. It's a 20-minute film. She distilled about 35-40 hours of interviews and workshop time and things like that into a very well-crafted story. So she's told me we're already going to be doing another film festival which she kept a lid on.

And so when Marnie's done with the film festival kind of angle on this, what she wants to do next is make it available to the Cape Cod libraries so that they can have all their own screenings. And we have 41 libraries on the Cape, so we have a big opportunity to kind of really create some interesting awareness. And what we'll do is try and figure out what's the best way to have a screening view and maybe even Marnie Crawford here to explain how she approached this project and why and things like that. But it's been pretty exciting.

So with that, we'll field any questions you may have.

Speaker MCAULIFFE: Larry, thank you, so much. I always -- when I hear from individuals in the county, and I know you are all outstanding, it always makes me and I think the rest of the Assembly feel very happy and proud at the level of expertise and the level of involvement and how much you do for the citizens of Barnstable County.

So this is just a snapshot of one thing that you do, but it really, I think, as I'm sitting here thinking is what it's all about.

Now I know Susan had a question; I made her write it down because I wanted you to continue your flow and not break-up the presentation.

Ms. MORAN: Thank you, Madam Chair. I do have a question and, certainly, I've worked with Larry a couple times. Just since I had a minute to think, I just want to add I grew up at GBH public radio, and you have such a radio voice, and I really think that in terms of the numbers going down, just your facility at making this interesting and talking to people and your media sense, I really think has a direct benefit to the health impacts on the Cape. So I want to thank you for that.

And I just really had a specific question, practically speaking, with the young boy who had been bitten and you were able to do the analysis, how long does the analysis take until the physician gets, you know, the information so that they can get the infected person, especially children on the right medicine?

Mr. LARRY DAPSIS: Sure. Steve's lab, they have an extreme sense of customer service. Once they get that tick, they guarantee you will get your report in three business days. And unlike some of the human blood tests for things like Lyme, this technique is 99.99 percent accurate. So you have real data in a short period of time.

Ms. MORAN: And all the hospitals know about it, I'm hoping?

Mr. LARRY DAPSIS: Yes, that brochure, through Cape Cod Healthcare, that was distributed to all doctors' offices on the Cape.

Ms. MORAN: Fantastic. Thank you.

Speaker MCAULIFFE: Anyone else? Ed, and then I'll go this way.

Mr. MCMANUS: Two questions; one, do you have any sort of poster display material that can be set up at community events?

Mr. LARRY DAPSIS: Well, I have an educational display table that I can take anywhere.

Mr. MCMANUS: Okay. All right. Because, you know, we do in Harwich a couple of craft fairs.

Mr. LARRY DAPSIS: Sure. I do health fairs, conservation days, yes, I'll go anywhere.

Mr. MCMANUS: Yes, the nice thing about that is it brings -- it's a lot of people on the Cape for vacations who probably aren't around here year-round to hear the stories and information someplace else.

Mr. LARRY DAPSIS: Sure. Well, I get calls from people that are contemplating coming to the Cape, and they want me to kind of give them a show of the landscape.

Mr. MCMANUS: Okay. And the other question is sort of on a personal level. I know, my wife and I, we do a lot of gardening and a vegetable garden, you know, out in our yard in Harwich. And after a day out in the yard, we'll come in and routinely she will have picked up a tick or two that's crawling around, and I never seem to. Is there any --

Mr. LARRY DAPSIS: Oh sure. Well, ticks and gardening go hand-and-hand. There's no doubt about that. But you bring up an interesting thing that there is a number of people that tell me that when they're with somebody, one of them gets ticks and the other doesn't. One's the tick magnet.

In fact, Mike Maguire is a self-proclaimed tick magnet. If there was a tick in a supermarket parking lot and I sent Mike out there, he would find it. It's well documented with mosquitoes that if you're at an outdoor activity, they will choose their dinner one person over another based on how they smell and taste. And there's some scant data in ticks that show that they are making decisions about host selections. So there might be something there that's really going on.

Mr. MCMANUS: Well, that makes sense because in the evening when we're out, I'm the one that gets attacked by mosquitoes.

Mr. LARRY DAPSIS: Put on the permethrin-treated shirt and pants and hat and a scarf and --

Speaker MCAULIFFE: Start wearing your bug prevention clothes.

Mr. LARRY DAPSIS: Absolutely.

Speaker MCAULIFFE: Linda; then I'm going to go down the line. Yes.

Ms. ZUERN: Thank you. I've never really been bothered that much by ticks, so I don't take that all that seriously. But since the last time that you made the presentation, I actually know two people off-Cape who almost died from that Powassan, I guess it was. And both of them thought at first they just had the flu. One person actually went on his vacation to China and ended up in a coma there for about two or three weeks and almost died.

And the other person told me that if he hadn't gone to the hospital when he did, he would have died in a couple of hours. So, are there symptoms that are different from the flu that people would notice more? I was told that it attacks the

organs right away?

Mr. LARRY DAPSIS: Sure. Here's my pat answer on this. I am not a doctor, never even played one on TV, so I don't even go there. I can't.

Speaker MCAULIFFE: But to your left --

Mr. O'MALLEY: Well, in a --

Speaker MCAULIFFE: And I don't want to put you on the spot.

