Speaker MCAULIFFE: I’m calling the meeting to order, please. This is the Wednesday, January 18th meeting of the Cape Cod Regional Government Assembly of Delegates and welcome to everyone.

We are having an issue with our Livestream, so we will be a little bit delayed on that. But some of the things at the beginning are fairly routine, so I’m going to go ahead and start the meeting.

Before we begin, is there anyone recording other than our regular recording people? Okay. Thank you.

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

(Moment of silence.)
Speaker MCAULIFFE: Thank you. Please rise for the Pledge of Allegiance.

(Pledge of Allegiance.)
Speaker MCAULIFFE: Will the Clerk please call the roll.

Roll Call (99.07%): Edward Atwood (2.30% - Eastham), Ronald Bergstrom (2.84% - Chatham), Lilli-Ann Green - (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), Edward Lewis (4.55% - Brewster), E. Suzanne McAuliffe (11.02% - Yarmouth), Edward McManus (5.67% - Harwich), Susan Moran (14.61% - Falmouth), Thomas O’Hara (6.49% - Mashpee), John Ohman (6.58% - Dennis), Brian O’Malley (1.36% – Provincetown), Patrick Princi (20.92% - Barnstable), Linda Zuern (9.15% - Bourne).

Absent (0.93%): Deborah McCutcheon (0.93% - Truro).

Clerk O’CONNELL: Madam Speaker, we have a quorum with 99.07 percent of the Delegates present; 93 percent absent.

Speaker MCAULIFFE: Thank you. The next item is approval of the Calendar of Business. Is there a motion to approve?

Ms. GREEN: So moved.
Mr. LEWIS: Second.
Speaker MCAULIFFE: Any discussion? All those in favor? Aye.

Unanimous approval.

(Motion carried.)

Speaker MCAULIFFE: Is there a motion for approval of the Journal of January 4th, 2017?

Mr. O’MALLEY: Madam Speaker, having reviewed those minutes, I move their approval as distributed.

Mr. LEWIS: Second.
Speaker MCAULIFFE: Any discussion? All those in favor? Aye.
It passes unanimously.
(Motion carried.)

Communications from the Board of Regional Commissioners

Speaker MCAULIFFE: The next item is communications from the Board of Regional Commissioners. We have three Commissioners with us today, the entire board.

Commissioner CAKOUNES: Good afternoon. I’m going to have to reach and just get my glasses first. Bear with me for one second.

It has been two weeks since we’ve been before you. We have two meetings to report on. One is the January 11 meeting.

As you all remember from the last time I reported to you, we’re in the middle of our budget season and hearings. On the 11th, we had the Health Department, Resource Development Office, Human Services, Registry of Deeds. Cape Cod Commission could not make it. There were some scheduling conflicts so we actually heard them today.

There was a brief presentation by the AmeriCorps that came in front of us for the Martin Luther King Day events. We signed a Proclamation recognizing National School Choice Week. Approved some general minutes. We also approved a couple of grants, some extension to vacation carryovers, and the septic betterments that the chair gets the benefit of signing; sometimes it’s 15 to 20 of those. So, not a very active meeting on the 11th except for, again, a budget hearing process which, you know, I had asked before that all of you should probably, if you wanted to, could watch our meetings and you will be getting the information twice.

That brings us to today’s meeting, which is January 18th. Today, we started with the Cape Cod Water Collaborative, the Cooperative Extension, Information Technology, Facilities, the County Dredge, and then, once again, the Cape Cod Commission came before us as the last order of business in our budget reviews.

We have two Ordinances for you people to file or I have two to file with you today. One is a Proposed Ordinance 17- to be numbered, which is a request for some monies to be transferred from the Stabilization Fund, the Legal Stabilization Fund, and this is to be transferred into the Barnstable County Fire Rescue Academy budget line item. It’s the continuing appropriations for our ongoing situation at the Fire Academy.

The second Proposed Ordinance that I have for you today, and I have the originals here and I’ll pass them in when I’m done, is supplemental appropriation to purchase a vehicle. And, again, this is a transfer of monies from a legal -- I’m sorry, a reserve fund that we have for this purpose. And we’re purchasing a new vehicle at the Fire Academy, actually.

This vehicle is not only used there exclusively, but it’s used at other sites and certainly when that hearing is on, we’ll bring you the information that you need to make a decision on approving that.

Another thing -- action we took today was a vote on creating a gift account for the Children’s Cove. There was a situation where the Children’s Cove had a third-party, friends of the Children’s Cove if you would, who would often receive gifts and subsequently help aid the operation over there. That establishment has gone away.

So we decided in opening this gift account that if there are any residents out there that felt so inclined that they wanted to donate money we would be prepared to have an account to put it into. And by the way, this has all been run by our accountant and is in
accordance with Massachusetts state law. 

As far as Commissioner’s actions, once again, they’re pretty run-of-the-mill. We approved some minutes, appointed some members to the Cape Cod Economic Development Council, approved one of Jack’s timesheets, and discharge of mortgages. 

There was a shellfish grant awarded that went out for an RFP, and the Agricultural Research Corporation is going to be fulfilling the majority of that request, and also we’re going to contract with the Cape Cod Oyster Company for the large oysters, I believe, or the large oyster seed. 

And we also had to establish a fund for the Cape Cod Cooperative Extension. They got a grant from the Cape Cod Healthcare, pretty much just again boilerplate, things that we do. 

There was and I think today’s final action was -- well the final action was the dissolvement of septic betterments; once again, the stack of papers that I have. Now I know why that the chair wanted to relinquish this so quickly because sometimes there’s a pretty big stack of things that I have to sign. 

But prior to that, we also supported signing an Operational Administrative Adder for Cape and Vineyard Coop in regards to Round 1 Projects. And many of you, in your communities that you represent, your towns, if any of them participate in the CVEC Round 1 Projects. This request was before all of them, and any offtakers, and we are an offtaker; we, the County are an offtaker. 

So that’s basically it. And the only other thing I would like to add; some of you on the board served on this board when I served here. There was a situation at that time in which the Assembly came out opposed, if you will, to the action of the Chair of the Barnstable County Commissioners to serve as a member of the Cape Light Compact. And we actually incorporated that opinion, if you will, when I was sitting up there and forwarded it along to the then-sitting County Commissioners. It’s funny how things come around full circle; isn’t it? 

Mr. BERGSTROM: Yes. 

Commissioner CAKOUNES: Last week or two weeks -- three weeks ago when we did our appointments, I took the appointment to the Cape Light Compact. I will tell you, for the record, that if any of you have a problem with that, I would be more -- more than happy if not thrilled to step down from it. 

It is my intentions, and the reasons why I did agree to take it is because as you all know, the Cape Light Compact and the County are going through some reorganization steps, and I thought it would be helpful if a Commissioner was sitting there to help them through that. 

It is certainly my intentions as soon as possible if I can find a volunteer that would like to take the position to pawn it off to them after this transition is completed. 

But, again, if any of you or if the Assembly on the whole has a problem with that appointment, please let me know. I’ll be more than happy to step down. 

Speaker MCAULIFFE: Any questions of the Commissioners? Yes, Brian. 

Mr. O’MALLEY: Mr. Chair, at your prior meeting, you addressed the issue, the budget issue for the Human Rights Commission. Can you tell me where you stand with that and what actions were taken and what your intent is? 

Commissioner CAKOUNES: Through the Speaker, the only way I can answer that is to let you know that, first of all, as of today, no actions by the Commissioners have been taken on any item in the budget.
As the chair, I addressed today to my fellow Commissioners where we are going to go and how we’re going to proceed. And basically, what we’ve determined is that next week’s meeting, because it is light in the amount of departments, if you will, that are left that will be reporting to us, we’re going to have a general discussion on the budget. It is not my intentions to accept motions and actually vote on anything next week, but to, in fact, let the public and our department heads beware aware where all the Commissioners are individually on where they want to proceed or if they want to make any alterations to the budget.

Subsequently, the following meeting after that, we’re going to have a workshop where we’ll be really moving forward with any of those amendments, if you will, that come forward to try to formulate a budget that we can then bring our -- and, again, I apologize, I don’t have a calendar in front of me; I think it’s the 8th of February to actually vote and then that is the document that you will be receiving.

So the short answer is no matter what you’re hearing in the press, absolutely no action has been taken on the budget to this date.

Now if you want to rephrase the question and ask me what I personally feel, I don’t have a problem with that, but I think Mr. Beaty would like to speak.

Commissioner BEATY: Though there’s been no budgetary action taken with the Human Rights Commission, there has been some activity. I attended the -- there was a meeting of the Human Rights Commission itself about a week ago, which I attended with Jack Yunits, our County Administrator. Unfortunately, they neglected to post it so they could not take any votes or any official action, but we did have a good discussion.

And one of the things, other than the budgetary matters, there was some complaints that they weren’t having access to their office, their voicemail, their email, their website, so I believe that’s since been rectified.

Commissioner CAKOUNES: Yes.

Commissioner BEATY: So we had that and then also this afternoon John Reed, who was a former chairman of the Human Rights Commission and I believe President of the local NAACP did speak before our board concerning that matter as well.

Mr. O’MALLEY: Thank you. So can I ask then, yes, what is your intent? We have not yet made the budget; we won’t know the budget for months. But is it your intent to fill a position that’s been left vacant?

Speaker MCAULIFFE: Excuse me. I’m just going to step in. Next Wednesday there will be a discussion of all the Commissioners on the budget. So I’m just thinking hearing from individuals now --

Mr. O’MALLEY: We’ll let it ride.

Speaker MCAULIFFE: Well, if you, you know, we can hear from them at their next meeting or hear from them after their workshop.

