

**CAPE COD REGIONAL GOVERNMENT - ASSEMBLY OF DELEGATES
CHAMBER OF THE ASSEMBLY OF DELEGATES
FIRST DISTRICT COURTHOUSE @ 4:00 PM
ROUTE 6A, BARNSTABLE, MA 02633**

APPROVED Journal of Proceedings - August 16, 2017

Speaker MCAULIFFE: Okay. It's 4 o'clock. I'm going to convene the meeting of the Cape Cod Regional Government. This is the Assembly of Delegates. It's Wednesday, August 16th, 2017, at 4 p.m.

I'd like to start with a moment of silence to honor our troops who have died in service to our country and all those serving our country in the Armed Forces.

(Moment of silence.)

Speaker MCAULIFFE: Please rise for the Pledge of Allegiance.

(Pledge of Allegiance.)

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

Roll Call Attendance (84.52%): Ronald Bergstrom (2.84% - Chatham), Mary Chaffee (4.55% - Brewster), Lilli-Ann Green - (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans – left @ 5:40 PM), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02% - Yarmouth), Susan Moran (14.61% - Falmouth), Thomas O'Hara (6.49% - Mashpee), Brian O'Malley (1.36% – Provincetown), Patrick Princi (20.92% - Barnstable), Linda Zuern (9.15% - Bourne).

Arrived Late (7.97%): Edward Atwood (2.30% - Eastham - @ 4:10 PM Remote Participation), Edward McManus (5.67% - Harwich - @ 4:05 PM).

Absent (7.51%): Deborah McCutcheon (0.93% - Truro), John Ohman (6.58% - Dennis).

Clerk O'CONNELL: Madam Speaker, we have a quorum with 84.52 percent of the Delegates present; 15.48 percent absent.

Speaker MCAULIFFE: Thank you. Is there a motion to approve the calendar of business for today's meeting?

Mr. BERGSTROM: So moved.

Speaker MCAULIFFE: Is there a second?

Mr. O'HARA: Second.

Speaker MCAULIFFE: Any discussion? All those in favor? Aye. Opposed? Okay. It passes unanimously.

Speaker MCAULIFFE: Approval of the Journal of August 2nd, 2017.

Mr. O'MALLEY: Move approval as distributed.

Ms. CHAFFEE: Second.

Speaker MCAULIFFE: Any discussion? Any changes? All those in favor? Aye. Any opposed? It passes unanimously.

Communications from the Board of Regional Commissioners

Speaker MCAULIFFE: We have communications from the Board of Regional Commissioners. We have Commissioner Cakounes with us today; welcome.

Commissioner CAKOUNES: Thank you. As usual, I give a report on our meetings, and there are two meetings that I'll be reporting on today. Last -- I was just looking at my calendar to try to refresh my memory the last we met, but I believe, let's see first, the 19th, I think, was the last time we met? Oh, wait a minute, that's August. I'm sorry.

Clerk O'CONNELL: The 9th and the 16th.

Mr. O'MALLEY: The 2nd.

Commissioner CAKOUNES: So I'm reporting on the 9th and the 16th; thank you. On August 2nd though, if I remember correctly, at that meeting after I did my presentation, I explained to you that at that time I think Jack and Steve went to a dredge seminar thing that was held up in Plymouth.

And I ended up running over to the Cape Cod Community College and represented Barnstable County in the DPU hearings. And I stood up and read a prepared letter at that -- gave testimony as a representative from Barnstable County, and the effects of the new rate, especially as it relates to the credits that we purchase and how it would affect our budget and asking them not to approve it as it stood.

The only thing I want to report on that meeting, if I could, is to tell you that it was extremely well attended. A number of town administrators from across the Cape as well as a chairman or members of the Board of Selectmen from individual towns showed up and all had prepared testimony. And there were actually members from the island, too, that participated.

I did not stay for the whole thing. Oh, by the way, our legislature was there too. Not only Julian Cyr; Randy Hunt was there; Representative Whalen was there, and they also read a prepared statement signed by the other representatives that weren't able to make it. So, we had a really good turnout. And I'm not sure how well received it was; I guess we'll wait and see, but I just wanted to report on that.

With that, I'll jump ahead now to the August 9th meeting which was last week. We had a presentation. I think I had mentioned to you all earlier that we are looking into an internship program, and we actually have followed up on that. We're looking at having a memorandum of understanding with Bridgewater State University so that interns that come to us from Bridgewater State University will be accredited in their courses for the time that they're here.

The only question that I asked is how much money is this going to cost us? And I'm happy to say it's not going to cost us any. So, there is another internship program, which we also run. It's not directly affiliated with Bridgewater, but it is funded by some grants. And the Commissioners, I believe next week it's going to be on our agenda; we're going to be reviewing that and seeing if we also will be going down that road too. But we had a great discussion, and I think our next week agenda you'll be seeing us either talking about or possibly even signing the memorandum of understanding with Bridgewater State University.

As you all probably know unless you don't get the paper or listen to the radio, we had an Open Meeting Law complaint filed against the board on last -- August 9th. We officially took it up at which time I read into the record a prepared statement. The prepared statement itself was about 14 pages long. The actual document that got filed is our official response was, oh, 45 pages. It had a number of attachments to it in which the official response referenced.

So, the cutoff date for that was officially filed as our response on

Monday, and we have not, as of today, heard anything back on that. So, I think we've just got to wait and see.

Barnstable County Assembly of Delegates Resolution 17-03, which is the one that this board passed a week prior to that, which establishes a review committee. That ordinance was, in fact, passed by the Commissioners.

We had on the agenda a discussion about the Licensed Site Professional for the Barnstable County Fire Training and Rescue Academy. I tabled that or, actually, I took no action on it. We did not discuss it. I am in the middle of and still trying to compile some information on that, and we'll be doing so and be bringing it back on the agenda at a future date when we really understand where we're going.

Just for those that want to know, this really is pertinent to the actual Fire Training Academy site itself and what we're required to do there.

Over and above and not -- I guess it could be related to but separate, if you will, from what we're doing at the Mary Dunn wells which was included in the Barnstable County settlement.

We have had on the agenda almost every single week since the flood damage happened. Just to remind you all, we had a very heavy rainstorm that culminated in a little bit of damage in some of our buildings, and we had to throw away some things like some carpeting and some papers that didn't dry out. I won't say that it was devastating by any way, fashion, or form, but what happened in that storm was the electric system to the Superior Courthouse went out. I won't get into it because it's complicated. But the bottom line is we've been running on a generator over there since that storm. I will report to you today which was reported to us at our meeting today and that is that, hopefully, I'm not going to say a time but early evening tonight, the generator will be shut off.

We had a related problem with the transformer that is mounted on the ground in front of the building. One of the screws broke off and it's a project, if you will, to replace those and, again, I'm not going to get into the technical part of it but they are over there right now as we are talking - working on it.

Once that's repaired, hopefully, the wires will be hooked up and, once again, early this evening we're anticipating that the electricity and the situation over there will be resolved.

Under "Commissioners' Actions," we did a number of appointments. I won't bother reading all of them or getting into it.

And that pretty much ended our August 9th meeting which brings us to today, which is August 16th. August 16th, the biggest thing on the agenda is the discussion of the Auditor's Report and, again, I would like to, for the record, thank not only your speaker but members of the Assembly of Delegates, members of the press, and members of the media who received this audit prior to that when it should have been released to the general public as per request of the state auditors. Once they received it, a number of people called me, and if you remember, I was actually in front of this board and I asked you people not to distribute it, and I asked you please not to talk about it until it becomes a public record.

And I want to now publicly thank all of you including, once again, the media, your Speaker, and the press because they all were very, very, very professional and did not -- asked a few questions but didn't push it.

So now it is a public document. If all of you don't have it, you will be

getting it relatively soon.

I will tell you that in today's Commissioners' meeting, we kind of laid out how we're going to approach it for making this as quick as a report as I can. We broke the audit into three parts.

The lease situation. As many of you know, some of the leases that are in the audit have already been resolved. Cape Light Compact is no longer here. I believe there was either a DEP or some state agency that had an area that they were leasing from us, and they're no longer here. So, we've already resolved a number of those leases.

What we're going to do under that jurisdiction or that part of the audit is we're going to compile the information that we have in our office, plus we're going to have staff reach out to the leasees, yes, the leasees to see if they have any relative information too. And then at that time, we're going to compile all that information, allow the Commissioners time to absorb it, and then you will see on the agenda each individual lease one at a time so that we can discuss it in full and depth, and we can discuss how we're going to approach that particular lease in that particular situation.

I did say publicly two things today that I'd like to say again here. One is that people have to remember that the state auditors only had at their disposal information which is contained in the Superior Courthouse for records of the County, and that's how they made their findings in their audit. It's our due diligence now to go out and find out if there are other documents that actually exist and other things that actually happened that we may not have a copy of; quite frankly, may have a copy of it but don't know where it is. So, we're working through that in a little bit of time.

The second thing in the audit which all of you are well aware of; as I look around, I think there's a couple of new members that maybe weren't aware of it; the outstanding debt service that was the bonding issue where this body along with the County Commissioners authorized a bond issuance through the budget. And instead of those projects being done with a bond, they were done by using Free Cash. Again, I won't get into semantics of what you call it. We all know what Free Cash is, so allow me the courtesy to use that term because you know what it is and there's a number of different names for it. The basis is we used our savings; we used our checking account to pay for items that we had voted we were going to bond. That is an issue that I have been very, very concerned about personally, not only as a Commissioner, but I believe it started when I was sitting on this board.

We have come to the knowledge through a lot of hard work, especially by Bob Lawton; Bob Lawton needs to be recognized in this because he helped us not only, I don't want to say "discover" because when you say that, it means like somebody was trying to hide it; I don't think anybody was trying to hide it, but brought it to our attention and brought it to the attention to the fact that the County has no bond rating and that is very disturbing.

And as we move forward, kudos to Jack and Mary, who is our new finance director; they have been working on this issue for over a year. This is not new to us through this audit. It might be new to the public but that's fine but, to us, it's not new.

We've already started a progression to clean up some of these things. The newer bond issues will, if they meet the state statute, we will go out to bond and bond them. The older ones that are expired or do not fall under what the state statute allows, we will probably have to come back in front of this board and either ask for a debt

forgiveness or ask for having those jobs paid for out of Free Cash, and there may be even a possibility that we may have to ask the state too. I'm not really sure but I assure you that we are looking into it and it we'll continue.

