

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

APPROVED Journal of Proceedings - December 16, 2015

Speaker BERGSTROM: Good afternoon. Welcome to the December 16th session of the Cape Cod Regional Government, Assembly of Delegates.

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

(Moment of silence.)

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

Speaker BERGSTROM: Is anyone recording this besides our normal recording?

Mr. ALBRIGHT: Yes

Speaker BERGSTROM: Okay. The Clerk will call the roll.

Roll Call (93.51%): Ronald Bergstrom (2.84% - Chatham), Ned Hitchcock (1.27%- Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), Edward Lewis (4.55% -Brewster), Teresa Martin (2.30% - Eastham), Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), Edward McManus (5.67% - Harwich), John Ohman (6.58% - Dennis), Brian O'Malley (1.36% – Provincetown), Patrick Princi (20.92% - Barnstable), Julia Taylor (14.61%- Falmouth), Linda Zuern (9.15% - Bourne).

Absent (6.49%): Marcia King (6.49% - Mashpee).

Clerk O'CONNELL: Mr. Speaker, we have a quorum with 93.51 percent of the Delegates present; 6.49 percent absent.

Speaker BERGSTROM: Thank you. Are there any changes to today's Calendar of Business? In that case, I'll need a motion to approve the Calendar.

Deputy Speaker MCCUTCHEON: So moved.

Ms. MCAULIFFE: Second.

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

Speaker BERGSTROM: Okay. You should have received a copy of the Journal of December 2, 2015. Are there any additions or corrections to the Journal?

Mr. O'MALLEY: I'll move approval as posted.

Mr. LEWIS: Second.

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

Speaker BERGSTROM: We'll dispense with, for at least for now, with the meeting -- with the Communications from the Board of Regional Commissioners since we don't have any Commissioners right now. Are they meeting right now?

Ms. MCAULIFFE: Yes.

Speaker BERGSTROM: They are meeting right now. Well, we'll give them a chance to comment if they have a chance.

Communications and Update from Information Technology Director Bill Traverse

Speaker BERGSTROM: So that brings us to department update from Information Technology Director Bill Traverse. Bill, step up to the mic.

Mr. BILL TRAVERSE: Thanks. Thanks for having me. Janice, I have some handouts here. Instead of a presentation, I decided to print the slides.

Speaker BERGSTROM: Okay. You can proceed, Bill.

Mr. BILL TRAVERSE: Okay. I'm just queuing up my stuff here.

Speaker BERGSTROM: I know you're helpless with that since you're an IT guy.

Mr. BILL TRAVERSE: It's always at presentations or meetings where I have all the problems, but I'm doing okay I think so far.

So I'm here to give just a high-level overview of IT operation and what's been going on, what hasn't been going on for the past six months, maybe more with an emphasis on regional IT services. Also worked in some fun statistics and whatnot.

But we've been doing a lot of work streamlining operations in order to deliver more services to towns because the need is still here as anticipated. It hasn't been decreasing by any stretch of the imagination.

Let me see here as I pull up my notes. I am having technical difficulties after all. All right. So the limitations we're running into are still primarily staffing-related for filling roles where support is needed by a town. We can cover things for the most part, infrastructure, which I'll give you some metrics on that to show our current utilization. You can see them now actually. That's one of the downsides of not doing slides is that people can kind of run ahead with it, but I want to keep it brief.

The strategy that we're employing is really just to drive revenue and create economies of scales for towns and save money for everybody in the long run. That's the goal anyway. And it's a delicate balance between County-side services and regional town services.

There have been a few key areas where we've selectively pulled back a little bit on and I do less here so that we can do more of a different thing depending on what the priorities are. We've been prioritizing the regional service aspects.

Moving on to the statistics; we've invested a lot in our infrastructure, as I'm sure I've mentioned before and you're probably aware from past budget requests, but it has really paid off. We have 131 servers hosted and we're fully virtualized and, basically, we're running at 37 percent total capacity and that's a gross generalization. I just don't want to get into the ins and outs of each aspect of it. But overall, that's our current utilization. So we have room to fail over which is why we do that in the first place so if half of our stuff fails it still runs because we still have spare resources. But it also gives us headroom to share -- share the platform with other towns if they need it.

We're utilizing 4,600 kilowatt hours of electricity per month. And that is really good when you compare it to the cost of running at 131 normal servers. I say normal servers not the - just a typical box as opposed to a virtual environment, which would be approximately 20,000 kilowatt hours a month and that doesn't include cooling costs or anything like that either.

So it's really -- what we're doing now we would not be able to do if we didn't have certain pieces of technology in place. That's the bottom line. We wouldn't be in a case where

we had 131 servers if we didn't have our infrastructure in place. It wouldn't be possible.

We've consolidated our domain management for (Indiscernible) .com, .org, .gov to a single account, and we manage and review those annually so there's no danger of lapsing or missing a renewal process. It was actually quite cumbersome before. Someone had to renew everything by credit card and then get reimbursed for it. Yeah, I don't even want to think about it. But we just finished that. It saved a lot of money and a lot of administrative time.

Same thing with security certificates for websites. The IT Department is responsible for hosting and management of 29 active websites, and these are just a public-facing websites, all word-pressed based, if you're familiar with it. That obviously doesn't match the domain count but we don't do all of the hosting all the way through for every single domain.

We try not to renew domains that we don't need anymore.

Available bandwidth for Internet traffic; we just cut over completely to the Regional Wide Area Network Contract, which I worked with the Cape Cod Commission and that's who is funding it. And that is basically a 1 Gigabit circuit provided over OpenCape fiber by CapeNet. And, also, that's a 1 Gigabit circuit to the Internet, and it also is a 1 Gigabit network between all the towns between a subset and anchor institutions, and that's been the last piece of the puzzle for hosting services between towns.

On an average week, the County received 108,000 email messages inbound and almost 15,000 sent from the County. Spam accounts for 48 percent of all messages received. And that's really not that bad actually as an average. Some days it's spiked and it's pretty lopsided; it's almost all spam. But I took that monthly average for -- I can't remember the exact time frame but neither here nor there.

The email environment we have in place is approximately 997 accounts and it is 3 tenants meaning that we have a multi-tenancy architecture where we have the ability to host other towns, and the County itself is also a tenant to this. So we're drinking our own Kool-Aid, I guess you could say. Practicing what we preach is probably more politically correct analogy.

We support 332 workstations and laptops for the County itself, and we have a 21 percent annual refresh cycle, meaning that 21 percent of the devices we cycle out every year what that translates to is about the oldest workstation we have is no more than five years old. Not the case completely because some things break and have to be cycled out sooner than others but that's the idea behind it. So we don't have old equipment. And the real concern there is old equipment doesn't run new software. Old software is insecure and causes more problems than it's worth.

We've filmed 72 public meetings annually and we stream and edit them to the best of our ability. There are always some scheduling conflicts from time to time, but we can only stream one meeting at a time is a current issue and we won't get into that.

The regional service efforts we've been working on. We've been taking a lot of steps as I went over with the Standing Committee recently to formalize or have our plan vetted by outside parties. We've been using Gartner for research and advisory services and it's paid off pretty well.

But some of the most valuable things were submitting our plans to outside agencies for awards. And, I think as I mentioned previously, we've gotten the Digital County Survey Award two years in a row. And we recently were awarded, excuse me, that's the second time I've done this presentation; my mouth is tired. We were awarded the, what's it called, the IT Solutions Award from the Public Technology Institute. And that was a really good way of having our plan vetted for free and getting an award out of it. So it was really just a win-win.