I’m just afraid that what we hear now may or may not be in the final budget, and I don’t want to necessarily get people agitated or upset if things aren’t going to proceed.

So what time is your meeting next Wednesday for the --

Commissioner CAKOUNES: I believe it’s going to be 9:30.

Speaker MCAULIFFE: 9:30 in the morning at the Harbor View?

Commissioner CAKOUNES: I don’t --

Commissioner BEATY: No.

Commissioner CAKOUNES: It’s been discussed about having it in the Harbor View, but I don’t believe the next week meeting needs to be in Harbor View. Owen and I
will be discussing that. It probably will be in the Superior Court building. The following one after that, which is more of a workshop, maybe it has to be at the Harbor View.

Speaker MCAULIFFE: And will it be televised or Livestreamed?
Commissioner CAKOUNES: Oh yes.

Speaker MCAULIFFE: Okay. So anyone here who’s interested can follow their deliberations either Livestream or on video after that meeting.

Commissioner CAKOUNES: Yes. Thank you. And I concur with everything you just said. I mean if you want to ask us individually what our opinion is on something, we can all give it to you, but it means nothing until we sit down and vote on it.

Speaker MCAULIFFE: Right.

Commissioner CAKOUNES: Because the Board of Commissioners is going to take action.

Speaker MCAULIFFE: Right.

Commissioner CAKOUNES: With that said and Commissioner Beaty did mention, and I do want this in the record: I got a phone call from State Representative Vieira. I believe, and I will be very happy to look, I believe it was last Thursday in regards to that he was told that there was some denial of access to emails and denial of access to phone records. That was the first I heard of it as a Commissioner and certainly the first I heard of it as the chair. I only took office in January, but this office has been vacant since mid-October. And I didn’t hear about it until a state rep called me and asked me to rectify it.

I immediately, immediately sent out an email to not only our Administrator but to the IT Department and other department heads and it was rectified within, seriously, 20 minutes.

So, you know, I take issue with the fact that there are some people out there saying that things were -- nobody asked me. And as soon as they asked me, I fixed it. And I believe that our department heads didn’t know there was a problem either. I have to go on their word anyhow.

But thank you for allowing me that.

Speaker MCAULIFFE: Thank you. Yes, John.

Mr. OHMAN: Thank you, Madam Chair. Leo, regarding the update of changes in ongoing leases that we’ve been looking at for months now that could affect the budget going forward; is there any movement on such things as the cell tower renting at the hospital site from Department of Environmental Protection or others?

Commissioner CAKOUNES: That’s probably going to come out in the discussions next week when we really look into the revenue and the projected revenue for FY18. Right now, we’ve really been focusing on the budget process and budgeting for expected revenues.

Specifically, on the cell tower here on this property, no, there has been no movement on that. I intend on now since the election is over and everything is kind of settled, that’s going to be Priority 1 of negotiations that we’ll be picking up again with the Sheriffs’ Department.

However, the budget is going to reflect other moves, things like moving you guys, moving the Cooperative Extension, and that’s going to be reflected in revenues by greater revenues given to us by the state for the space that we’ll be relinquishing them.

And I’m sorry, Mr. Ohman, you had one other piece of property that you were questioning?

Mr. OHMAN: Well, actually, you know a great deal of input on the farm lease that
never came to the Assembly. I was wondering if that had been reviewed and if it has any option of being changed?

Commissioner CAKOUNES: The County farm?
Mr. OHMAN: Yes, sir.
Commissioner CAKOUNES: I had input in that? That was 10 years ago.
Mr. OHMAN: Well, I don’t know if it was 10 years ago, but you certainly were one of the members discussing who would get the lease.

Commissioner CAKOUNES: If you’re talking about the original lease RFP that went out for the County farm, I did sit on that review board as the president of Farm Bureau. And I was asked to do that by Elaine Davis to just review the applicants and bring forward the best of the three -- at the time we had three applicants, to bring forward the best one.

I had nothing to do with Barnstable County’s action on moving that forward.
Mr. OHMAN: Sorry about that. I didn’t realize that you had no direct involvement but now you do. And is there any movement about that lease? I know that there was a discussion going on at the executive level about maybe changing that lease because it never really got vetted by the Assembly of Delegates, and that may not be the proper way to put a lease out.

Commissioner CAKOUNES: To my knowledge, no, that’s not something we’ve discussed. And if it is, I’m sorry, I’m drawing a blank on it right now.

There are other leases that have not been vetted by the Assembly, which I assure you once the state auditor’s report is final and comes in, we will be going back and making sure that all those are done properly. You had mentioned the Cotuit property, I think. Cotuit -- not Cotuit.

Commissioner BEATY: Pocasset.
Commissioner CAKOUNES: Pocasset, thank you; the Pocasset property I think might be what you’re talking about. I don’t really remember the discussion on the County Farm lease. Again, I don’t remember how that got put through.

Speaker MCAULIFFE: Thank you. Yes, Lilli-Ann.
Ms. GREEN: Thank you, Madam Speaker. Leo, I’d like to ask you to elaborate further on the Cape and Vineyard Electric Cooperative action taken. I didn’t understand what you were talking about.

Commissioner CAKOUNES: Sure. I can try to do it in simplest terms because I’m not very good at this power purchasing stuff that happens.

But the original -- when Cape and Vineyard Coop was originally formulated, there was, what’s called, Round 1, which was the first group of solar arrays to be put on Cape Cod. And it was done by multiple towns who got together and created Cape and Vineyard Cooperative. They put together this solar array project and then sold that electricity to offtakers, which we are one of them that participate in it.

It was determined at that time by the higher powers not to charge any money for the services provided directly to the towns and to the owners of these arrays. And I’m not going to speak for why it was done, but I’m told it was done because there was an anticipation that Round 2 was going to bring in enough revenue to carry the budget, if you will, of CVEC to do what they do. They do all the monitoring, all the check writing, all the distributing, all the collecting of the funds directly related to those solar arrays.

Fast-forward eight years, Round 2 did not come near to the size that they anticipated, and Round 3 never happened. So, basically, right now CVEC is operating with their
operating budget solely on the revenues that they bring by the Round 2 participants, and it’s not enough to maintain what they do.

So the discussion at the board, and it went on for a long time, believe me this has been on for over a year-and-a-half; one of the options was to go back to the Round 1 participants and ask them, for lack of a better explanation, to pay your due share of what it costs to run Cape and Vineyard Coop.

And they asked for one cent adder to be added and every community agreed to it. The board decided to hold off. We redid the budget; I say we -- CVEC redid their budgets and cut corners and found that they only needed a half-a-cent.

So the effects to the County is about $1,300 less we will be receiving in REC credits; is that the right word? Pardon me on my -- but our credits that we’re getting in this electric company. So the documents that we signed today were about -- cost us about $1,300.

And sitting on the CVEC board and being a Commissioner, I see what they do, and it’s well worth 1,300 bucks to us because we couldn’t find anybody to do that work. And I believe all the towns that signed on had that same sentiment.

Ms. GREEN: Thank you for that. I would like to ask a question about the Cape Light Compact. I just learned this morning at a meeting with my town manager about --

Speaker MCAULIFFE: It’s just a question about the Cape Light Compact. Aren’t you the representative?

Commissioner CAKOUNES: I am. Sorry, Ed.

Mr. LEWIS: It’s not on the agenda.

Ms. GREEN: I would like to know if you --

Speaker MCAULIFFE: It’s a question. We’re not going to have a discussion. It’s a question.

Ms. GREEN: -- if you have any knowledge of the Cape Light Compact initiating a replacement to the Intergovermental Agreement that established the Cape Light Compact and replacing that with a new, what’s called a “Joint Powers Agreement”?

Commissioner CAKOUNES: I do. And, quite frankly through the Speaker, I believe that this a very appropriate question on two-folds. Not only am I your Barnstable County’s representative to the Cape Light Compact, but you all are aware of the fact that there is a Separation Agreement on the table. And in that Separation Agreement, Cape Light Compact is charged, if you will, or has agreed to come forward with some kind of a plan to, again, divorce themselves, if you will, from using the County as a fiscal agent.

And you are correct, Ms. Green; they have a plan that they’ve submitted to their full board. It is on their website, and you had the correct terminology, Power --

Speaker MCAULIFFE: Joint Powers.

Ms. GREEN: It’s called a Joint Powers, plural, Agreement.

Commissioner CAKOUNES: Yes, Joint Powers Agreement; thank you. My understanding of it, this Joint Powers Agreement, is a relatively new avenue and which has been made available through state legislation that only passed about a year ago. And what it’s going to do, it’s going to allow the Compact to reorganize, if you will.

And, again, trying to keep in real simple terms, they will be able to apply for their own 04 number. They will be responsible for their own employees. They no longer will be employees of Barnstable County or if they were to move to another town.

In their current structure, their employees would be then employees of that town, and that has not been acceptable to my understanding from any of these host towns. So this
avenue that they are pursuing, it appears that it’s going to be moving forward. It was first presented less than a week ago, and I have not heard any rumblings up, down, or left, or right about it. But they are going down that road to answer your question.

Ms. GREEN: Thank you. I have a follow-up question. So given the fact that my town’s attorney is working, from my understanding, in cooperation with Cape Light Compact’s attorney, BCK Law, I presume; have the Commissioners discussed this or if the Commissioners haven’t discussed it, would you have a plan to discuss it so that our County attorney would also be working in cooperation to review this proposed Joint Powers Agreement?

Commissioner CAKOUNES: Is your attorney --

Ms. GREEN: Kopelman & Paige.