And the third part of the audit, I kind of wish we had our other representative for the town of Brewster because this is the one that he argued me with in extent during our budget season and, quite frankly, I can call Ed now and tell him I was right. You cannot give public money out in your budget without a due process. And for years the County has not had a due process. Basically, if they wanted to give a public organization or a private organization, I'm sorry, public funds, they include it in their budget and they did it. And that process is not right; it does not follow State law, and I'm very proud to say that the County stopped that practice when you adopted the FY18 budget. So as of July, we are no longer doing that anyhow. So that whole section of the audit has already been addressed, and I'm proud to say that.

We will see and hear the audit on our agenda for the next weeks to come but, again, we're going to split it up so that we are addressing certain parts of it as opposed to having it as a complete document.

Three things that were on the agenda; I won't waste a lot of time on them but I just want you to hear them because I think it's really important that you know that the Commissioners are taking them on and taking them on early this year.

One is the Budget Message for FY19. We have set a drop-dead date of October 1 to have that done.

We also discussed a three-year Strategic Plan. I have heard an outcry from our department heads that they want to know as they proceed putting together their budgets where the Commissioners want them to go. So, we have, as part of the Commissioners' Goals and Objectives, we have outlined a three-year strategic plan, and we're going to be working on that in the next couple of weeks. Hopefully, these will all coincide with each other.

And the third and final thing that plays into that same kind of discussion is the County Survey. As you all know, I came in front of your board back in, I believe, it was early June, when I made a presentation to the OneCape meeting, which a lot of the Selectmen and Councilors were there, and we handed out a survey at that time.

We did get an update today on the number of surveys that have come back. They are coming in. I believe we have probably a total of around 25, some of them are just Section 1, some of them are Section 2, and then some are Section 3, and some are of all three sections. But I think there's either 25 or 30 in total that are in so far, so we are going to have a formal presentation on that next week from the young lady that's collecting those for us.

Once again, we had a discussion on the emergency action related to the flood damage. And as I reported earlier, hopefully by earlier this evening that will be all done.

We had an appointment to the Cape and Islands Workforce Board. We also had a request for the use of the grounds for September 23rd in conjunction with the annual Harbor to the Bay AIDS Benefit Bike Ride, which we approved.

We had Jack's timesheet, which is a weekly thing that we approved. A number of discharges of the HOME mortgages, and by "HOME," I always say this to make sure everybody understands that's H-O-M-E mortgage. It doesn't mean that's somebody's home -- well, it is their home but it's our acronym, if you will, for the

division that we use when we give these mortgages out.

And, finally, we had an authorization to an amendment to an agreement from NOAA and WHOI, W-H-O-I, which is the Woods Hole Oceanographic Institute. And it's just an extension of not only some funds, allocation of funds, \$88,000, but it's also an extension of a timeframe. It moves performance date from January to -- from July 1st of '17, I'm sorry, July 31st of 2017 to January 31st of 2018.

And also, there was a motion for me to execute all the certificates of dissolving septic betterments.

The only other thing I would like to add is under the Commissioners' Reports, I did tell my fellow Commissioners -- actually Commissioner Beaty had a request. I guess there was some kind of a -- I'm not sure whether it was an editorial or a letter to the editor regarding the County and the County's role in dealing with homelessness. So, you will be seeing on our agenda relatively soon Beth Albert. I believe she's on vacation right now, so probably in two or three weeks you'll see her on our agenda to come in and make a presentation to the Board of Commissioners in regards to the County's role in homelessness and a lot of funds that we handle to kind of explain it not only to us but the public so that they can understand where we're going.

Three other things that I will be adding to future agendas, and I just want you all to be aware of this in case you want to watch some of our meetings; I was actually requested by Commissioner Beaty to put on a Code of Ethics to be voted by the Commissioners. I explained to Commissioner Beaty that this has been on our agenda a number of times and that there is history in this. And before we put it on the agenda, I want to make sure that he does his homework and understands the legal ramifications when you try to impose a Code of Ethics on elected officials. So that will be discussed next week at our meeting.

Also, one thing that I'm going to be doing now is we're bringing forward a review of the Cape Cod -- I'm sorry, not Cape Cod, the Economic Development Council. The Economic Development Council is the board that helps the County Commissioners with the distributions of license plate funds. The Economic Council was created a number of years ago and, subsequently, had a large number of amendments to the original ordinance. I want to say at least seven, if I remember correctly. It is our intentions at the Commissioners' office to hold a workshop where the three Commissioners will participate. It will be a posted meeting. It will be a workshop though. There will be invited guests, similar to the same thing that we did when we went through the review of the ordinance of the Cape Cod Water Collaborative. I will work with the Speaker and find out who from the Assembly would like to attend. And I also will reach out, obviously, to the Cape Cod Commission because they're involved, and we will reach out to the current Economic Development Council to see if any members there would like to be. It's our intentions to bring forward a new ordinance, and the new ordinance we'll just clean up everything that's on the books presently and, plus, there's a lot of information which, believe it or not, really mirrors what we went through with the Collaborative.

The Cape Cod Commission is under now -- they need an Economic Development Council to help them with a lot of the CEDS stuff. And instead of us creating three counsels all doing separate things, we believe it's better to have just one. And we would like to work on that and, certainly, it's going to be a work in progress. And I will keep you all informed and make sure that as draft agreements come forward,

you will be getting them officially so that you can weigh-in on them so that when it comes time to vote them, hopefully, it will go as smoother as the last one did. There won't be too many questions to be asked.

Thirdly, and then I'll end it, and that's the Powers & Sullivan Audit is done. I believe you all have copies of it. This is the annual County audit. It culminates in July 2016. It was for FY16 remember, not FY17. I requested that the Powers & Sullivan come in and make a formal presentation of the audit to the Board of Commissioners. I would ask and I will work closely with your Speaker so that maybe we can schedule it on the same day so that after they come and make a presentation to us, they can come here and make their formal presentation to you guys. So, I will work with the Speaker on that to see if we can't get some dates that work not only for us but certainly for Power & Sullivan's representation to come down.

And with that, through the Speaker, I'll be very happy to answer any questions you may have.

Speaker MCAULIFFE: Thank you, Commissioner Cakounes. So many of the items that you mentioned I have also on my list for future agenda items, so maybe we can talk about more than just the audit in terms of trying -- I know the homeless and the opioid through Beth Albert's department might be something we may or may not want to combine.

Commissioner CAKOUNES: True.

Speaker MCAULIFFE: It was on my list. And we will be having a formal agenda item on the Suzanne Bump's State Audit. So as the Commissioners are working through their plans, probably sometime September or October, we will have them come in and tell us what's going on, you know, give us a formal presentation so it's going to be more than just this report today.

Commissioner CAKOUNES: Right.

Speaker MCAULIFFE: But if anybody has any specific questions, that's fine, but it will be an agenda item very shortly.

Commissioner CAKOUNES: There's a lot more to come in regards to the state audit. And, again, as I reported earlier, the Commissioners have decided to break it up, segment it, and attack it all very regimented so that we can all understand what we're doing and give each -- especially the leases. We want to give them their due diligence and their time to review it properly.

Speaker MCAULIFFE: Patrick.

Mr. PRINCI: Thank you, Madam Speaker. I have a few questions here. The first one is relative to the audit that was done. And as far as the executive look-back at the leases and so forth, are you finding issues where liabilities -- not having to assume certain liabilities as part of the reasoning behind some of the low leases? Or what are some of your internal findings as you go through the audit and start to review the leases?

Commissioner CAKOUNES: Each and every one of them have a different situation, especially the ones that are remaining. You know, we can talk about the ones that are already gone, you know. CLC was just one of those things that just happened. It metamorphed; it just grew.

Mr. PRINCI: Just so that we can save time here.

Commissioner CAKOUNES: Yes.

Mr. PRINCI: Could we possibly expect in the future as these types of findings come through the executives possibly reporting back to us in some sort of

fashion?

Speaker MCAULIFFE: Yes.

Commissioner CAKOUNES: Absolutely. I intend on reporting to you as I do every time you have a meeting. So, when we have a specific lease up in front of us, I'll be very happy to give you an update on it and try to make it as compact and concise as possible.

But certainly, I think we also have to be careful too. I've been reminded and I need to be reminded, sometimes we may be skirting a situation where it may have to go to an executive session. So, just bear with us on that, but please know that whatever we can share with you we will. And not only with you but with the press because a lot of the public is very concerned over these leases and, quite frankly, I personally think it's -- it's the less alarming part of the audit as far as I'm concerned. I'd be more concerned of, you know, owing ourselves \$8 million but nobody seems to care about that so.

Mr. PRINCI: The second question I have is relative to a couple -- the next two questions were relative to a couple of the proposals coming before the Assembly shortly.

The first is the appropriation for \$245,000 relative to the settlement for the judgment and flood damage costs. Now, in that amount of money, is there any amount that's due to possibly new work that's being done that may have prevented these types of floods?

Commissioner CAKOUNES: No.

Mr. PRINCI: Any site work possibly?

Commissioner CAKOUNES: No.

Mr. PRINCI: Okay.

Commissioner CAKOUNES: There was nothing that could have prevented this kind of flood. Please be aware of that. This was a once in a 100-year rainstorm that, literally, the water built up so high against one of the buildings that the cellar windows that you're looking out right now had two feet of water over them and the glass just could not hold the water back anymore and they blew out.

Mr. PRINCI: Okay.

Commissioner CAKOUNES: So I mean there isn't any structural damages that went neglected that caused flood damage by any stretch of the imagination. This was a huge amount of water in a very short time.

Mr. PRINCI: And the last question is relative to the next supplemental appropriation of \$8,000 increase of the human rights coordinator work hours. As I understand the business-type flowchart of the County, this coordinator would report to the Commissioners and/or their board through the Commissioners.

Now why -- I'm wondering why this is coming -- this appropriation is coming from us? Did they, perhaps, go before you?

Commissioner CAKOUNES: No.

Mr. PRINCI: And have the issues --

Commissioner CAKOUNES: No.

Mr. PRINCI: -- regarding the amount of money that they had to meet up with the workload?

Commissioner CAKOUNES: No. Nope. There was no official request by the Human Rights Commission to the Board of Commissioners for additional hours.

Mr. PRINCI: Structurally, wouldn't that be the proper way to proceed, that if they did need more money that they would go before the Commissioners and/or the County manager and discuss the matter with them and then if they receive --

Commissioner CAKOUNES: Personally, again, I can only speak personally because, again, the matter has not been in front of the full board, and so I'm not speaking for the full board. I'm only speaking as a single Commissioner. I would have to tell you that, yes, I would have assumed that it would've come through us and then you approve it afterwards.