Mr. O'MALLEY: A simplified version/format there is your brain's not working right. These are encephalitic viruses and whatever form they take, they're going to involve alterations of consciousness, alterations in functioning, special senses, et cetera.

Speaker MCAULIFFE: So that might be a discriminator, you know. And are you all set, Linda? All right, Brian.

Mr. O'MALLEY: I did want to amplify something Larry said because I think it's very important. He commented briefly on the accuracy of the tick testing program from UMass. And that's important because people understand that testing for Lyme disease in patients is a notoriously dicey business and that's because what we're testing for is the antibodies that we produce as a response to the infection.

Whereas, when Steve Rich and his lab is testing, he's doing a DNA sequencing. So he's looking for -- he's actually picking up the DNA of the bug. So that is highly accurate as opposed to our clinical testing.

Speaker MCAULIFFE: Chris.

Mr. KANAGA: Yes. I, also, want to thank you, very much. It's extremely informative. I didn't see schools up there, so one of my questions was particularly when you said that children under nine are most like the highest incident group whether that kind of thing is useful?

The second question is spraying. And just anecdotally, you know, there are people who spray for ticks, and we just, on a flyer, did our yard for the last three years, and our dog has never had a tick since then. We have a couple acres in Orleans. But when he leaves our yard, he comes back full of them. He's a white dog so they're easy to find.

But I'm just wondering is this spraying effective or is this just a matter of luck?

Mr. LARRY DAPSIS: Sure. Let's do schools first. I am one-half of a program in the County on this. In Health and Environment, our County Health Nurse, Deirdre Arvidson, offers a program to the schools. So she goes actually into the classrooms and does outreach and education for kids, which is an important thing.

In terms of yard spraying, that's one tactic of three that we recommend. We have the 3P's: Protect yourself; Protect your yard; Protect your pet. Okay?

The yard spray is part of a one-two punch. Permethrin-treated clothing and footwear hands-down has to be the priority. You do that alone, you've reduced your chances of getting a tick bite but about 90 percent.

The yard spray is important because you have to look at this like hand-to-hand combat. You can't afford to lose a single fight. So spraying the yard perimeter and if you don't eliminate the ticks, you're reducing your exposure risk considerably.

So now it comes down to the company and the products. There are companies out there offering an all-natural solution, which appeals to a lot of people. They are ineffective. There's no data to support that those products should be used at

all.

The professionals that use Talstar, which is kind of like permethrin that would be the top choice for my recommendation.

Speaker MCAULIFFE: And we don't have Julia Taylor here online ordering her bottle of permethrin.

Mr. LARRY DAPSIS: Yes, but I tell that story at workshops; it gets the point across.

Speaker MCAULIFFE: By the time you were done, she had it delivered to her house.

MR. LARRY DAPSIS: I thought that was outstanding.

Speaker MCAULIFFE: Yes, Ron.

Mr. BERGSTROM: Yes, is there any studies done on the tick population itself? Are there boom and bust cycles like there are with other organisms? Are there times when -- do we -- can we relate that to predators or environment or climate and stuff? Any idea of that?

Mr. LARRY DAPSIS: Yes, if you have another hour, we can go through the ecosystem. The long and short of it is we had a five-year surveillance study at 14 different sites on the Cape and the Islands. And what I saw in the data is that tick populations go up and down but not dramatically, but they'll change year on year and in areas that have a high number of ticks one year, they're consistently high even when the numbers go up and down.

It's a function of the host community structure, the type of animals. This thing is associated with 125 different vertebrae hosts, so this is a very complicated ecosystem. There's a lot of moving parts.

Mr. BERGSTROM: Yes, because there has been, I mean, people who follow these things and follow the environment notice population boom and bust in white-tailed deer, raccoons, coyotes are notorious; they come and go.

So you don't -- I know that you'd have to do a long-term study, but the deer tick population could be dependent on those hosts?

Mr. LARRY DAPSIS: Sure. Actually, it's interesting when you look at certain components that when you fracture the forest by suburban housing, at some level you stop losing your top-tier predators like fox, which are phenomenal predators of mice that are pretty important in this and chipmunks.

And there is one study I read where they measured where fox populations went down, there was a commensurate increase in the number of cases of Lyme disease.

Speaker MCAULIFFE: So it's all connected.

Mr. LARRY DAPSIS: That's the basic tentative ecology; everything is connected.

Speaker MCAULIFFE: Is there anyone else with a question? I want to thank you, so much. This is extremely helpful. I'm hoping that people will be watching the meeting and get some information. I think a couple of newspapers are represented here too, so this will be part of your outreach as well.

Mr. LARRY DAPSIS: Excellent. Thanks for the opportunity.

Speaker MCAULIFFE: Thank you, very much. Thank you for a great presentation.

Are there any Public Officials who would like to address the Assembly of Delegates? Any members of the Public? All right.

Assembly Convenes

Speaker MCAULIFFE: The Assembly will convene, and our first item of business is Proposed Ordinance 17-08, and this is Cape Cod Water Protection Collaborative Changes.