Commissioner CAKOUNES: Kopelman & Paige, yes, thank you. Kopelman & Paige, and once again this is to my understanding, Kopelman & Paige represents a number of communities here on Cape Cod, a number of which are associated with and members of Cape Light Compact.

So BCK Law, and I give them credit for this, figured instead of putting a document together and having 15 town attorneys tear it apart to why not sit down with the biggest attorney who represents most of the towns and get it approved by them because they would be sending their approval check to their town that they represent, and, subsequently, they could get this ball rolling.

I’m not going to say that that’s their idea behind it, but that was kind of what was expressed at our board meeting, the Cape Light Compact board meeting because Kopelman & Paige’s name was mentioned a number of times.

To answer the second part of your question; no, the County will not be spending dime one looking into anything until April 1 when the deadline expires and Cape Light Compact hands us a request to either extend the current agreement or says to us we have a plan in place, and we’ll be leaving by June 1.

Other than that, I see no reason whatsoever to have anything reviewed at this point by County Counsel. We are a member of Cape Light Compact; however, we’re not -- we have a different pony in the game.

Ms. GREEN: Thank you.

Speaker MCAULIFFE: Thank you. Anyway, yes, Ron.

Mr. BERGSTROM: Leo, have you had in front of you an estimate of anticipated revenues for next year?

Commissioner CAKOUNES: We don’t. I have, personally, some calculations, but the Commissioners have not received that documentation yet. That’s what’s going to be given to us next Wednesday. That’s going to be on the agenda.

Mr. BERGSTROM: Obviously, you’re under an obligation and we are under an obligation to pass a balanced budget, which means that revenues -- anticipated revenues have to match expenses.

So at this point, I mean do you feel confident that’s -- in other words, are you going - - where is -- is the dog -- is the pony in front of the cart or is the cart in front of the pony? Where are you in reviewing the budget if you don’t know what you have to spend? That’s the question.

Commissioner CAKOUNES: Well, the only way I can personally answer that, and, again, I stressed this enough; the Commissioners have not received official documentation from our finance department or the Administrator of what they are going to present as the
FY18’s proposed income or revenues.

Mr. BERGSTROM: Okay.

Commissioner CAKOUNES: Now, with that said though, as you know and maybe some of the other members here know, I do my due diligence, and I have taken what the requests are in front of us today, added them all up, taken what I feel is a relatively decent estimate for proposed revenues in FY18, and feel that the current document that we have in front of us is about $300,000 to $400,000 over.

So either I’m way off $300,000-$400,000 off on projected revenue, which I may be, or the budget has to be cut by $300,000 or $400,000 using my projected revenues.

Mr. BERGSTROM: Yes, I guess I’m just not following your process. Normally, you know, you were on the Finance Committee in Harwich; I was in Chatham, and the Administrator would present a budget, would present a balanced budget.

Commissioner CAKOUNES: Right.

Mr. BERGSTROM: So at some point is the Administrator going to present you with a budget or is this just going to be a work in progress until --

Commissioner CAKOUNES: What we’ve decided to do, and by we, meaning myself and Finance Director and the Administrator, is just because of the time fact that we have a new Commissioner on board and wanted to make sure that all the departments were presented properly, we have taken -- I have taken the action that we’re going to hear all the requests from each department that have gone through our finance department and our Administrator, but they are presenting it to us as their requests.

Then next week we’re going to have the open budget discussion where we will be listening to what our Administrator and Finance Director believe that are areas that can be cut, but we’re taking the -- I’m taking the stand that it’s going to be the Commissioners’ actions. Its’ going to be the Commissioners’ budget.

So there is not a formal administration budget at this time, nor do I think that will be presented this year. If that changes next year, I don’t know, but this year’s process got tweaked a little bit.

Mr. BERGSTROM: Yes, I don’t want to belabor this point but we can all estimate what expenses are by looking at the budget and what each department has. As far as revenue, it’s basically throwing darts at the board. I mean within reason you can estimate it. Do you feel that there will be an agreement, let’s say, a consensus going forward as to revenues because that could be part of the debate?

Commissioner CAKOUNES: Oh yes, as to revenue, absolutely. I don’t think there will be any discrepancy as to revenue. I think it’s going to be clear-cut. I don’t believe that our current finance director has been as aggressive in projecting revenues as our previous finance director has been.

And that, again, as far as I’m concerned, that’s been always my problem with revenues here; the others are pretty cut and dry. I mean the only one we have to really guess on is the Registry of Deeds. Tax increase is a tax increase. You know, it’s pretty cut and dry.

Speaker MCAULIFFE: Thank you. Any other questions? Yes, Jim.

Mr. KILLION: Thank you, Madam Speaker. Good afternoon, Commissioner. Earlier you referenced a report that the state auditors were preparing for the County. Is there any anticipation of that being available prior to this budget being voted on, or do you anticipate having any impact on our revenue for fiscal ’18?

Commissioner CAKOUNES: I don’t think it’s going to have any impact on the
revenue for fiscal ’18. I think it may have some impact on some expenditures for fiscal ’18. And to answer your questions, no, I don’t anticipate it before our vote on the budget February 8th. I do anticipate it after that though.

So you may be privy to it for your deliberations, but I do not believe we will be.

Mr. KILLION: Thank you.

Speaker MCAULIFFE: Anyone else? Thank you, very much.

Commissioner CAKOUNES: Thank you.

Communication from County Administrator Jack Yunits

Speaker MCAULIFFE: The next item on the agenda is a brief communication from Jack Yunits regarding administrative priorities.

I asked Jack to come in because even though he has been before us on a regular basis, we have new people and he’s got so much on his plate that I sort of want to know which ones were top on his list so that we can see what he’s working on right now. And then I’m sure that everything else is still on the list. It’s just what has risen to the top for the next few months.

Thank you.

Administrator YUNITS: Thank you, Madam Speaker. As a point of order before I begin, to get back to Mr. Ohman’s question regarding the farm; the lease expires next year, so it will be point of discussion coming forward.

When we talk about our priorities, we have to look at both long-term and short-term priorities. And we can’t forget what our chairman likes to remind us three or four times a week that our preamble says, “That we are established to aid our communities to deal with regional issues that transcend the existing boundaries in municipal government.” And that obviously means first and foremost, water and wastewater. Critical issue, sole source aquifer, very complicated.

To do that, our budget has to be sustainable. And the focus of the administration right now is to take a look specifically at our revenues and our projected revenues, actual expenses, and then try to comprehend by juxtaposing that, those two items, what the actual cost is to our departments. Are our programs in today’s world still as appreciated and necessary as they were 10 years ago? Remember, 10 years ago we had $12,000,000 in reserves.

Healthcare was only a minor issue. OPEB and unfunded pension obligations were just conversation items. Today they’re mandates.

So there are pressures that are coming at our budget from areas that we didn’t forecast 10 years ago. And maybe some of the programs that we’ve been operating with over those 10 years need to be changed.

We’ve asked all of our department heads to do that. And I must say that our department heads did a very, very good job in putting together this year’s budget. There were very little increases, and the increases are mostly attributable to the fact that we’ve asked them to change line items and account for things like utilities, OPEB, unfunded pension, healthcare costs in their specific budgets rather than having a global line item under the finance budget.

The way we set up the budget is really unique. And my full compliments to the chairman because as it develops, I’m beginning to see a bit of a stroke of genius in how he set it up. This year we asked our department heads to come in and present their budgets.
with our limits in mind, but to present their budgets as they see fit before the Commissioners before we make cuts. And they’ve done an incredible job doing that.

The way the chairman has set it up is next week we’ll have the overall discussion on the budget, and the following week we’ll actually have the budget workshop. So the cuts will be a huge part of the discussion going forward.

As how we see revenues and what those revenues will be this year, I don’t see any marked deviation from what we projected in the budgets we’re presenting to the Commissioners. The department heads were pretty good at allocating their revenues through grants. And we have a general consensus what those revenues will be from the Registry. They are up a little bit from the Registry. We’re not seeing the impacts of the tax hike yet but we will. But we have some, unfortunately, new challenges such as OPEB, healthcare costs that we’ve asked our department heads to put in their 12 percent. We haven’t got that number yet, and that’s why the numbers of the budget aren’t final. We do expect to have that number this week.

We know the Sheriffs’ Liability Pension Fund Liability has gone up another hundred thousand. We expect healthcare costs to go up $300,000, maybe more.

So, it puts us in a really tough situation. If I told you that 10 of our towns right now, their whole contribution in their tax assessment goes just to offset the Sheriffs’ pension obligation, you would understand how difficult it is to get services back to those towns.

I’m not going to talk about the value of that. I will tell you that the chairman and I are working on that, and we hope to be working on it with Representative Peake and look forward to finding out if there are alternatives that we can deal with.

Plymouth County today filed a bill, House Bill 60, I believe, to increase the proportion of deeds tax that’s collected currently, not raising taxes, but currently collected and sending it back to the counties. We’ll see where that goes. That could be significant to us. It could be at least three-quarters of a million dollars more, which would take a lot of pressure off. Instead of going to the state, that money would then go back to the County where it should go back.

These kinds of pressures make us very cautious as administrators and budget directors to try to figure out where we want to go.

So what we’re going to try to do in this budget next week and the week following is not just show the Commissioners a typical one-liner about revenues and a one-liner about expenses. We really want to try to show them the cost of the services that we provide.

Mike Maguire so happily said today in his budget presentation that he’s actually going to undertake what’s going to be a very laborious overview of the services they provide the towns and try to put together a white paper that shows what those towns are receiving from the efforts that he puts forward.