The best feedback though comes from the advisory services on actual strategies. But materials pertaining to it it's a primarily contract frameworks that we've been working on trying to consolidate it. We have a number of contracts in place now and it's not as clean as it could be, not as consistent as it should be.

The other parts of it, the SLAs, the, excuse me, I'm sort of blanking out a bit, other policy work and things like that all need to be ironed out still. So we're doing the best we can in the meantime and it's all still a work in progress. And I think we've proven that we're moving in the right direction.

Of the 15 towns we've spoken to or I've spoken to, about 10 of them received inquiries from 10 of them. Of the 10 parties, 4 of them have produced letters of intent. Some we'd probably revisit that because they might be a little dated now. And of the four, we have five contracts so with one town in particular we have a contract for implementation services and a contract for ongoing services.

But there's really no shortage of work and it's, I mean, it's clearly, again, it's not going away. And, actually, if anyone wants to see this, I could do a little show-and-tell if you want to pass this around. This is the award we were given for Regional IT Services. It's not as heavy as it looks.

Mr. LEWIS: It's not as heavy as it looks.

Mr. BILL TRAVERSE: Yes, I was a little deflated when I picked it up. I almost threw it across the room.

Just to go over some of the numbers; revenue generated by existing contracts, these are contracts we have in place an active, 214,000 annual revenue. To date, this fiscal year we've taken in just over a hundred thousand by these existing contracts. So we're pretty much right on the mark for where we're expecting to be.

The expected new revenue is formal letter of intent based and anticipated growth in the program, and that's what I included here. I'm not including any of the -- even serious inquiries, I've gotten very interested but if it's not in writing it didn't -- threw it out. Not threw it out; you know what I mean.

The total projected revenue annual 273,000. Annual revenue generated through one-time engagements is 93,000. I kept that separate just because it's not -- it comes and it goes. It's something we do. It's a broker services to help facilitate something. It's not necessarily something we would -- it's not -- I'm lost for words here; it's not our bread and butter.

I like the annual recurring because we can count on it and we can build our operations around it. The one-time things will help out and we can broker a service to get something done, and, yeah, I'd rather not include it but it doesn't hurt to mention.

Positive trends; in October of this year, Truro and Chatham's email operations were migrated to County systems. And Chatham was an interesting case because they had a pretty large server outage. We were planning to migrate them in a nice, slow stage fashion, but there was a major outage and we had to expedite things. And staff -- IT staff and outside engineers worked pretty much around the clock on it through a weekend even and they got it done very quickly. And it was a good proof of concept for the Regional Wide Area Network too. We were able to treat these systems -- the systems were interoperating throughout the migration and recovery process mind you because things were down. We were doing a recovery, not actual migration. Although they were in the same building with one another and connected directly, even though one was in Chatham and one was on the County campus area. So it was a very good proof of concept.

The unified communication stuff is just phone systems. Chatham is actively being on boarded as we speak. We had some help from the joint initiatives funding from the Commissioners and Cape Cod Commission to get them off the ground for the County side of it.

Then Chatham, through brokered services as I mentioned before, for implementation and licensing costs. Again to aggregate licensing, we buy all the licensing as the County and through an Intermunicipal Contract were reimbursed by the towns. So we were able to build our pool of licensing volume to save money that way for the town and for the County and for any other tenants.

And these tenants, or the tenant concept, spills over into the phone stuff too. It's the same exact thing where the County's a tenant to the infrastructure for the system and the same thing with Chatham. We have similar plans with Truro and Wellfleet as well.

Then on to the boots-on-the-ground services, we have two days a week in Falmouth; we have 2-1/2 days a week Truro. We have -- Wellfleet's the oldest contract we have and that's kind of an all-inclusive thing. So we just go out -- I think we're at 4 days a week now but we just do whatever it takes basically is the bottom line.

A lot of stuff -- a surprising amount of stuff can be done remotely. One day a week in Falmouth is remote. But there have been requests from other towns and from existing towns for increased levels of service like that, and I've been holding back on it a little bit just because the biggest issue is the staffing. We don't have the immediate capacity to send people out there without really holding back from a service on the County-side of things.

So we've been kind of stretching and stretching further than expected. And I'm proud of everyone for the amount of work that they've been able to do, but I think we will be at a breaking point very soon if not already there, whether it's just -- I don't want to burn people out in other words with this stuff even though it is the right thing to do, right strategy pursuit.

That's actually a phone call. This is a great proven concept here too. I'm getting a phone call on my tablet here.

That pretty much sums up what I was looking to go over, a high-level. Any questions from anyone?

Speaker BERGSTROM: Yes, Deborah, did you have a question?

Deputy Speaker MCCUTCHEON: Yes, I do actually. I think I asked you this before we started who got the mouse?

Mr. BILL TRAVERSE: Oh the mouse --

Deputy Speaker MCCUTCHEON: The real question that I'm interested in is with all this redundant capacity, how come the entire system went down this morning? It was down for several hours; wasn't it?

Mr. BILL TRAVERSE: The Internet?

Deputy Speaker MCCUTCHEON: Yes, I got a notice on my email that it was down.

Mr. BILL TRAVERSE: Oh right, yes. It was actually -- it was probably down for about -- from the time we were notified or became aware of it to the time it was -- they rerouted it through a different -- that's why we have redundant connections. And the problem was upstream with the provider, so that wasn't something to do with our systems immediately.

We became aware of it, and I think it was probably 15 or 20 minutes and we were redirected on another pipe. And it's important to note actually that the email -- you got that email. So, that's -- we keep our -- actually, that was in the update; I left it out completely. We have our critical services on a completely different pipe for that very reason. So the general traffic goes out; the one high-bandwidth pipe may not be the most reliable thing, but then we

have a separate set of connections -- two connections that have dedicated bandwidth for things like email and other critical services that can't be encroached upon and there's two of them for failover.

So this was an issue this morning just with the general access network, so workstations accessing the Internet. All the email worked internally and externally, actually.

Deputy Speaker MCCUTCHEON: Okay. Thank you.

Speaker BERGSTROM: Teresa.

Ms. MARTIN: I just have four little questions. Hi.

Mr. BILL TRAVERSE: Hi.

Ms. MARTIN: First of all, I want to give you a thumbs up. I'm so glad to hear you're managing domain names centrally that's really good management practice.

Mr. BILL TRAVERSE: Thanks. Oh yes, sure.

Ms. MARTIN: So glad to hear you're doing that.

Mr. BILL TRAVERSE: That was high on the list and it was just such a large -- a tedious project. It's not difficult. It just takes so long to rein all that in.

Ms. MARTIN: It gets rid of those embarrassing snafus, right? Wait, the County domain goes to what? What? What site is that?

Mr. BILL TRAVERSE: Whose credit card is on this?

Ms. MARTIN: A question about the public meetings. I've had call from some of my colleagues in the public access phase as well as citizens. I actually had a call from a gentleman from Wellfleet the other day who apparently really likes to follow Commissioners' meetings and why aren't they on local TV?

Mr. BILL TRAVERSE: God bless.

Ms. MARTIN: So I would actually like to make a request that if we could have the Assembly meetings, the Commissioner meetings, and the Cape Cod Commission meetings placed on Mass. Access, which is a sharing service that's in place that is used by the peg stations across Massachusetts.

