

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

APPROVED Journal of Proceedings - August 3, 2016

Speaker BERGSTROM: Good afternoon. It's now 4 o'clock. Welcome to the August 3rd session of the Cape Cod Regional Government, Assembly of Delegates.

Is anyone recording this meeting besides our normal recording personnel?

No. Okay.

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

(Moment of silence.)

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

(Pledge of Allegiance.)

Speaker BERGSTROM: The Clerk will call the roll.

Roll Call (71.57%): Ronald Bergstrom (2.84% - Chatham), Lilli-Ann Green - (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), Marcia King (6.49% - Mashpee), Edward Lewis (4.55% - Brewster), Teresa Martin (2.30% - Eastham), Suzanne McAuliffe (11.02% - Yarmouth), Edward McManus (5.67% - Harwich), Brian O'Malley (1.36% - Provincetown), Julia Taylor (14.61% - Falmouth), Linda Zuern (9.15% - Bourne).

Absent for Roll Call - Arrived Late (20.92%): Patrick Princi (@ 4:35 p.m. - 20.92% - Barnstable).

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

Left Meeting – Prior to Adjournment: Marcia King (@ 5:30 p.m. - 6.49% - Mashpee), Julia Taylor (@ 6:40 p.m. - 14.61% - Falmouth).

Clerk O'CONNELL: Mr. Speaker, we have a quorum with 71.57 percent of the Delegates present; 28.43 percent absent.

Speaker BERGSTROM: Thank you. We'll now need approval of today's Calendar of Business.

Mr. LEWIS: So moved.

Ms. MCAULIFFE: Second.

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

(Motion carried.)

Speaker BERGSTROM: You should have received a copy of the Journal of our last meeting, July 20th, 2016. Are there any additions or corrections to the Journal? Yes, I see a hand up.

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

Mr. MCMANUS: Second.

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

(Motion carried.)

Communications from the Board of Regional Commissioners

Speaker BERGSTROM: Now we have Communications from the Board of Regional Commissioners or at least a Commissioner.

Commissioner CAKOUNES: Hello. Welcome or thank you for having me. We had a meeting today at 2 o'clock. We are on an every other week meeting schedule lately so we've been meeting on the same days as the Assembly meetings. Today happened to be an example of that. Actually, that's your agenda.

Today, we had a presentation from a Kim -- I'm very sorry, I'm going to kill her name, Concra, C-o-n-c-r-a. She's a nutrition and food specialist. She went on a seminar to learn about food preservation or preserving food. The laws have changed in that through the USDA back in April.

And she went to attend the seminar to learn and come back and be able to tell our residents here in Barnstable County who are doing home canning what is the best and new safe way of doing that. I think more importantly though, especially here on the Cape, it coincides with people who are doing home canning yet are also selling their products, whether it be in the little farm stand in front of their home or if they're going to farmers markets.

And then, quite frankly, even that has kind of increased where there have been a number of people here on the Cape that extend that by taking their products and bringing them into stores and selling them at stores.

And the next step and probably the big step is when you cross state lines. And each one of those different segments of the license have different criteria that they have to meet.

So she reported on us to the commissioners today about it. We advised her to share her information with the Barnstable County Health Department. And, hopefully, she's going to put together a seminar with the local Boards of Health to be able to update them because they are the ones that actually go out and do the licensing -- what's called a "Home Service License" for these people who are actually canning goods and selling them, no matter what stage as I just explained.

Obviously, anyone canning things and putting it in their basement for their own private use has no ramifications that they don't need to be licensed to do that. However, they should follow the best management practices.

We had a motion to discontinue the service between Barnstable County and the Cataldo Archives. For those of you that aren't familiar with this, the Cataldo family had a number of different archives and documents stored here at the

Barnstable County facility complex. Some of those documents went back to the early 1800s if not even into the 1700s. And, unfortunately, these documents needed some more attention and really should be really displayed to the public. And Barnstable County, with the death of Mr. Cataldo, Barnstable County, we really didn't have the services to do these archives just.

So we were able to transfer the care and custody of all these archives to the Sturgis Library in the town of Barnstable. And the Cataldo family is very happy about that. And we also extended our gratitude to the family in working with us in finding a good home for these documents. And, hopefully, they will be displayed, I don't know about all of them, but certainly the relevant ones and the interesting ones will be displayed from time to time.

Those are basically our general business actions. Under the Commissioners' actions, we established another grant. Again, this is just kind of bookkeeping. It's for the AmeriCorps Corporation and executed a grant agreement for that -- I'm sorry; we established a fund to receive the grant.

We also had a motion to create a restricted line item, if you will, in the Cape Cod Commission's budget for personnel expenses. And if anybody has any questions on that, I'll be happy to update you as much as I can on it.

A Proclamation, we signed a Proclamation declaring September 5th through 11th the Suicide Prevention Week.

And then signed some documents as fiscal agent for the Cape Light Compact.

And other than that, it was a pretty non-exciting meeting. Mary Pat Flynn called in with an illness, is not feeling well. So at the meeting today was just myself, and Commissioner Lyons and Commissioner Lyons acted as chair. And she extends her apologies for not being able to come and be in front of you today, but I told her that I was going to remain on the campus here and I would be able to come. So you have me.

Speaker BERGSTROM: Okay. Thank you. Brian, did you have a question?

Mr. O'MALLEY: Through you, Mr. Speaker. Mr. Commissioner, can you explain further the item on your agenda today, the transfer request of \$242,000 of new construction under Cape Light? Item E2.

Commissioner CAKOUNES: I don't -- I can't. Maybe Jack can update you on that.

Administrator YUNITS: Sure. Cape Light has a separate account that deals with affordable housing. And it's been a good year for affordable housing construction, some startups, believe it or not, on the Cape, and they needed to make this transfer to keep up the pace of doing the energy audits affordable housing upgrades for the rehabilitation projects that are ongoing. So that's what that's for.

Now this is for the Energy Efficiency Program, just so you don't -- that transfer of money is for these.

Mr. O'MALLEY: This is within the Cape Light Compact?

Administrator YUNITS: Right.

Mr. O'MALLEY: Not compound funds coming from the County?

Administrator YUNITS: Oh no, no.

Mr. O'MALLEY: No, okay.

Administrator YUNITS: No, there's Cape Light money --

Commissioner CAKOUNES: Energy Efficiency Fund.

Administrator YUNITS: Right. For -- he --

Commissioner CAKOUNES: Yes, it's under the Energy Efficiency Fund.

It's just transferring it from one category into the affordable -- I wasn't sure about whether it was the affordable housing one or not. That's why I asked Jack to answer that.

Speaker BERGSTROM: All right. Any other questions? Yes, Jim.

Mr. KILLION: Thank you, Mr. Speaker. Good afternoon, Commissioner.

I have a question for Mr. Yunits coming up and he's actually taken a seat, maybe he can help out.

With the situation at the Fire Academy, there's a great deal of information that's going around to the media and elsewhere. I'm trying to determine the best vehicle to get the information to the Assembly that may be privileged information.

I'm sure that you have executive sessions. Is it possible that we can either meet in subcommittee to get this information disseminated? Can we be on the email chain to get this information?

I'm starting to get questions around my town about how this is going to impact Sandwich, and I'm sure other members here have heard from people. And I think I'd like to have more information than what I'm reading in the media, more detailed. So how can we go about doing that?

Commissioner CAKOUNES: Well, I'd, personally, would like to answer that if you don't mind. We all have to realize we are under a lawsuit right now. There is a lot of stuff that has been discussed that is in executive session and would not and should not because of the impact it would have on our negotiations be released to the public.

If any of the Assembly of Delegates' members for some reason felt that they would like to look at that information or be updated on that, I would assume that through the Administrator and our counsel Robert Cox, you could meet with him and be brought up to speed.

But please remember that that information should remain in executive session and not released to the public.

As far as the things that should be, I personally don't believe that at this time any really -- we should be discussing anything related to the Fire Academy, personally. I think that what we have done there in public is open to the public. People know what we're doing. They're seeing what we're doing. They're seeing the money that we have spent. But it's very dangerous when you begin to talk about that subject that you don't cross the line and imply anything, whether it be good, bad, or indifferent.

So, I'm hoping that this is going to be resolved relatively quickly, and I would ask that all of the Assembly members bear with us and, basically, use the language our attorney told us to use when anything you pass by the public, "We're being sued and we actually have to keep a lot of this information close to the vest."

Mr. KILLION: I can certainly understand that aspect of it;

however, there are two sides to every story, and I think that's what the members of the public are interested in. And I'm aware that as individual members we can approach and get information from people.

But I think as a more efficient manner, maybe we should discuss this briefly today is that there are more members than myself than we do this as a group rather than individuals coming in to discuss it. And I'm looking for the easiest way to do that.

Commissioner CAKOUNES: Once again, and I'll let Mr. -- our Administrator give his two cents on that subject, but I want to go on record in asking you all I don't think it's going to benefit anybody to talk about this situation right now in the public. I just really don't. I see no benefit.

Mr. KILLION: I understand that, Commissioner.

Commissioner CAKOUNES: I don't want to put on the table what we, the commissioners, have in our back pocket, if you will, for negotiations. I just don't think any of that should be discussed.

Mr. KILLION: I agree with that; however, with the circumstances that perpetuated this situation I think is what people need to know. And I understand that the executive session part of it is not something that needs to be in the public.

However, it may impact the County as it goes forward. There may be money that we have to look at spending in the future, and I think it's advisable that members of the Assembly are aware of the situation.

Speaker BERGSTROM: I'm going to disagree with Jim on this. I think that -- I understand where he's coming from, but I don't think that any of this should be discussed outside of executive session.

Commissioner CAKOUNES: Thank you.

Speaker BERGSTROM: Which means that if Assembly members felt -- a majority of the Assembly members felt that it was absolutely necessary, then we'd be informed, we could, in turn, go into executive session. I don't think that's ever happened since I've been a Speaker or even since I've been sitting here. And you've got to realize there's a possibility that if this information would leak out, we'd all going to be looking at each other like who did it.

It's very dangerous.