Some of these services are hard to measure. Tick borne illness may strike Brewster, as it did last summer, at a much higher rate than it struck other towns. But some of the work that the Extension Service did saved people’s lives. And how do you put a value on that?

We’ve got pressure; we’ve got huge pressure on us with the AmeriCorps program. Ten years ago that was self-funded. Today, it’s a half-a-million dollars out of County money going to the AmeriCorps program.

So I asked the AmeriCorps program to do an evaluation, and they did an extensive, elaborate evaluation which they submitted to the Commissioners two weeks ago, and I’ll try to get it forwarded to Janice tomorrow so you all have a copy. It was well-done and it
shows the value of what the kids can do for the County and what they do for the towns. How do we value it? These are the kind of things we want to talk about going forward in the budget discussions in the administration -- in the budget overviews the next couple weeks.

And, again, I can’t say enough. This opportunity’s been provided to us because the chairman said we’re going to change our ways, and we’re going to figure this one out in a structural balanced way.

We look at water and wastewater, as I already said, as being a critical issue to us going forward. We have to do cost-effective analysis of things like the dredge and the septic betterment program and try to use them as a model with the enterprise accounts. It may well be that we can improve our lab to start testing for CECs, Chemicals of Emerging Concern. We have the equipment. We have the technical capacity to do it.

But in the end, we’re going to have to do a cost-benefit analysis that satisfies the Commissioners that we may lose money for four years, but it’s still a good investment or we may not want to do that at all. We may want to outsource the whole lab. These are the kind of questions we have to start to ask.

IT is another one. Can we partner with OpenCape and deliver high-quality services to the County? We know a lot of them need it. There are towns right now in our County that store their data below sea level. They run their servers below sea level. That’s an extremely precarious position to be in in today’s day.

So we have to figure that out with -- and we have to do it soon. If we don’t have a plan in place by July 1, we could miss the boat on it. So we’re going to work very aggressively in the next few months on that issue to see what we can do to help IT services get to the County and maybe provide some of the financial assistance the County needs. By that, I mean in terms of technical input, not person to person.

If we can do some of these things in the next six months to a year, we’ll begin the next fiscal year on a much higher level. We have to just be very, very careful, and we have to certainly present data to our Commissioners that show that this program should continue to run or this program should be cut loose.

I don’t want anybody to draw conclusions from anything I say. We’re just looking at the numbers right now. We’re not looking at the priorities, and we’re not looking at policy. We’re going to look at the numbers and we’re going to try to get that data to the Commissioners, and, in turn, of course, they’ll give it to you so that we make intelligent decisions about if we’re going to eliminate services what those services are that we’re eliminating and why. If we’re going to add services, they better be cost effective or it’s not going to work.

Even with the projected revenues from the tax increase, and thank God we have it given the pressure that’s been put on us by other sources this year. We’re not in a position to grow yet, but we could be if we start to run our budget a little more carefully. We should be accumulating more revenues going forward. We could do it with an effective IT department, and we could do it with partnership with OpenCape. But these are going to have to be things to be determined. That’s a critical piece with OpenCape but it’s very complicated.

And finally on the Fire Training Academy, again, I thank the chairman for his efforts. We’re getting real close to resolving that. I do want to say that the very important extraction piece will begin Monday. It’s been postponed because of frozen ground and snow but it will begin Monday. And the most dangerous part of the academy soil will be
removed on Monday and Tuesday.

Steve Tebo and I are meeting with some engineers tomorrow to talk about how to reconstruct the site so that there’s no more runoff going into Flint Rock Pond and making sure there’s no runoff that goes anywhere else off the site going forward.

You know now that PFOS has been banned for 10 years out there, but the Fire Academy has turned around. Marshal Coan, Paul, and George have done an incredible job in bringing back a high caliber of programs to the Fire Academy. In fact, it’s starting to attract off-Cape attention. And we see it as being a very promising future. We’re, again, talking about creating an enterprise account for the academy because we do think it will be self-sustaining in a couple years.

Their partnership with Mass. Maritime could be huge for us, and Coast Guard training will be conducted there. So we’re going to do everything we can to do it right and make sure that our neighbors in Barnstable are satisfied that these plans to keep the academy running are doing -- are following all kinds of the highest environmental standards.

So that’s just a summary of where we want to go, a short-term summary, obviously. We’re not looking beyond the next year.

Speaker MCAULIFFE: Thank you. Any questions? Yes, Ed.

Mr. LEWIS: Thank you, Jack, for that lengthy speech/presentation, whatever you want to call it. You’re putting in the budget as of now 12 percent for healthcare?

Administrator YUNITS: Yes.

Mr. LEWIS: I think many towns -- I know school districts are putting in 10, so you’re being very conservative at 12, but you’ll have a number at some point shortly, right?

Administrator YUNITS: I think the vote is this Thursday.

Mr. LEWIS: Okay. When it comes to all these things that you talked about, I would hope that we look at things that the County is doing because the towns can’t do it themselves and it needs to be done. Because sometimes we do things, towns do the same thing because it’s a good idea to do it but it’s not something that has to be done.

Administrator YUNITS: Okay.

Mr. LEWIS: The other thing I would ask for -- in the town, the town reports every year, at least in Brewster it is, it’s a list of all the employees, all the full-time employees, all the part-time employees. Does the County have that type of list?

Administrator YUNITS: Yes.

Mr. LEWIS: Could we get a copy of that just by department, you know, these are the employees full-time and part-time?

Administrator YUNITS: I’ll have it sent over to Janice tomorrow for distribution, I should say. I did send over a report today that came out from the state auditor on the cost and projected costs of wastewater infrastructure in Massachusetts generally. You’ll find it good reading, so Janice can forward it out to you as well.

Mr. LEWIS: Thank you, very much, and good luck with that.

Speaker MCAULIFFE: Yes, Pat.

Mr. PRINCI: Thank you, Madam Speaker. Just a quick question regarding the Fire Training Academy and its finances going forward. Have you had any discussions with the current leaders over there about as you talk about enterprise accounts about having possible betterment fees put in place? Betterment fees in a sense that the monies from those betterment fees could possibly go to the County accounts and help pay off some of the County bonds that we might have to occur to pay back the Town of Barnstable?
Administrator YUNITS: We haven’t had the discussion yet, but it’s certainly a priority with the speaker -- with the chairman that we engage in that kind of conversation going forward with the towns.

Speaker MCAULIFFE: Yes, Ron.

Mr. BERGSTROM: You know, obviously, we’re all representatives of individual towns. And as the budget process proceeds, there’s talk about the Wastewater Collaborative, and there’s talk about AmeriCorps and so on. So the voices, you know, there’s people listening in these towns are saying, “Well, what is this going to mean to me?”

So if I were to go in front of the Board of Selectmen in Chatham who is now, currently, trying to put together a budget and their budget could be conceivably affected by what we do. In other words, any cuts may mean something for them.

Now some cuts, like, for instance, AmeriCorps does some clearing that doesn’t have to be done but it’s sort of optional. They do some clearing, but they also do things that the town might have to replace if AmeriCorps was not available.

So, if we go before our individual communities in anticipation of the County budget, what can we tell them? What we tell them -- in other words, there’s going to be -- is there going to be financial impacts to them? Are there going to be services they’re going to have to pick up?

For instance, in IT we do things and Extension Service will do things. Some, like Ed said, don’t have to be done but some would have to be replaced if they weren’t done.

So, I mean, do we have an idea?

Administrator YUNITS: Well, I think in times of crisis you have to make overnight decisions, but we don’t have to make an overnight decision on programs like the AmeriCorps program. We’re midway through a three-year contract.

So that what we have to do in the short-term in analyze with data how we can modify the AmeriCorps program on Cape Cod so that a year and a half out from now when we reapply for this updated grant for AmeriCorps that we’re pretty specific about how we want to use this program going forward.

And the type of reports we got back from the towns tell us a lot about what we should be doing in the future. It was a huge amount of feedback that we got from the towns on the AmeriCorps program. So we’ll implement that, and we’ll throw that by the numbers.

We have some real issues to deal with in Pocasset. I don’t know how much longer we can continue to afford that house, which means a 33 percent cut to AmeriCorps program already, unless we can relate those kids. So that’s something we’re looking at right now.

Mr. BERGSTROM: You know, I’m not just thinking it’s fiscally. What I’m thinking about is if we -- if you and the chairman look at the benefit of various programs to the towns, the first thing you should do are ask the towns.

Administrator YUNITS: Yes.

Mr. BERGSTROM: In other words, go out and meet -- go out to our towns and say, “Do you value this program? Do you think this is worth it?” Rather than have us decide just as a County whether we think it’s worth it to them.

So it’s probably more up to us than you, but I would be interested to see, for instance, what the individual towns think about the Wastewater Collaborative. I’d be interested to see whether they think the IT contracts are a benefit to them; do you know
what I mean?

Administrator YUNITS: Well, you know, one of the great things about working for Commissioners that stay so engaged with the communities is that today, for instance, when Mike Maguire talked to us about the 9C cuts and the impact that’s going to have on the County’s ability to purchase shellfish seedlings, which is critically important to the Cape, the Commissioners jumped right on it. They said, “We’ll find the money.” We have to find the money.

The program is too huge to too many of Cape Cod towns, and the numbers that we heard today, 1,700 individual licenses and 1,000 commercial licenses for shellfishing on Cape Cod.

When you think about a small cut that the governor made, it’s a huge cut to an industry. So we have to figure that one out. And the Commissioners understand that and they jumped right on it so.

Speaker MCAULIFFE: Thank you. Lilli-Ann.