I know that a number of the stations would really appreciate that and people watch these things on TV. They don't just stream them. So that's a channel for getting that out on all the local access stations. And if that could happen in a timely manner, that would be extremely helpful.

Mr. BILL TRAVERSE: Last I checked, we do upload it to Mass. Access on a regular basis but maybe not frequently enough.

Ms. MARTIN: Not very frequently.

Mr. BILL TRAVERSE: All right. I'll check on that.

Ms. MARTIN: Some came up in October. The most recent ones came up just this week for -- two for November 18. The Cape Cod Commission meetings, you know, every quarter maybe one shows up.

Mr. BILL TRAVERSE: Okay.

Ms. MARTIN: So, like I said, I hear from people who actually really watch the stuff on TV. I know, you know, you kind of go, "Who would watch this?" But it turns out a lot of people actually do and TV is really kind of the preferred medium in a lot of our population.

Mr. BILL TRAVERSE: We do have to cover all the bases.

Ms. MARTIN: Yes. Two more things. I know you guys are impatient. Another thing, you said there were three tenants with you -- two tenants?

Mr. BILL TRAVERSE: Oh, I'm sorry. I left that out. We have for the email system,

the tenants is Truro, Chatham, and the County.

Ms. MARTIN: Okay. And the last question I have is I'm just representing you've got the bandwidth, is that dedicated to the County or is that shared?

Mr. BILL TRAVERSE: It's shared. The RWAN contract is -- I think it's up to -- I think it's about 26 of the municipalities have connection points paid for on that. It's only actively being used 100 percent by Wellfleet. We set them up to use that fully and ourselves. And I think a couple others are using it as a redundant connection or kind of the same capacity we are.

Ms. MARTIN: And there's 26 locations sharing that number?

Mr. BILL TRAVERSE: Yes.

Ms. MARTIN: So not quite as big as it sounds, right?

Mr. BILL TRAVERSE: It's still surprisingly big because, for instance, the story of cutting Wellfleet over, we consolidated their network out there, their town-wide network and we cut them over. We shut off their Comcast connections; we didn't do that first but we brought up the RWAN share gigabit connection and we shut off their Comcast connections and we were wondering why it was still as slow as it was before.

And come to think or come to find out the firewall that they were using was old and had a throughput limit that was below even their Comcast service level previously. So the problem was never the Comcast server; it was the equipment connected to it. And a firewall that's capable -- like an enterprise firewall is capable of a gigabit of throughput is extremely expensive, especially when you get into security and inspection, they're extremely expensive. I need to leave it at that. Eight quotes because I've looked at them. I can't recall offhand what our throughput is, but I think we're not even at a gigabit ourselves, you know, full bore, even if you went up there and plugged into like our core switch.

So it stretches as far -- it stretches further than you think but it's scalable too if it ever is a bottleneck.

Speaker BERGSTROM: Did I see a hand way back there? Brian.

Mr. O'MALLEY: Thank you. Last year during our budget process, we, as I recall it, scaled-back your personnel line because we were -- we really wanted to see the growth in the contracts. At that point, they were sort of on the horizon, they were visions.

At this point, is it financial or is it actual personnel of availability of appropriate personnel that you could hire that's the limit. You've spoken to -- you're feeling a little bit constrained about how you can grow; what's holding you there?

Mr. BILL TRAVERSE: Its personnel.

Mr. O'MALLEY: Its personnel.

Mr. BILL TRAVERSE: Yes, it's not personal; it's personnel. Sorry; I couldn't resist.

Mr. O'MALLEY: Are we anticipating that if you could find personnel, you would be looking for a supplemental for next year?

Mr. BILL TRAVERSE: Potential, yes. We've been exploring that with finance. That's one thing. Anything that would help, we're looking at all options.

Mr. O'MALLEY: So it sounds like we need to talk to 4C's about more training there in this area.

Mr. BILL TRAVERSE: Yes. We've actually looked at intern programs. We're hoping to do something with that too.

Mr. O'MALLEY: Good luck.

Mr. BILL TRAVERSE: Thank you.

Speaker BERGSTROM: John and then Ed.

Mr. OHMAN: Thank you, Mr. Chairman. Bill, you've already started the budget process for 2017 right now?

Mr. BILL TRAVERSE: Yes.

Mr. OHMAN: And are you going to give any direction -- I understand from the Commissioners that this is a very tight budget, have you been given any direction by the finance department as to how your budget should look, if they're willing to expand for more people or are you --

Mr. BILL TRAVERSE: Yes, there's been a sufficient amount of guidance and -- we've submitted what we think is best to grow the program and primarily for the purpose of driving revenue. So we're not looking to add any bells and whistles or anything. And we have a number of things that are flagged that we could scale back on just in general, things that we could do without.

But I'm anticipating further guidance from finance as we move along as opposed -- maybe that's a polite way of saying that the budget that -- the Commissioners will probably look nothing like the one that we submitted. Cross my fingers.

Speaker BERGSTROM: Ed.

Mr. LEWIS: Bill, thank you, very much, for your presentation.

Mr. BILL TRAVERSE: No problem.

Mr. LEWIS: One of the things that concerns me about technology overall, you brought it up, you cycle through certain things every five years because you've got to get new equipment to run software because the new software doesn't run on the old equipment.

And what concerns me is it's a never ending cycle with technology. You keep spending more; you don't necessarily do more except maybe make it a little bit faster whatever people are doing it gets a little faster and maybe not, you know, whatever. And I'd like some comments from you as it relates to this because you can spend any amount of dollars that the County is willing to give you or a school district is willing to give their IT people, it can always be spent on new equipment and there's a constant need because some new software package comes out and the software package may or may not do something that is really needed but it will do something that people like.

And that always concerns me because it looks to me to a certain degree, I like to compare it to, and I know it's not the same thing so don't get -- it's just an analogy; we develop new weapons every day that don't necessarily do any more than the old weapons; they just do it in a bigger circle. So these kind of things concern me, you know, what we're actually doing that we need more money for.

Mr. BILL TRAVERSE: As far as the refresh cycle goes, the way the software industry gets you is they end support, and then all of a sudden your virus ridden and have all sorts of security exploits you have to deal with. So, in essence, paying --

Mr. LEWIS: It's called planned obsolescence.

Mr. BILL TRAVERSE: Right. That is exactly it. So that's what we're dealing with. One way we kind of mitigate it a little bit is something that -- this is one thing that we've had to push out a little bit because of getting into regional services but we have plans. We have our servers virtualized. We also have plans to go virtual for desktops as well, so that's going back to the old thin clients sort of, you know, the dumb terminals, the green screens except this time they're not green screens. They're just full workstations running in the data center so there's no hardware to worry about. It's just low maintenance, no maintenance box with a monitor on it

and a keyboard. So that's really it.

And that only leaves the issue of software that's running in the background. And we have to pay the piper on that for software assurance maintenance costs annually any way and that gives us perpetual upgrade entitlements. So it's really just kind of translating all of this into an operating cost as opposed to having to, you know, I can't think of an analogy. Sorry. Does that make sense? Does that answer the question somewhat?

Mr. LEWIS: Not really but you did throw some words out there.

Speaker BERGSTROM: Linda.

Ms. ZUERN: I have a couple questions. If we should lose electricity or power for an extended period of time, is there a backup --

Mr. BILL TRAVERSE: Yes.