Quite frankly, I think it's a little premature. When I was asked out in the hall about two months ago about this, I made a recommendation that they wait until November because supplemental appropriations can be made at any time during the fiscal year once the fiscal year has started.

And, quite frankly, I find it not dangerous because it's only \$8,000, but we haven't even closed the books for FY17 yet, and we're already making supplemental appropriations for '18, which we're not even into it for, what, 45 days?

But that, again, is a personal comment. You asked me --

Mr. PRINCI: Well, according to --

Commissioner CAKOUNES: -- the way I thought it should have went, sure; I think the executive branch should have asked for it but that doesn't preclude you guys from doing it.

Mr. PRINCI: I was one of the Assembly members that served on that special committee under former Speaker Ronald Bergstrom where we, basically, made appropriate changes to have some more reporting being the human rights group reporting directly to the County Commissioners and the County manager as well.

So, I'm just a little -- I just don't understand why these types of -- I see it on our agenda; I just don't understand why this type of appropriation wasn't brought forward to the executive branch first. That's where I'm at.

Commissioner CAKOUNES: We have a Public Hearing scheduled for this, don't we?

Speaker MCAULIFFE: Yes.

Commissioner CAKOUNES: Can I reserve my rights to comment on these two subjects until the Public Hearing is up?

Speaker MCAULIFFE: Absolutely.

Commissioner CAKOUNES: Thank you.

Speaker MCAULIFFE: And just two housekeeping things; Edward Atwood, are you on the line?

Mr. ATWOOD: Yes, I am.

Speaker MCAULIFFE: Thank you. And is anyone recording this meeting other than our regular recording? Okay. Other questions? Okay.

Commissioner CAKOUNES: Wait a minute.

Speaker MCAULIFFE: Oh, yes. I didn't see your hand, Susan. Go ahead.

Ms. MORAN: I was not high enough on the draw. Just a quick question; I noticed that there's a forum that Mark Forest is giving this Saturday with respect to County government, and I was curious if you had planned to attend?

Commissioner CAKOUNES: It's a democratic town committee meeting; I'm not sure if Republicans can attend those or not. I know that as soon as I walk in, I'm

sure the majority of the people there would like to hit me with a chair or something.

I'll tell you what I'll do, I'll send an operative though. How's that?

Ms. MORAN: I think it's a public meeting.

Commissioner CAKOUNES: It is? Okay. I was told that it was the, I'm sorry, Yarmouth -- town of Yarmouth Regional Democratic Town Committee. But if it's open to the general public, I assure you I'll have ears in the room.

Ms. MORAN: Thank you.

Speaker MCAULIFFE: Anyone else? Okay. Good. Thank you, Commissioner Cakounes.

Commissioner CAKOUNES: Thank you.

Speaker MCAULIFFE: Are there any communications from Public Officials?

Public Hearing on Proposed Ordinance 17-10

Speaker MCAULIFFE: All right. Now we will go into our first Public Hearing, and this is on Proposed Ordinance 17-10. The Cape Cod Regional Government, known as Barnstable County, hereby ordains; to add to the County's Operating Budget for Fiscal Year 2018 as enacted in Ordinance No. 17-04 by making supplemental appropriations for the Fiscal Year 2018.

And there's a Section 1; based on a revised estimate of income of Barnstable County for the current fiscal year, made as of June 30, 2017, the sum set forth in Section 1 for the purpose set forth therein and subject to conditions set forth -- okay. It's a lot of legal language.

Then I'm going to skip right down to the fund shall be derived from the Statutory Reserve Fund and the Capital Trust Fund, respectively. So, it lists line items and sub-programs and the amounts are \$170,000 for the Court Judgment with the Fire Training Academy, and \$75,000 for Emergency Repairs to Superior Court. And this is the electrical work that is going to be actually commencing today.

Commissioner CAKOUNES: Done today.

Speaker MCAULIFFE: So it's a total of \$245,000 for this ordinance. And this is an opportunity for the public to address this issue. We are here to hear any comments. We will not be discussing or voting until we are in our formal meeting, but this is an opportunity for anyone to give public comment on this ordinance.

We have our County Administrator and our Assistant County Administrator; Jack Yunits and Steve Tebo.

Administrator YUNITS: Thank you. Jack Yunits. There's two parts to the ordinance.

The first is the \$170,000 for the settlement. This is all part of the Barnstable settlement and the \$170,000 was the negotiated settlement number. They went back and forth for quite a while based on past obligations incurred by the town of Barnstable to eradicate PFOS in the drinking water wells at the Mary Dunn.

The second part is what Steve will talk about and that's the electrical work being done. In fact, any minute we're going to get a call and asked to go over and shut off the power at the courthouse so that they can make the transfer.

Steve.

Interim Asst. County Administrator STEPHEN TEBO: Yes, to follow up

what Leo was saying, we had approximately five inches of rain in like a two-hour period. So, the water just came in. It actually washed out a primary line to Superior Courthouse and crushed the duct that it was in and shorted out the line that was in there.

So, we've been working on this kind of around-the-clock since July 7th trying to get everyone lined up to get it done. So, hopefully, today they're going to cut it over. They're saying 4:30 so, hopefully, any minute now I'm going to get a call. I'm going to go and shut the power down and cut the building back over to street power.

So Eversource came through in the end to help us out. They've been there around-the-clock for the last four days. So, we really got it, like, the last week was really a big push to get it done.

This would typically take probably about six months to get done if we were to schedule an event to change the power coming into the building. So, we got it done in a relatively short period of time.

The good news on this money though is we do get reimbursed by the state at 80 percent for it. So, the money that you are approving today or, hopefully, will approve today, you know, we will get it back eventually for the 80 percent.

So, I don't know if anyone had any questions about the power? I know it's kind of --

Speaker MCAULIFFE: Any questions of the Administrators? I think it's pretty --

Mr. ATWOOD: Yes, Madam Speaker?

Speaker MCAULIFFE: Yes, Edward.

Mr. ATWOOD: I just had a question. I had a hard time hearing the percentage that we're being reimbursed?

Asst. Administrator STEPHEN TEBO: 80 percent.

Mr. ATWOOD: Thank you.

Asst. Administrator STEPHEN TEBO: Yes.

Speaker MCAULIFFE: All right. Good. Thank you, very much.

Interim, Asst. County Administrator STEPHEN TEBO: That was an easy one.

Speaker MCAULIFFE: So I'm going to close the hearing for Proposed Ordinance 17-10 (4:35 PM), and it will be taken up for discussion and vote when we commence our meeting.

Public Hearing on Proposed Ordinance 17-11

Speaker MCAULIFFE: The next item is a Public Hearing on Proposed Ordinance 17-11. And this is the ordinance to increase a budget item by \$8,000 from Statutory Reserves. It's to a salary account for the purpose of increasing scheduled work hours for the Human Rights Coordinator, and it's 13 hours a week to 19 hours per week and effective on passage of this ordinance effective FY2018.

So, the ordinance says "13 hours to 19 hours" and the amount is \$8,000. And I'm not sure at this point whether this ordinance is going to be amended or is it going to be presented as is, Mr. Bergstrom? As is?

Mr. BERGSTROM: Right now, we'll present it as is, but if somebody offers an amendment, that's up to them.

Speaker MCAULIFFE: Oh, right. Okay. During the meeting we can do

that.

We have had some information from our attorney that we do have the right to increase the money because there is a line item in the budget, but we don't have the authority to necessarily increase the hours because the coordinator is under the direct supervision of the County Commissioners.

So, when it comes time, we will, just so that people know, part of this we do have control over and part of this we don't.

I see that there are four people who have signed up to speak from the public. And I will call you in order of your sign up, and just, you know, kind of hit the high notes. Keep it to three minutes or under if you can, and try not to repeat what was said before. Try to give us new information.

So, we'll start with Dave Schropfer from Eastham.

Mr. DAVE SCHROPFER: Madam Speaker, may I defer to our vice chairman who I'd like to go first and I'd follow at your pleasure?

Speaker MCAULIFFE: Okay. And your vice chairman is?

Mr. DAVE SCHROPFER: Mr. Milsted.

Speaker MCAULIFFE: The next one, okay. Alan Milsted from Bourne, Vice Chair of the Human Rights Commission. Welcome.

Mr. ALAN MILSTED: Thank you. Good afternoon, everybody. My name is Alan Milsted. I live in Bourne. I am currently Vice Chair of the Human Rights Commission. Before that, I was actually the Bourne representative. And I understood that the budget for the Human Rights Commission was up for review today, so I wanted to come and express myself in strong support for this proposed ordinance because that would have the effect of restoring funding to the 2016 and 2017 fiscal year levels in respect to the coordinator.

The Commission is in the process of rebuilding with a number of new Commissioners, as well as a recently recruited coordinator Susan Quiñones, who is also here.

We've appreciated the support which was shown to the Commission at the beginning of the year, both from the Assembly and from County Commissioners partly in response to representations from the wider community.

Students from our Human Rights Academy, which BCHRC organizes for students from middle and high schools, both public and independent, from across the County, were among those who made representations. One of those students that was subsequently recognized, not for that, but with our Malcolm McDowell Award in the spring, and he's now going onto the United Nation's International Youth Summit on Human Rights.

I believe the need for an effective Human Rights Commission in the County remains strong. The ordinance which established the Commission states, "It is the policy of Barnstable County to promote equal opportunity for all persons in Barnstable County regardless of race, color, religious creed, national origin, sex, age, ancestry, sexual or affectional preference, marital, family, or military status, source of income, neighborhood or disability where unlawful discrimination exists in housing, employment, education, public accommodations, Town and County services, insurance, banking, credit, and healthcare."

There are many recent or impending or prospective changes in legislation and funding of both national and state levels, for example, in healthcare and

immigration, which will have direct effects on groups covered by the Ordinance.

Recent analyses of demographic trends by the County Department of Human Services indicate that by 2030, 43 percent of the County's population will be aged 60 and above. That's the highest in the Commonwealth.

And the proportion aged 75, 85, and 90 or over, whose needs become increasingly demanding and complex, will also increase. If you haven't had the opportunity already to hear Beth Albert or her colleagues doing presentation over some of their recent analysis, I'd strongly recommend it to you. It's obviously on their website, BCHumanServices.net.