Ms. GREEN: Thank you, Madame Chairwoman. Jack, I have a couple of questions in several different areas. The first is about AmeriCorps. If you could clarify, I’m my town’s representative to the Cape Cod National Seashore Advisory Commission and they talk about AmeriCorps quite a lot. And I assumed that that program was funded by the Cape Cod National Seashore. Is it County funded or is it --

Administrator YUNITS: Yes. We get a grant from the federal government for half the program and we match it. It’s about a half a million dollars to the County a year.

The National Seashore is a tremendous partner with us. They provide us with two residences and the AmeriCorps members do a huge amount of work for the National Seashore.

I remember George Price saying at an event last spring that in one week along they did close to $47,000 of work in upgrades and maintenance to make sure that the park was ready for the 100th anniversary in one week alone.

Ms. GREEN: But that is County funded; it’s not Seashore funded?

Administrator YUNITS: No.

Ms. GREEN: I see. Thank you. I appreciate the clarification. I don’t know why I just assumed that. I guess because they had been talking about it like it was their AmeriCorps people. They have great pride, I guess, in what the AmeriCorps is doing.

Speaker MCAULIFFE: She has a couple questions.

Ms. GREEN: Yes, and also along that line, are you in discussion with the park about the relocation? I mean, maybe perhaps using other park facilities to house those AmeriCorps kids?

Administrator YUNITS: We haven’t got that far yet. Steve Tebo and I are going to be working on a white paper that talks about the challenges we found out about Pocasset, and it’s a complicated piece of real estate. We have very little control of them.

Ms. GREEN: Because I do believe that that could alleviate some of the pressures for the County. It’s possible that there could be a partnership. I think there are some openings there for discussion.

Another area I wanted to ask you about was OPEB contributions. I met with Mary a few months ago, and it seemed to me that she said that there was a separate fund that you were going to be setting up for that specifically. Could you update us on the progress of that and if it’s -- and the funding progress as far as that’s concerned?

Administrator YUNITS: Last fall, the Commissioners passed a request to set up an
irrevocable trust for our OPEB deposits, and we’ll be doing that, I believe, through Rockland Trust, so that it will be like an investment account, but it won’t be available to the budget process. Once you deposit into the OPEB account, it’s an irrevocable trust, and that’s how we’re going to handle that going forward.

So every year it will be a set figure determined by the Commissioners that will go into that OPEB trust.

Ms. GREEN: And when will that be set up?
Administrator YUNITS: It is.
Ms. GREEN: It is already set up.
Administrator YUNITS: I believe it is, yes.
Speaker MCAULIFFE: I’m going to interrupt for just a second, could you clarify for the new people what the OPEB is?
Administrator YUNITS: Its Other Pension and Employee Benefits that areunderfunded.
Speaker MCAULIFFE: Okay. Thank you.
Ms. GREEN: And to that point that it is already set up, I know Mary and I were discussing the fact that the Cape Light Compact has set aside money to fund their portion of OPEB. Have you made a request to them to transfer the money to the trust?
Administrator YUNITS: We’ll wait until April to do that and see what the final determination is. Yes, if those employees follow out of the County with this new structure, and I haven’t seen it so I can’t comment on it, that would end our obligation for their OPEB obligations, so I understand.
Ms. GREEN: So in other words, you’re waiting for a final number that you and CLC determine is a correct number while that money is still sitting in a pot over there at CLC?
Mr. LEWIS: No, it’s not.
Administrator YUNITS: No, I can’t speak to the CLC, but I can tell you we have actualized it. We know what the number is. It’s approximately two and a half million.
Ms. GREEN: And another -- just my last question is I know that several months ago I had provided you with a list of questions, and you said that you would get back to me, and you said to the Assembly that you would get back to me with the answers and I’m grateful to that. So could you tell me the progress of getting back to the Assembly with the answers to the questions?
Administrator YUNITS: Mr. Troy’s going to talk to you about that after the meeting tonight.
Ms. GREEN: Okay. Thank you, very much.
Speaker MCAULIFFE: John.
Mr. OHMAN: Thank you, Madam Speaker. I was just going to clarify that I’m proud to be on the advisory board for AmeriCorps and they do a fantastic job. We need to keep them. There are several County employees that have emerged from AmeriCorps including Mike Maguire.

But I think that the Seashore does provide some financial support. They give them the little HAC House which is a legacy property on the Seashore. So 13 members are housed there at the cost of the National Seashore. And also they have a second house where there are six firefighters. They get all their equipment and all of their housing through them. So, yes, they are a very good partner and financially they do help a lot.

Speaker MCAULIFFE: Thank you. Down here? No. All right. I’m going to -- oh,
Mr. LEWIS: I don’t know why I do this but I do it. The Cape Light Compact when they set up an OPEB for their employees, in all likelihood when they leave and go that goes with them because it was set up specifically for their employees out of their money for them. And it’s anything that they have set up. It’s in order for their employees for their retirement. So it’s not something that was set up within the County. It was set up by the Compact for their employees. So it will go with them.

Speaker MCAULIFFE: Thank you. I just wanted to comment very briefly. Thank you, very much, Jack. I asked for just a brief overview of what’s on his plate today. As you know, in a few months he’ll be tackling some of the other things on his extensive list of things to do since he got here.

But one of the things I was hearing, which is different from before you came is that you’re looking at departments as cost centers. So now you are making every department accountable for all its costs, not just a few of its costs and then taking things out.

So that gives everyone a much better look at the departments in terms of their value to citizens and to municipalities if you know all the cost in a particular department. Whether the department is self-funding or self-sustaining is another issue, but at least now you know all the costs.

And the other thing I heard was also wanting to streamline some things, which I think is something that we all appreciate in financial times is that once you get a cost center approach to things, you can also look at streamlining some of the services or is it beneficial to continue things in the way we’re doing them? If we want to continue them, is it more beneficial to do it in a different way, which I think is very helpful.

So these are, to me, major changes and shifts in the budgeting approach that I think will make our budgeting process, hopefully, easier and it will be different than it was last year.

Ms. GREEN: Madam Speaker.

Speaker MCAULIFFE: Yes.

Ms. GREEN: May I just -- one more question. To Mr. Lewis’s point, I would like to just make one statement and ask Mr. Yunits to really check and make absolutely certain that the OPEB and how the rest of the unfunded liabilities with regards to the CLC employees; I mean we need to know that I mean for the County.

Speaker MCAULIFFE: He will take care of that.

Ms. GREEN: Okay. Thank you.

Speaker MCAULIFFE: And I will request that they get back to you with a specific answer on that.

Mr. BERGSTROM: Madam Speaker.

Speaker MCAULIFFE: Yes, Ron.

Mr. BERGSTROM: I have a question. I don’t know why I do this but I do. You know, it would seem like a good idea, as the Speaker says, to look at the total cost of each department. Does every employee in the County take healthcare benefits?

Administrator YUNITS: No.

Mr. BERGSTROM: No. So that really my only little fly in the ointment is that a department could be discriminated against because they do take healthcare. In other words, they become -- rather than look at the -- if you look at their salaries, you might say okay. But if you say, well, okay, this department has two employees that take healthcare, and because they take healthcare, they could suffer being, you know, laid off.
Do you know what I’m saying? Is it because all of a sudden they’re more expensive, and I don’t know if that violates the law in Massachusetts but it certainly would violate policy.

Administrator YUNITS: I think when we talk about the cost of departments, we’re not trying to juxtapose department against department. We’re trying to see if there’s a segment of that department that maybe is providing a service that isn’t essential to us anymore.

Mr. BERGSTROM: Okay.

Administrator YUNITS: And that part of the department would probably be either attrited or terminated depending -- and we’re a long way from there. We haven’t identified anything yet in this County that needs to be rooted out, but we have looked at things and saying that maybe the County shouldn’t be in this business and maybe we’d have to start to construct a long-range plan for changing that.

Speaker MCAULIFFE: And it goes the other way too, as you were saying. There was some opportunities in some of the departments like up at the lab.

Administrator YUNITS: Right.

Speaker MCAULIFFE: Maybe there’s some opportunities to ramp up some things to generate more revenue if you know that the costs are X and you want to make that self-sustaining.

Mr. BERGSTROM: Well I’m not, again, looking at cost. I just want to say that I don’t feel that someone should be penalized for taking benefits.

Administrator YUNITS: Right. No, we agree.

Mr. BERGSTROM: Make sure that doesn’t happen.

Administrator YUNITS: Yes.

Speaker MCAULIFFE: It’s just a different approach to the budget than we’ve seen in the past.

Administrator YUNITS: One of the things I learned from going around the towns too is that the dredge is important to everybody. And the problem with the dredge is there’s often a lag in permitting. So Paul and I are just trying to come up with a strategy so that our County can sign a comprehensive contract with the towns, which would include taking it from permitting to dredging. That would kind of help us guarantee that a warrant is approved by the Town Meeting if we’ve already invested $100,000 in a permit.

But it could be a very effective way of keeping the dredges operating in an efficient manner and a very effective way of keeping our harbors clean.

Speaker MCAULIFFE: Great. Thank you, very much.

Administrator YUNITS: Thank you.

Communications with County Counsel Robert Troy

Speaker MCAULIFFE: Our next item is our County attorney Mr. Robert Troy. And on the agenda our open meeting conflict of interest public record law updates. There are some changes that he will tell you about and then other general legal questions.

I don’t think this is going to be an every question you ever had type moment, but certainly hit the hot topics and then we can have some of our legal what if questions answered. Thank you.

County Counsel TROY: Thank you, Madam Speaker. First of all, I want to congratulate the new members of the Assembly. When I first came in, I tried to scope out
who was new but you played musical chairs keeping us sharp. And also congratulate Commissioner Beaty.