Ms. ZUERN: -- that's going to work?

Mr. BILL TRAVERSE: Yes. It's in the Open Cape Data Center at the top of the hill there and so they have I think a 900 gallon diesel generator and a cargo container out back and they have also a battery capacity internally as well and that's why we moved into there because we weren't able to provide that level of service or business continuity in other parts of the building.

Ms. ZUERN: That was my other question. Some of us took a tour and went through your office.

Mr. BILL TRAVERSE: Oh right.

Ms. ZUERN: And I just wanted to know if you thought that was an appropriate space for what you're doing or are there some, you know, maybe problems that you might have with air-conditioning or heating or something --

Mr. BILL TRAVERSE: There's a lot to be desired for our office space just as office space. But I give facilities credit for doing their best to work with us. But I think the issue's become a big enough deal where we're actually going to have some of it mitigated and we've had issues with -- we're not doing anything in there different from any of the other employees. Everybody has a computer at their desk anywhere in the County. We moved all of our servers out of that building, as I just mentioned, for that reason though because it's not good to have water in a server room generally.

But, yes, there's a lot to be desired. It is just this general office space. We're making do.

Speaker BERGSTROM: Pat.

Mr. PRINCI: Just a follow-up on that question if I could? So are you -- when you're submitting your budget, are you factoring in rent? Even though you don't pay rent, but are you trying -- as you search for revenues through the contracts that you're working on pending/existing etcetera and looking for new staff and so forth and you put together your budget, are you also budgeting in space for rent? For instance, if you weren't up there rent-free.

Mr. BILL TRAVERSE: Rent for the office space for staff, yes. It's a thought at this point. It's not something that we've actually quantified.

Mr. PRINCI: Did you include it in this budget -- in the budget that you're submitting or are you planning on it?

Mr. BILL TRAVERSE: No, but it's a real thing as supposed to -- I didn't know we were going to get booted.

Mr. PRINCI: It's just one of those questions that -- I mean, obviously, you know, from what I've seen since I've been working with the Assembly is that your resource is very

important to this region, the IT Department --

Mr. BILL TRAVERSE: Thanks.

Mr. PRINCI: -- and the contract that you're getting and the services that you're providing to even some of the bigger towns like Falmouth; Barnstable not so much, but none-the-less, regionally it's an important service.

So I think you should start to look into basically like being self-sufficient without our support, so to speak, into your budget and your contracts. That's all.

Mr. BILL TRAVERSE: That is the ultimate goal. That would be great if someday we're 100 percent self-sufficient. Before looking at 1 to 1 office space of what we have, I like to creatively look at remote working capabilities, things like that or shared rotating office space. That's more of a policy decision that I don't want to go too far with that, of course, but that's one way to significantly save on space cost if you have people that qualify for it and they can be managed appropriately.

We already have, like I said before, I just got a phone call on my tablet here and someone was calling my desk phone; it rings on my tablet. That will happen whether I'm at home or here. And if someone else has the same software, it's a video call.

So there are a lot of these tools that we have that will make managing a more distributed workforce a bit more maintainable. That's a little ways off though. I guess that is a policy thing.

Speaker BERGSTROM: Okay. Jim.

Mr. KILLION: Thank you, Mr. Speaker. Just a quick comment. We at the Telecommunications & Energy Standing Committee met with Mr. Traverse a few weeks ago. And one of the points we had a substantive discussion on was the fact of them increasing their revenue, becoming more self-sufficient. You know the comment was made that they're not out to turn a profit; we understand that. But, obviously, the less they need from the County budget, the more that we have to spend on other departments.

So he's been working very hard since our discussions we had in the spring about expanding his outreach and he's done a great job at it, and we're hoping it will continue. Thank you.

Mr. BILL TRAVERSE: Thank you, very much.

Ms. TAYLOR: Quick question that made me think. When we talked last spring about getting some advice, business advice, is that the kind of management consultant that you were talking about being very helpful?

Mr. BILL TRAVERSE: Yes. Yes, that's --

Ms. TAYLOR: That did work out well?

Mr. BILL TRAVERSE: It did. Yes, it was something that we were looking at regardless because Gartner and a lot -- Forrester, all those big advisory firms are valuable just for procurement purposes alone. They can look at contracts and say this is a bad deal; this is a good deal, etcetera.

So we were actually -- and this is just something that fit the mold perfectly so we utilize them heavily for it.

Speaker BERGSTROM: Okay. Thank you. Keep up the good work.

Mr. BILL TRAVERSE: Thank you, very much. I appreciate the support. And let me know if there are any other questions.

Mr. LEWIS: Don't forget your glass award.

Mr. BILL TRAVERSE: Yes, seriously.

Speaker BERGSTROM: Are there any communications from public officials?
Any communications from members of the public? Hearing none.

Assembly Convenes

Proposed Resolution 15-07:

To direct the Speaker of the Assembly of Delegates to investigate potential violations of both the Barnstable County Charter and the Open Meeting Law by a member(s) of the Assembly and a County Commissioner (s).

NOW, THEREFORE,

BE IT HEREBY RESOLVED that the Barnstable County Assembly of Delegates Proclaims: In order to insure the integrity of Barnstable County Government, the Assembly of Delegates shall exercise it's right under Section 2.7: "Inquiring and Investigation" of the Barnstable County Charter to investigate potential violations of Section 2.6: "Prohibition" which in part states; ***No member of the assembly of delegates shall individually, or collectively, seek to influence the board of regional commissioners to dismiss, to appoint, or to promote any person to any position in the executive branch of the Cape Cod regional government. Or any action relative thereto.***

Submitted by James J. Killion, Sandwich Representative to the Assembly of Delegates regular meeting on December 2, 2015.

Speaker BERGSTROM: The Assembly will now convene. We'll begin with Proposed Resolution 15-07 to investigate potential violations of County Charter and Open Meeting Law. I'll turn this over to Jim who proposed this resolution.

Mr. KILLION: Thank you, Mr. Speaker. In light of the comments from County Counsel, I would respectfully ask that we -- I accept a motion to amend this, just to delete in the opening line "Direct the Speaker" and just leave it to "Direct the Assembly of Delegates."

The reason I authored it that way is, in fact, the Speaker is the author of the agenda and he is also the one who would formulate the subcommittees if necessary. So if we want to delete that if everyone's comfortable so we can discuss it with that change.

Ms. MCAULIFFE: I would move to amend that change.

Speaker BERGSTROM: Well, why don't we -- we have to put it on the floor before we can amend it. So why don't we put the motion -- why don't we put the resolution on the floor by proposing it and then we'll amend it. At least that's how it usually works. So I need a motion to --

Ms. MCAULIFFE: I move to put 15-07 on the floor.

Speaker BERGSTROM: Okay. Do I have a second?

Mr. Killion: Second.

Speaker BERGSTROM: Okay. It's moved and seconded. Now you can move to amend. So you move to amend -- give us the language on it, Jim, because I've forgotten.

Mr. KILLION: Just to --

Mr. LEWIS: Just cross out --

Mr. KILLION: -- struck out "The Speaker," so it's too direct --

Mr. LEWIS: "The Speaker of."

Mr. KILLION: “The Speaker of the Assembly of Delegates to investigate potential violations of both Barnstable County Charter and the Open Meeting Law by members/members of the Assembly and County Commissioner or Commissioners.”