As you know, the Cape Cod Water Protection Collaborative has been a part of the Cape for, I think, well over a decade. And this year it is changing to kind of fold into the Cape Cod Commission to help with some of the 208 advisory regulations. We've got Paul Niedzwiecki of the Cape Cod Commission for being here.

But this is something that comes under our Natural Resources Committee. So I'm going to have a report of the proposed ordinance. The ordinance is not short. We've had it for a while. We saw drafts, and then we saw the final one so, hopefully, everyone's had a chance to read it. But I know Natural Resources has had a chance to really look at it closely. Brian.

Committee Report: Natural Resources on Proposed Ordinance 17-08

Mr. O'MALLEY: So, Madam Speaker, will I read the report first and then will we waive the reading of the ordinance as subsequently?

Speaker MCAULIFFE: Yes. Why don't --

Mr. O'MALLEY: I'll read the committee report first.

Speaker MCAULIFFE: Why don't you do the committee report.

Mr. O'MALLEY: Right.

Speaker MCAULIFFE: And then when we do the vote on the ordinance, we can waive reading of the ordinance.

Mr. O'MALLEY: Thank you. Dear Madam Speaker and Assembly Delegates, this is a report on Proposed Ordinance 17-08. The proposed ordinance was submitted to the Assembly of Delegates by the Board of Regional Commissioners at the Assembly of Delegates' regular meeting on May 3, 2017. A public hearing was scheduled and held by the Standing Committee on Natural Resources on Wednesday, May 17, 2017, at 3:15, at the Assembly of Delegates Chamber hall, First District Courthouse, Route 6A, Barnstable, Massachusetts. The public hearing was duly advertised in the Cape Cod Times on May 10, 2017.

The purpose of the proposed ordinance is to replace, in its entirety, Ordinance 05-22, and provide an ordinance to protect Cape Cod's shared water resources by promoting and supporting the coordinated, cost-effective, and environmentally sound development and implementation of local water quality initiatives, including but not limited to watershed management plans required by Section 208 of the Clean Water Act.

Committee members present: myself, Brian O'Malley, Delegate from Provincetown as Chair; Lilli-Ann Green, Delegate from Wellfleet; and Linda Zuern, Delegate from Bourne. Absent were Chris Kanaga and Ed McManus.

I opened the committee meeting for the purpose of conducting a public hearing on the Ordinance 17-08 at 3:20 p.m. Lilli-Ann Green motioned and it was seconded to waive the reading of the public hearing. Motion carried 3-0. There were no members of the public present to speak. Delegate Susan Moran was present, as was Commissioner Leo Cakounes to answer questions concerning the purpose of the

proposed ordinance.

This ordinance had undergone sufficient vetting prior to receipt by the committee, and there were no substantive changes. There were several technical items that the committee discussed and proposed amendment -- amended -- proposed amending.

I will just explain. This, of course, this product, this final product is the combination of both the old ordinance, new language from state statutes. So it involved pulling together big pieces and pasting and cutting. So there were a couple of phrases that were inconsistent, words just simply left out.

There's nothing of substance that changes anything that we get along the way. So I'll go through these very quickly.

One Page 1 under "Now, therefore," but the next paragraph, that line finishes, "It is proposed" -- "It is hereby proposed to establish a new Cape Cod Water Protection Collaborative." The original draft read "Proposed to establish the Water Protection Collaborative." Of course, it's been here for quite some time.

On Page 3, under the -- these next couple are simply reconciliation of different terms where they were not consistent, internally consistent and not consistent with other sources. So these are pretty straightforward.

So on Page 3, the "Regional Water Quality Plan" simply adds the descriptor which wasn't in the first draft to requiring "local plans" quote "known as" not quote, comma "known as Comprehensive Wastewater Management Plans, developed by member Towns." That's just language that had been left out.

At the end, the last definition the word "Committee" was added. It was "Technical Advisory" in the draft and it's "Technical Advisory Committee."

And, finally, on that same page, the third paragraph from the bottom originally read, "Regional Wastewater Management Plan," and these are now referred to as "Regional Water Quality Plans."

And, finally, on Page 5, this was -- right. Under "Staff," the original read, "Will appoint a person that shall be in attendance," and we changed it to read "A person who shall be in attendance."

And the final one is in Article 6. Again, this is changing "Regional Wastewater Management" to "Regional Water Quality Plan."

Those were the amendments. They are, obviously, not substantive. They're kind of technical edits. Following the discussion and comments, I closed the public hearing at 3:40 p.m.

Delegate Zuern motioned and it was seconded to forward Proposed Ordinance 17-08 to the full Assembly with technical amendments. The motion carried 3-0-0. And Linda Zuern motioned and it was seconded to adjourn the meeting at 3:40 p.m.

Respectfully submitted.

So with that, I would move to waive the reading of the five-page ordinance.

Speaker MCAULIFFE: And do I have a motion to submit it as amended?

Proposed Ordinance 17-08 inclusive with amendments:

This Ordinance shall replace Ordinance 05-22 in its entirety.