The first thing I want to say -- I’m going to be very brief. I’m going to be making references because these statutes to make these references to the governmental entity, and I just want to direct attention.

I think in the recent couple of years, perhaps because we had an interim administrator, things kind of devolved to the point that we forgot that we are as -- we are one institution. And you, the newly elected members and those who had served for some years, are the legislative branch; I know you’re familiar with that. The County Commissioners are the executive branch. But all of you are elected officials.

And I would like, at some point when you get a chance, if you look at the Charter, the Charter is predicated on bringing professional management to one organization, and the County administrator is the person who has most of the powers under the Charter exercised on behalf of the County, which includes this chamber and also the County Commissioners.

So I think we had an interim administrator for a while and things may have dissipated. But if you have any concerns about implantation of the new provisions of this law, the person to contact is the County Administrator because that person is the person that these laws recognize as the chief administrative person of the County.

So I’m going to be very brief. The Speaker instructed me not to get into legalese. I know, lawyers its doze time, and we’re going to do it very quickly. Because the time has been shorten by what’s happened beforehand, I’m going to make it even simpler.

I’m going to take 30 seconds on conflict of interest. You are going to be receiving from the State Ethics Commission by email a training form. You have a deadline of April 7, 2017, to respond to the commission. There is a series of examples that you take. And I want to just tell you something; I took it and I have practiced municipal law/governmental law for a long time, I didn’t do very well. And the way you learn is they kind of trick you. You pick the wrong answer and then you read it and then you say, “Oh yes, I should’ve thought of that.”

But if for some reason after you do that before April 7th and you want to come back and you want to go over those provisions, if you request the Speaker, I’ll be happy to come back.

And I had furnished you materials but the materials -- that particular statute, the conflict of interest statute, is more arcane and more difficult to absorb than the others. So I’m happy to do that. And, as I say, I will wait to hear on that.

The second is public records. Now this is a very complicated area of the law. And I brought with me the -- all that I sent you -- a portion of a summary of the new Public Records Statute which just went into effect January 1st. It is too complicated and, frankly, not to what the Speaker directed me to do. The Speaker directed me just to concentrate on those areas of the law that pertain to your duties as an Assembly person.

So as part of that, I looked at the big difference not only that this statute addresses, but the big difference in being a public official in terms of accountability for public records, and I found on the web an excerpt from the Pioneer Institute of Public Policy Research, which is a Boston think tank. And I believe Gregory Sullivan, who used to be the Inspector General of the Commonwealth; I think he’s in charge of the Pioneer Institute, so this just briefly will segue into the importance of issue -- of this issue.

And that website says, and it bears repeating; now this is the words of the website, not mine. “It bears repeating in the modern era any communications by law for a public
official and, in fact, for most of us is potentially public, a cautionary tale for emailers and texters of all ages.” And it goes on to say there was political advice, and I don’t know whether this is just or for real, that was given by a man named Martin Lomasney, who was the ward boss of Ward 8 in Boston. And it says, “Martin Lomasney, an old west end political boss from Boston is best remembered for his warning to young politicians everywhere,” and this is what he says, “Never write if you can speak; never speak if you can nod; never nod if you can wink.”

And then it goes on to say, and I’m reading a quote, the saying is updated on the Wikipedia page by none other than Eliot Spitzer, who says, “Never put it in an email.”

The email is the mechanism that the law is now attempting to control. And if you look at the definition of public records, which is very broad definition, one of the changes in the public records definition and it didn’t happen recently; I went back and I looked at it. It happened in 1974. We all know what happened in 1973. It’s obviously a modification in the law brought on by the Watergate crisis. And what it did was the original public records statute referred to records of a governmental agency but the law changed.

And if you look at, and it’s on page 7 of the materials I gave you; it talks about all books, papers, maps, photographs, recorded tapes, financial statements, or other documentary materials or data regardless of its physical form or characteristics made or received by any officer or employee of any Massachusetts governmental entity. So that means if you look at that definition, you are all officers of a Massachusetts governmental entity. And it means that any communication you have that you either make or receive is presumed to be a public record.

And the presumption that it is a public record is a presumption at law, and it’s up to the person who is being furnished the request to determine whether there’s an exemption. I’m not going to get into the exemptions; they’re in the materials. But the key to it is is that you have to understand that any communication that you have is presumptively a public record.

Now the law has changed and the new law that has just gone into effect as of January 1 requires governmental entities and that’s why that’s going to be Barnstable County/Cape Cod Regional Government, whatever you want to call it, acting through the County Administrator to designate records access officers.

And the importance of that position, those people who were picked, is they are going to be making the determination if you have something, a request for a public record whether or not they come within the exemption. And if they do come within the exemption, they’re going to redact it and there could be appeals, which we’re not going to go -- but if they don’t, then they’re going to produce them.

So this goes to step one. I referred to this in the earlier presentation I made to the Assembly. And at the time, if you remember, I didn’t know the answer. I said who -- if you have a Barnstable County address, email address, are they kept? Are they here? Are they -- and this was before the law now requires that they be preserved. And the answer we found out through the courtesy of the County Administrator was, yes, they are kept, which means that every time you write an email if you’re using that address, Barnstable County has that. Or, any email that you may receive from another person who’s using that address, Barnstable County has it. Or, if you have an email between two people who use different servers but it’s forwarded to somebody who has a Barnstable County email address, Barnstable County has it.

And so the answer to it is -- if there is a request for those documents so, for instance,
if I want all of Mr. Lewis’ emails, I am going to request Barnstable County and they’re going to have it and they are going to make the decision. This segues to the second point.

The decision as to whether or not that email is going to be made public is going to be Barnstable County, acting through the administrator’s designation of the records access officers.

So keep that in mind. If you are emailing, you have to contemplate, and I’m sure all of the emails that we’re talking about, I’m sure every email from every person in this room is completely proper.

But sometimes there’s a mistake in wording or sometimes there is a lack of precision in terms of how a particular thought is expressed; those are thoughts that you should contemplate may become public.

Now, if you do not use the Barnstable County address and you use your own address, then a request is made for all of, once again, one of the Delegates’ emails, what’s going to happen is Barnstable County will look at its email server and make decisions about what emails are, and then the records access officer may say, well, do you have any emails on your server or on your machine, computer, whatever, that we don’t have?

And then you face a conundrum. If you have emails that deal with, you know public business or otherwise, you are going to have to cooperate with the records access officer and turn them over. And if you don’t have them, then, obviously, you can’t turn them over.

And so therein lies the kind of lesson about emails and the differences that this law makes as of January 1. And, as you know, there is a presumption in favor of public access to all records that has been solidified by this statute.

So I think that the key focus in terms of public records is emails, and you need to step back from your busy days and all of a sudden say, well, let me think for myself about this. How -- what is the best policy for me, and what is the way in which I am going to prepare myself for the legal recognition that almost all of my emails, particularly if they do with any public business, may become public? And that goes on a day-to-day thing when you are writing emails and when you are transmitting emails and sharing emails and sharing information.

So I leave that at that point. Now, if anyone has any questions that we’re not going to have time to talk about and there’s something I’ve said, if you forward them to the Speaker, I will then respond as directed.

And, incidentally, one other thing on the public records; the new statute also requires the governmental entity, in this case Barnstable County, to have a policy for retention of records, and it’s a very intricate policy about storage and the boxes have to be labeled, and you can’t smoke in the room, and they can’t be in a room where there’s too much humidity. And so you can see they really put a lot of teeth into this statute. So, it’s just beyond the new phase of it, and so I think we’re all duly informed.

Now, the second is -- and third, I should say because I’ve done two now, is the Open Meeting Law. First of all, today there is due -- and I asked Janice and forgive me, I didn’t get a complete response, I believe I did but did everybody here sign a Certificate of Receipt of Open Meeting Law materials?

That is due today, and its due 14 days after you’re sworn in, which is today. It’s at the back of the materials that I have. I have a copy of it with me, and I can give it to Janice, and if you haven’t --

Speaker MCAULIFFE: Yes, I don’t believe anyone got it.
County Counsel TROY: Well --
Mr. KANAGA: They’re in the packet.
County Counsel TROY: Okay.
Mr. LEWIS: We’re pretty familiar with this stuff.
Speaker MCAULIFFE: All right.
County Counsel TROY: Right.
Mr. BERGSTROM: Read it all over again.
County Counsel TROY: But you just have to say that you received it.
Speaker MCAULIFFE: Right.
County Counsel TROY: And so if -- I will give my copy to Janice and if we could just copy them and send them, and you can collect them, then we will be in compliance with the law.
And I think Commissioner Beaty has probably done that, but I’m not sure if he has done it and the Commissioners too. That’s due today.
On the Open Meeting Law, I’m going to focus on the key points of the Open Meeting Law. It refers to deliberation and because that’s really the heart of what the Open Meeting Law’s about. It segues with the Public Records Law, but the rules are a little bit different.
So, first of all, you have to have a communication. In order to be in violation of the Open Meeting Law, it has to be between or among members of the public body; it has to be deliberation; it has to be about something within your jurisdiction and has to be outside of the exceptions, which there are a number of different exceptions.
Now the definition of deliberation, again, implicates emails. It says, “An oral/written communication through any medium including electronic mail between or among a quorum.” And then it has some exceptions. For instance, if you talk about agenda or procedural things, you don’t have to comply with it.
But the part of the Open Meeting Law that’s most often violated, and I think it’s violated because people don’t know about it is that provision that says that if one person expresses an opinion by matters within the body’s jurisdiction to a quorum, that’s a deliberation even if nobody else says anything. So if one person emails the whole body and says I think the -- I don’t know why I do this, but the CLC should be -- I just did that for Ed.
Mr. LEWIS: Just to get my ass.
County Counsel TROY: -- the CLC should be regulated or something like that. If you say that, that’s considered a deliberation. That’s a violation. So you have to be careful not to express your opinion to everybody. So it’s not just about conversations. That’s a one person conversation but it is considered a deliberation because you are sending a message to everybody else.
There are some exceptions to the Open Meeting Law. If you look in the materials there on page 5, and I think you know those, but if you don’t and you’re concerned about them, I’ll be happy to get back to you by email. I’m not going to go through them all because of time.
There are provisions in the Open Meeting Law about remote participation that I know people have used in the past. I know the Commissioners have used it. The new members might want to look at that. That’s also possible.
And so at that point, I think, basically, what I would say is that you have to be very careful under the Open Meeting Law not to be in a situation that you either express Lone Ranger style some opinion about everything or you engage in a quorum. Don’t forget, you
don’t all have to be on it. They call it -- if you try to evade the quorum requirements by --

Speaker MCAULIFFE: Serial.