I mean I feel that the closer this is kept and the more limited people have the knowledge of the negotiations or the back-and-forth in the lawsuit the better off we are. So that's my personal opinion but, ultimately, I think as a policy we shouldn't discuss things that are discussed in executive session before the commissioners should not be discussed outside of the executive session in the Assembly. My humble opinion. Yes, Ed.

Mr. LEWIS: I wanted to, you know, the rare time I wanted to say that I completely agree with Commissioner Cakounes.

Commissioner CAKOUNES: Five times now.

Mr. LEWIS: Five times.

Commissioner CAKOUNES: I'm keeping record.

Mr. LEWIS: I think that's exactly -- I think that's exactly the right policy because no matter if you discuss it in any way, shape, or form, it's going to get out. And I think that's a problem we'll have. So I agree with that.

Ms. TAYLOR: It's not on the agenda.

Speaker BERGSTROM: Yes. Meanwhile, I'm reminded that this subject is not on the agenda. So if you want to make a quick comment and --

Mr. LEWIS: Yes, it is. Yes, it is.

Speaker BERGSTROM: Well it is but we haven't come to that.

Ms. MCAULIFFE: I think once litigation is mentioned, discussion stops. I'm not comfortable discussing anything once litigation -- a lawsuit has been filed.

But I think that in good faith in knowing the Commissioners and knowing the County Administrator that if there are negotiations ongoing and they get to a point where there may be a way to avoid a trial or that something involved the Assembly, I have faith that they will come before us in whatever manner they can, even if it's not public, just to keep us up to speed on what's been resolved.

But at this point, the litigation is in their hands and good luck.

Speaker BERGSTROM: All right. Well, we're coming up to the Fire Training Academy in the next agenda item, so if there's anything else besides that you want to talk to the commissioners about? If not, thank you, very much.

And, Jack, I'm going to have you stay.

Communications with Administrator Yunits

Administrator YUNITS: And I'm not going to tell you about the litigation. I'm just going to say that the cleanup is ongoing. We are in discussions with the town, very earnest discussions with the town. We hope to get it resolved as quickly as possible. And we have been in ongoing discussions with the town throughout the litigation. I'm a little dismayed by some of the things I've read, and I can understand why people are coming up to you in that regard, Jim. We never stopped talking to the town.

All the policies and procedures that have been in place since George Russell took over last year have been very strict and very well enforced. So there won't be any more slip-ups out there. Security cameras will be installed; dirty soils will be removed. We're just waiting for the DEP sign off on that, and that's all public record. So I can talk about that.

On the notice to the towns, which is important to all of you that was recommended course of action taken by the lawyers through May because there is a potential under 21E. 21E is a strict liability statute that means anybody who contributed in any way to site contamination could become a responsible party at some point in the future if so determined by DEP. And DEP is engaged to the site, and they could be an interpleader at some point.

But right now that's not an issue. We just wanted to give the towns' fair warning that this is a 21E claim. Their lawyers will know. Every town's lawyer will know what that means and make them do inquiries.

It's a complicated issue. We haven't used anything out there since 2007, and it's a very, very concerning EPA -- when the health advisory came out with the EPA, it became very concerning to us because they dropped it by 60 percent overnight. And it is not us; it's all over the country. And anybody that's near an airport, anybody that's near a landfill, anybody that's near a wastewater treatment

facility or has septic as their principal way of treating waste is going to deal with the PFOS problem. It's in your Gore-Tex. It's in your Teflon pants. It's in your carpets. It's in a lot of the clothes you wear. It's all over your house. And it's in a lot of your foods. Any type of packaged foods probably has some PFOS in it.

So it's something the federal government at some point is going to have to tidy up and, hopefully, they will have the courage to do so.

So that's it. We do intend to keep the Fire Academy going. You know, just a quote from Mark Ells quote the other day on the lead and the problem that he has in Barnstable at the old firing range; "It's better to keep it running and clean it at a reasonable pace than to close it down and let DEP come in and force you to go to the bank."

So that's what we intend to do. We intend to make it work and make it work well, particularly for the towns on the outer Cape that rely on us so much on that.

The other thing that the Speaker asked me to talk about today were leases. The leases on the campus, and Cataldo was one of them, that was one of the leases flagged by the auditor, is not being properly brought before the Assembly and squared under Chapter 30B.

So that over the last few months we've been working with the Cataldo family to find a place for their records and, thankfully, Barnstable stepped up, the library stepped up, and we resolved that issue. That space is now for rent -- will be for rent.

There's ongoing construction that's going to happen on the floor above it with some demolition involved. So it's not going to be an aggressively transferred piece of property. We have to finish the upstairs before we start to work on leasing the downstairs.

The other leases, EOEIA now has taken over all the environmental leases under Charlie Baker's new plan. Sue Smiley came down from EOEIA yesterday or last week and walked the property with Steve and I. It would be her intent to try to work out an arrangement to keep DEP and CZM, Coastal Zone Management, here on the campus, if possible. And her and Steve will be talking about that throughout the month to see if there's a place for them at a reasonable price.

In Pocasset, it's a little bit different. The 99 acres that we own in Pocasset that's been sandwiched up and chopped up and a lot of it falling to conservation, it's going to be a very difficult course for us to fix. It's when land -- the Commonwealth goes into conservation, it takes a legislative act to modify it. And we can only get there by thinking outside the box and working with our partners on the property to try to find a resolution, an appropriate resolution that the town will be okay with and the legislature will be okay with. So that's going to take some creative thinking. We do have some ideas and we are working towards a goal.

We would, obviously, like to see -- it's historically used as a hospital/treatment area continued in a professional way.

The other thing that Ron asked me to talk about today was the courthouse, the status of the courthouse study. We are now ready. Paul Niedzwiecki, Steve, and I have been talking about working on the history of it and putting together some ideas for a feasibility study, which Paul is now working on. The RFP should

be ready to come back for you in September. We will need to transfer some money and put it out to bid. The idea is that if we control the deal here at the County, if we can do a design build, supported by leases from the Commonwealth in a long-term arrangement, then we could build the new courthouse according to their specifications. And we have a lot to work with, the Lowell courthouse and the Worcester courthouse would be the model courthouses for us to follow where all five courts come under one roof.

It will involve an Assembly -- one or two Assembly designees from the Speaker to work with us. There will be a designee from the Commissioners to work with us. And the town will be working with us, the Barnstable Village, Joe Berlandi's group will be working with us as well to come up with a resolution that everybody's on board with and get it to the architects.

When we have a design, we, hopefully, -- and the Commonwealth will be involved. We've got to signoff for DCAM to do this, and Harry Spence, the head of the court facilities program, is also onboard with it at this point in time. So we'll keep them involved and keep them in the loop.

Just a couple things on the communications committee the Speaker also asked me to talk about. We found three incredibly talented, gifted people working for us so we didn't need to go out to bid on figuring out how we could address issues that were raised so eloquently by our commissioners and members of this Assembly at the strategic planning session that we had last month.

In transforming our message and getting our message out to the public and getting some feedback from the towns as part of that two-step process. So we dug deep. We found three people that knew exactly how to do it, and we've got a little communications team that's being co-chaired right now by Bob Lawton. It's David Still from the Commissioners, Patty Watson from Health and Human Services, and Rebecca Yavner from the Extension. They complement each other so well in their various skills.

We hope to have, by September, a new handout that Assembly men and women can take to their meetings locally. We hope to have a much more active Internet with live video streams to show what County workers are doing on a daily basis in the towns. And we'll be doing survey work first with the AmeriCorps in all the towns and then, hopefully, with things like IT and so on and so forth in the communities that we're in to get feedback from the towns and make sure that we're fulfilling our mission consistent with what we heard from the Assembly commissioners, Assembly people and the commissioners that were at that meeting a month ago.

And, finally, I just want to say many thanks to our legislators. The whole delegation stood behind us on three very important bills. One was the \$100,000 for the Fire Academy. The cost of cleaning the Fire Academy is going to lay into the programming that we normally do up there, but the \$100,000 will help us fill that void. It will be administered through the Chiefs' Association. It will be program-based so that we can continue the groundwork up there.

The second thing was \$175,000 for the shellfish seedling program which is very, very important to the Cape. As you all know the ARC -- as I so improperly called it the Cultured Clam before when Ron reminded me I was dating myself --

actually supplies 95 percent of the seedlings for all of Massachusetts in the shellfish business, oyster business, in particular. This will allow us to continue that program going in. It's split between the Cape and the Islands.

And, finally, \$300,000 will go to the Health Department to continue the work that George Heufelder has been doing out at Otis on the septic betterment program and the innovative technologies that he's been utilizing out there.

These three very important grants were pushed hard by our delegation, and many, many thanks to them for doing that. It's good news for us and it keeps the very important programs on the front burner.

So, as a summary, I'll open it up for questions.

Speaker BERGSTROM: Anybody, questions for -- yes, Linda.

Ms. ZUERN: I just have a question about the property in Pocasset. It was brought to my attention that the Elder Services building is vacated, and could you tell me was that one of the leases that was done and --

Administrator YUNITS: If they vacated, they vacated voluntarily. We didn't ask them to leave yet, but that was one of the leases that had expired. And it was not suspect. It was just an expired lease that nobody had checked in on for a number of years.

Ms. ZUERN: I was told -- I haven't driven by there myself, but I was told that it's not being kept up. The grass is very tall and if the County owns it then somebody should be taking care of it.

Administrator YUNITS: I'll bring that to Steve's attention tomorrow. Thank you. That's great.

Ms. ZUERN: Thank you. And the conservation vote you said from the legislative body, I can't remember if the Town Meeting had to vote on that as well; do you know if that has to go before Town Meeting as well?

Administrator YUNITS: My assumption is that it would have to go through the town first before it went to the legislature.

Ms. ZUERN: That's what I thought.

Administrator YUNITS: Yes.

Ms. ZUERN: Okay. Thank you.

Speaker BERGSTROM: Anyone else? Yes, Jack, in looking at the planning for this complex, if you were to knock down this building, I think everybody would probably cheer. But if you knocked down the old courthouse, it would be a revolution. It's been there since God only knows when. So what is the story there?

Administrator YUNITS: The old courthouse is a historic building. It's registered. The long-term plan would be to continue that -- that would become the County headquarters, and the courtroom upstairs would be preserved as is for public use, the historical part of that courthouse.