Issues of race and disability permeate many aspects of lives in the people in the County both directly and from local, national, and international events.

The Human Rights Commission works with other agencies and groups through education, collaboration, and mediation to address concerns about actual and potential discrimination.

However, we have struggled with only 13 hours per week of support from the Coordinator to insure that, as the volunteer Commissioners and Town Representatives, we are able to fulfill expectations of our mandate.

I hope, therefore, that you will support proposed Ordinance 17-11.

Thank you.

Speaker MCAULIFFE: Thank you.

Mr. ALAN MILSTED: I sent this as an email to the Clerk, but I will give you a paper copy as well for the record.

Speaker MCAULIFFE: Thank you. Dave; Dave Schropfer from Eastham.

Mr. DAVE SCHROPFER: Thank you, Madam Speaker. I am Dave Schropfer from -- we say Eastham but its okay. And I'm a representative from Eastham to the Commission, and I would like to make several points that are critical to this whole process.

One is that everyone that I spoke to after the budget was approved all thought that the \$8,000 was already in there but, apparently, it wasn't. And the oversight might be ours, I don't know.

Number 2, there has been a change in the dialog from the top of our country to the lowest levels in our country. And you've been watching, I'm sure, on television the things that are being said and the change that has happened.

When a person makes an insult against another person, that person has the right to come to the HRC and look for some help. If they call us, there's no one there. Tuesday, Wednesday, and Thursday there's no one there. Why? We just don't have enough time out of 13 hours to cover every day of the week so we cover Monday and Friday. Some might want to change what parts of what days get covered.

But the point is our society is changing and it's not changing for the better. It is affecting things that the HRC is in place to do. We're very grateful that over the years that there has been the support that has allowed this organization to come into being. And I'm on it solely because I think that every single town needs to be able to protect their citizens when there have been slurs, when there have been incidents, and I've actually already participated in one situation, which I can't discuss because it's personnel-oriented.

So, the \$8,000 is relatively a small amount. We're hoping that the

procedure, as you've indicated, Madam Speaker, is within the prerogative of the Assembly but needs the approval, of course, of the Commissioners. And, if necessary, I'm sure the board will appoint someone to go and speak to the Commissioners.

And if you have any questions, our Coordinator's here and our Chair is here, and our Vice Chair is here, and it would be appropriate to address those to them.

I thank you for your time.

Speaker MCAULIFFE: Thank you, Dave. I'm sorry. I don't see -- I can't read the first name; Rhodes, from Falmouth.

Mr. SCOBA RHODES: Scoba.

Ms. MORAN: Scoba.

Speaker MCAULIFFE: Scoba. Welcome.

Mr. SCOBA RHODES: Good afternoon. I haven't sat in this chair for a while. We go back a number of years. We have put together a program that makes sense. We are probably doing more for the young people on Cape Cod than any other County in state.

Thirteen hours, however, to have somebody put together the program on paper is not going to work. We know that because we lived it. I've only been at this now -- never mind. I'll just keep going.

But for the time that is needed, the more people that we have that we can spread out in an office and get them to produce works. When, in fact, what we now have minus the \$8,000 because we hope you're going to give it to us will allow someone to at least keep up with the paperwork that this job entails.

I'll be happy to answer any questions that you have. I've not spent a lot of years in this business. I didn't start until the early 60s, and I guess I gave it up in 2010. I think that the kids that we gave exposure to benefited from what we gave them. We're willing to continue that, but they need the funds in order to buy whatever is necessary with the exception of buying a clerk who sits at a desk and types all of this up, produces it, and gets it out to the schools so that the students from all of the schools on Cape Cod participate. And it makes us feel good when the programs fall into place.

Take a deep breath, relax, and have another cup of coffee because it works. Thank you.

Speaker MCAULIFFE: Thank you. Barbara Burgo. Susan, are you going to come up with her?

Ms. BARBARA BURGO: I was just going to say, if you don't mind, I would invite Susan up with me --

Speaker MCAULIFFE: Sure.

Ms. BARBARA BURGO: -- just to help with a prop that I brought.

Speaker MCAULIFFE: Okay.

Ms. BARBARA BURGO: And to show solidarity as well. Good afternoon. Thank you for this time. I'm, of course, Barbara Burgo, the Chair of the Barnstable County Human Rights Commission, proud chair but exhausted chair.

Not only all that's going on in the country and the world these days, not only being a black woman, a proud Cape Verdean whose family heralds from Harwich, but also being a serious advocate for human rights. Susan came to us just as we were getting ready for the Human Rights Academy.

I thought, as well, that the last time I was here and following that 19 hours was there. I, too, am really perplexed as to what happened, but I'll let the process

go as it will. It's been stern enough here. It's been difficult enough here.

Scoba gave me a good segue. I'm not going to talk so much about race. I've got three hours sleep. My father-in-law just died. My nerves are on edge, but why I got three and a half hours sleep is not because as I get here Susan gives me something from another person who's been homeless and in their car for a long time who needs our help; not because I got a call from the folks down in P-town that they've, yet again, taken down the Black Lives Matter banner at the UU church. They've had to buy the third one that I've known in the last year. Not because the MLK group said, "Please come to our meeting and discuss all of these issues that are happening and what should we do about a vigil?"

But I came here to give you a little brighter spot to tell you why this is so important. We're all volunteers. Alan, Susan, and I have doubled and tripled our time to make sure this County has the best, best volunteers, the rest of us, that you can have.

Someone told me when I started this a year and half ago, "You're not going to last very long. They want more and more and more." And I said, "Well, I'm like the Energizer Bunny. I've got more and more to give." But that person's going to see me; I'm exhausted. Ten hours a month is not it, average. Ten hours a week is more like what I'm doing right now.

Susan was giving double the time that she was paid for. And this is why Scoba mentioned the students. You heard of the students. We met, you saw Matt West, who got the award this year. Stellar student from the Human Rights Academy at Nauset.

But what you didn't see and you didn't hear, and I encourage you to please come to a Human Rights Academy; please come to the Human Rights Day because last year the Academy what I wanted to do, and I'm good at census partnership specialist giving out reasons why it's important if I can encourage people to learn and look and listen from here on in, the picture is going to speak a thousand words.

Because we asked the students to tell us what "human rights" means to you. And since I just learned to quilt, and I guess Kismet; Susan quilts as well; Tia quilts as well, Tia Cross. We asked the students -- I cut out 115 squares. They didn't all do this, but read the Human Rights Universal Declaration and show us what this means to you on that cloth and we'll put it together. Hours upon hours of putting this together, and I'm just going to show you what your County's students think about human rights.

Our own time, our own money. I am -- and gay is scratched out. I am straight. It's scratched out. Lesbian, no. Bisexual, no. Transgender. I am human. Everyone has the right to freedom of thought --

Speaker MCAULIFFE: Barbara, if you're going to speak, you need a microphone only because people at home won't be able to hear what you're saying.

Ms. BARBARA BURGO: Okay. I'm, of course, not going to read it all. People at home, thank you.

Ms. BARBARA BURGO: But I wanted to just give you a sense of the couple that stand out to me right away because the students worked long and hard.

Commissioner CAKOUNES: Why don't I hold this, Barbara.

Ms. BARBARA BURGO: Thank you. And Mr. Cakounes -- the whole crew have been wonderful to us here. We just need a little more support. No one shall be subjected to torture or the cruel, in-human, or degrading treatment for punishment. This all comes from a little bit of the Human Rights Commission Universal Declaration.

And this is all the students' ideas. They took it away. They came back with this, and all we did was arrange them and put them together, and I did a whole lot of sewing.

Maybe you don't care about so much about a quilt or about my time, but you should at least care about what the students find so important and what they've learned this year through the extra efforts of the Human Rights Commission without a coordinator for a very long time.

Thank you.

Speaker MCAULIFFE: Thank you, very much. You're right; a picture is worth a thousand words. Yes, Sue Moran had a question, if you don't mind, Barbara?

Ms. BARBARA BURGO: No, I don't mind.

Ms. MORAN: I was just wondering where the beautiful quilt will be displayed?

Ms. BARBARA BURGO: Yes, good question and thank you. I didn't want to take another minute or two of your time. But as I was getting up, I thought of that so I appreciate it, Susan.

So, we have hope that towns, schools, town halls, anybody anywhere. At the immediate, Mr. John Reed, the former chair at the Zion Museum has asked can he display it there. And I also asked him could we then put it on kind of permanent loan there and pull it out when we need it so that it could be shown.

Susan has just gotten a place for us to -- go ahead, Susan.

Ms. SUSAN QUIÑONES: Yes. We're going to be participating in the 2017 Arts and Cultural Expo at 4Cs, and we will be displaying the quilt there as well.

So, our hope is, in answer to your question, where will it be displayed? Everywhere.

Ms. BARBARA BURGO: Any more questions on that?

Speaker MCAULIFFE: Thank you. Susan, if you have any more copies of the pamphlet, unless they're really -- I think each Assembly member would probably like one. You brought two.

Ms. BARBARA BURGO: No, there's a third one in here. I brought them from home.

Speaker MCAULIFFE: Oh, okay.

Ms. BARBARA BURGO: Because I ordered them and paid for them myself. These are for the young students.

Speaker MCAULIFFE: Okay.

Ms. BARBARA BURGO: And so whatever we don't get funded for, we've been paying for ourselves. So, I brought three that I had at home, but I believe there are more in the Human Rights office.

Speaker MCAULIFFE: Okay.

Ms. SUSAN QUIÑONES: Absolutely.

Speaker MCAULIFFE: Yes, I don't want to take advantage of anyone having to spend money on this, so we can certainly either offer it up to someone if they want to purchase them from you, or we can also copyright -- copy it for people.

Ms. BARBARA BURGO: I have more. I have plenty more.

Speaker MCAULIFFE: Yes. Linda.

Ms. ZUERN: I do have a concern and question about Black Lives Matter; why the Human Rights Commission would be supporting a group that has a violent tendency, is said to be supported by George Soros, and why we would even be

supporting a group like that at the County level?

When we're supporting those kinds of groups, it makes me think that we shouldn't be giving any money towards a group like that.

So how can you justify a group like that that has violent tendencies, and they were involved this past weekend as well, as well as Antifa.

Ms. ZUERN: So there were groups from both sides. And the way the speakers have talked in the last few minutes is -- it seems one-sided. There are violent groups on both ends of the political arena.

So, how can you justify supporting something like that?