County Counsel TROY: -- serial, yes, a couple send it to one and a couple send it to the other, you’ve violated the law.

And now that you’ve put the two together, the Open Meeting Law and the Public Records, the new statute, you see there is a lot of reason for concern and to be careful that you are not violating the law inadvertently. That would be my synopsis.

Speaker MCAULIFFE: Great. Thank you, very much. I would like to -- oh, John had a comment or a question.

Mr. OHMAN: It’s just very brief. Thank you for the update; it’s very complicated and very difficult. And I did print one of mine out and I read it as carefully as I have within my abilities.

But one of the things that bothered me is at the very bottom of this it says, “Municipal employees.” Does that cover us?

County Counsel TROY: Yes. Under the statute, and I left this out because it was too complicated. They refer to agencies and municipalities and they say it for the purposes of other government forms, you’re a municipality. If you’re a multi-entity or, in other words, they didn’t get into counties, and then there’s commiss -- I mean there’s so many of them. They said everything that’s not is an agency. And the agency generally refers to the state is a -- got the municipal rules, local government rules in other words.

Mr. OHMAN: Thank you.

Speaker MCAULIFFE: Thank you. Questions? Yes, Ed.

Mr. LEWIS: Well I think the place that gets -- in the Open Meeting Law -- that gets violated the most is the agenda. And we’ve had it in various different boards that I’m on; the school district -- the Nauset School District and the Board of Selectmen, and it is that you really have to be within the agenda because otherwise someone can call you on it right away. The obvious being is that the reason that it’s that way is so that anybody who’s interested in discussing something and has a viewpoint on it knows that it’s going to be discussed. And if it’s discussed without that being on the agenda, then you’re violating the Open Meeting Law.

County Counsel TROY: And I agree. And one of the concerns about -- with governmental lawyers about the public comment; the public comment part of municipal meetings is very difficult because it kind of puts the body that is hearing the comments in a difficult position. You’re having people express views and sometimes they have strong opinions and they want answers and you can’t answer them.

Speaker MCAULIFFE: Right.

County Counsel TROY: And what the procedure’s supposed to be is you’re supposed to listen no matter whether somebody does it at that or just a member does it, you say, “We can’t talk about that today. We’ll put it on the next agenda.” And the chair is the person who is responsible for that.

Speaker MCAULIFFE: Right.

County Counsel TROY: The Speaker or Chair, whatever; I’m sorry.

Speaker MCAULIFFE: That’s all right. Ed; other Ed.

Mr. MCMANUS: With our specific agenda, we have these two items that are communications from the County Commissioners and communications I believe it’s from the County Administrator that’s sort of undesignated. And as in practice what happens is they typically say, well, take the County Commissioners, they give a report of what they
did at the meeting that they had just before coming here. And we ask questions about those things, but we also tend to ask questions about items that they didn’t actually give a report or a communication on, which seems to be pushing the limits of what you’re supposed to be able to take up under that very loose definition of an item.

County Counsel TROY: I agree. And I think that what has to happen is there has to be an understanding by the Commissioners that they are providing some information, but it’s not something that we’re going to talk and deliberate about, but there’s a very fine line. And, once again, that’s one that everybody has to understand that if it’s said, well, thank you for the information and we’re going to put it on the agenda for the next -- that is the goal of the statute. You’re correct. Because there are people who may want to see that and even though this particular proceeding is available electronically, a lot of public meetings aren’t.

Speaker MCAULIFFE: Thank you. Ed and Edward.

Mr. ATWOOD: Just a quick question. Just the actual law, does it pertain to anything to do with social media or is it just -- is that acting as a public record?

County Counsel TROY: I’m not sure I understand; I’m sorry.

Mr. ATWOOD: Facebook, social media, Twitter and all that.

County Counsel TROY: Oh no, yes, it applies to all that. And one of the things it applies to is not noted because I think the law is trying to catch up with technology is texting. It applies to texting. Because years ago, you’d try to email somebody but now some people won’t look at their emails. They say they get too many of them.

Speaker MCAULIFFE: We’ll we found that out in the Deflategate that texting is crucial.

County Counsel TROY: Exactly.

Mr. BERGSTROM: Just two quick -- two questions. One is if, indeed, the County keeps records, in other words, if we send emails back and forth over -- not deliberation but just something else, you know, that the County holds onto those. The question is who has access to them? If somebody from outside this organization wanted them, they could file a Freedom of Information Request.

What about the people in house? Suppose I decided that Leo was conspiring against me and I said -- I went to IT and I said, “I want everything that Leo says.”

County Counsel TROY: Well you wouldn’t be able to go to IT. You’d have to go to the records access officer, which would be the Administrator or his designee.

Mr. BERGSTROM: That would be public that I asked for that?

County Counsel TROY: It would not be public. As a matter of fact --

Mr. BERGSTROM: There’s a reason I’m asking this question.

County Counsel TROY: You don’t have to do it publicly.

Mr. BERGSTROM: Okay.

County Counsel TROY: First of all, under the new law they say if you have a record that’s available, and there are a lot of records that are supposed to be posted on the web. But if somebody comes in and they say, “I want a copy of such and such,” and you have it in the file cabinet behind here, the wrong answer is you’ve got to fill out a form. A second wrong answer is, “Why do you want it?” That’s all not permitted.

What they encourage you to do is to go and give them -- give it to them and there’s no record of it. So it’s not about record keeping. You can put it in writing. You have to do it in person or the government agency can’t accept it by telephone. It’s supposed to be in person or but if it’s in person, you can do it verbally or in writing.
Mr. BERGSTROM: So if I had suspicions about somebody working against my interests, let’s say Chris or Brian or somebody here, I could go and get -- I could say, “I want you to give me whatever emails they’re sending to each other.”

County Counsel TROY: Correct. In the case you cited, you’re asking for it, but it’s also possible that anybody can ask for the same information.

Speaker MCAULIFFE: Ed McManus.

Mr. MCMANUS: Just a little bit more specific about a question earlier in the case of using -- a post on Facebook. I may post -- do a post that is a very strong opinion about a topic that will be coming up in front of the Assembly.

Now I know that I have in my circle on Facebook three or four members of the Assembly as friends that will probably get the post, but it may then surreptitiously be by people I don’t know passed on to the full quorum. So --

Mr. LEWIS: Stay off Facebook.

Speaker MCAULIFFE: So don’t do it.

Mr. MCMANUS: So, basically, it’s telling us not, as public officials, not to use Facebook.

County Counsel TROY: Well not to use --

Mr. MCMANUS: -- on any, basically, public issue?

County Counsel TROY: Right, on public issues period.

Speaker MCAULIFFE: On public issues that will probably come before the Assembly, yes.

County Counsel TROY: Right.

Speaker MCAULIFFE: During the election, I had an issue with that. I had an issue with a friend putting me in different groups, and I said, “No, no, no, no, no.” You can’t do that as elected official because you just don’t know how that’s going to travel.

So, yeah, unfortunately, you become a very -- distilled, dry, sterile person.

Jim.

Mr. KILLION: Thank you, Madam Speaker. You referenced about how long the emails are kept. How long is the County responsible for keeping the emails?

County Counsel TROY: They are responsible to keep them until the County petitions the state to destroy them.

Mr. KILLION: So that can be any amount of time? It could be 5 years; it could be 10 years?

County Counsel TROY: The state has to give permission for the destruction. As a matter of fact, if you look at the statute, this is how serious they are. There’s even a provision in the statute to allow for the state to transfer the emails from a governmental agency to the state archives.

Speaker MCAULIFFE: Wow.

Mr. KILLION: So if some people who have been here for a few years remember that we didn’t always have County emails. We had our own emails. So the question is is there any obligation on our part to keep those emails any further?

County Counsel TROY: No. The law does not contain any obligations for your emails that you have on your personal server to maintain them, unless you feel they are public records. Because that’s why I said if you go back to that statutory definition, it’s very broad.

So if you had an email on your -- that pertained to public business -- so, for instance, if you had the type of email that you sent on your private server to a quorum of people
expressing your opinion on something, you, under the spirit of the law, are required to maintain that. But the law doesn’t actually have any mechanism in which, you know, they can -- the way it would work is the records access officer would ask you whether you had any emails and then you would have to respond.

Mr. KILLION: So there is no obligation essentially to maintain them?

County Counsel TROY: There’s no obligation that has any teeth in it other than the obligation that you’re subject to the words of the statute.

Mr. MCMANUS: No enforceability.

County Counsel TROY: Correct. This is why they did this after Watergate. That’s why they probably changed it up.