So your meetings, our meetings, and public meetings in the village would continue to occur in that courtroom over the long-term, and we'd be responsible for caring for it.

Speaker BERGSTROM: You know, I also am curious about what is the lease if there is one in relationship between the County and the farm, the County farm; is that a lease given out to an operator or are we doing it?

Administrator YUNITS: It's a lease given out to an operator. It's a 99-year lease, I believe.

Speaker BERGSTROM: A 99-year lease?

Commissioner CAKOUNES: No.

Administrator YUNITS: Is it? No.

Speaker BERGSTROM: You're going to have to ask --

Administrator YUNITS: No, its 99 acres. I'm sorry, 99 acres. And I do believe that it came here.

Commissioner CAKOUNES: No, I was -- I believe I was not involved with the County at the time where we -- the County sent out an RFP and there were three responders to it, and I was on the review panel that reviewed the three responses and I was acting as the President of the Farm Bureau at the time. So it goes back over 10 year ago.

There was one applicant that met all the criteria, and it's a Mr. Tim Friary, and he was awarded the property, and he was awarded a 10-year lease. And that, subsequently, I believe now, has been also extended one time, not for 10 years though, I think its three year increments after that.

Speaker BERGSTROM: So the 10-year lease was up for renewal?

Commissioner CAKOUNES: I believe it was 10 years and was up for renewal and it got renewed once or it could have been 5 years and it got rid of the 10. I apologize, Mr. Speaker, but --

Speaker BERGSTROM: The only budget I have is is it is County property.

Commissioner CAKOUNES: Absolutely.

Speaker BERGSTROM: And it is -- is it under conservation or any other kind of restrictions?

Commissioner CAKOUNES: Yes.

Speaker BERGSTROM: It is under conservation restriction?

Commissioner CAKOUNES: Yes. It's under a strict conservation restriction. As a matter of fact, as a member of the committee looking at all the County properties and trying to, this is actually before even Jack got onboard, we were looking at moving some departments in different places. There were some who read into the restrictions that we did have the ability to -- we do have offices out there, the Extension Service has an office out there. So we were thinking about expanding that building and maybe building a small building on it. And some of the attorneys were questioning if that was okay or not.

The language is very strict; however, there's a loophole, especially with agricultural-related stuff and education. So I was arguing that we could put a small building out there, a small building, not a huge complex, but a small building to maybe house some more of the Extension Service but we never moved on that.

Speaker BERGSTROM: So the operator operates it as a farm?

Commissioner CAKOUNES: Yes, he does.

Speaker BERGSTROM: He grows stuff and he sells it to Monsanto or whoever.

Commissioner CAKOUNES: No, he doesn't. He's an organic farmer.

Speaker BERGSTROM: Okay.

Commissioner CAKOUNES: A hundred percent certified organic farmer.

He grows produce out there and he also has a very small pork operation. He sells registered heritage-breed pork.

Speaker BERGSTROM: Okay.

Commissioner CAKOUNES: The gentlemen's name is Mr. Tim Friary, and I believe the company's name is -- it's not Cape Organics but it's something Organic is the name of the farm.

Speaker BERGSTROM: Is it branded? I mean could I walk into a store and find it?

Commissioner CAKOUNES: No. He sells all of his products there on the site.

Speaker BERGSTROM: Oh, he does?

Commissioner CAKOUNES: He does. Absolutely.

Ms. TAYLOR: A CPA box.

Commissioner CAKOUNES: He has CSAs which is where people can pay in advance and you become a member, and then every week you go in and get a box of different things that happen to be produce. Or, if you just want to drive in there and buy some frozen pork, he does sell pieces of frozen pork also.

Speaker BERGSTROM: Nothing like a little pork --

Commissioner CAKOUNES: And eggs. I believe he does farm-fresh eggs too. I'm sorry, Jack.

Administrator YUNITS: No. Thank you.

Speaker BERGSTROM: Any other questions for our administrator on some of these leases? No? Well, thank you, very much.

Administrator YUNITS: If anybody wants to see any of the leases, we can certainly send them to Janice.

Speaker BERGSTROM: Okay. Yes.

Administrator YUNITS: Just let us know. Thanks, so much.

Communications from Sean O'Brien and Phil Burt

Speaker BERGSTROM: Okay. Now we have a presentation from Emergency Management Director Sean O'Brien and Project Assistant Phil Burt regarding the 2016 hurricane season update. I think we're in the hurricane season now; aren't we?

Mr. SEAN O'BRIEN: We certainly are.

Mr. PHIL BURT: We certainly are.

Speaker BERGSTROM: Okay.

Mr. SEAN O'BRIEN: Oh, good afternoon. I want to thank you for having us come in. I'm Sean O'Brien. I'm the Deputy Director of the Health Department, and I also serve as the Coordinator of the Regional Emergency Planning Committee. Hurricane season's here. It is that time of year. And if you looked in the weather reports, I think we have a storm brewing; don't we, Phil?

Mr. PHIL BURT: We do.

Mr. SEAN O'BRIEN: So I'm going to actually step back and just let Phil take over.

Mr. PHIL BURT: Hi. Good afternoon. Thanks for having me.

My name is Phil Burt. I am the Emergency Preparedness Project Assistant under Sean O'Brien in the Regional Emergency Planning Committee.

I worked for Barnstable County for 14 years now. I am also a meteorologist, so some of this presentation kind of combines our work as emergency managers and meteorology.

So what I'm going to do is walk through our regional shelter plan briefly because that's, actually, what I'm responsible for under the REPC is coordinating the regional emergency sheltering plan.

I'll talk briefly about our MACC, our Multi-Agency Coordination Center, provide some context on that. And then we'll get into the 2016 hurricane season and expectations and a little history about hurricanes on Cape Cod.

So just for context purposes, REPC is run under the Department of Health and Environment; George Heufelder's department. The REPC is Sean O'Brien's child. It started in 2001. It is an all-hazards emergency planning committee. All 15 towns participate. And one of the things -- there's many different plans, including a hazmat plan, a regional sheltering plan. We recently completed, a couple years ago, like an Ebola plan. So we're doing planning all the time for any kind of disaster or large-scale event that might impact the Cape.

We coordinate the Barnstable County Incident Management Team, and we operate the Barnstable County MACC, Multi-Agency Coordination Center.

So we're talking about regional sheltering. So there are currently six regional shelters on the Cape, regional emergency shelters. So prior to about 2005-2006, every town on the Cape was running their own emergency shelter; in some cases multiple shelters. So you would have 15 towns and perhaps 15 to 20 local shelters. The Red Cross came to the REPC after -- I don't know if folks remember, on the Outer Cape, remembers the December 9, 2005, wind event which knocked out power to Harwich and Brewster, Orleans, Wellfleet, Eastham particularly.

Mr. LEWIS: Freaky Friday.

Mr. PHIL BURT: What did you say?

Mr. LEWIS: Freaky Friday.

Mr. PHIL BURT: Freaky Friday, yes. That was actually what's called a tropopause fold, for any weather geek who cares about that.

So anyway, the Red Cross came to the County and basically said we can no longer do it this way. We can't run 15 shelters in 15 communities. It's just not a good use of resources and can we come up with a way to do this on a regional basis.

So Sean, along with multiple police and fire chiefs, worked to develop the regional sheltering plan along with the towns in the school districts. And, ultimately, these are the six facilities that have now been decided on. These have changed a little bit over the years but these are the six. Falmouth High School, Sandwich High School, Barnstable Intermediate School there on Route 28; Dennis-Yarmouth High School, Cape Cod Tech, and Nauset High School.

So the benefits of this system of a regional sheltering system, so, obviously, you're consolidating resources. So as opposed to having 15 or 20 separate local shelters, you're putting all of your volunteers, you're putting all of your cots, your

blankets, your food into less facilities, so you're consolidating your resources. And you're creating a more systematic approach.

So as opposed to maybe one town opening a shelter and a town next door not opening a shelter, another town -- we have a system now in place where if we're going to open shelters, all six shelters are going to be open.

These are all large facilities, obviously, so they can hold a lot of people. In some cases like D-Y in an emergency situation, so not in a long-term sheltering, but in a short-term 24-hour period the D-Y school can hold well over 1,000 people.

They're all centrally located, relatively easy to get to. All have ample parking, importantly outside the flood zone, and they're all well-recognized by the community. Most people know where their local high school is or local intermediate middle-school is. And that creates easy messaging for us.

So when our PIO -- when REPC's PIO is putting out information, it's a standardized message. We're always putting out the same information about the same shelters. And we're getting the messaging out there. Folks know to go to our website to look, you know, to find out more information about their shelters.

So if you go to another part of the country and go into a shelter, you're typically walking into what's considered a Red Cross-operating shelter and a Red Cross shelter. We do this a little bit differently here on the Cape. These are considered partner shelters. So we have a number of different folks/organization, both government and nongovernment who work to make the regional shelter system work. Listed there are just some of the agencies. I'm sure there's more in terms of single volunteers. But it is really a volunteer-run program. The County, through the health department, helps spearhead it, but the town's, the Emergency Manger/Public Safety Agencies play a big role in making sure it works, but are volunteers are critical to that.

So one of the most important aspects or why this sort of changed here on the Cape was a pet component. So in 2005 and it eventually was enacted in 2006 as an amendment to the Stafford Act, and the Stafford Act is deemed as a piece that works for federal assistance after a disaster. The Pet Evacuation and Standards Act was put in place, which was basically saying the federal government is not going to work with states and local governments for reimbursement on a disaster if you don't have a plan in place that accommodates household family pets. And that really stems from multiple natural disasters across the country where families were either unwilling to leave their home because of pets or left pets behind and we had large mass number of euthanization essentially. So like there are estimates after Hurricane Andrew went through South Florida that over a thousand cats and dogs were euthanized in South Florida because they couldn't reconnect homeowners to pets. And a lot of people won't leave their house without a pet. So all of our shelters will take a pet.

And we have two different organizations that we're fortunate enough to have on the Cape that help manage that process. So anybody who wants to come to a shelter with a pet, either the Cape Cod DART, Disaster Animal Response Team, or the Lower Cape Animal Support Team will work with you to house your pet at the facility. So that's a key component. And we're very lucky that the districts have allowed the different sections of the schools to be used for this

purpose.