Ms. BARBARA BURGO: That's an excellent question, and what I have learned, what our charge is here, what I absolutely know, and they remind me all the time, that we are advocates, not activists. With all due respect, I didn't say we were supporting Black Lives Matter. I did not say that at all. I said the banner was pulled down from the UU church. This is what I heard; this is what I saw. They had to buy a new one.

The only thing that we can support is the right to freedom of speech. It's their freedom of speech. We cannot have any side trampling on the others' human rights.

Speaker MCAULIFFE: Thank you.

Ms. ZUERN: I completely disagree.

Speaker MCAULIFFE: But we can also -- you can bring up your perspective too when we debate the actual ordinance. Thank you.

Okay. And is there anyone else who wanted to speak who hasn't signed up? Oh, yes, Mr. Cakounes. Thank you so much for coming and bringing your beautiful quilt.

Ms. BARBARA BURGO: Thank you.

Commissioner CAKOUNES: Thank you, Madam Speaker. I just was asked the question when I was doing the report of the County Commissioners, and I felt that it was better addressed here under the Public Hearing situation, as opposed to where it wasn't on the agenda and it wasn't something that the Commissioners have talked about in our meetings that I was here to report to you on.

The question was asked what the Commissioners felt in the process and, once again for the record, I'm only speaking as a single Commissioner because this has not been discussed at the Board of Regional Commissioners.

I will tell you that I am not happy with the process, especially after hearing the testimony by the people in front of you today. I just got up and spoke to our Administrator; our Administrator was never asked nor requested to increase hours. The situation has not been discussed with him and, subsequently, they have not come in front of our board so that we could address the need for extending the hours. I'm not in favor of the process. I don't believe it's a road that the Assembly should be going down.

If we do this and I know the argument is it's a marginal amount of money. That might be fine, but it's still a department head coming directly to the Assembly asking for more money in their budget without going through the due process.

And the due process, the way I see it, is that they should go to the Administrator first, and the department head should explain to the Administrator the reasons why they cannot live within the budget that they have. The Administrator should make a recommendation to the Board of Regional Commissioners, and the Board

of Regional Commissioners would then increase the hours and come here and ask for the appropriation of the money to do so.

So, quite frankly, again, I am not in favor of the process, and I would ask that you not pass this for those reasons alone. No reflection on the work that these people do; no reflection on the fact that maybe she doesn't have enough hours in the budget. I don't know that and, quite frankly, I'm a member of the executive branch and no one's come to my board and said, "We don't have enough money in our budget to do the work that you're asking us to do." Instead, they're doing it the back door way, and I don't really appreciate that.

It's not a lot of money, absolutely, but that's still no reason not to pass it. I would ask you again to turn it down today and allow it to go through the process which is in place. The arguments that were made in front of you today should have been made in front of Jack Yunits, our Administrator, and then subsequently related to the executive branch and then brought here.

I also want to just take a brief moment to remind you that I reported earlier that the County is going to be going through a three-year strategic plan. Something's going to come forward out of that strategic plan I'm sure voted for and supported by the Board of Commissioners because once the plan is formulated by ideas of all three of the Commissioners, there will be a single plan voted. There are going to be things in there that are not going to make people happy. There are going to be many people that, we, the County Commissioners, have decided to do a cost evaluation, a needs evaluation, and an assessment of every single program that we offer here in the County.

There are some programs that are excellent programs, very, very worthy but they may be put aside because the Commissioners want to focus on things that more people are using and we're getting a bang for our investment and our dollar value. Not to say that this one may go by the side or not, but what I'm telling you is we have, today with a review of our strategic plan, begun a process that we're going to be doing that. And this will be one with many other departments that will be looked at as to its future here in Barnstable County.

And the only other thing I want to say on the record is, again, I would think that in the future if you're going to have a public hearing on a proposed ordinance and there is a plan to amend it, that it would be fair that that amendment be made public so that the public could comment on the amendment.

Quite frankly, I know, because I have purveyed, and I have seen the termination by County Counsel on some verbiage that needs to be changed. It would be my suggestion that because the ordinance has a direct reference to increasing the hours, I might suggest that you use the term, "based on" or "calculated on these number of hours." A simple change like that would relieve, I think, any legal questions out there.

But once again, I think, and again having read the counsel's response, you're well within your purvey to add money to their budget. This ordinance, if it's passed here, will come in front of the Board of Regional Commissioners. It will at that time either be voted up or down. Subsequently, if it's voted down, it will come back here for an override, but we still cannot leave sight of the fact that it will be the Town Administrator -- I mean the County Administrator and the County Commissioners who will be actually authorizing the increase of those hours, whether that money is given today or not.

So once again, I do ask you to follow the procedure; otherwise, I think you're going to have a lot of department heads coming before you trying to circumvent the process, and I don't believe that's right.

Thank you.

Speaker MCAULIFFE: Thank you. All right. I think what we'll do is -- the other public comments aren't related to A and B above. Are there any other public comments not related to either ordinance?

I'm going to close the Public Hearing for 17-11 (5:05 PM) because there are no other public comments.

We are going to convene the Assembly.

Assembly Convenes

Speaker MCAULIFFE: The first item of business for the Assembly is Proposed Ordinance 17-10, and this is the Supplemental Appropriation of \$245,000 that we just discussed for the judgment and the flood damage costs.

Is there a motion?

Mr. MCMANUS: So moved.

Mr. O'MALLEY: Second.

Speaker MCAULIFFE: Any discussion? Okay. This will be a roll call.

Proposed Ordinance 17-10:

The Cape Cod regional government, known as Barnstable county hereby ordains:

To add to the County's operating budget for Fiscal Year 2018, as enacted in Ordinance No. 17-04, by making supplemental appropriations for the Fiscal Year two-thousand and eighteen.

Section 1.

Based on a revised estimate of income of Barnstable County for the current fiscal year, made as of June 30, 2017, the sum set forth in section one, for the purpose set forth therein and subject to the conditions set forth in sections two and three of Barnstable County Ordinance 17-04, are hereby appropriated from the Statutory Reserve Fund and the Capital Trust Fund as supplemental appropriations for Barnstable County for the fiscal year ending June thirtieth, two thousand and eighteen. Said funds are to be expended for the Settlement obligations related to Town of Barnstable V. Barnstable County and storm-related damages to the County Complex on July 7, 2017. Said funds shall be derived from the Statutory Reserve Fund and the Capital Trust Fund, respectively.

<u>Budget #</u>	<u>Sub-Program</u>	<u>\$Amount</u>
0019107 5790	General Fund – Transfer Out	
0011002 5234 BARN1	Court Judgement	\$170,000
0012032 5260	Emergency Repairs – Superior Court	\$75,000
TOTAL SUPPLEMENTAL APPROPRIATION		\$245,000

Roll Call Vote on Proposed Ordinance 17-10:

Voting "YES" (92.49%): Edward Atwood (2.30% - Eastham), 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), Edward McManus (5.67% - Harwich), Susan Moran (14.61% - Falmouth), Thomas O’Hara (6.49% - Mashpee), Brian O’Malley (1.36% – Provincetown), Patrick Princi (20.92% - Barnstable), Linda Zuern (9.15% - Bourne).
Absent (7.51%): Deborah McCutcheon (0.93% - Truro), John Ohman (6.58% - Dennis).

Clerk O’CONNELL: Madam Speaker, Proposed Ordinance 17-10 passes with 92.49 percent of the Delegates voting yes; 7.51 percent are absent. Now known as Ordinance 17-09.

Ordinance 17-10:

The Cape Cod regional government, known as Barnstable county hereby ordains:

To add to the County’s operating budget for Fiscal Year 2018, as enacted in Ordinance No. 17-04, by making supplemental appropriations for the Fiscal Year two-thousand and eighteen.

Section 1.

Based on a revised estimate of income of Barnstable County for the current fiscal year, made as of June 30, 2017, the sum set forth in section one, for the purpose set forth therein and subject to the conditions set forth in sections two and three of Barnstable County Ordinance 17-04, are hereby appropriated from the Statutory Reserve Fund and the Capital Trust Fund as supplemental appropriations for Barnstable County for the fiscal year ending June thirtieth, two thousand and eighteen. Said funds are to be expended for the Settlement obligations related to Town of Barnstable V. Barnstable County and storm-related damages to the County Complex on July 7, 2017. Said funds shall be derived from the Statutory Reserve Fund and the Capital Trust Fund, respectively.

<u>Budget #</u>	<u>Sub-Program</u>	<u>\$Amount</u>
0019107 5790	General Fund – Transfer Out	
0011002 5234 BARN1	Court Judgement	\$170,000
0012032 5260	Emergency Repairs – Superior Court	\$75,000
<u>TOTAL SUPPLEMENTAL APPROPRIATION</u>		<u>\$245,000</u>

Speaker MCAULIFFE: Thank you. Our next item is Proposed Ordinance 17-11. This is the Supplemental Appropriation of \$8,000 to increase the Human Rights Coordinator work hours.

Proposed Ordinance 17-11:

The Cape Cod Regional Government, known as Barnstable County hereby ordains:

That Barnstable County’s operating Budget for Fiscal Year 2018, as enacted in Ordinance No. 17-04, be increased by making the following supplemental appropriation; Appropriate and transfer the sum of \$8,000.00 from the Statutory Reserve Account to the FY2018 Operating Budget, General Government, Department #100 County Commissioners, Group 1 Salaries Account # 0011001-5100-0061 for the purpose of increasing the scheduled work hours of the Human Rights Coordinator from 13 hours per week to 19 hours per week effective upon passage of this ordinance and effective through FY2018.

<u>Budget#</u>	<u>Sub-Program</u>	<u>Group</u>	<u>\$ Amount</u>
0011001-5100-0061	Salaries - Regular	1	\$8,000.00
<u>Total Supplemental Appropriation</u>			<u>\$8,000.00</u>

Mr. Bergstrom, this was your --

Mr. BERGSTROM: Yes. Well, let me start out with making an apology. You know, it's been summer and I've been busy. I've had relatives here. I've been spending a lot of time at the beach. I haven't necessarily been paying much attention to the back-and-forth between the attorney and Commissioner Beaty and Commissioner Cakounes. If I had been paying attention, I could have saved them a lot of time and trouble in excessive verbiage.

Let me quote from the last paragraph of Mr. Troy's -- Attorney Troy's comments. "Absent amendment, it is my opinion as County Counsel that passage of the ordinance transfers the sum of money identified within it from the account specified for an intended purpose. The decision, however, as to whether the transferred sum is expended for the purpose of increasing the hours of the Human Service Coordinator is squarely within the province of the County Commissioners."