In partnership with the fifteen Towns of Barnstable County, to establish the Cape Cod Water Protection Collaborative:

Whereas Cape Cod possesses great beauty and abundant natural resources cherished by its residents and visitors;

Whereas the quality of many Cape Cod water bodies has diminished, primarily due to inadequate wastewater treatment;

Whereas the cost of providing effective wastewater infrastructure is exceedingly burdensome to Towns acting individually;

Whereas many estuaries, bays and coves, their watersheds, and lakes and ponds cross Town boundaries;

Whereas there is need for a regional framework to concentrate resources and strategies on overcoming this pervasive environmental problem;

Whereas citizens' understanding varies regarding the contribution wastewater management makes to Cape Cod's environmental and economic health:

NOW THEREFORE,
BARNSTABLE COUNTY hereby ordains:

Pursuant to Sections 1-6, 6-1 and 6-2 of the Barnstable County Home Rule Charter, and to focus regional attention and resources on the critical need to develop comprehensive wastewater infrastructure for Cape Cod, it is hereby proposed to establish a new Cape Cod Water Protection Collaborative (the "Collaborative").

The Mission Statement of the Collaborative shall be the following:

"To protect Cape Cod's shared water resources by promoting and supporting the coordinated, cost-effective and environmentally sound development and implementation of local water quality initiatives, including, but not limited to watershed management plans required by section 208 of the Federal Clean Water Act."

The Goals of the Collaborative shall be the following:

- 1) Attract state, federal and public-private revenue sources for financing assistance to the Towns for wastewater projects;
- 2) Maximize regional cooperation and action in managing wastewater;
- 3) Coordinate the development of infrastructure that is cost-effective, technologically efficient and environmentally appropriate;
- 4) Educate the public concerning the contribution wastewater management makes to sustain Cape Cod's economic and environmental health;
- 5) Advise and Review the aspects of the Regional Water Quality Management Plan (208 Plan) and track the Towns as they implement aspects of the plan;
- 6) Advise and Review the development and implementation of a transparent and sustainable Regional Water Quality Monitoring Program to collect, format and analyze

water quality information including, but not limited to, ocean, near-shore, estuary, in-stream, storm water, fresh water and drinking water data necessary to implement cost-effective and environmentally sound responses to threatened water resources;

The organizational structure, responsibilities and functions of the Collaborative will be in accordance with the provisions of the following proposed ordinance:

Cape Cod Water Protection Collaborative

Article 1. Purpose

It is essential that Towns and Barnstable County work cooperatively to fund, plan, implement and manage a comprehensive infrastructure of wastewater systems and provide related technical services, to protect Cape Cod's bays, estuaries, ponds, lakes and drinking water wells.

Article 2. Establishment

Pursuant to the provisions of Sections 1-5, 1-6, 6-1 and 6-2 of the Barnstable County Home Rule Charter, the Cape Cod Water Protection Collaborative is hereby established. The Collaborative shall operate within the Barnstable County Regional Government structure and in accordance with its administrative and budgetary procedures.

Article 3. Definitions

Collaborative: Cape Cod Water Protection Collaborative (CCWPC);

Governing Board: Policy-making body of the CCWPC, with membership from each participating Town and Barnstable County;

Charter: Home Rule Charter of Barnstable County;

Commissioners: Barnstable County Board of County Commissioners (Executive Branch);

DEP: Department of Environmental protection, Commonwealth of Massachusetts;

Steering Committee: Five member body responsible for executive decision-making and management between regular Governing Board meetings;

Town: Any participating Town of Barnstable County;

Assembly of Delegates: Legislative Branch of Barnstable County;

Regional Water Quality Plan: Developed by the Cape Cod Commission at the direction of the Commonwealth of Massachusetts in accordance with section 208 of the federal Clean Water Act, this plan coordinates the implementation of wastewater infrastructure on Cape Cod, requiring local plans, known as Comprehensive Wastewater Management Plans, developed by Member Towns designated as Waste Management Agencies (WMAs), to be consistent with its content;

Regional Water Quality Monitoring Program: A central repository of water quality data and analysis at the Cape Cod Commission;

Technical Advisory Committee: Engineers, scientists and related experts to provide technical support and advice to Steering Committee and Governing Board;

Article 4. Governing Board, Steering Committee and Technical Advisory Committee

The Collaborative shall be managed by a Governing Board composed of multi-faceted, managerially experienced persons representing each participating Town and Barnstable County.

Each Town joining the Collaborative shall appoint a representative and the Commissioners shall appoint two at-large representatives to serve nominal two-year terms as members of the Governing Board.

Based on subsequent Governing Board policy, members will be appointed to staggered multi-year terms of service. If an even number of Governing Board members results from this process, the Commissioners shall appoint an additional representative, thus permitting majority vote decision-making.

The Governing Board shall establish policies for fulfilling the mission, goals and objectives of the Collaborative, and it shall endeavor to support the provisions of a Regional Water Quality Plan and the Comprehensive Wastewater Management Plans of member Towns.

The Governing Board shall also adopt regulations and procedures for administering the activities of the Collaborative.

The Steering Committee, a five-member executive management body, shall be in session as often as needed between regular meetings of the full Governing Board in order to provide timely policy direction and to take decisive management actions as needed.