Ms. MCAULIFFE: So it would be instead of “Speaker” it would be “Assembly of Delegates.”

Speaker BERGSTROM: Okay. So you’re crossing out the words “The Speaker of.”

Mr. LEWIS: Right. Those three words, cross that out.

Speaker BERGSTROM: Do I have a second on that motion?

Ms. MCAULIFFE: Second.

Proposed Resolution 15-07 as amended:

To direct the Assembly of Delegates to investigate potential violations of both the Barnstable County Charter and the Open Meeting Law by a member(s) of the Assembly and a County Commissioner (s).

NOW, THEREFORE,

BE IT HEREBY RESOLVED that the Barnstable County Assembly of Delegates Proclaims: In order to insure the integrity of Barnstable County Government, the Assembly of Delegates shall exercise it’s right under Section 2.7: “Inquiring and Investigation” of the Barnstable County Charter to investigate potential violations of Section 2.6: “Prohibition” which in part states; ***No member of the assembly of delegates shall individually, or collectively, seek to influence the board of regional commissioners to dismiss, to appoint, or to promote any person to any position in the executive branch of the Cape Cod regional government. Or any action relative thereto.***

Speaker BERGSTROM: Okay. We’ll take a vote on that amendment. All in favor? Aye. Opposed? Okay. So now we have the amended resolution. Do you want to go ahead on that, Jim?

Mr. KILLION: Yes, I will. Thank you, Mr. Speaker. The reason I offered this resolution is I learned about this matter involving the County Administrator and potential -- his potential replacement through actually an article in the Cape Cod Times I believe it was on the 2nd of December.

And I looked at the Charter and looked at a few things and found and believe that there were some violations of the Charter and perhaps maybe some as to the Open Meeting Law as well.

And having brought that resolution to the meeting on December 2 and listening to testimony provided by both the member -- at least one member of the Commissioners, Board of Regional Commissioners and a member of the Assembly of Delegates decided that it was wise to pursue this to try and decipher what had transpired.

As many of you know, what the incident revolves around is an attempt by a member of this Assembly to bring forth a candidate for -- for the County Administrator and to replace the existing County Administrator. And I guess one of the questions I have is the fact that we had a process in place and I would really want to know why that process was subverted.

The County spent tens of thousands of dollars on a consultant to develop the requirements for this position, to get résumés, there was a search committee in place. There was a whole process and for some reason this seemed to have been derailed.

According to Commissioner Cakounes, he received a phone call about two days prior to

a meeting which was hastily scheduled. And as it turned out that it was not within the proper timeframe. He was advised by a member of the Assembly of Delegates that this whole action had already essentially been transpired. The conversations apparently were had and that he was only being notified as a courtesy that, in fact, this action was going to happen. And that type of definitive information, in my estimation, could only be concluded if, in fact, two of the members of the County Commissioners were involved.

Now Commissioner Cakounes has taken a bit of criticism around the County for involving the media. But I just want everyone here to put yourself in his place for a moment and consider you receiving a phone call from the executive branch being informed that the Assembly was having an unscheduled meeting or having an agenda item added to their agenda, the contents of which had apparently already been debated and decided, and that you were just being let -- informed of this as a courtesy and leaving you with the impression that your input wasn't worthy and your position wasn't respected. I believe that would create a relative amount of frustration in any of us and it certainly isn't the way we should be operating as a government.

I just want to call your attention -- I know all of you received the comments by Mr. Troy, and there were some comments I agree with, other I don't, and the reason I'm leaving that inquiry about Section 2.6 because I believe we really need some clarification.

According to Mr. Troy's opinion that violation didn't occur for the simple fact that the meeting never happened. In other words, the meeting that was scheduled that didn't meet the requirements of Open Meeting Law was canceled so, consequently, he doesn't feel that 2.6 was violated. And I have a hard time believing that that is factual.

But anyway, within the context of his explanation, he goes on to say "That hiring, firing, and promoting individuals to County position requires compliance with various federal and state legal requirements including Open Meeting Law as well as compliance with the Charter.

The December 2, 2015, minutes of the Assembly do not contain any reference to any lawful proceedings undertaken to either dismiss the point or promote any individual to County structure." And, again, that refers to the fact that no meeting was legally posted or conducted.

He goes on to say, "On the contrary, the Assembly record appears to document improperly posted meeting minute notices under Open Meeting Law and a series of unauthorized an unofficial conversations about possible scenarios that might not be within the framework of the Charter or otherwise permitted under state and federal law."

So he's essentially calling attention to the fact that members of County government have gone on record indicating that they may have violated the Charter and some state and federal law in some manner. And I think that it is incumbent upon this body to look into that and ensure that that did not take place. And if it did take place, we have to make sure that it does not happen again.

Now I want to just correct a couple of comments that the Speaker made to the Cape Cod Times when he referred to this as a disciplinary action. It is not a disciplinary action. If you read the resolution that I filed is, "In order to ensure the integrity of Barnstable County government," that's what this is about. This is a serious matter that was in the Cape Cod Times. Obviously, many of our constituents read that article and I believe we should address it.

So, as we know, there are also other avenues other than this Resolution. At Counselor Troy points out, we could simply go down the avenue of opening up an investigation through Section 2.7. That simply requires one member of this Assembly filing a request for report with the executive branch.

However, even though we could proceed in that matter, I think given the fact that this

involves both members of the executive branch and of the legislative branch, I believe that we should all have this open debate and discuss the way in which we proceed.

So I would appreciate your support in this manner. Thank you, Mr. Speaker.

Speaker BERGSTROM: Okay. Do we have any other comments on this? Just one quick comment from me. I don't remember exactly what I said to the Cape Cod Times, but I think the question was, "What would be the outcome of such an investigation?" And I simply said in response that this is unprecedented in my tenure and that my belief was that the Assembly had no power to enforce any disciplinary action against any member. So it wasn't -- I didn't mean that Jim's, you know, request for an investigation was itself a disciplinary action. I just meant that we may not have any authority in the future to do that.

But, anyway, do we have any -- yes, Brian.

Mr. O'MALLEY: The first reaction I had on a reading/reviewing Section 2.6 of the Home Rule Charter in response to the Delegate from Sandwich's resolution was that, in fact, a prohibited act might have occurred in the cited incidence of a Delegate discussing employment of a third County employee with members of the Board of Regional Commissioners.

On reflection, however, I see the overall intent of this section, the framer's intent, if you will, as being about preventing self-serving behavior and nepotism, self-serving. Clearly prohibited are our actions that could place other interests ahead of those of the County's, an important subject but very incompletely defined in the Charter, I must say.

The phrase defining what is prohibited is "No member shall seek to influence the Board of Regional Commissioners in regards to hiring." Seek to influence. Nothing we've heard so far or here in this chamber or in the press suggests to me that there was any real seeking to influence on the part of the Delegate, nor is there any suggestion of a self-serving motivation.

Said Delegate is, in fact, a member of the search committee for a new Administrator and bringing a possible candidate for that interim role would be contributing to Barnstable County's stable functioning.

In my own long and varied experience with not-for-profit boards, individual members are more or less expected to be doing this kind of independent work, reaching out to potential contributors, potential new board members. That's exactly what this committee member did.

Therefore, my consideration of the known facts brings me to conclude that no prohibitive activity on the part of the Delegate incurred in this set of interactions and, thus, I see no indication for an investigation.