I couldn't agree more. I couldn't agree more. I mean it was never my intent -- never my intention to say, hey, we're going to do this and they're forced to spend the money. So, I don't know where that idea came from, but, you know.

But the fact is that -- and also, I have to say at this point no one from the Human Rights Commission came to me and asked me to submit this ordinance. We all say what is the process of submitting an ordinance? The process of submitting an ordinance is I, Ron Bergstrom, Delegate from Chatham have asked the County Commissioners and have asked the Assembly to make this appropriation, which is perfectly within my right to do. And I suggest that we should be doing more of that.

Now I can't force them to spend the money, but I can put -- I can put it on their plate. I can put it in front of them in open session, and they can decide whether they want to do this or not. That's the only purpose of this. It's not to step on toes.

Now, I'm not naïve, so I knew right away when I submitted this everyone's going to try to tie it up in procedural issues. Well, you know, without saying whether it's a good idea or not, we think it should have been done, you know, left or right instead of from up to down.

This is what the ordinance says. I believe that right now the Human Rights Commission is a valuable service of Barnstable County. Whether it should be under the auspices of Barnstable County or not is a separate question. But right now, it's something we're doing. The County's reputation stands behind it. If we're going to do a job, we should do a good job. And I feel that the amount of money that was appropriated in the past budgets was, perhaps, not adequate to do that job but more adequate than what's appropriated now.

So, I'm now putting that on the plate of the County Commissioners to decide whether they agree with me or not. And if they publicly they want to say, "No, the amount of money's been appropriated, but we're not going to spend it for that purpose," be my guest. Okay. So that's it.

Now as far as the Human Rights Commission, I'm not going to -- I mean who's going to argue against human rights? The words "We hold these truths to be self-evident, that all men are created equal, and they are endowed by their Creator with

certain unalienable rights.” Those are probably the first words written by an American as an American; the first words of the Declaration of Independence.

So, we made a commitment on our local community and even the people in Washington, who may not be as sympathetic to human rights as others, believe that local communities should take a lead in these kinds of issues.

So, Barnstable County's made a commitment; we've made an appropriation. I don't think it's appropriate. I don't know why it wasn't funded up to the amount that was funded last year; I'm not stepping on the Commissioners' toes. I'm putting the money on the plate, handing it to the Commissioners and saying, "Here, here's the \$8,000. Do you want to restore the funding or not?" That's it. That's all it's about. And I think we should make -- if we're going to make a decision, let's not hide behind procedure. Let's decide whether you think this is a good idea or not.

You know, in the old Soviet Union, they had a saying people used to say. They'd say they pretend to -- "We pretend to work and they pretend to pay us." And the whole idea is if you're going to do something, you should really do it, you know. You shouldn't say, well, we sort of have a verbal commitment to this and we'll throw a few bucks at it. You should give them adequate funding to perform the function that we asked them to perform.

So that's where I am on that. I hope I didn't take up too much of your time and energy.

Clerk O'CONNELL: Second?

Speaker MCAULIFFE: No, it is on the floor already.

Mr. BERGSTROM: Oh, so I will move the ordinance, whatever it is,

17-

Mr. KILLION: 11.

Speaker MCAULIFFE: Is there a second?

Mr. O'MALLEY: Second.

Speaker MCAULIFFE: I have a couple clarifications before I go to people. I am not going to miss their way in. The first item is I said, "Amendment" because I was thinking that there might be a word, like a recommended or a proposed or something like that, not amending to take out big chunks of language but something to be more sensitive to what we heard from our attorney. So that was my -- I'll take responsibility for making that kerfuffle.

The second item I want to clarify is when we did our budget, and this falls on me again; when we did our budget, we had several meetings where we discussed various line items. And on our -- on my spreadsheet was the Human Rights Commission and it was -- it came through from the Commissioners at \$20,000. We had a discussion. We thought the subcommittee had a discussion. The subcommittee had proposed bringing it back up to last year's level. It sat on the spreadsheet but we never took action on it at the budget time.

Now, perhaps, I should've said, "What about this?" But I sort of wanted to take the lead from the members of the committee so I didn't.

So next time I see something that's sitting in there that we discussed, I will not let that slide through again. Because I think what happened is this now falls on the Human Rights Commission. They saw this proposed or this intended or this perhaps change we were going to make which we didn't, and we didn't make it for a number of reasons. They hired a director. They hired her at the \$20,000 so maybe people didn't

think it was necessary.

But that is a miscommunication. It is a faulty quirk in our budget that we kind of just let slide, and I think it miscommunicated to the Human Rights Commission. So, I would not let them -- not put them in the category of a department that is kind of going around anybody. I think this is just what happened to the money that you thought you were going to propose more of a -- it's partly our fault, Leo, is what I'm saying. I think I do not want to set a precedent where department heads come directly to the Assembly to try and necessarily do end-runs. I do not think that that's what happened here. I think that this is Ron Bergstrom wanting to kind of put something in.

And when we had that budget discussion, I remember someone said, "Well, we can always add something in later." Well, this is the adding something in later if we choose to do it. So, let's not make this a process issue so much as on the face of it because there have been a couple little missteps that have us in this position now.

Now we'll go to Chris.

Mr. KANAGA: Yes, I also, just to add to that, I don't think they went around. I think this was in their proposed budget to the Commissioners originally, and I think it was discussed roundly, and they appeared at the subcommittee hearing, and it was discussed again later.

So, this amount in this budget has been presented by the human rights folks several times already this year. So, it's not like it's been -- it's not a backdoor process. So, I'm just seconding that part, and I'm with Ron on the amount in the resolution -- I mean ordinance.

Speaker MCAULIFFE: Yes, Brian.

Mr. O'MALLEY: Yes, I'm also going to speak in support of this. I find myself in complete agreement with Commissioner Cakounes about a process in general, and I certainly don't see this in any way as a precedent setter, the departments will come to us. And as we heard from Delegate Bergstrom, the department or the commission did not come to us.

And as much as I agree with your observations about process, I very strongly support Delegate Bergstrom's assertion that as a delegate to this Assembly, each one of us has the absolute ability and authority to come and bring a suggestion.

Now, I think it's very helpful the clarification of what happened with the budget process because in my own mind, and I'm on the human rights -- the Human Services Committee; there's a kind of what happened there? I don't think -- I know we never decided to vote 13 and keep it there. It kind of slipped through.

I think at the current time this is a very important statement for us as the legislative body of this region to make that we support human rights. We want to do everything we can to position ourselves as being prepared to deal with what is happening in our society right now. There is clearly an uptake in incitement to abuse that we're seeing coming from the highest levels.

And I think for us to go on record and say it is our opinion that this thing ought to be restored to full -- to the prior level of service; clearly, we can't tell the Board of Regional Commissioners who to hire or how to hire. But I certainly think it's within our purview to say we think that money is available in the budget and should be available for this specific purpose.

Thank you.

Speaker MCAULIFFE: Patrick.

Mr. PRINCI: As Chair of the Human Services Committee, everything that was said was correct. We did speak about it in our subcommittee hearing. We recognize that it wasn't fully funded.

However, members were looking to me or other members to file an amendment to the budget. And my thought back was that later on if the monies are available, we can then look for supplementals.

However, at the same time, when I served on that special committee with former Delegate Taylor and many members of the Human Rights Commission, we made it clear that in order to keep a function, an important function going and maintained that we have a process in place.

Now there's no question that everyone in this room agrees that there could be -- that the money is justified. However, I, as the delegate from Barnstable, feel that I need a little more justification for the increase besides just what the whole intent is. The intent is important. It's needed in this area. However, I don't think it has to be done right now.

I think what we should do is, if the delegate from Chatham would agree, is we table this for a future meeting. We have the Human Rights Commission meet with our County Administrator, maybe meet with our County Treasurer as well, bring forward the amount of hours that they're performing, the amount of work that's there, analyze that and come back in with some concrete justification to support the \$8,000.

It's only \$8,000 that's right, but as we go forward with limited amounts of money and work to make certain that our reserves are restored for better bond ratings, we have to follow these types of processes. I really truly believe that, especially when we had a subcommittee that went forward and put the process in place.

So, I would suggest we table this for a future meeting and allow for the Human Rights Commission to go before the proper branches, meet with the County Administrator, review it, and come back in, and I'm more than happy to support it at that time.

Speaker MCAULIFFE: Lilli-Ann.

Ms. GREEN: Thank you, Madam Speaker. I was an alternate on the Standing Committee and did participate in the meeting. We discussed this amount of money, and it was my understanding that we were voting on the budget with this amount of money included. I didn't realize that it was missing either.

The Standing Committee did vote in favor of adding this \$8,000 to the budget. So, for that reason, I would be very supportive of having this \$8,000 in the budget. We all do agree that this is a very important function that our County supports, and I support it with the \$8,000 added.

Thank you.

Speaker MCAULIFFE: Linda.

Ms. ZUERN: I totally agree with Pat and believe that the process is very important, so I would be against this.

Thank you, Madam Speaker.

Speaker MCAULIFFE: Susan.

Ms. MORAN: Thank you. I think all of these concepts and ideas really come together with a suggestion that was made by Leo that this is a particular circumstance that is not part of the process going forward, and it came about because of a certain amount of mistake.

What Leo suggested in his comments, I think, makes a lot of sense were we to amend the motion and just take out instead of “for the purpose of increasing” just to say, “with respect to the scheduled work hours” and then not be specific. I think it does two things.

One, is I think it expedites the process for the Commissioners, which I think the Human Rights Commission is entitled to because of this mistake. And I think it respects all of the hard work that the Commissioners are doing to keep us on track and to formalize the budget process in a more responsible fashion going forward.

And I think it also, you know, it just happened to come about, as Delegate Bergstrom said, from this specific instance. So, I’m not concerned that there be any precedent-setting whatsoever here with respect to departments. So, I think that the way to satisfy this and, perhaps, expedite this particular issue for the Commissioners would be to do exactly what Commissioner Cakounes said, which is amend it with the -- I think he said “with respect to.”

So, I'd like to propose an amendment after the number 0061, I'd like to delete “for the purpose of increasing,” and in its place put “with respect to” and then read on “the scheduled work hours of the Human Rights Coordinator, and then delete the specificity “from 13 hours per week to 19 hours per week.” And I believe that might satisfy the issue here as, again, as was proposed by Commissioner Cakounes.

Speaker MCAULIFFE: Okay. So that's a motion for an amendment. Is there a second?