Three members of the Steering Committee shall be appointed by the Governing Board from within its member Towns, and the other two Steering Committee members shall be the same individuals appointed to the Governing Board by the Commissioners. The chairperson of the Governing Board shall also serve as chairperson of the Steering Committee. The hybrid appointing process for determining Steering Committee membership is designed to ensure a broad spectrum of management, finance and planning skills to best serve the varied and extensive responsibilities of the Collaborative, ranging from seeking revenues to planning projects.

The Governing Board and Steering Committee shall routinely consult with and receive support from a Technical Advisory Committee for research regarding wastewater technologies, and for engineering and technical assistance on wastewater system capabilities, development, operation and maintenance. The Commissioners, upon recommendation of the Governing Board, shall appoint persons with requisite scientific and engineering credentials in wastewater systems management or related fields of experience to serve as members of the Technical Advisory Committee.

Article 5. Staff

The daily operations and activities of the Collaborative shall be managed by the Cape Cod Commission on behalf of the Governing Board and its Steering Committee. The Cape Cod Commission will appoint a person who shall be in attendance and shall report on all matters affecting the Collaborative to the Steering Committee and the Governing Board when these bodies are in session.

At other times, the Steering Committee chairperson, acting on behalf of the Steering Committee and in concert with the policies of the Governing Board, will provide administrative guidance and direction, as needed to the Cape Cod Commission staff. The Cape Cod Commission will provide administrative and technical staff as needed.

An annual budget developed by the Cape Cod Commission with recommendations from the Cape Cod Water Protection Collaborative will be included in the Cape Cod Commission's annual budget.

Article 6. Responsibilities and Functions

The Collaborative shall have authority to discharge, but not be limited to, the following responsibilities and functions, consistent with the Administrative Code of Barnstable County:

- a. Establish the Regional Water Quality Plan in conjunction with County staff;
- b. Make recommendations on grants or loans, or provide other forms of financial aid, to complement the funding resources of Towns dedicated to wastewater management;
- c. In accordance with the County Charter and through the County Commissioners, make recommendations on application for, accept, administer, expend and comply with the conditions and obligations of any grant, gift, or loan from regional, state or Federal government agencies or from private, corporate or public-private partnership organizations;
- d. seek legislation to access dedicated State Revolving Fund (SRF) resources for infrastructure development and services;
- e. Recommend and arrange public-private funding partnerships for wastewater management;
- f. enter into inter-municipal agreements with one or more Towns or other jurisdictions as necessary, in accordance with the Charter;
- g. assist each Town in preparing and adopting its Comprehensive Wastewater Management Plan within 3 years of receipt of Total Maximum Daily Load (TMDL) data from the DEP;
- h. consult with and assist Towns with their planning and implementing of wastewater treatment and septage/sewage disposal systems;
- i. assist Towns in contracting for and providing wastewater treatment services and sewage or septage disposal services;
- j. in accordance with the County Charter and through the County Commissioners, make recommendations to enter into contracts that serve the purposes and interests of the Collaborative;
- k. produce and distribute informational materials in various formats, including PEG Access television programming, a Collaborative web site, and the sponsoring of educational workshops and conferences;
- l. consistent with the Charter and Massachusetts General Laws, conduct any functions as may be necessary for, or incident to, carrying out the goals of the Collaborative;

Article 7. Review of Cape Cod Water Protection Collaborative

The CCWPC shall report annually to the Barnstable County Commissioners and the Assembly of Delegates on the status, goals and objectives, and progress of the Collaborative

Mr. O'MALLEY: I will move to submit Proposed Ordinance 17-08 as submitted -- as amended.

Speaker MCAULIFFE: As amended. Is there a second?

Mr. BERGSTROM: Second.

Mr. KILLION: Second.

Speaker MCAULIFFE: Okay. Yes, Linda.

Ms. ZUERN: Do we also have to approve of the minutes first before we go ahead and vote on it?

Mr. O'MALLEY: Probably, right.

Speaker MCAULIFFE: Oh, for the Natural Resources?

Ms. ZUERN: The committee.

Mr. O'MALLEY: Well, there's only two of us here.

Clerk O'CONNELL: Well, Lilli might still be online.

Mr. O'MALLEY: Lilli?

Speaker MCAULIFFE: Lilli, are you there?

Ms. GREEN: Yes, I am.

Speaker MCAULIFFE: Okay. Great.

Mr. O'MALLEY: Okay. So motion to approve the minutes --

Speaker MCAULIFFE: Okay. Hold on. We have a motion on the table for the ordinance. Can that be withdrawn and the second as well?

Mr. BERGSTROM: Yes.

Speaker MCAULIFFE: Okay. Go ahead for the --

Mr. O'MALLEY: So we throw the motion for the ordinance.

Speaker MCAULIFFE: Yes.

Mr. O'MALLEY: Right. Motion to approve the report as just read.

Ms. ZUERN: So moved.

Clerk O'CONNELL: Roll call of the three people.

Mr. MCMANUS: Second.

Mr. O'MALLEY: Second. All right. All in favor?

Speaker MCAULIFFE: No, there's a roll call of the three people present because there's a remote participant.

Mr. O'MALLEY: Okay.

Clerk O'CONNELL: O'Malley?

Mr. O'MALLEY: Yes.

Clerk O'CONNELL: Zuern?

Ms. ZUERN: Yes.