A couple other key points on regional sheltering before I move on. Regional shelter doesn't, by any means, prohibit a town from opening a local shelter on their own for any particular reason. So if a town had a large-scale power outage for some particular reason that was going to last for several days, maybe just a random issue, they most certainly still have the resources at the local level to do that. And if they needed our help, we would certainly help them. If they don't, that's totally fine.

We regularly meet. We have all of our shelter partners come in generally once a month. So our members are the Red Cross, Medical Reserve Corps, AmeriCorps, a lot of those folks you saw on there, emergency managers, public safety folk who will come here to the county or if we're having meetings off-site and we'll meet to just go over any issues that we might be having.

We have annual shelter walk-throughs where we invite all the volunteer agencies to come out to each of the shelters to walk-through them to get comfortable in those facilities, ask any questions. We completed four of our six. We'll have two more coming up in the next few weeks.

Each of those facilities, those six shelters is supported by a conex box, so a giant shipping container, which is basically stacked to the roof with shelter supplies: cots, blankets, animal crates, you name it; they're in there.

So every year we go into those conex boxes. We just completed this with the help of AmeriCorps within the last few weeks. We go out to all the Conex boxes, empty them all out, make sure there's no damage, just make sure we know exactly what's in there, restack it in a carefully orderly fashion so that when a volunteer goes to open up that conex box and unload it that nothing falls out on them or anything like that because there are a lot of heavy stuff.

Other key point, of course, is there's always a need for additional volunteers. So if there's anybody in the room who feels that they're public service isn't just -- isn't full enough yet and they want to do more, any of our volunteer agencies are always looking for more people. It's one of the problems we often have and encounter is that as we get into the -- in the summer months if we have to open up shelters, we tend to have a large volunteer pool. As we get into the winter months, are volunteer pool tends to shrink, so we're always looking for more volunteers.

So when we open our shelters, the other thing that we always open is the MACC. So the MACC is the Multi-Agency Coordination Center. You can kind of think of it as similar to sort of a regional EOC, a Regional Emergency Operation Center. It's kind of the idea.

It is staffed by the Barnstable County Incident Management Team. And, basically, the MACC's job is to handle resource requests on behalf of the all the towns. So if we have a winter weather event or hurricane anything, we will open the MACC and it's typically right up here in the Harborview Conference Room.

The Barnstable County Incident Management Team comes in. We set up a number of phones, computers, all the towns across the Cape are given the number to the MACC. And if any town has a storm-related issue, they need a particular resource delivered to a part of their town, the MACC fulfills that request on their

behalf. So what we will do is reach out to other communities or reach out to the state or reach out to the federal government in search of that resource. The idea being to take the sort of the onness off of the person making a response to have to deal with that and, ultimately, hopefully, a resource just sort of shows up in their community.

With the regional shelters, the MACC serves the exact same purpose. Whenever the regional shelters are open, the MACC is open. And the MACC is open to help address any issues that might come up inside of that shelter. So if a volunteer realizes that they're short of cots, as opposed to a volunteer having to call the state or call whoever, they will call -- they will use communication channels that we preestablished, contact the MACC. It becomes the MACC's responsibility to fulfill that request and make sure that those cots are brought to the shelter in a timely fashion. So, basically, none of these facilities are sort of on their own.

The MACC is in constant contact with all of our utility companies. We typically have a representative from Eversource right there with us in the room who can help us sort of get a feel for how quickly the power's going to be back on, what parts of town might come back on before another, all those things that help us make decisions in sort of the emergency management world on how long we may have to keep shelters open, whether we're going to have to open shelters, all of that kind of stuff.

And just so you can see. So when these events come up, typically we're talking weather-related but they don't have to be. Here's sort of a -- it's kind of hard to see on there but there is sort of a series of arrows that connects these in a sort of clock-wise fashion.

Starting at the top left, so if any threat emerges, what Sean O'Brien will do through the REPC is initiate a series of conference calls. He has hundreds of people who have -- who are on a distribution list. We will typically have, I don't know, a hundred to 200 people maybe on a conference call. So public safety folks from around the Cape, our volunteer organizations, sometimes elected officials are on our conference calls where we're getting a weather update, we're talking about sheltering; we're talking to the state. We're talking to any -- we're just sort of working through what's coming in a predecision-making stage. Those conference calls will begin and then continue throughout the threat, whether the threat emerges, whether it dissipates, whatever. And then if we have a storm, the conference calls will continue right on through until the event is over.

Eventually the REPC executive committee will make a decision as to whether to open shelters and when to open the MACC. We will then prep the shelters with our shelter partners, so we always -- let's say we were going to open shelters at say 4 o'clock in the afternoon, we'll open them to all of our volunteer agencies about noon time to get all the volunteer agencies in there to get them setup.

The INT will staff the MACC. We will open the shelters to the public. And then the conference calls continue throughout. Shelters eventually close and the MACC operations would be secured for that event. So that's just kind of a contextual thing.

So from there, we'll jump right into sort of what was really on the agenda with this hurricane season. So hurricane season runs from June 1 to November 30. It has been a long time since we've had one up here on the Cape, a real hurricane. We'll go through a few just generic terms just so people are -- make sure we're all on the same page here. These are things you hear on the news all the time and you see on the local weather.

But just remember a tropical depression is just simply a closed circulation, just a low pressure system in the tropics with winds less than 38 miles per hour.

Once that storm has been determined to have winds basically 40 miles per hour stronger, it gets designated as a tropical storm.

If those winds go above a sustained speed of 74 miles per hour, that's when we get a hurricane.

And the differences here just between a watch and a warning, just because I think sometimes this gets lost. You know, studies have actually shown that people sometimes think that the watch is the more critical stage. And the warning that the watch implies right away, warning does not. It is the reverse. A watch implies a greater level of uncertainty. A warning implies that the event is near and coming.

And so, obviously, we can move from a tropical storm watch to a tropical storm warning; likewise from a hurricane watch to a hurricane warning. I'm not going to read the definitions to you but it's basically based on time, threat, and certainty.

And then the last definition up there is just the storm surge. So this is one of these things that the definition is definitely changing with time just to make it more simple. And now the way that this is basically discussed is just how high is the water wherever you are. So as opposed to talking about what the tide was, plus the level of water, it's just you might be standing in 5 feet of water and that's just how that's going to be addressed in the future.

So on the Cape it has been a long time. I had to go back to 1991, Hurricane Bob. It's the last time we had a real land-falling hurricane over southern New England. Irene passed to the west of -- and it was really a tropical storm when it made landfall in Long Island and New York/Connecticut area a couple years ago.

Bob really was the last one. It was a Category 2. Peak wind gusts across the Cape between 95 and 105 miles an hour. There are some unofficial estimates of 115 and 125. Maximum storm surge was about 6 to 8 feet but, thankfully, the storm came in at low tide so the damage wasn't quite as extreme as it could have been.

It did do about a billion dollars' worth of damage in Massachusetts, and most of that being in Southeastern Mass., the Cape, and the Islands. Of course extensive tree damage, long-lasting power outages, and a lot of coastal homes damaged/destroyed in Onset, Wareham, parts of Falmouth, Bourne, all those areas up in Buzzards Bay. But it has been whatever that is now, 25 years-26 years.

But the area is no stranger to hurricanes even though it has been so long. So the return period on average is actually about 16 years for the Cape. And for Nantucket, it's about 13 years. So that's of a storm -- the center of a storm passing within 50 nautical miles of the location. So they're actually relatively frequent. It has been over 60 years since we've been hit by a major hurricane.

However, you go back to 1954 and that's what that map is showing you right there, those two, let's see, those two lines right there. That's Hurricane Carol right there and that's Hurricane Edna. Those came within 11 days of each other, a Category 3 followed by a Category 2. So it was about August 31 and then I think September 10 was Hurricane Edna. And those years in the 50s: '53, '54, '55, multiple storms came very close to the area.

And so the return period on a major hurricane is definitely more than 16 years. It's along the lines of more like 50 years. But still, it has been a longer time than what history would say what you'd expect.

Obviously, there have been significant changes to the Cape since the last time, A, we had just a regular land-falling hurricane, and then since a major hurricane completely different area. Really, you think about the 1950s on the Cape versus today on the Cape.

And the historical record does say that this area is prone to "devastating storms." Now I bring this one up, people kind of laugh because it's 1635 and maybe that somebody writing in their journal like, "The water was up to the top of thy knickers." But there are weather enthusiasts' way back in the day and they're able to reconstruct a lot of this information through, you know, doing sediment testing and, you know, looking how far the storm surge went inland and all these different things they're able to do. And they can get a pretty accurate record of what these storms look like even back in the 16, 17, 1800s.

This particular storm, the Great Colonial Hurricane of 1635. I put this one out there only because it's estimated that this potentially was the strongest one ever to hit the eastern part of the United States and it was a direct impact to this area. And it's estimated that the storm surge -- it's really hard to see in there but up in Buzzards Bay there's about 22 feet, which is just -- would be an absolutely devastating event if that were to happen today. And that was estimated that it probably hit land at a very strong Category 3 when it made landfall here in New England or borderline Category 4, which would be a completely catastrophic event in today's day and age. And most people think of the 1938 storm as sort of the benchmark, but really something like this would be above and beyond anything that I think we could draw up. That's from the National Weather Service, that graphic right there.

So when these things come up and hit the Cape, I don't know if anybody here can remember being in Hurricane Bob. I do. So the sun was out at times, clear skies, clouds moving really fast but it was clear. It rained a little bit in the morning. Typically that's the way these things go as they come up the coast. Heaviest rain starts to switch inland so you get the devastating flooding over interior parts of New England, Vermont, New Hampshire, Western Massachusetts. That's Irene, 1938, from all those storms, that would bring catastrophic flooding to the inland parts. But here on the Cape, typically you get maybe some clouds but you might get broken skies, sunshine but the wind is ferocious.

Storms begin to weaken as they come up the coast. They do tend to accelerate as they come up the coast. So the classic example always that people go back to is the '38 storm, moving 55-60 miles an hour so you're covering the distance between say the Outer Banks of North Carolina and New England in a

matter of hours, very short period of time. And, typically, that's what we see. Acceleration, they start to move 20, 30, 40 miles per hour as they come up the coast. So you're lead time, your decision time starts to go down, obviously.