Mr. LEWIS: They made it a little tighter after Hillary.

Speaker MCAULIFFE: Thank you. So I think we’re all set. And as Mr. Troy said at the beginning, any questions that come up -- I have a few questions before him that I will take up on my own time and then get answers back to you. And then anyone that has any questions, forward them to me and we can send them on.

In addition, because it does cost money to use Mr. Troy, I request that any member who has a question of him go through the Speaker just because there is a charge for service. So we just want to make sure that we’re using our finances efficiently.

County Counsel TROY: And that’s always been the protocol anyways. I’ve always gone through the Speaker.

Speaker MCAULIFFE: Thank you.

Communications from Public Officials? No.

Communications from Members of the Public?

Assembly Convenes

Speaker MCAULIFFE: Okay. The Assembly will convene.

We have no committee reports before us. The committees were just formed.

Report from the Clerk

Speaker MCAULIFFE: Report from the Clerk.

Clerk O’CONNELL: And wouldn’t you know I have a list today; sorry.

Number 1; the website has now been updated with correct names, photo, and information the public may need to access if they want to contact you.

Number 2; you’ll notice that I left everyone with a ream of copy paper. You do a lot of copying at home for Assembly business. I’m sorry I can’t provide the toner but I think we can always give you a ream of paper. And if you don’t want it, just leave it and I’ll take it back into the office at the end of the meeting.

Item 3; just a reminder from the IT Department. If you’re having issues with connectivity to your devices, if you need help with your devices, not vices, devices, please feel free to give them a call. They’ve been very, very accommodating. I know from a couple of Delegates that I’ve spoken to.

Item 4; today the Speaker swore in a Clerk Pro-Tempore for the Assembly. That’s something that is required in the event that I’m not able to be at a meeting, you need a Clerk. That’s Charter protocol. So we have a little bit of backup now, and we’ll try to educate that person a little bit with regards to what the requirements are here. And that
person is Owen Fletcher. He is the executive assistant over at the executive branch, the Commission’s office.

Number five; I will be away at the MMA conference for a few days, as will several other delegates. And I want to remind the people who are attending about receipts. It’s very easy to forget when you’re going to a place and obtaining a receipt, the proper protocol is if you want to guarantee that you’ll get reimbursed is the name of where you were should appear on a receipt. The receipt should be itemized. A lot of people try to turn in receipts that just simply represent your credit card transaction. But when go to a restaurant if you’re getting reimbursed for a meal, then you need to ask them for a detailed receipt. I know they don’t like doing it but it will ensure that you will get your money back.

Why? Because if I’m the auditor and I get the receipt and I say, okay, you went to Union Oyster House and you paid $40, and I can see that you paid that; I need to know what you spent the $40 on because the County won’t reimburse for alcohol and things like that. So even though you think you need it, they’re not reimbursing you for it.

And a final reminder about the MMA. There is a MIIA Luncheon on Saturday for the people who are attending. It runs, I think, 12 to 1:30. If that’s something that you want to attend, it’s by reservation. And if you let me know by tomorrow morning, I will contact them and make sure that they have a ticket waiting for you probably at the MIIA booth in the convention hall. I don’t think it’s going to come in your packet.

Number 6; you know the committee assignments were given out. Budget assignments also for department heads were made and I haven’t had any problems or issues yet with needing to reschedule. So the action starts I think it’s on the 22nd of February.

Number 7; the Finance Committee will be meeting on February 1 now that we received two Proposed Ordinances from the Commissioners. And I’m presuming that the chair of Finance, who is Ron Bergstrom, would be agreeable to having me send out the notice for 3 o’clock?

Mr. BERGSTROM: That’s fine as long as we can get -- unless any members of the Finance Committee can’t make it at that time. I would need a quorum. Hearing none, I assume that 3 o’clock will be fine.

Clerk O’CONNELL: Number 8; the chair of the Commissioners has requested me or someone from the Assembly to go to the Commissioners meeting next Wednesday to present or talk about our budget. The budget is something that I put together back in November. I believe that I probably sent it to the chair of Finance at that time, who was Mr. Ohman and the Speaker, and I forwarded it to Finance, and now they want to talk to me about it.

So I’m fully prepared and very comfortable with going to the Commissioners to run through what is in that budget. I have a detailed breakdown of what it’s all comprised of. So if any Delegate wants to attend, that’s fine or the chair of finance, and I think it’s going to be next Wednesday, but I don’t have the time yet on Wednesday.

And I think my last item is number 9. Just as a reminder on process, and I think the Speaker touched upon it when she was referencing use of County Counsel. I take my orders from the Speaker. And unless it’s a very small or quick request that I can accommodate you for, I look to the Speaker for direction.

So if there’s something that you need or want and it’s more than, in my opinion, something quick or simple, I’m probably going to have to defer to the Speaker to make sure that I have permission to comply with that request. It depends on the amount of time and
the effort it’s going to take to comply with that. I think it’s worked out well in the past, and I don’t see any reason why it’s probably just not going to stay the same. And it’s not because I’ve had any problems or issues; I just thought it was a good time to bring this to everyone’s attention as a refresher.

And that’s it for today.

Speaker MCAULIFFE: Thank you.

Other Business

Speaker MCAULIFFE: Under other business, I wanted to just make a quick announcement. I have designated some Assembly members to some special projects. The Deputy Speaker Deborah McCutcheon is going to be working on the Administrative Code, and anyone who’s interested in working on it with her -- she feel it needs to be reviewed and updated. It’s sort of what we do and how we do things.

Jim Killion has been appointed to a sort of PR monthly mini, I guess, news press release to go to the press on what we’re doing and what we’ve been up to. Just this part of getting the Assembly doings out in the open and, you know, make a paragraph-a-month sort of thing.

And Ed McManus had been appointed as the Assembly’s Delegate to the Cape Cod Economic Development Council effective immediately. And then Owen was sworn in.

And don’t forget your financial forms; they’re due on the 20th on the website for the end of the year. And the state should have sent them -- send you a reminder for your campaign finance forms. Just go login and do a little form for that.

And that’s it for me. Any other business? I’ll start with Ron.

Mr. BERGSTROM: Okay. Madam Speaker, I am submitting or I should say resubmitting Resolution 13-01, which was originally submitted by then representative -- then Delegate Cakoues, and it recommends a Charter change creating a five-member Board of Regional Commissioners elected from five individual districts. It was submitted, I think, in 2013, and the then Speaker did not bring it before the full Assembly because we, as you remember, we went into a full Charter review and that kind of -- so here it is again.

Speaker MCAULIFFE: And it’s already on Mr. Troy’s desk to find out what we’re supposed to do. So if you’ll submit that, then I’ll make sure we get an answer.

Mr. BERGSTROM: Yes. I’m not going to get into it, but I will get into it when it’s brought up again.

Speaker MCAULIFFE: Thank you. Ed Lewis.

Mr. LEWIS: I think this is mainly for Janice. Janice brought up about the receipts, and I was curious, who or what department, if any, sets all the rules and regulations as it involves what the County will pay for and won’t pay for? I mean, this kind of receipt in Brewster, as an example, if you have a receipt that you spent on a meal, they don’t ask for an itemized receipt like they do here. Which if this is the policy, that’s fine. I’m just curious as to who is the --

Speaker MCAULIFFE: Arbiter.

Mr. LEWIS: -- who sets all these rules and regulations? Who decides, as an example, what the remuneration is going to be when it comes to mileage? Who decides all of the different, you know, who’s in charge of that?

Speaker MCAULIFFE: We can get an answer to those questions. Thank you. Ed McManus.
Mr. MCMANUS: Yes, in looking at the schedule for the committees on review of the budget as we’re moving forward, I noticed that there wasn’t a time picked for the Economic Development Committee. As chair of that committee, I’ll be working with Janice to set a time and for the committee to review those sections of the County budget that have an impact on economic development in our County.

Speaker MCAULIFFE: Yes. And what happened with that was at the last meeting when Janice talked about putting a couple things under the Commissioners’ budget, I believe those were the items for economic development.

The issue with the economic -- not the economic development committee per se, but the issue is we know when the chairman convenes -- chairman of committees’ convene in the Governmental Relations Committee with our six committees, we now go over the 50 percent.

So I have a question into Bob Troy; this is one of the questions I need an answer for is is there a simple fix/tweak we can do to keep all the committees or are we going to have to look at reducing a committee?

But at this point, we have filled all committees and I think it’s appropriate to go ahead and schedule your -- the reviews that were done last year, and we will await on what Troy’s answer is about the going over the 50 percent, which we did last year, but we just didn’t deal with it. So we’ll deal with it this year.

Lilli-Ann.

Ms. GREEN: Thank you, Madam Speaker. I’d like to withdraw Proposed Resolution 16-10, please. It’s a resolution that I put forward in December.

Speaker MCAULIFFE: Okay. Thank you; withdrawn. I don’t know if there’s -- Clerk O’CONNELL: No, because she submitted it, she can just withdraw it.

Speaker MCAULIFFE: Okay. Withdraw 16-10. Okay. Thank you. Anyone else?

Mr. BERGSTROM: Move to adjourn.

Mr. LEWIS: Second.

Speaker MCAULIFFE: You’re adjourned. Thank you.

Whereupon, it was moved and seconded 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 1/18/17
- Unapproved Journal of Proceedings of 1/4/17
- Proposed Ordinances 17-01 & 17-02 submitted by Commissioners
- Conflict of Interest Summary
- Open Meeting Law Guide 3/18/15
- Public Records Law Guide 1/2017
- Proposed Resolution 17-01 submitted by Delegate Bergstrom (previously passed as Resolution 13-01)