Clerk O'CONNELL: Green?

Ms. GREEN: Yes.

Speaker MCAULIFFE: Thank you.

Mr. O'MALLEY: Thank you.

(Report approved.)

Mr. O'MALLEY: Okay. So now I will move Proposed Ordinance 17-08 as amended. Right.

Speaker MCAULIFFE: And a second?

Mr. BERGSTROM: Madam Speaker?

Speaker MCAULIFFE: Yes. Okay.

Mr. BERGSTROM: We should amend it first before we can move it as amended.

Clerk O'CONNELL: Well, you've got to put it on the floor first.

Speaker MCAULIFFE: Well, he was putting it on the floor as he read the changes. He was putting the changed ordinance on --

Mr. BERGSTROM: So we don't have --

Speaker MCAULIFFE: -- the floor. We have a copy. I have a copy that came to us with all the changes on it.

Mr. BERGSTROM: All right. But it's not a big deal. So, it was submitted to -- the ordinance has already been submitted to us, right, at the last meeting?

Speaker MCAULIFFE: Right.

Mr. O'MALLEY: Right.

Mr. BERGSTROM: So that's the ordinance we have to vote on unless it's amended.

Speaker MCAULIFFE: Okay. So -- all right. So --

Mr. O'MALLEY: Okay.

Speaker MCAULIFFE: I get it.

Mr. BERGSTROM: Forget it.

Speaker MCAULIFFE: No, no, I hear what you're saying. So he can't submit it as amended. He'll submit it and then we'll --

Mr. BERGSTROM: It's already submitted.

Speaker MCAULIFFE: Okay.

Mr. BERGSTROM: I will move the amendments as presented by the Chair of the Human Resource --

Ms. ZUERN: Natural.

Mr. BERGSTROM: -- the Natural Resources Committee.

Mr. O'MALLEY: Thank you.

Speaker MCAULIFFE: Okay.

Speaker MCAULIFFE: And is there a second for that?

Mr. O'MALLEY: Second.

Mr. O'HARA: Yes.

Speaker MCAULIFFE: Okay. So this is a vote on the amendments to the ordinance.

Mr. O'MALLEY: Amendments as to what was read.

Speaker MCAULIFFE: Right. All right. It has to be a roll call.

Clerk O'CONNELL: Yes.

Speaker MCAULIFFE: So this is for amendments, Lilli-Ann, the corrections.

Ms. GREEN: Thank you.

Mr. O'MALLEY: Is there any discussion?

Speaker MCAULIFFE: Any further corrections? No. I thank you for your fine-tooth comb of this.

Roll Call on amendments proposed for Proposed Ordinance 17-08:

Voting "Yes" (76.78%): Ronald Bergstrom (2.84% - Chatham), Mary Chaffee (4.55% - Brewster), Lilli-Ann Green - (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), Edward McManus (5.67% - Harwich), Susan Moran (14.61% - Falmouth), Thomas O'Hara (6.49% - Mashpee), John Ohman (6.58% - Dennis), Brian O'Malley (1.36% - Provincetown), Linda Zuern (9.15% - Bourne).

Absent (23.22%): Edward Atwood (2.30% - Eastham), Patrick Princi (20.92% - Barnstable).

Clerk O'CONNELL: Madam Speaker, the amendments to Proposed Ordinance 17-08 are approved 76.78 percent of the Delegates voting yes; 23.22 percent absent.

Speaker MCAULIFFE: Okay. Now, before I got to the vote on the full amended ordinance, are there any other points of discussion? Anyone else want to say anything?

All right.

Clerk O'CONNELL: Okay.

Speaker MCAULIFFE: So this is for Proposed Ordinance 17-08 as amended.

Roll Call on Proposed Ordinance 17-08 as amended:

Voting "Yes" (76.78%): Ronald Bergstrom (2.84% - Chatham), Mary Chaffee (4.55% - Brewster), Lilli-Ann Green - (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), Edward McManus (5.67% - Harwich), Susan Moran (14.61% - Falmouth), Thomas O'Hara (6.49% - Mashpee), John Ohman (6.58% - Dennis), Brian O'Malley (1.36% - Provincetown), Linda Zuern (9.15% - Bourne).

Absent (23.22%): Edward Atwood (2.30% - Eastham), Patrick Princi (20.92% - Barnstable).

Clerk O'CONNELL: Madam Speaker, Proposed Ordinance 17-08 as amended passes with 76.78 percent of the Delegates voting yes; 23.22 percent absent, now known as Ordinance 17-07.

Ordinance 17-07:

This Ordinance shall replace Ordinance 05-22 in its entirety.

In partnership with the fifteen Towns of Barnstable County, to establish the Cape Cod Water Protection Collaborative:

Whereas Cape Cod possesses great beauty and abundant natural resources cherished by its residents and visitors;

Whereas the quality of many Cape Cod water bodies has diminished, primarily due to inadequate wastewater treatment;

Whereas the cost of providing effective wastewater infrastructure is exceedingly burdensome to Towns acting individually;

Whereas many estuaries, bays and coves, their watersheds, and lakes and ponds cross Town boundaries;

Whereas there is need for a regional framework to concentrate resources and strategies on overcoming this pervasive environmental problem;

Whereas citizens' understanding varies regarding the contribution wastewater management makes to Cape Cod's environmental and economic health:

NOW THEREFORE,

BARNSTABLE COUNTY hereby ordains:

Pursuant to Sections 1-6, 6-1 and 6-2 of the Barnstable County Home Rule Charter, and to focus regional attention and resources on the critical need to develop comprehensive wastewater infrastructure for Cape Cod, it is hereby proposed to establish a new Cape Cod Water Protection Collaborative (the "Collaborative").