I would call instead for a review and revision of this Section 2.6 of our Home Rule Charter as inadequate and unclear in its scope of prohibitions, and I'd be willing to participate in that effort.

The second paragraph, for example, of this section is rather absurdly restrictive of how our rights as Delegates in its prohibition of any contact with any County employee except for the Board of Regional Commissioners.

So, for instance, I've known a number of county department heads for many years, Beth Albert, Head of Human Services. I've known her since she first came to Barnstable County. I knew Len Stewart, her predecessor. We worked on Cape Care together and when Beth Albert came in, we went out to lunch very early on and I stay in touch with her; I call her.

Bill Clark; I was on the Lyme Disease Task Force for a decade. I know Bill well. I know some of his people, Dave Simser in the past, the tick guy, and now Larry Dapsis who's been here with us more recently.

George Heufelder from my days on the Provincetown Board of Health; George was

very, often times, involved. He's somebody who -- all three of these, all of these people are people that when I run into them we have a conversation. I will pick up the phone if I've got a question.

So now that I'm a member of the Assembly, I'm prohibited from doing that? Except as part of a formal investigation, it doesn't make any sense to me that I've lost rights by becoming a legislator, rights that I had before coming to this body. I don't accept that absurd constriction.

We are legislators. We make laws and we talk to people who do the work. Where the scope of our work is thus limited, democracy is compromised. The Charter language is, in this case, unrealistically restrictive. We should see that we move onto the issues of this Charter in the near future.

And with due respect to the proponent, I will vote no on Resolution 15-07. Thank you.

Speaker BERGSTROM: Okay. Suzanne.

Ms. MCAULIFFE: Yes, I'm going to start by just saying as elected officials we have lost rights, and you need to review your conflict of interest training. You do lose certain rights that you have as an individual when you become an elected official. So that is an important thing to know and understand.

I'm not supporting this because I think that anyone did anything that was self-serving. I have a tremendous amount of respect for the Assembly member who is the main focus of this. I think that the motivation for this was nothing but for the best interest of the County, and I think that this was out of concern for County Governance and the future of the County.

I don't believe that, you know that there would be anything self-serving about anything that this Assembly member would ever do.

However, no matter how well-meaning and how concerned you are, or how experienced you are, or how you put the greater good or the greater interest at heart, I do not believe as Assembly members that we can get involved in the actual deciding of who a County Administrator would be. And I think that if you are talking to County Commissioners and talking to other County employees about the potential of taking a County Administrator job, I think that that crosses a line that an Assembly member cannot cross.

You need to, even as a member of the Search Committee, there was a process in place. The process was occurring and finding out if someone was available because you were very concerned about what was going to happen in the future and you wanted someone good in the spot does not, to me, pass muster because you could have 15 of us with our concerns and our best interest of the County at heart and our experience and our motivations as the driving force behind actions and that does not mean that we can do that.

I think it means that we need to step back a little bit. We need to work within the Charter and work within the law and not even -- even with the best interest at heart bring forth a candidate that somehow then gets put to the County Commissioners that somehow the communication is going back and forth in an inappropriate manner, I believe, to bring an Administrator forward. I just don't think that is the appropriate job for a member of the Assembly of Delegates.

Speaker BERGSTROM: Yes, Ed.

Mr. LEWIS: First of all, I wholeheartedly agree with Dr. O'Malley and thank him, very much, for his exceptional presentation.

And with the Delegate from Yarmouth, I agree with almost everything she said except remember that the Delegate from Falmouth was a member of the steering committee, and it was not 15 people going out and soliciting information. It was one member who was also a member

-- who was a member of the screening committee. And I believe there were some members of the screening committee who were aware that the Delegate from Falmouth was making that telephone call and who was going out and having that conversation.

I don't think this is a proper resolution. I understand Jim's reasoning for it and I respect that, but I don't think it's proper in this instance. I don't think there needs to be any investigation. I don't think there was what both Suzanne and Dr. O'Malley said is there was no self-interest on the part of Julia. I think it was done with -- her reasoning was explained. And I think it was the proper way for us to go is not to approve this resolution.

And I would disagree with you, Jim. I don't happen to think that the frustration would cause me to call and take this whole thing to the press. I'm sorry, but I think if you want to take it to the meetings here, if you want to take it wherever -- I don't think the first thing you do is call the press and try and embarrass someone. And I'm sorry that happened, but I will vote no on this resolution.

Speaker BERGSTROM: All right. Julia, did you have something to say?

Ms. TAYLOR: Yes. Thank you. Just to the point about the derailment of the process. Unfortunately, the screening committee voted -- I wasn't there for that vote so I'm really totally out of that, voted not to present names to the Commissioner. So that process -- (Ned moving microphone) oh, thank you, dear, that process was, for at least the time being, finished.

What I did was to suggest a short-term person only available under the Charter for a three-month or a six-month, nothing to do with the search for a long-term Administrator. So it was not really -- there was no relationship.

However, starting in July, as you may remember, I have expressed my worries about the County because of dysfunctional leadership. More recently, I suggested this temporary-but-available leadership option but that instead led to this resolution being offered. No good deed goes unpunished.

Now I see an even more serious leadership problem. When I spoke to Leo on December 2 over a cup of coffee in his office before the Commissioners' meeting, I touched on my idea about hiring Paul as a three or 6-month Acting Administrator to at least get us through what promises to be a very difficult budget, but Leo was definitely not interested and most of the conversation was about his frustrations in working with the two other Commissioners.

I was not totally unsympathetic until he ended the conversation by threatening that if Pat Flynn or Sheila Lyons were reelected next November, he would immediately go up to Boston, see his friend Governor Baker, and get the County closed down.

Since this conversation, three people have told me of rumors that Leo has asked State Representative Tim Whelan from Harwich --

Mr. LEWIS: Brewster.

Ms. TAYLOR: -- Brewster, sorry -- about legislation, about talking to the governor about eliminating the County. Knowing the importance Leo places on transparency and letting the media know, I think people on Cape Cod and employees of Barnstable need to know about this threat.

I don't know whether Leo would actually act on it, go through with it, I hope not, but Leo sometimes acts like a bully and bullies sometimes act --

Speaker BERGSTROM: Julia, I'm giving you a lot of --

Ms. TAYLOR: Okay. Today, this resolution --

Speaker BERGSTROM: You're going to have to come back to the subject at hand.

Ms. TAYLOR: But that was the subject of our conversation. Today this resolution to

investigate me and/or the Commissioners could take the Assembly down the same dysfunctional divisive path as that of the executive branch.

Fortunately, Attorney Troy's opinion makes it clear that Section 2.6 quote, "Cannot be interpreted to bar elected public officials" like me "from expressing opinions about the direction of County government or how they perceive the functions of County operations could be improved." He also refers to my rights of free speech under the Constitution and he concludes there was no attempt to influence the Board of Regional Commissioners to act in violation of the prohibition set forth in Section 2.6.

I can understand why some Assembly members might disagree with what I said or did, but my actions were not in violation of the Charter.

The Assembly does have the right to seek information from the Commissioners or their employees, it doesn't mention Delegates, under Section 2.7 if it's not satisfied with their explanations or answers at the last meeting.

But I recommend voting down this resolution. The best politics seek out the common good. We face a looming budget crisis. I hope that all Assembly members will think long and hard together about how we are going to set priorities together rather than pursue a distracting investigation. Our attention should be focused on the needs and priorities of the County. Thank you.