Surge and water rise well in advance of the storm, so we always have to consider that when we're making decisions on evacuations and things like that that even though the storm may be many, many hours away, we can start to see water rises here in Southern New England well in advance of that.

And the worse wind and surge is always going to be to the right of the center. So that particular track there is Hurricane Bob. So, really, it comes up right around Newport, from that area eastward, you're in a full-fledged hurricane. You've got winds over -- gusting over 90-100 miles per hour. If you go to the west of that, parts of central Connecticut only gust around 50-60 miles per hour. Big, big difference as these storms come up the coast. The worst of the wind always starts to switch to the right. So when we're tracking these things coming up the coast, we're always wondering where exactly is the center going to cross. Because if the center's going to stay east of us, say Hurricane Earl several years ago, that's just a gusty day. It's not a big deal. That center goes to the left of us, or to the west of us that's when we're really worried because that means we're really going to get into the real ferocious winds and that's when the damage comes.

So in order for them to form, you know, most people know they need warm water. We're looking for about 80 degree water or more, so that's why they form in the tropics, not, you know, they don't form off of Nantucket. And that water has to be sufficiently deep. So you'll hear people say in the summertime, "Oh, the water's really warm this year. I think we're going to get a hurricane." The water actually has to be greater than 80 degrees to like 150 feet. It means there's a lot of heat content it needs. It's not just the surface water.

Need moist air, so, again the tropics. Some sort of disturbance in the atmosphere to get things starting to turn. And then a hurricane needs very little vertical wind shear. So, if you imagine a large cloud going -- rising straight up into the sky, if winds way up in the sky are blowing very, very strong and sort of cutting that storm apart, the hurricane can't be -- it can't grow. If there's not much wind up and down in the atmosphere, it can continue to grow and spin. So we look for areas of minimal vertical wind shear to kind of get that -- get these things to go up here, these little rain bands. If the winds blowing really strong up in the higher parts of the atmosphere, these all get chopped apart and the storm falls apart.

So we'll look at this year. Let's see if this will -- I don't know if that's going to animate, that's supposed to animate but I guess it won't. So, basically, last summer going into the hurricane season it was pretty evident we had a very strong El Nino last summer. So when we're talking about El Nino, that's this part of the world here, the Pacific. When this water gets -- when it gets very, very warm, we have an El Nino. So if we had years where it gets just like we're talking 2-3 Celsius above normal, well above normal warm water, what it does to the Atlantic Ocean is it starts to create a lot of wind shear. So last year we had a very strong El Nino, a lot of wind shear. We kind of knew going into the season that it wouldn't be an overly active hurricane season in the Atlantic.

And then there were quite a few named storms, but they all, except for the Joachim storm, all remained very weak. They were torn apart by that wind shear.

This year, that El Nino has faded off dramatically. So we're headed towards eventually a La Nina. Right now, we're kind of in what's called La Nada period. There's not much going on in the Pacific. So there's not a whole lot of wind shear coming from the Pacific into the Atlantic to disrupt any storm that might try and form.

So we talk about warm water; we need warm water. So that image is taken I think just yesterday or the day before. So any area that's red is warmer than normal water. And in this particular case, this line right here is about 26 Celsius. So that's about 79 degrees Fahrenheit. So, basically, anywhere south of this line the ocean is warm enough and deep enough with that kind of warmth to support hurricane development. So a lot of warm water out there and there's less shear. So that blue area basically is just an area where the shear is less than normal. So any disturbance that tries to move out into the Atlantic encounters that warm water, encounters less shear, has a better chance of forming into a tropical cyclone, eventually a tropical storm or hurricane.

So all in all, I mean it favors a year that's a little bit busier. And these things run in cycles. So there are periods of time in history where it's been very active. There have been periods of time where it's been not so active. So you're looking at basically 19 -- I think this starts at 1950 and goes to last year. And you can notice a very distinct sort of ridge/trough/ridge pattern. So the last say 15 years have been very busy. You remember the years like 19 -- 2005 we had 28 named storms or whatever it was, a record number of storms. But if you go back into the 70s and 80s, there was a period where there just weren't that many. We're coming off of a busy time slowly, so we are probably headed back into a period of a couple decades that will be "less busy." That doesn't necessarily mean a whole lot but it just means that the frequency of years with above-normal storm will diminish. So we are still sort of in that acting era but heading out of it.

So NOAA's forecast for the season. We were at a NEMA conference where National Hurricane Center spoke back in May and they really laugh at these products even though they put them out because they're really more just an academic exercise and they don't do a whole lot when it comes to preparedness; they don't help people prepare because a number of storms does not indicate anything when it comes to land-falling storms in the United States. We've had seasons where we've had 18-named storms, almost 20-named storms and not a single one has touched the United States. We've had seasons where you've only had 8-10 named storms and had multiple landfalls. This is more of an academic exercise than anything, but it does imply that the season will likely be a little bit busier than normal. An average season is right around 11-named storms.

And with all that, so things should start to crank up in the tropics relatively sooner. There's a named storm out there, as Sean referenced earlier, tropical storm Earl. It probably will be a hurricane this afternoon heading towards the Yucatán and Belize. But the season climatologically historically peaks on September 10. That's when you go back to the record, that's when you would find the most storms on a map will be September 10. So we're just now starting to get into the

time period where this -- where we really start to ramp up activity. And, really, once we get to about mid-August, we look until about the middle end of October as being the busy season. And if you were ever to graph all the New England hurricanes onto this, they're all focused like just about right in here, just about all of them, very few on the outside. So that's the season that we really look for.

So a couple things to think about as I kind of close up here. Obviously, the Cape has changed significantly since the last time this has happened. So the next time one of these comes through, it will be a much different scenario than say 25 years ago or 60 years ago in case of a major hurricane.

Not many folks have lived through "The Big One," either had lived in a different part of the world or has just been such a long time. Much different reliance on technology today that we didn't even during Hurricane Bob. So things that we take for extreme granted in terms of communication, in terms of our daily lives, very easily disrupted by something like a hurricane, especially a very strong hurricane. So while the reliance on technology has improved our ability to forecast and to communicate leading up to a storm what -- I always wonder what it's going to look like for those couple weeks after a storm goes by as we try to adjust to a world where we can't just jump on our phone and do all the things. You know, there are a lot of people that don't even have home phones any more. They just rely on their cell phones. There's a lot of things that are going to come up that we're always discussing from an emergency management perspective how are we going to tackle these issues.

And so to the folks in the room as a community leader, I would say you can lead by example of being prepared. Use the resources that are out there. So you do, in fact, have a plan for your family. Like it doesn't do, from our perspective, you know, we always have go-kits and things. It seems kind of silly but we do have these things in place so that if an event happens, we can just be ready to go and don't have to be worrying about things at home. And having ways, you know, find out how you're going to communicate with your family after-the-fact.

So have a plan in place. Use those resources that are out there and take a minute to walk yourself through a disaster. So at the presentation that we were at at NEMA, Bob Thompson, who's the meteorologist in charge of National Weather Service in Taunton kind of left with the same message and I really liked it. He said, "So after the 1938 storm, 1938 storm dropped over a billion trees in New England. A billion and left something like 6-1/2 billion board feet." So we're talking pieces of wood down on the ground, 6-1/2 billion board feet, right? So there are estimates that if you take the most productive saw mills in New England, the most productive saw mills, it would take them 60 years to produce that much wood. So that's how much wood the 1938 storm dropped across New England.

And, on average, that was considered basically one out of every two trees. So his message after that presentation was drive home and think about what it would look like if 1 out of every 2 trees was down. And, of course, that's not how the distribution really goes. What we end up with is large tracks. You end up with a few acres here and there that are flattened, and then you get another few acres that are not as badly hit. But, still, when you start doing the math, that's basically what it comes down to is one out of every two trees.

But walk yourself through a disaster. What would you actually do? What would that be like? What would it be like in your house for your family, for your loved ones, and so forth because that process can really get you thinking a little bit about what you're going to do, how you're going to prepare and all that kind of stuff because doing that stuff at the last minute is just foolishness. There's no need to do it because we've got blue sky days all the time.

And with that, oh, just a couple places you can go for more information. There's a handful of links and I can send this out if anybody wants them. But there are a lot of great resources out there. You can always check us out, the REPCs website as well.

And with that, are there any questions?

Speaker BERGSTROM: Okay. Starting with some lights so I can -- do I see anybody out there? Okay. Jim.

Mr. KILLION: Thank you, Mr. Speaker, and thank you, Mr. Burt for this presentation. Back to the shelters, what capacity do we have and is it based on how many people in a floodplain? How do you go about doing that?

Mr. PHIL BURT: So the capacity of the facilities?

Mr. KILLION: Yes, all across the Cape. You have six.

Mr. PHIL BURT: Right. I don't know what the total number is off the top of my head, but, basically, the way it's determined is each school -- the Red Cross has a protocol in place where they'll go into a facility and measure the square footage of a building and, basically, what the school determines they're going to -- and the emergency managers determine they're going to use as the shelter portion of a facility. And they have like a formula that they use based on square footage per person or what a person needs to be --

Mr. KILLION: I guess my question was --

Mr. PHIL BURT: How many people can we shelter?

Mr. KILLION: Yes. What goes into figuring how much space we actually need?

Mr. PHIL BURT: We can shelter several thousand people, thousands of people. The numbers are based on studies that say X number of people. It's generally a very small percentage of a population. It's generally less than 5 percent of people will actually go to a shelter. So that's where we come up with the ideas of six regional, for example. That's where that comes from is that we don't need -- you don't need to be able to, technically, you don't need based on the studies to be able to shelter 100,000 people even though your population is 100,000 because across the country it never works that way.

Mr. KILLION: Is it based upon say the number of people living in a floodplain or along the coastline?

Mr. PHIL BURT: Not specifically, no. Not specifically.

Mr. KILLION: And then my other question. I was around for Bob. I remember the traffic nightmare. Is there a point where you consider that people need to leave versus they can stay?

Mr. PHIL BURT: Is there a point? In what way?