The Mission Statement of the Collaborative shall be the following:

"To protect Cape Cod's shared water resources by promoting and supporting the coordinated, cost-effective and environmentally sound development and implementation of local water quality initiatives, including, but not limited to watershed management plans required by section 208 of the Federal Clean Water Act."

The Goals of the Collaborative shall be the following:

- 1) Attract state, federal and public-private revenue sources for financing assistance to the Towns for wastewater projects;
- 2) Maximize regional cooperation and action in managing wastewater;
- 3) Coordinate the development of infrastructure that is cost-effective, technologically efficient and environmentally appropriate;
- 4) Educate the public concerning the contribution wastewater management makes to sustain Cape Cod's economic and environmental health;
- 5) Advise and Review the aspects of the Regional Water Quality Management Plan (208 Plan) and track the Towns as they implement aspects of the plan;
- 6) Advise and Review the development and implementation of a transparent and sustainable Regional Water Quality Monitoring Program to collect, format and analyze water quality information including, but not limited to, ocean, near-shore, estuary, in-stream, storm water, fresh water and drinking water data necessary to implement cost-effective and environmentally sound responses to threatened water resources;

The organizational structure, responsibilities and functions of the Collaborative will be in accordance with the provisions of the following proposed ordinance:

Cape Cod Water Protection Collaborative

Article 1. Purpose

It is essential that Towns and Barnstable County work cooperatively to fund, plan, implement and manage a comprehensive infrastructure of wastewater systems and provide related technical services, to protect Cape Cod's bays, estuaries, ponds, lakes and drinking water wells.

Article 2. Establishment

Pursuant to the provisions of Sections 1-5, 1-6, 6-1 and 6-2 of the Barnstable County Home Rule Charter, the Cape Cod Water Protection Collaborative is hereby established.

The Collaborative shall operate within the Barnstable County Regional Government structure and in accordance with its administrative and budgetary procedures.

Article 3. Definitions

Collaborative: Cape Cod Water Protection Collaborative (CCWPC);

Governing Board: Policy-making body of the CCWPC, with membership from each participating Town and Barnstable County;

Charter: Home Rule Charter of Barnstable County;

Commissioners: Barnstable County Board of County Commissioners (Executive Branch);

DEP: Department of Environmental protection, Commonwealth of Massachusetts;

Steering Committee: Five member body responsible for executive decision-making and management between regular Governing Board meetings;

Town: Any participating Town of Barnstable County;

Assembly of Delegates: Legislative Branch of Barnstable County;

Regional Water Quality Plan: Developed by the Cape Cod Commission at the direction of the Commonwealth of Massachusetts in accordance with section 208 of the federal Clean Water Act, this plan coordinates the implementation of wastewater infrastructure on Cape Cod, requiring local plans, known as Comprehensive Wastewater Management Plans, developed by Member Towns designated as Waste Management Agencies (WMAs), to be consistent with its content;

Regional Water Quality Monitoring Program: A central repository of water quality data and analysis at the Cape Cod Commission;

Technical Advisory Committee: Engineers, scientists and related experts to provide technical support and advice to Steering Committee and Governing Board;

Article 4. Governing Board, Steering Committee and Technical Advisory Committee

The Collaborative shall be managed by a Governing Board composed of multi-faceted, managerially experienced persons representing each participating Town and Barnstable County.

Each Town joining the Collaborative shall appoint a representative and the Commissioners shall appoint two at-large representatives to serve nominal two-year terms as members of the Governing Board.

Based on subsequent Governing Board policy, members will be appointed to staggered multi-year terms of service. If an even number of Governing Board members results from this process, the Commissioners shall appoint an additional representative, thus permitting majority vote decision-making.

The Governing Board shall establish policies for fulfilling the mission, goals and objectives of the Collaborative, and it shall endeavor to support the provisions of a Regional Water Quality Plan and the Comprehensive Wastewater Management Plans of member Towns.

The Governing Board shall also adopt regulations and procedures for administering the activities of the Collaborative.

The Steering Committee, a five-member executive management body, shall be in session as often as needed between regular meetings of the full Governing Board in order to provide timely policy direction and to take decisive management actions as needed.

Three members of the Steering Committee shall be appointed by the Governing Board from within its member Towns, and the other two Steering Committee members shall be the same individuals appointed to the Governing Board by the Commissioners. The chairperson of the Governing Board shall also serve as chairperson of the Steering Committee. The hybrid appointing process for determining Steering Committee membership is designed to ensure a broad spectrum of management, finance and planning skills to best serve the varied and extensive responsibilities of the Collaborative, ranging from seeking revenues to planning projects.