Mr. O'MALLEY: I'll second.

Speaker MCAULIFFE: Okay. So, it's on the table. With respect to the amendment?

Mr. BERGSTROM: Yes. I'm opposed to the amendment. As I read originally, despite any language in here, the only thing that this does is transfer the money into that account. In other words, we could say that's for, you know, parties on Wednesday. It doesn't matter.

The only effect it has is to transfer that \$8,000 into a salary line item that the Commissioners could then use to increase the hours of the coordinator.

The reason that the language is in there is not to try to force them to do something that they don't want to do is if we transfer the \$8,000, people would wonder what are we doing. In other words, it's there to explain why we're doing it.

Now, I have no objection to the amendment if you want to do it. I mean I don't think it has any -- makes any difference in the end. But if it makes people happier, that's fine.

Ms. MORAN: Makes me happy.

Speaker MCAULIFFE: Any more discussion on the amendment? Yes, Brian.

Mr. O'MALLEY: I don't entirely see the necessity of this. It's quite apparent that we cannot tell -- we cannot set the coordinator's hours. That's up to the Commissioners and the Administrator. I think all we're doing with this is saying this money is available. We're authorizing its use should you so choose to use it.

I'm not opposed to the amendment and if that's what it takes to make this happen, I'm okay with that.

Speaker MCAULIFFE: Is there any more discussion on the amendment?

So, to be clear, the amendment is after the numbers 0061, delete “for the purpose of increasing” and insert “with respect to the scheduled work hours of the Human Rights Coordinator,” delete “from 13 hours per week to 19 hours per week,” and then keep “effective upon passage.”

So, you’re deleting “for the purpose of increasing,” replacing “with respect to” and then just deleting “from 13 hours per week to 19 hours per week.”

All right. Roll call on the amendment.

Proposed Amendment to Proposed Ordinance 17-11:

The Cape Cod Regional Government, known as Barnstable County hereby ordains;

That Barnstable County’s operating Budget for Fiscal Year 2018, as enacted in Ordinance No. 17-04, be increased by making the following supplemental appropriation; Appropriate and transfer the sum of \$8,000.00 from the Statutory Reserve Account to the FY2018 Operating Budget, General Government, Department #100 County Commissioners, Group 1 Salaries Account # 0011001-5100-0061 with respect to increasing the scheduled work hours of the Human Rights Coordinator effective upon passage of this ordinance and effective through FY2018.

<u>Budget#</u>	<u>Sub-Program</u>	<u>Group</u>	<u>\$ Amount</u>
0011001-5100-0061	Salaries - Regular	1	\$8,000.00
<u>Total Supplemental Appropriation</u>			<u>\$8,000.00</u>

Roll Call Vote on motion to amend Proposed Ordinance 17-11:

Voting “YES” (73.76%): Edward Atwood (2.30% - Eastham), Ronald Bergstrom (2.84% - Chatham), Mary Chaffee (4.55% - Brewster), Lilli-Ann Green - (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), E. Suzanne McAuliffe (11.02% - Yarmouth), Edward McManus (5.67% - Harwich), Susan Moran (14.61% - Falmouth), Thomas O’Hara (6.49% - Mashpee), Brian O’Malley (1.36% – Provincetown), Patrick Princi (20.92% - Barnstable).

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

Absent (7.51%): Deborah McCutcheon (0.93% - Truro), John Ohman (6.58% - Dennis)

Clerk O’CONNELL: Madam Speaker, the amendment as proposed for Proposed Ordinance 17-11 passes with 73.76 percent of the Delegates voting yes; 18.73 percent voting no; 7.51 percent are absent.

Proposed Ordinance 17-11 as amended:

The Cape Cod Regional Government, known as Barnstable County hereby ordains;

That Barnstable County’s operating Budget for Fiscal Year 2018, as enacted in Ordinance No. 17-04, be increased by making the following supplemental appropriation; Appropriate and transfer the sum of \$8,000.00 from the Statutory Reserve Account to the FY2018 Operating Budget, General Government, Department #100 County Commissioners, Group 1 Salaries Account # 0011001-5100-0061 with respect to increasing the scheduled work hours of the Human Rights Coordinator effective upon passage of this ordinance and effective through FY2018.

<u>Budget#</u>	<u>Sub-Program</u>	<u>Group</u>	<u>\$ Amount</u>
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0011001-5100-0061	Salaries - Regular	1	\$8,000.00
<u>Total Supplemental Appropriation</u>			<u>\$8,000.00</u>

Speaker MCAULIFFE: Thank you. Any more discussion on the amended ordinance?

Mr. BERGSTROM: Madam Speaker?

Speaker MCAULIFFE: Yes.

Mr. BERGSTROM: Just a couple of comments. I understand Patrick's concern about is the money justified. But the issue is the fact that it was funded at this level for several years. So, in other words, the justification was made originally that in other words when the Commissioners passed the budget two years ago, whatever, \$28,000, justification must have been made at that time.

Commissioner CAKOUNES: You don't know.

Mr. BERGSTROM: Well, I don't know. How much was it funded last year? Anyway, so all I'm saying is --

Commissioner CAKOUNES: It's a contracted position.

Speaker MCAULIFFE: All I'm saying is that we funded this at a certain level of a certain number of hours. It's continued on and the Commissioners took the initiative of lowering that in the budget.

Commissioner CAKOUNES: That's correct.

Mr. BERGSTROM: They took the initiative to lower. Now why did they do that? Did they do it because they felt, oh, they're not doing a good enough job; maybe they don't need all that time; maybe they can do it in 13 hours.

My understanding is none of that discussion was made. There was an argument as to whether the Human Rights Commission should be a department of Barnstable County whether that was appropriate or not, which is a separate argument from what we're talking about today because as of today it is.

And then I think they sort of like bargained down the amount to \$20,000 to sort of, you know, to smooth away, but that's not how you do things. I mean if you're going to do something, you decide what it costs to do it and you appropriate that money.

So, I mean I think justification was given here in front of us for the role of the Human Rights Commission and, you know, I probably live in one of the least diverse communities on the entire East Coast, but I mean I'm committed to human rights and I've seen it -- I've seen the population of the Cape include a lot of different people. I go to Hyannis; I see the H-2 workers around. I know they can be abused, you know, and taken advantage of. I know that landlords and people can provide substandard housing and they can evict people. I know there's a lot going on out there.

And I think that if Barnstable County makes a commitment to sponsoring the Human Rights Commission empowering them to do their job, and for several years, we felt that that was a 19-hour job, why did we decide all of a sudden it was a 13-hour job? So, it's not that they have to prove that they're worth the 19 hours. Commissioners should prove as to why they decided they only needed 13 hours all of a sudden, you know.

I mean I don't want to get tied up in procedure. Like I said, I knew I didn't want to step on the toes of the Commissioners, but I feel that we, as Assembly members, have the absolute right. The budget is what we do; it's to appropriate money, and say you can use this money for the purposes we want to or you can't. But I know

this, you couldn't do it without an appropriation.

So, there it is, and I hope you'll support it. If not -- if you support it, you'll put it in front of the County Commissioners and they can make their decision as to whether they want to support this organization doing further funding.

Thank you.

Speaker MCAULIFFE: Ed McManus.

Mr. MCMANUS: Yes, I was, at the time of the budget, unaware that this was being reduced in the amount of capacity the Human Rights Commission would have to effectuate their job. Listening to members of the Human Services Committee, apparently at the time they took testimony; they were convinced at that time that funding that stayed at a level that would provide 19 hours of coordinator service was warranted. And I guess if it was warranted at that time, and for one reason or another it wasn't funded at that level, I don't see the need or what the justification is is that we have to go through a new round of justification for that level of service.

And I'll be voting in favor.

Speaker MCAULIFFE: Any other comments? Yes, Pat.

Mr. PRINCI: I would like to motion that we postpone this item agenda until September 13th, and here's my reason why. Based on the Commissioner's unhappiness with the procedural aspects of it, this will give a chance for us to do it as procedurally correct.

What we're looking at now is a possible approval here before the Assembly. Then we're looking for it not being approved by the Commissioners and then having it come back to us again for a potential override. So, we're looking at another two or three meetings anyways.

Why don't we just postpone it until our meeting on September 13th and, at that point, let the Commission meet with the executive branch, go over what their justification is for their hours, their needs, and so forth and then allow them to come back before us if they don't get the answers they need or the increased hours that they want with the County Commissioners, then certainly it's our job to step up and do the right thing.

So, I would like to make a motion that we continue this budgetary matter until our September 13th meeting.

Mr. KILLION: Second.

Speaker MCAULIFFE: Okay. Motion to table can supersede the motion of -- the vote on the motion on the floor.

Mr. MCMANUS: It's non-debatable.

Commissioner CAKOUNES: It's a non-debatable motion.

Speaker MCAULIFFE: Non-debatable, that's what I thought. Okay. So, there's a motion to table --

Mr. PRINCI: I'm sorry.

Speaker MCAULIFFE: -- and a second. Ron.

Mr. PRINCI: To the 20th.

Speaker MCAULIFFE: To the second Assembly meeting in September.

Mr. PRINCI: Yes.

Mr. BERGSTROM: The issue I have with that is the Commissioners -- one thing that -- I agree with a lot of what Patrick said, but the Commissioners don't want to do this. It doesn't matter if it comes back to us for an override. We can vote 100

percent to do it and they won't have to do it.

In other words, it's not a question of an override. In order for this to happen, the Commissioners have to agree to it, okay, two of the three Commissioners, the two that are not here to agree, okay.

Commissioner CAKOUNES: That's correct.

Mr. BERGSTROM: And so, you know, it essentially would be bypassing the Assembly saying, okay, the ball's in your court and, you know, we'll give you the money if you want it. So, I don't know the, you know, I'm just a booster of the Assembly. I think we should take a proactive approach to the budgetary process, and I think we should put it in the Commissioners' lap to say whether they want to do something or not.

So, I mean September 13th is not that far off, and I can count; Patrick has 22 percent of the vote and Linda has another 10. I might persuade him but I'm not so sure about her.

So, we only have 80 percent of us here -- 83 is it?

Speaker MCAULIFFE: No, we're up to ninety --

Mr. BERGSTROM: Oh, we're up to ninety.

Speaker MCAULIFFE: -- 93 now; 92.49 because Edward --

Commissioner CAKOUNES: With all due respect, Madam Speaker, the motion to table is non-debatable.

Speaker MCAULIFFE: Okay.