Mr. KILLION: In other words, leaving the area because it's going to be bad and you don't want them to stay. I remember at that time --

Mr. PHIL BURT: Right.

Mr. KILLION: -- it was during the height of the tourist season. You had hundreds of thousands trying to leave so --

Mr. PHIL BURT: Okay. So the general message with most things with residents -- when we're talking about residents, unless you're in a floodplain, the message is shelter in place, generally. I mean you're not doing -- your home is the safest place to be unless you were in the floodplain.

For visitors, it's a different story. So if we're talking the middle of the summer, we're talking about getting lots of people off of the Cape who are in cottages and just don't want to be here, who are on the shore, who are in hotels, whatever it might be, the state has worked very hard on the Cape Cod Emergency Traffic Plan, which was just revamped over the last eight months with a contractor, and Sean and I both sat in on that process with them, as a tool to create the most efficient way, I will say, to move people as quickly as possible off of the Cape.

And our messaging would, basically, be done in coordination with the state, with NEMA, with the Hurricane Center trying to make a decision that's best for this area. So every case is different. There might be times where we know we need to start thinking about getting people off of here, and then the Cape Cod Emergency Traffic Plan has a series of, basically, has a timeline built into it and says, okay, if event is at "Point Z" and we're at "A" right now, we're going to walk through this. And then we have a series of targets along the way while we're doing certain things to implement that plan and get that plan up and going. And, eventually, it involves closing exits on Route 6, all sorts of traffic control points off-Cape. You can go right on to NEMA's website and download the plan and look at it and it will show you how that works. But every case would be different as to whether we would say -- but the messaging to most folks is going to be shelter in place or go to your regional shelter.

Mr. KILLION: So when you -- going back to the shelter calculation, does that take into account the summer population or just the resident population?

Mr. PHIL BURT: Sure. And another part to that is so as the -- part of that Emergency Traffic Plan is also that the state has built into that plan a shelter of last resort on Joint Base Cape Cod, which can house thousands of people in a short-term basis. So basically the way the plan is set up as that if that plan ever really got to the point where it was fully implemented and they had to shut the bridges down and there were still a lot of people on the Cape, traffic gets redirected through this plan to Joint Base Cape Cod where the Army National Guard and the Red Cross and IFAW and all these organizations have been working, NEMA; we've been a part of these discussions to take in several thousand people, many cars. You know, they'll just be funneling them right into the base and hold them throughout the life of the storm, feed them, shelter them, and then when conditions are deemed safe, release them to head home.

Mr. KILLION: Thank you.

Mr. PHIL BURT: You're welcome.

Speaker BERGSTROM: Ed Lewis.

Mr. LEWIS: If you were here for Bob, you remember 1995 in September with -- I think it was Edouard, and that storm was -- it never really hit but --

because it was September, it was a weekend, and the traffic on Route 6 backed up bumper-to-bumper all the way to Eastham, bumper-to-bumper to Eastham. Route 6 was 7 hours to get off the Cape. So from my perspective, you're better off sheltering in place no matter what.

The only thing that happens with the shelters, and we've had this -- what we do have a lot of are snowstorms. And we do have on the Lower Cape, especially from Brewster and Harwich out, is we have a lot of senior citizens. A lot of them get very anxious when there's a big storm and they see their driveway is snowed in and they can't get out. So they call and the problem is getting them to a shelter because they get nervous. And, understandably so, people get anxious. DPW, we have all different --plows are out there getting out to get them, and that's the biggest problem is getting them to the shelters.

Mr. PHIL BURT: Yes.

Mr. LEWIS: And I don't know whether there's any, you know, it was easier when we sheltered at, you know, Eddy School or the Stony Brook School because it was close. Its better that they're going to Nauset or Cape Tech, but you've got a lot of people -- I know Charlie Sumner drives people out back and forth. A lot of people are driving them back and forth. And snow storms are stuff because of the age of the population out there and the anxiety that comes up. I don't think you can get these people off Cape. I think they're better off just sheltering in place and it's going to be hard and it's going to be a pain in the neck, but it's a lot worse to be caught out on the road during a storm sitting there on Route 6 with everybody else and it's a parking lot.

Mr. PHIL BURT: Yes, Edouard was actually the storm that really kicked the whole development of the Emergency Traffic Plan into place. That's the storm that's referenced all the time because of that massive backup that happened.

Speaker BERGSTROM: Okay. Did I see another hand there? Yes, Brian.

Mr. O'MALLEY: Another potential disaster that we have no control over, more than we do over the hurricanes, is the potential for something happening at Pilgrim Nuclear Station where they've got 3,200 spent fuel rods in containers that are only meant for half that number.

What we hear from the state is kind of just sit put and stay in your house. Realistically, what are our own plans here for where are people going to go? People are going to want to get away from the upper Cape because they'll want to get away -- want to get away from the Lower Cape. I mean really the safest place is probably Chatham but we can't all fit there.

What do you guys talk about when this subject comes up?

Mr. PHIL BURT: Well, I'll probably defer to Sean in a second, but the one thing that the REPC did for several years, we've worked very closely with the state and with some of the advocacy groups on the Cape with respect to Pilgrim and developed a really nice informational sheet to hand out to residents so that we can inform them of what the best practices are. But I guess I would probably defer that to you because you served on those groups.

Mr. SEAN O'BRIEN: Sure. Thank you. You know, as Phil mentioned, we've been working with some of the different grassroots organizations out there and developing some informational plans. We do not sit within the Emergency

Planning Zone, the EPZ. We actually sit and that's -- and that's the kicker because what happens is we don't fall under a lot of the NRC regulations that go along with it and a lot of the planning, things that are able to be there. So we're within the 50-mile limit, the ingestion pathway zone.

What we've been trying to do is to work with the state and actually look at this Cape Cod Traffic Plan in other ways as well. It's a very unique situation. I mean and they've looked at areas of New York as well I think around another power plant down there; we're a shadow community. We're a shadow area of a power plant. We're in a very unique situation. We have two bridges that were built in the 30s that were designed for Model A Fords. I'll tell you now, my pickup truck is wider than a Model A Ford going over that bridge. And so we have very limited ingress and egress to the Cape.

And the difficulty is that if there is a problem at Pilgrim, you know, the EPZ is really close to the bridge. So if folks are leaving, they may run into some issues right at the bridge because of folks leaving the Emergency Planning Zone as well. And that's where we're really relying on MEMA and we're relying on NRC. A lot of these things hoping they may be able to be addressed as a part of the closure.

But, you know, you're still going to have a hazard there and that's the difficult part of it. And that's probably been one of the more difficult things for us to work on is -- and it's not to say we're not, we are, it's just been very difficult to actually really try to develop some sort of traffic plan that may be available in that type of an emergency.

Mr. O'MALLEY: I appreciate the response and I don't mean any offense.

Mr. SEAN O'BRIEN: Sure.

Mr. O'MALLEY: I'm saying that the lack of any real good plan is a reason why that plant ought not to be operating anymore.

Mr. SEAN O'BRIEN: Sure.

Mr. O'MALLEY: There is no feasible -- you can't really come up with anything that works.

Speaker BERGSTROM: Well --

Mr. SEAN O'BRIEN: It is really difficult. The way we are, we have two bridges and the tunnel I cannot find and a railroad bridge. So we have very limited ways on and off of the Cape. And so it is -- it's planning -- it's kind of a planning, you know, road block that we have.

But what I can say is there has been some change from MEMA in working with us over the last five years of trying to address this a little bit better and look at the ways of maybe trying to have a weather-related traffic plan work with in an all-hazard atmosphere.

So those are things we're going to try to work on and they're things that we've talked to some legislators about, and have worked with them and worked with the director of MEMA and, hopefully, we can get some things developed a little bit better.

Mr. O'MALLEY: Thank you.

Mr. SEAN O'BRIEN: But it's still unique because no matter what, I don't see those two bridges changing anytime soon.

Speaker BERGSTROM: Yes, first, Linda, and then we'll go to --

Ms. ZUERN: As you know, Sean, I was on the LEPC for probably about 10 years in Bourne, and we used to listen to those plans of evacuating everyone off the Cape. And being in Bourne we thought how crazy is that? They'll never get off. And where are they going? They're going to a place where they're going to be exposed to radiation.

Mr. SEAN O'BRIEN: Sure.

Ms. ZUERN: So that was why we really stressed getting a 911 system.

Mr. SEAN O'BRIEN: Yes.

Ms. ZUERN: And we said no matter what happens, if we have that communication with people wherever they're supposed to go, we can let them know right away that they're supposed to shelter in place for a week then that's what we recommend.

So I think that's so important, and I know you have that system now.

Mr. SEAN O'BRIEN: I agree fully. We have, you know, one of the difficulties, and I want to make something pretty clear here; the Cape Cod Traffic Plan if you look at it on the MEMA site is not an evacuation plan.

I think MEMA recognizes the fact that the timeframe of having everybody leave the Cape is pretty major. And so it is a traffic plan. And the other thing is it's like we're in such an area that can be a crunch, and Phil may be able to go into this in more detail, but sometimes and in the case of Hurricane Bob, I don't know, and I was here as well, I remember how quick that storm formed and it was pretty amazing. And the thing to remember too is the hurricane of '38 when it came up the coast was moving 50 miles an hour coming up the Eastern seaboard; Bob I don't think was moving that fast. But once it formed and once those hurricanes are off of the Bahamas, it is the Cape Cod Express or at least the Northeast Express the way they can come up. And they can come up very quickly.

So decisions sometimes for us may be made in a 24 to 48 hour timeframe. Or you may have a storm like Sandy, and, honestly, we were looking at Sandy 10 days out. We had a pretty good idea about Sandy, and not to digress from the original comment, but if Sandy was 50 to 75 miles further north, our coastline on the southern edge of the Cape and maybe even on the northern edge in Cape Cod Bay would be a lot different than it is right now and would be a big concern because that storm -- if it had come up because it was so big and it was moving so much water with it, the storm surge was amazing.

These 911 -- these community systems that are out there, these notification systems have become such a huge benefit for us. The sheriff has one. Most of the towns have them. So, you know, the towns can look at them. They can use them as areas to evacuate folks out of low-lying areas. They can use it to tell people to stay in if there's another type of emergency. I mean, you know, you can even use it and you think about what happened in Bourne earlier this year with the fuel truck around the rotary, it's a way of letting people even know, okay, stay away from the rotary and we will, you know, and we'll look at alternate routes.