The Governing Board and Steering Committee shall routinely consult with and receive support from a Technical Advisory Committee for research regarding wastewater technologies, and for engineering and technical assistance on wastewater system capabilities, development, operation and maintenance. The Commissioners, upon recommendation of the Governing Board, shall appoint persons with requisite scientific and engineering credentials in wastewater systems management or related fields of experience to serve as members of the Technical Advisory Committee.

Article 5. Staff

The daily operations and activities of the Collaborative shall be managed by the Cape Cod Commission on behalf of the Governing Board and its Steering Committee. The Cape Cod Commission will appoint a person who shall be in attendance and shall report on all matters affecting the Collaborative to the Steering Committee and the Governing Board when these bodies are in session.

At other times, the Steering Committee chairperson, acting on behalf of the Steering Committee and in concert with the policies of the Governing Board, will provide administrative guidance and direction, as needed to the Cape Cod Commission staff. The Cape Cod Commission will provide administrative and technical staff as needed. An annual budget developed by the Cape Cod Commission with recommendations from the Cape Cod Water Protection Collaborative will be included in the Cape Cod Commission's annual budget.

Article 6. Responsibilities and Functions

The Collaborative shall have authority to discharge, but not be limited to, the following responsibilities and functions, consistent with the Administrative Code of Barnstable County:

- a. establish the Regional Water Quality Plan in conjunction with County staff;
- b. make recommendations on grants or loans, or provide other forms of financial aid, to complement the funding resources of Towns dedicated to wastewater management;
- c. in accordance with the County Charter and through the County Commissioners, make recommendations on application for, accept, administer, expend and comply with the conditions and obligations of any grant, gift, or loan from regional, state or Federal government agencies or from private, corporate or public-private partnership organizations;
- d. seek legislation to access dedicated State Revolving Fund (SRF) resources for infrastructure development and services;
- e. recommend and arrange public-private funding partnerships for wastewater management;

- f. enter into inter-municipal agreements with one or more Towns or other jurisdictions as necessary, in accordance with the Charter;
- g. assist each Town in preparing and adopting its Comprehensive Wastewater Management Plan within 3 years of receipt of Total Maximum Daily Load (TMDL) data from the DEP;
- h. consult with and assist Towns with their planning and implementing of wastewater treatment and septage/sewage disposal systems;
- i. assist Towns in contracting for and providing wastewater treatment services and sewage or septage disposal services;
- j. in accordance with the County Charter and through the County Commissioners, make recommendations to enter into contracts that serve the purposes and interests of the Collaborative;
- k. produce and distribute informational materials in various formats, including PEG Access television programming, a Collaborative web site, and the sponsoring of educational workshops and conferences;
- l. consistent with the Charter and Massachusetts General Laws, conduct any functions as may be necessary for, or incident to, carrying out the goals of the Collaborative;

Article 7. Review of Cape Cod Water Protection Collaborative

The CCWPC shall report annually to the Barnstable County Commissioners and the Assembly of Delegates on the status, goals and objectives, and progress of the Collaborative

Speaker MCAULIFFE: I want to thank everyone for all the work that went into this. I know this was a lot of time and a lot of effort and a lot of discussion on the part of the Assembly, but also part of the -- I know the Commissioners and the Cape Cod Commission under Paul Niedzwiecki and also Sims McGrath at the Water Collaborative. It was truly a coming to consensus of a large group over the last several months. And even though this went quickly through here, I think there were many, many hours behind this ordinance, and that's why it went so well.

So, thank you, everyone for getting this done. I think it's going to be good for our Wastewater 208 Plan going forward. Thank you.

Report from the Clerk

Speaker MCAULIFFE: Okay. Next on our agenda is a report from the Clerk.

Clerk O'CONNELL: Thank you, Madam Speaker, just a few items. At the next Assembly meeting, you will have your mileage logs in the folder. Very important time of year to make sure that I get those back by the end of the meeting because we're at the end of the fiscal year, and I really have to get those turned over fairly quickly.

And another reminder, I think everyone received an invitation to the AmeriCorps graduation. Admittedly, it isn't until the end of July, but it might be something that you want to put in your calendars at this point.

And at the next Assembly meeting, I've already had some discussion with the Speaker; you will have a public hearing at the next Assembly meeting for the

Proposed Ordinance that the Commissioners delivered today. Why? Because we're at the end of the year, that is your last meeting. So you've got to have the public hearing at the Assembly meeting and vote on the ordinance at that meeting.

So just be aware of that and be prepared. And other than that, I have nothing else.

Other Business

Speaker MCAULIFFE: Anyone else have other business?

Mr. O'MALLEY: Move to adjourn.

Mr. BERGSTROM: Second.

Speaker MCAULIFFE: We are adjourned. Thank you.

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

Submitted by:

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

List of materials used and submitted at the meeting:

- Business Calendar of 6/7/17
- Unapproved Journal of Proceedings of 5/17/17
- Proposed Ordinance 17-09 submitted by Commissioners
- PowerPoint presentation by Entomologist Larry Dapsis
- Natural Resources Committee Report on P.O. 17-08 dated 5/17/17
- Proposed Ordinance 17-08
- Proposed Ordinance 17-08 with amendments proposed by committee