Speaker BERGSTROM: Yes, Deborah.

Deputy Speaker MCCUTCHEON: I came here this afternoon prepared to vote against this resolution. I listened to Dr. O'Malley and I think it makes perfect sense. I am a supporter of many of the things that Jim is concerned about, and I'm concerned about those things too.

However, this effort to distract by throwing mud elsewhere is extremely distressing. And I think that if we're looking for the common good, we've lost it here. I will not vote in favor of this resolution, but at this point, I won't vote against it either.

Speaker BERGSTROM: Yes, Pat.

Mr. PRINCI: I just want to speak quickly on this. This alone is just a distraction to the work that we should be doing. We can talk to the resolution; I can appreciate it being brought forward for transparency and so forth, but it was a crisis-type moment. I mean there was an issue that obviously came up that concerns me, personally, and my district where that happened on October 27 that we're all aware of, and it was an issue that I had learned possibly wasn't managed properly through our management.

Now it was a matter that needed to be dealt with. There wasn't a fast track to get the manager in place through the actions that -- and I'll say Delegate Taylor had gone through.

So, you know, it was an emergency and they tried to try and figure out a quick solution to get someone in that could possibly manage this problem that's going on and future problems as well as the budget.

Now an investigation, it's pretty clear there hasn't been any, from what I've seen, straying against what actually did happen. We've learned what happened. In fact, Delegate Taylor mentioned more to what happened just a moment ago.

So I just feel that this -- I'm not going to be supporting this, and I feel it's a distraction and we know what we need to know at this point and I feel that we should move forward and take care of some more important matters. Thank you.

Speaker BERGSTROM: Yes, Suzanne and then Linda.

Ms. MCAULIFFE: When I mentioned all 15 of us, I was talking about each one of us doing what the representative from Falmouth did in all of our work on the Assembly. We are

free to talk to anyone and a County employee.

But when we go about contacting someone and having a meeting with them and then suggesting them to a County position to the people that are going to be hiring them, that's different than talking to the health director or the IT director. That's actually taking a step towards trying to influence a County employee being hired.

Now, I have an issue with that, and I'm hearing that clearly other people don't. But I think that this resolution is worth bringing forward and worth being discussed because I think that part of our problem as a County is that we are casual and we are real cavalier about how we define things and do things and allow things to happen. And if this had happened in a municipality, I don't think that -- I think you would get a different reaction. I think that we need to be open and transparent. If one of us is communicating with Commissioners and getting involved in things, maybe we should stop doing that even if it's something we've been doing all along and we don't see anything wrong with it and we're friends with everyone. But I believe that we need to stand by transparency.

We need to be very above-board and maybe I'm a little bit holier than thou, but I have lived my elected life as someone who follows the rules. And I would hope that people would want to follow the rules so that you have people who respect the work that we do and respect our government.

Now I understand this resolution won't pass but I appreciate having the chance to debate and discuss these issues and maybe people will want to be a little bit more circumspect about some of the things they do. Thank you.

Speaker BERGSTROM: Thank you. Linda.

Ms. ZUERN: I'd hate to imagine what would have happened if Commissioner Cakounes hadn't gone to the press and this wasn't out in the open and the executive order or meeting was carried out and what would've happened at that meeting.

I think we would've had some really serious violations during that time in that meeting, especially when the County Commissioner or Administrator wasn't even aware that this meeting was being held and it was concerning his contract and his job.

So I think that there is disagreement on the Assembly. I will vote for this resolution, and I just feel that if the investigation goes forward and it's found that there is no violation, fine.

Speaker BERGSTROM: Okay. I'd just like to say -- I'm not going to vote for this. It probably will not come as much of a surprise. Now remember the resolution is not on Julia's actions or anybody else's actions, the resolution's as to whether or not we should proceed with an investigation. So I'm not going to debate the finer points of what went on. I think Attorney Troy's comments speak pretty clearly.

But I had a phone conversation today with the head of the Association of the Preservation of Cape Cod, and he polite -- he informed me as a courtesy that they intend to publish an op-ed piece in the Cape Cod Times criticizing our previous Charter review and suggesting that County government should be reorganized according to a fashion that they favor. Okay.

I mean I'm not -- this isn't a plan. They have the right to do this and this comes as no surprise. And they said that they felt that the way the County government is currently structured is dysfunctional. And they pointed out many of the dysfunctions. And County government, you know, they were facing fiscal crisis and so on and the reorganization of this complex.

And I told him very frankly, I said the Assembly of Delegates from the time that I've

been here, for ten years, has operated very well, not in a partisan manner. We've had very few battles that have been contentious. We've all gotten along. And we had a few, you know, there's been some hard issues that we faced but we comported ourselves in a very admirable fashion.

And, you know, we speak about things like how you operate. For instance, if I were to be totally strict, we wouldn't be able to refer to each other by our first names. You're supposed to say -- Robert's Rules of Order you're supposed to say the "Delegate from Falmouth."

You're also not supposed to address each other directly. All comments must come through the chair. So when Ed turns to Jim and says, "Well, you know, I politely think you're wrong," he's supposed to say, "Mr. Speaker, tell Jim that I think he's wrong." That's how it works. But we haven't operated like that because we've been a good organization, and I think we've been cooperative and gotten along.

So I feel that unless -- with not going into -- obviously failed -- I agree with Attorney Troy's opinion, but even beyond that I feel unless we have the compelling reason to criticize the actions of another member who is not under our authority but under the authority of the people who elect them, we shouldn't go down that path.

And that's why I feel that even though I think that Jim and others have, excuse me, the Delegate from Sandwich and others have brought up some salient points, I just don't feel that it justifies the action that he recommends.

So, anyway, we'll take a vote on this.

Mr. KILLION: Mr. Speaker?

Speaker BERGSTROM: Yes, Jim.

Mr. KILLION: Thank you, Mr. Speaker. The comments regarding 2.6, I think people need to try and look at this Charter in terms of what it is. This is a bicameral government. We have two branches. And I think you have to understand that we all have different responsibilities within that government. And these prohibitions that have been set forth have been in mind.

And I understand the good doctor's or the Delegate from Provincetown's opinion that he should be able to call his friends up and he should be able to call his friends up.

But the point of that second paragraph to have any business that the Delegates may have with County employees to go through the Commissioners' office is a very salient point and a very valid reason for doing that. It is their responsibility to manage the employees of Barnstable County. The last thing we need is a bunch of Delegates running around to these offices asking questions and looking for information. So that's an important part of the Charter to have.

The same goes for the fact of keeping the legislative body out of administrative and executive decisions. That is the point of that. And I can certainly understand and perhaps being able to rationalize one's concern for the County as a reason to circumvent some of these rules, but I believe that's why this County and why this government is often criticized because it's not operating as a serious government entity. And I think that is the root of our dysfunction.

As some of you may recall, I sponsored a successful resolution last year so that we could -- so that the Assembly could employ Special Counsel for the specific purpose of dealing with separation of powers issues because I believed that part of the problem we have is that both branches of government are very unclear where their responsibilities begin and end and there's that constant struggle. I think if those responsibilities were more clearly defined that this body could function as it was so designed. Thank you.

Speaker BERGSTROM: We'll take a vote on this.