Mr. BERGSTROM: It's non-debatable?

Commissioner CAKOUNES: It's non-debatable.

Speaker MCAULIFFE: Non-debatable.

Commissioner CAKOUNES: The motion to table is a non-debatable motion, and it has been moved to table to a specific date and it has been seconded.

Speaker MCAULIFFE: I was looking at my chart and that I brought the wrong chart. I do have motions in order and what's debatable and what's not debatable, and I seem to recall motion --

Mr. BERGSTROM: I thought the only thing that was non-debatable was a motion to close the --

Commissioner CAKOUNES: No.

Speaker MCAULIFFE: You mean to call the question?

Mr. BERGSTROM: To call the question is non-debatable.

Speaker MCAULIFFE: Well.

Mr. BERGSTROM: All right. Whatever, you're in charge.

Speaker MCAULIFFE: Okay. Because I don't have the proper -- I meant to bring my other sheet that has the motions on it, but I do remember at town meeting just discussing whether to table or not to table so.

Mr. BERGSTROM: He's not supposed to say anything during our meetings anyways.

Commissioner CAKOUNES: Just a point of order comment.

Speaker MCAULIFFE: Anyone -- okay. We'll go ahead and take the vote then to table it. So, this is to table the Ordinance 17-11, excuse me, yes, 17-11 to the second meeting -- Assembly meeting in September.

Clerk O'CONNELL: It was amended.

Speaker MCAULIFFE: As amended, the Ordinance as amended.

Roll Call Vote on motion to table Proposed Ordinance 17-11 as amended to September 20th, 2017:

Voting “YES” (63.59%): Ronald Bergstrom (2.84% - Chatham), James Killion (9.58% - Sandwich), Susan Moran (14.61% - Falmouth), Thomas O’Hara (6.49% - Mashpee), Patrick Princi (20.92% - Barnstable), Linda Zuern (9.15% - Bourne).

Voting “No” (28.90%): Edward Atwood (2.30% - Eastham), Mary Chaffee (4.55% - Brewster), Lilli-Ann Green - (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), E. Suzanne McAuliffe (11.02% - Yarmouth), Edward McManus (5.67% - Harwich), Brian O’Malley (1.36% – Provincetown).

Absent (7.51%): Deborah McCutcheon (0.93% - Truro), John Ohman (6.58% - Dennis).

Clerk O’CONNELL: Madam Speaker, motion to table 17-11 as amended passes with 63.59 percent of the Delegates voting yes; 28.90 percent voting no; 7.51 percent absent.

Speaker MCAULIFFE: Okay. So, the judgment is that the motion will be tabled until the second Assembly meeting in September.

Thank you.

Speaker MCAULIFFE: Our next item are committee reports. I don’t believe we have any committee reports at this time.

Clerk O’CONNELL: We don’t.

Report from the Clerk

Speaker MCAULIFFE: Report from the Clerk.

Clerk O’CONNELL: Just wanted to remind you that the ordinance that you voted on earlier today, 17-10, is now known as Ordinance 17-09.

And, hopefully, at the September 6th Assembly meeting we will have someone here taking individual photos. So, if you are not able to locate a photo of yourself that you wanted to send me for use on the website, there will be somebody here on the 6th, and I imagine on the 20th and probably the first meeting in October too. But I’ll try to do better about sending out more frequent notices about that happening versus just a notice two weeks before it does. You can choose to have a photo taken or not, whatever is your pleasure.

And other than that, I wanted to report that I did spend some hours last week up at the Commissioners’ office covering for Owen, the executive assistant. I survived. And it was a good experience.

So that's it. That's all I have to report today.

Other Business

Speaker MCAULIFFE: Under other business, there's a discussion of a potential vote on a recommendation for the special counsel/attorney for the interpretation of the Home Rule Charter questions.

I did have two positive responsive lawyers out of six. I had their CVs or

their résumés sent to you, and that's James Lampke and Robert Mangiaratti. These are two people who would be willing to look at Troy's questions about whether we have the right to see the Charter the way we see it or the way our attorney sees it.

I guess what I'm going to do is rather than expect people to necessarily have a discussion and vote today because this is just coming before you, why don't you, individually, take some time to find out what you can about either one of the two responsive ones and come in prepared to vote at the next meeting, or are people prepared to vote today?

To me, today would be just looking at the résumés and voting based on what I see in the résumé. So maybe people would like some time to kind of do some homework and talk to people and find out if they know anything about either of these attorneys.

Yes, Ed.

Mr. MCMANUS: You said they were sent to us; were they sent from you or from Janice?

Speaker MCAULIFFE: From Janice.

Mr. MCMANUS: Because I can't find it. I have searched through my emails.

Speaker MCAULIFFE: It was the attachment --

Clerk O'CONNELL: The attachment that I sent that contained the spreadsheet, it would've been attached to the spreadsheet.

Mr. MCMANUS: Okay.

Clerk O'CONNELL: Did anybody else get it? (Nods.)

Clerk O'CONNELL: Okay. So, it would be like page 2, 3, 4 of the attachment that started with the spreadsheet.

Speaker MCAULIFFE: And the spreadsheet has the list of the lawyers that were contacted; they were recommended. And then it has the people, the two people who were responsive and then a little bit of information like you had suggested, you know, in terms of what would they charge for the package. And one of them actually has a five-hour package deal.

So, yes, Susan.

Ms. MORAN: I just want to speak in favor of the Speaker's suggestion that we take a little bit of time and do our own confirmation or investigation because I think this is an incredibly crucial appointment and will really affect the Assembly going forward. So, I would like to take some time.

Speaker MCAULIFFE: Okay. So, it's before you now. You have, as I said, your résumés. You can talk amongst yourselves in terms of, you know, tap into anybody that you know within the community or has experience in any of these towns.

And when I was on the school committee, we used to talk, you know, go into the café and talk to the people and find out what's what. But just to give yourselves a little bit more background information rather than just going in cold.

The second item is, under other business, is a request from Delegate McManus, and he wrote a letter under my signature for the Assembly to consider sending to the Cape Cod Community College regarding the continuance of the paramedic program at 4Cs.

After I had the agenda item set, I was able to reach the president of 4Cs and he did send an email to me, and he also responded with a voicemail saying that the

program is going forward at this point, and that they are looking at ways to bring the program in-house because it's an accreditation issue.

And Janice did forward the email and the attached letter that he sent to Wellfleet. So, I don't know, Ed, at this point if this letter is really going to be necessary because it sounds like 4Cs is going forward and does understand the importance of committing to paramedic program.

Mr. MCMANUS: You know, I think you're probably right, but I think, you know, the County, through our part, in terms of our emergency folks that are working to maintain the Fire Training Academy and I just think it's a nice point to make.

And just also in front of his board having the added support of the County Assembly of Delegates supporting it may be important to him.

Speaker MCAULIFFE: Okay. Yes, anyone else? Yes, Brian.

Mr. O'MALLEY: Yes, I think this is a significant development, and it sounds as if we may be covering ground that's already been -- this issue may have been resolved, but I don't think it does in any way wrong to express the sentiment that in this body we recognize how very critical these first responders are. I mean especially where I'm an hour from the hospital. You know, we critically depend on these folks.

So, I think that it does no harm and it shows our engagement in what's going on in the community around us, and I would encourage it.

Speaker MCAULIFFE: Yes. Linda.

Ms. ZUERN: Madam Speaker, maybe we could just change a little bit of the wording just to say that we are happy that they're deciding to --

Speaker MCAULIFFE: Right, to reaffirm their commitment and to -- yes, I agree. I think that Ed sent me the letter before this August 10th or before the August 10th letter/response to Wellfleet Selectmen. So, we can use Ed's letter as a template and perhaps just change some of the language.

Yes.

Mr. MCMANUS: Madam Chair, I move that the Assembly authorize the Speaker to send a letter recognizing the fact of their intent to continue the program and to use some of the supporting sentiments in the letter that was presented.

Mr. O'MALLEY: Second.

Speaker MCAULIFFE: Okay. Any more discussion? Okay. Roll call.

Roll Call Vote on Proposed Ordinance 17-10:

Voting "YES" (89.76%): Edward Atwood (2.30% - Eastham), Ronald Bergstrom (2.84% - Chatham), Mary Chaffee (4.55% - Brewster), Lilli-Ann Green - (1.27% - Wellfleet), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02% - Yarmouth), Edward McManus (5.67% - Harwich), Susan Moran (14.61% - Falmouth), Thomas O'Hara (6.49% - Mashpee), Brian O'Malley (1.36% - Provincetown), Patrick Princi (20.92% - Barnstable), Linda Zuern (9.15% - Bourne).

Absent (10.24%): Christopher Kanaga (2.73% - Orleans), Deborah McCutcheon (0.93% - Truro), John Ohman (6.58% - Dennis).

Clerk O'CONNELL: Madam Speaker, proposal made by Edward McManus to authorize you to send the letter to Cape Cod Community College regarding the Paramedic Program passes with 89.76 percent of the Delegates voting yes; 10.24 percent are absent.

Speaker MCAULIFFE: Thank you. Any other -- yes, Lilli-Ann.

Ms. GREEN: Thank you, Madam Speaker. I just want to reconfirm that the Clerk will send that letter to the Assembly of Delegates once it's written.

Speaker MCAULIFFE: Yes.

Ms. GREEN: Thank you.

Speaker MCAULIFFE: Any other business? I'll take a motion.

Mr. BERGSTROM: Move to adjourn.

Ms. MORAN: Second.

Speaker MCAULIFFE: We are adjourned.

Whereupon, it was moved to adjourn the Assembly of Delegates at 5:44

p.m.

Submitted by:

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

List of materials used and submitted at the meeting:

- Business Calendar of 8/16/17
- Unapproved Journal of Proceedings of 8/2/17
- Public Hearing Notice for Proposed Ordinance 17-10 and 17-11
- Proposed Ordinance 17-10
- Emergency Waiver letter from DCAM dated 7/24/17 regarding Proposed Ordinance 17-10
- Proposed Ordinance 17-11
- County Counsel opinion dated 8/11/17 regarding Proposed Ordinance 17-11
- Public statement from Alan Milsted dated 8/16/17 regarding Proposed Ordinance 17-11
- List of attorneys and resumes regarding Assembly Special Counsel Consideration
- Draft letter to CCCC President Cox regarding Paramedic Certificate Program
- Letter from CCCC President Cox to Wellfleet Selectmen dated 8/10/17 regarding Paramedic Certificate Program