These notification systems are huge, and the technology increases over the last few years, and even using social media, is just incredible and it's really helped us out quite a bit.

Speaker BERGSTROM: Lilli, did you have a question?

Ms. GREEN: I did. Thank you. I have questions about both Pilgrim and hurricanes. I'll start with Pilgrim. I'm also, my town, Wellfleet's representative to the Cape Cod National Seashore Advisory Commission. I was at the commission meeting when someone from I believe your office came to give a presentation and it could have been more than five years ago.

Mr. SEAN O'BRIEN: Sure.

Ms. GREEN: I was shocked to hear that the plan, evacuation plan was to close the bridges and shelter in place. But not only that monitors would be dropped from the air and there would not be boots on the ground until it was safe for them to have boots on the ground; has that changed?

Mr. SEAN O'BRIEN: Unfamiliar. So just kind of going back a little bit, I'm trying to remember who might have been there from our office a few years ago. That actually sounds like it might have been the Massachusetts Emergency Management Agency that was discussing it?

Ms. GREEN: I don't recall exactly who it was discussing it.

Mr. SEAN O'BRIEN: You know, those are plans that are usually handled on a state and federal level. So I'll be honest, I don't know.

Ms. GREEN: And the second one was about Bob, about hurricanes, in general. I was in Wellfleet for Bob, and it was really very tough on my community in Wellfleet. We lost power for probably about a week. But also my road was like a disaster zone.

Mr. SEAN O'BRIEN: Sure.

Ms. GREEN: I mean you could not -- it took days for them to clear the roads. Have we changed the plans for doing things like that?

Mr. SEAN O'BRIEN: Sure. A lot of that falls into the towns, and, as you heard, there are some towns that have Local Emergency Planning Committees where they do develop how they're going to handle debris management.

One of the things that we're looking at doing in assisting the communities for that is looking at developing a Cape-wide bid to go out and make sure the debris management services, should a town ask for it, be available fairly quickly as a part of that.

Now going back to Hurricane Bob, I was actually in Brewster; I lived in Brewster at the time. And two things I remember, Locust trees almost became extinct. They were --

Mr. LEWIS: All over the place.

Mr. SEAN O'BRIEN: -- they were all over the place. Those were the things that had blown over. By the way, it was great fire wood too. And so I think a lot of that has gotten better. And a lot of the towns in their debris management, they've done a much better job.

The way I -- the other thing that I potentially see though is we've also had a lot of upgrades within our power infrastructure. And just to give you an example, in 2013, during the height of the blizzard, we were without almost between 90 and 100 percent of power customers in Barnstable County. It might have been like 85 and 90 percent or something around there.

This past 2015 we saw that change, and we saw those numbers decrease

immensely in the power section. I think what it had to do with was a lot of upgrades in the system; Eversource, or NStar at the time, doing some upgrades, but also the trimming of trees along the main roadways helped us out quite a bit. And so the percentage seemed to drop down. And I think at the height of the storm, and correct me if I'm wrong, Phil, maybe 25 percent?

Mr. PHIL BURT: Yeah, maybe not even.

Mr. SEAN O'BRIEN: Maybe not even. And so I think in some ways we've -- and we've gotten a little bit more of a commitment from Eversource -- a much better commitment from Eversource to work with us and assist us whenever there's an event. So we always have Eversource in our Multi-Agency Coordination Center.

And what it's also able to do is allow us to prioritize places that need power restored. The hospital is always top of the list, both hospitals is making sure that there's power going there as well.

Speaker BERGSTROM: All right. Julie.

Ms. TAYLOR: Well, I just wanted to thank the Speaker for last session and this frightening me to death about ticks. Glad I didn't rush right out. While I was here, I went and ordered the stuff on my phone. So I was being -- trying to finally get prepared for that.

Now I'm happy to shelter in place, but I've sort of forgotten where can I get a nice list of what I need to be prepared?

Mr. PHIL BURT: So I would say probably the best resource that is out there is Ready.gov.

Ms. TAYLOR: Ready, R-e-a-d-y?

Mr. PHIL BURT: Yes. I mean we have a lot of that stuff on our website as well but Ready.gov is just very comprehensive. I mean you can get different lists for different types of emergencies but very comprehensive list about every possible thing you could think of with respect to planning for your home, planning for going through a disaster, after a disaster, all of those kinds of things.

Ms. TAYLOR: Thank you.

Mr. PHIL BURT: You're welcome.

Speaker BERGSTROM: Now I was here for Hurricane Bob and I was here for the no-name storm, which hit Chatham pretty hard from the east. And I was also here for the blizzard of '78, which dumped 3-1/2 feet of snow.

And, of course, the biggest and, you know, the two things -- a hurricane usually hits -- like Bob hit in August. I think it was late August.

Mr. LEWIS: August 19.

Speaker BERGSTROM: And it cleaned -- and because both Buzzards Bay and Nantucket Sound funnels the storm surge, it was a tremendous storm surge; it wiped out the boats, all the boats in Stage Harbor went up on the shore.

But the biggest problem that we have and, you know, one of the Delegates touched on it, I think that Chatham has a notification system. We know, especially elderly people who live in the town and who they are with numbers, and the Council on Aging keeps track of that. So if something like this occurs, they notify people by phone and stuff.

But the biggest problems -- well, during Bob, I lived in a small cottage but

I had town water and I had gas so I could heat the house. I could cook and I could, you know, we had water, but most of the -- the biggest issue I think for some people and Ed touched on it where they're snow-bound or something is that if they lose power and they have a well, they don't have any water.

They also don't, if they lose power, don't have any refrigeration. And it's been, you know, fortunately Nstar, you know, or whoever they call themselves now, Eversource is on top of it. But there have been instances and I think in Bob there are a lot of Black Locusts, especially on the Outer Cape, and they're fast growing trees, shallow-rooted, and the next thing you know they're on the ground.

Mr. SEAN O'BRIEN: Right.

Speaker BERGSTROM: And I think the people are still heating their houses from wood that they chopped down in Hurricane Bob. But they're in neighborhoods. In other words, it wasn't simply a question of the central power line; it was everywhere. And they had to get to all these areas in some time.

And there was even a minor twister or something that went through Chatham and Eastham about two -- well, probably more like five or six years ago that cut a swath and knocked down trees in neighborhoods.

Mr. SEAN O'BRIEN: Yes.

Speaker BERGSTROM: So it's getting -- it's notifying people, getting to the houses, opening the roads so you can get to the houses and so on is a big issue. But I presume that all public facilities like hospitals, and schools, these shelters all have emergency power?

Mr. SEAN O'BRIEN: Yes.

Speaker BERGSTROM: Does this complex have emergency power here?

Mr. PHIL BURT: We do up at the MACC; we certainly do. I'm not sure about every single building on the complex but we certainly do up at the MACC. We have a generator.

Speaker BERGSTROM: Okay. And you know I know I'm making an editorial comment here which I know I'll get into trouble but the idea of a vast cloud of nuclear debris wafting over the Cape while we're all stuck in our cars, you know, only to get eaten by giant insects and mutants wandering around has been sort of a scenario that had been promoted lately. And I have never worried one second of my life that that was going to happen to me. Not that I'm not concerned about it, but you have to be realistic. No one in this country has ever died as a result of a nuclear accident. We have killed probably a million people because of the pollution that comes from fossil fuel-producing electrical plants. That's the facts right there. So maybe if Pilgrim blows up and kills a million people --

Commissioner CAKOUNES: He's going to get in trouble.

Speaker BERGSTROM: -- you know, the numbers will balance out. But until then, you know, you just have to live with these things. I don't think we could --

Mr. LEWIS: I'm interested to see the letters to the editor from these statements.

Speaker BERGSTROM: Well, you know, --

Commissioner CAKOUNES: Go get 'em.

Speaker BERGSTROM: Go get 'em. I think I've got my facts straight. Anyway, so that's that. So now that I've said that and got into trouble, does anybody else have anything to say? Linda.

Ms. ZUERN: I just wanted to add that you had mentioned that some towns have local shelters. And after we had the first regional shelter plan, there were a lot of people in Bourne who were very upset, mostly elderly people who did not want to be carted out of town to go to a shelter. So we did make that decision to have a local shelter in place as well.

And during a lot of the storms, a lot of elderly people do not go to the shelter. They would rather stay at home in their own places.

And during one of the winter storms, we actually had a hundred-year-old woman who lived by herself stay in her house. She refused to go. The fire department did go to her house; she refused to go. She stayed at her house with no heat for four or five days and she was fine. She was happy.

So it's just to say there are different types of people and what they like to do.

Mr. PHIL BURT: Yes, and just to address the first point about the shelter. There is -- so every town certainly can still operate a local shelter if they want. And we also help support two what we kind of deem as satellite shelters, one in P-town and the other right over the bridge in Bourne.

So in Provincetown, they have a great system in place. They sort of mimicked the way the partner shelters have developed. So they've got an animal component. They've got a feeding component. And they opened their shelter during one of the blizzards two years ago when we did not have the regional shelters open. The town lost -- 97 percent of P-town was without power during one of those storms. The rest of the Cape was up and fine. They lost a major line going into town. So they opened their shelter in that case and we at the MACC were aware of that and were taking any resource request that they might have needed or had.

And the same goes for the town of Bourne. So they've got -- and we've worked really closely with Charlie Noyes and moved some resources to him and put them on the other side of the bridge so that they have those over there.

Ms. ZUERN: Thank you for that.

Mr. PHIL BURT: You're welcome.

Speaker BERGSTROM: Well, thank you. Hopefully we won't need your expertise anymore but you never know. It might happen. So I'm glad we're prepared anyway.

Mr. SEAN O'BRIEN: Thank you.

Mr. PHIL BURT: Thank you. Thank you for letting us speak.

Speaker BERGSTROM: Okay. Do we have any communications from Public Officials?

Any communications from Members of the Public?

Assembly Convenes

Speaker BERGSTROM: Okay. Do we have any committee reports? Hearing none.

Report from the Clerk

Speaker BERGSTROM: Report from the Clerk?