Roll Call Vote on Proposed Resolution 15-07:

Voting "YES" (29.75 %): James Killion (9.58% - Sandwich), Suzanne McAuliffe (11.02% - Yarmouth), Linda Zuern (9.15% - Bourne).

Voting "NO" (61.56 %): Ronald Bergstrom (2.84% - Chatham), Christopher Kanaga (2.73% - Orleans), Edward Lewis (4.55% - Brewster), Teresa Martin (2.30% - Eastham), Edward McManus (5.67% - Harwich), John Ohman (6.58% - Dennis), Brian O'Malley (1.36% - Provincetown), Patrick Princi (20.92% - Barnstable), Julia Taylor (14.61% - Falmouth),

Voting "PRESENT" (2.20%): Ned Hitchcock (1.27% - Wellfleet), Deborah McCutcheon (0.93% - Truro),

Absent (6.49%): Marcia King (6.49% - Mashpee).

Clerk O'CONNELL: Mr. Speaker, Proposed Resolution 15-07 as amended failed to pass with 61.56 percent of the Delegates voting no; 29.75 percent voting yes, 2.20 percent voting present, and 6.49 percent were absent.

Proposed Resolution 15-07 failed to pass.

Committee Reports

Speaker BERGSTROM: Thank you. We will now move on to committee reports. I think, Jim, you have a Telecommunication and Energy minutes to approve?

Mr. KILLION: Thank you, Mr. Speaker. I don't see the word "report" in there so I guess I cannot give a report on that meeting.

So I will just call for approval of the minutes of December 9, 2015.

Mr. KILLION: All in favor?

The MEMBERS: Aye.

Mr. KILLION: Thank you.

(Minutes approved.)

Speaker BERGSTROM: Okay. The Finance Committee Chair, John.

Mr. OHMAN: Thank you, Mr. Speaker. I would ask the political members of the committee to vote the minutes -- in favor of the minutes of Proposed Ordinance 15-12.

Ms. MCAULIFFE: Second.

Mr. OHMAN: We have a second. All those in favor?

The MEMBERS: Aye.

Mr. OHMAN: Thank you.

(Minutes passed.)

Assembly Vote

Proposed Ordinance 15-12:

To add to the County's operating budget for Fiscal Year 2016, as enacted in Ordinance No. 15-02, by making supplemental appropriations for the Fiscal Year two-thousand and sixteen.

Section 1.

Based on a revised estimate of income of Barnstable County for the current fiscal year, made as of September 1, 2015, the sums set forth in section one, for the purposes set forth therein and

subject to the conditions set forth in sections four through twelve of Barnstable County Ordinance 15-02, are hereby appropriated from the General Fund as supplemental appropriations for Barnstable County for the fiscal year ending June thirtieth, two-thousand and sixteen. Said funds shall be derived from the Statutory Reserve Funds set aside at the close of FY 2015.

Section 1:

<u>Budget #</u>	<u>Sub-Program</u>	<u>Group</u>	<u>\$ Amount</u>	<u>Total</u>
	<u>GENERAL GOVERNMENT</u>			
	<u>FINANCE DEPARTMENT</u>			
0011411	Salary and Wages	1	\$51,000.	\$51,000.

Speaker BERGSTROM: Okay. Do you want to make a motion on that now to move Proposed Ordinance 15-12?

Mr. OHMAN: I will, Mr. Speaker.

Speaker BERGSTROM: And you all know what it is.

Mr. OHMAN: I would like to ask the Assembly to vote in favor of this Proposed Ordinance 15-12 as presented.

Mr. LEWIS: Second.

Speaker BERGSTROM: All right. We'll call for a vote. I guess there are no comments.

Roll Call Vote on Proposed Ordinance 15-12:

Voting "YES" (93.51%): Ronald Bergstrom (2.84% - Chatham), Ned Hitchcock (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), Edward Lewis (4.55% - Brewster), Teresa Martin (2.30% - Eastham), Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), Edward McManus (5.67% - Harwich), John Ohman (6.58% - Dennis), Brian O'Malley (1.36% - Provincetown), Patrick Princi (20.92% - Barnstable), Julia Taylor (14.61% - Falmouth), Linda Zuern (9.15% - Bourne).

Absent (6.49%): Marcia King (6.49% - Mashpee).

Clerk O'CONNELL: Mr. Speaker, Proposed Ordinance 15-12 passes with 93.51 percent of the Delegates voting yes; 6.49 percent absent, and now known as Ordinance 15-12.

Report from the Clerk

Speaker BERGSTROM: Thank you. Now, next is a report from the Clerk.

Clerk O'CONNELL: Just quickly off the top of my head, there are mileage logs in each of your folders. If you would please complete those and give them to me tonight, I would appreciate it.

Just to let you know, however, I will not be able to process them till very late in December. So you will not see any of the mileage until the beginning of January.

And the centerpieces that are directly near your name tag on the right, I think that's how I placed them; they're for you to take. I do that every year and I hope you enjoy them with a little candy cane. And I think Jim dropped something off too at everyone's station.

And that's it for now.

Other Business

Speaker BERGSTROM: Okay. Any other business to be brought before -- yes, John.

Mr. OHMAN: Mr. Speaker, I'd just like to call attention to the Assembly with the Delegate from Falmouth, whom shall I guess remain nameless according to the structure of Robert's Rules, was honored recently on December 10 at the Barnstable County Human Rights Commission. She received the Rosenthal Award presented by John Reed for her outstanding work and continued leadership in County issues. And I think that we should congratulate Julia for her hard work in that regard.

Speaker BERGSTROM: Yes, Suzanne.

Ms. MCAULIFFE: Yes, the Finance Committee and some other people had the opportunity to tour the old jail as part of the County complex renovations, I guess. And this issue is still before the Finance Committee in terms of a specific resolution.

I think at our last meeting we were told that we are not going to have really any input or say into what's going to happen in the County as an Assembly. I think that we need to be aware that there are a lot of things going on, and I think that we need to be up to date and current and informed if we're going to be making financial votes and decisions on things that are coming before us.

So I think that in some ways whether we might not be making the decisions what's happening where, we need to be informed. And I don't think that we can look the other way until all of the sudden things are before us.

And I think as this resolution that's before the Finance Committee comes forward, it's going to become clear to the Assembly that there is a lot of -- there are a lot of unknowns and a lot of things up in the air. And I think as an Assembly, we need to inform ourselves.

Speaker BERGSTROM: Okay. Thank you.

Ms. MCAULIFFE: And I'd like to put this on a future agenda either to see if the other Assembly members are interested in participating in a more active manner or if they're not, I guess.

Speaker BERGSTROM: Okay. There's only one more order business to attend to.

Deputy Speaker MCCUTCHEON: Move to adjourn.

Speaker BERGSTROM: Okay. Do I hear a second?

Ms. ZUERN: Second.

Speaker BERGSTROM: All those in favor? Aye.

Whereupon, it was moved, seconded, and voted to adjourn the Assembly of Delegates at 5:15 p.m.

Respectfully submitted by:

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

List of materials used at meeting:

- Unapproved 12-2-15 Journal of Proceedings
- Information Technology presentation on 12-16-15
- County Counsel legal opinion on Proposed Resolution 15-07
- Proposed Resolution 15-07
- Telecommunications & Energy Committee unapproved minutes dated 12-9-15 including Cape Light Compact presentation on 12-9-15
- Finance Committee Report on Proposed Ordinance 15-12
- Proposed Ordinance 15-12