Clerk O'CONNELL: Yes. Thank you, Mr. Speaker. I just want to remind everyone that the next meeting of the Assembly of Delegates will be at the Gazebo at Nauset Beach starting at 4 o'clock. We have been invited. We have the pass. We're good to go. And I wanted to talk to Chris Kanaga at the end of the meeting for a few moments, please.

And I attended several meetings this week. One was a department head meeting, and I just want to convey and let you know that I think there was a high likelihood that for the next budget cycle for FY18, we will be getting budgets sooner and earlier for the Assembly's consideration, maybe the beginning of January versus the middle of February so just to be aware of that.

And other than that, that's it. That's all I have.

Other Business

Speaker BERGSTROM: Thank you. Under other business, I talked to Ed briefly about individual Delegates communicating with members of our delegation and so on, and so I put this item on the agenda to clear up any protocol that might arise.

I'm going to pass it over to Ed since he hatched this. Here he is.

Mr. LEWIS: Thank you. Thank you, Mr. Speaker and ladies and gentlemen. What this involves primarily is one of the Delegates and maybe more, but I know one of the Delegates had a meeting with one of the representatives. In this instance, Representative Randy Hunt and it involves the Cape Light Compact and the possibility of legislation being filed to change the way the Cape Light Compact -- with the members of the board of the Cape Light Compact would be selected. In other words, filing legislation which would change, today, Cape Light Compact board members representing 15 towns are selected by the Board of Selectmen, appointed by the Board of Selectmen or the Councilors in Barnstable. And there is a move afoot at least from Randy Hunt's office and Delegate Killion has had meetings -- a meeting that I know of with Representative Hunt to change that to an elected official. In other words, saying that the members of the Cape Light Compact Board should be elected as against appointed.

Two things that I felt, number one, since the Cape Light Compact is a County department and, therefore, to some degree comes under the aegis of the Assembly of Delegates, I felt that if something like this were to be suggested that at least the Assembly should be aware of this so that they could discuss it and have some discussion. It may not be today but is going to have some discussion regarding this because I feel this is a grave mistake. I'm not saying it will ever happen, but I think it's a grave mistake because in today's world the ability of the Board of Selectmen and the Councilors to go out and find people who have energy

backgrounds and who are proficient in that area and can appoint them. When if you have an elected board, you can have anybody who decides who has some kind of an agenda can then run for election. And those people who are on the board today they're not going to go through running for election. I think that would cause a great deal of harm to the Cape Light Compact.

I think there is a certain amount of agendas that are in certain people's heads that relates to the Cape Light Compact. I don't think this will change any relationship with the ratepayers. I don't think the ratepayers really know what's going on to a large extent with the Cape Light Compact. And having people elected as against appointed will change that.

But, mainly, I think that when someone goes to a representative and that representative is going to introduce legislation as it relates to a County department, I think that the entire Assembly should be aware of that so that they can participate in the discussion and at least let the representative know how the Assembly as a whole feels about it, either for it or against it or whatever and doesn't want to take any position.

But I think it's imperative that when it comes to a County department that these things go on that there be some protocol that doesn't go around us or around the County Commissioners in any way so that there is a full discussion about it. Thank you.

Speaker BERGSTROM: Okay. Let's try to keep specifics out of it. This is really about, to me, it's about if I were to go -- how independent are we in pursuing political goals that have vaguely to do with the County. I mean I have to disagree with Ed. I think that basically we can do whatever we want, unfortunately. And often times we do. But he asked me to bring this up and I do.

Do we think it's inappropriate if you have a position on the County to go to some legislator and say I think we should do this, that, and the other thing without having the whole Assembly vote on it? I mean that's really what the issue is. Jim.

Mr. KILLION: Yes, thank you, Mr. Speaker. Again, I think this might be a solution in search of a problem. Unfortunately, I'm a little disappointed with the Delegate from Brewster who did not approach me with this issue. I have not met with Representative Hunt about this matter at all. I have nothing to do with him creating this plan of elected members of the Cape Light Compact.

Representative Hunt was introduced to the Cape Light Compact in a dealing several years ago when I approached him with a proposal that the Cape Light Compact had given to the town of Sandwich. I received it because my wife at the time was Chairman of the School Committee, and the Cape Light Compact was proposing giving free fixtures in a free project to the town.

And knowing something about Mass Save, I was curious as to how they could provide free projects when none of the other program administrators are allowed to do that.

I approached Representative Hunt because he is a member of the Telecommunications and Energy subcommittee to see if he could get the DPU to just answer that question if they had a special relationship with them that allowed them to give free projects out.

That was the extent of my involvement with Cape Light Compact and

Representative Hunt. He, in turn, did reach out to Cape Light Compact. He spoke to people there, and he was privy to the investigation that was being carried out by the former attorney general's office, and their findings that they were taxing the ratepayers illegally.

And so he felt that given that the ratepayers were not being represented fairly in his opinion, he felt that seeing as they were spending a significant amount of ratepayer money, tens of millions of dollars that perhaps it would be best served if they were elected.

So that being said, the premise of the Delegate from Brewster's argument is that Delegates are running around meeting with their representatives to change County government essentially is false because I had no business dealing that with Representative Hunt. It was an idea that he generated completely on his own.

Speaker BERGSTROM: And before we get into a back-and-forth on the Cape Light Compact, it's really not on the agenda. What's on the agenda is if you contact someone, you know, on your own volition and decide you want something done, its fine.

But if you contact someone under a County letterhead and sign it as a Delegate, well then you should at least let the rest of us know and inform whoever you're talking to that you're not representing the County or the Assembly. It's just a matter of protocol.

I think we understand that? I'm very tired today so I'm maybe not making any sense.

Ms. MCAULIFFE: No. I agree. I think it's very -- you can't tell individual Delegates that they can't talk to people because we all talk to people. I'll call a Commissioner if I have a question or I'll call a candidate if I have a question, or I'll call my legislator. That doesn't mean that I'm using my County position to lobby or to set something up. That's my first comment.

My second comment is, oh, I wish Cape Light Compact was a department of the County. In my experience, it's not. So that's off the table -- totally off the table.

And then my third comment, which is a general comment about behavior of the Assembly is I am very opposed to any email communications amongst Assembly members. It is too easy and I'm talking about good intentions, well-intentioned emails that are being generated and sent to all Assembly members. Its communication and if it goes on, it should be part of the public record because, otherwise, I think we are in jeopardy of having email communications that someone may look at and call deliberations.

And I bring this up because I was cited to Mass. Ethics for an email on a committee that I sent out that I thought was an informative email but the state determined that it was improper.

So we need to be careful with our public records. So that, to me, is a bigger issue than our ability to talk to people. We need to watch what we write.

Speaker BERGSTROM: So the question is do you use your private server to receive the County email?

Ms. MCAULIFFE: No. I'm not talking about County emails. I'm talking about Assembly member to Assembly member discuss -- you know, even if it's a

thank you with discussion, I think that that should be -- any time that's happened on previous boards it was printed up and put in the public record. This came to the member board. This came to the board.

But, right now, we all have emails that have been generated that have been sent to everyone that the public hasn't seen.

Speaker BERGSTROM: Well, they can if they subpoena them or ask for them.

Ms. MCAULIFFE: If they know about it.

Speaker BERGSTROM: Anyway, hopefully we beat that subject to death. Yes, Linda.

Speaker BERGSTROM: Lilli.

Ms. GREEN: Thank you. I find it really a challenge to think that a member of the Assembly could say that one of the Assembly members can't contact their legislator about an issue they feel strongly about. I think that's just wrong.

As a private citizen, I think we have a right to do something of that nature. And given the broad nature of County government, I think it may include about every single topic out there.

And I agree with the Delegate from Yarmouth; in my understanding, the Cape Light Compact is not a County agency. It's a quasi-government agency.

And I'd like to have a status update on Cape Light Compact actually and their agreements that they are proposing with the County.

Speaker BERGSTROM: Well we can't discuss the Cape Light Compact because it's not on the agenda. Ed, did you want to --

Mr. LEWIS: Just one thing; I never said that you couldn't talk to your legislator. I said that when you bring up -- and the Cape Light Compact whether it's a quasi-County department or a County department, it is part of the County. All I said was if there's legislation that's going to be introduced that would change the method of selection that the full Assembly should be aware of it and should discuss it.

I never said that you or Representative Killion or Delegate Killion or anybody else couldn't talk about any issue to any legislator. What I said was that the board should, the entire board or Assembly should be aware that if it's going to change the way one of the County departments is structured. That's the only thing I said.

Speaker BERGSTROM: Okay. Why don't we stop this. I have under other business now that Julia has left the room, I'm submitting a Proposed Res -- that was just coincidence, but a Proposed Resolution to recognize her decades of service in the Assembly now that she has not filed papers for reelection. So this will be her last term. She's the Dean of the delegation. She's been here since early 1989-1990 and was involved in the original -- the current Charter that we operate under.

So, anyway, we will recognize her at the meeting at the beach.

Clerk O'CONNELL: This is a Proposed Resolution to honor her with the honorary position of Dean of the Assembly.

I think the last time you did this was with George Bryant.

Speaker BERGSTROM: George, yes.

MS. O'CONNELL: And in the little bit of research that I've been doing, I think it was technically January 1991 that she first served on the Assembly.

But prior to that, she was involved with the original Charter and worked on that. So, this will appear on the agenda August 17th at the beach meeting, a vote by the Assembly.

Speaker BERGSTROM: Okay. Is there any other business to be brought before the Assembly

Ms. MCAULIFFE: Move to adjourn.

Ms. MARTIN: Second.

Speaker BERGSTROM: Moved and seconded. All those in favor? Aye. Okay. See you next time at the beach.

(Motion carried.)

Whereupon, it was moved, seconded, and voted to adjourn the Assembly of Delegates at 5:45 p.m.

Submitted by:

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

List of materials used and submitted at the meeting:

- Business Calendar of 8/3/16
- Unapproved Journal of Proceedings of 7/20/16
- PowerPoint presentation by Phil Burt on 2016 Hurricane Season
- Proposed Resolution 16-06; honorary position of Dean of the Assembly to Julia Taylor submitted by Ronald Bergstrom, Chatham Delegate