Call to Order
Speaker MCAULIFFE: Good afternoon. Welcome to the Cape Cod Regional Government, this is the Assembly of Delegates. It’s Wednesday, March 6th, 2019, at 4 p.m. We are in the Harborview Room probably for the last time. Our next meeting will probably be in the new renovated room just behind us.
(I’d like to start with a moment of silence to honor our troops who 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 Attendance
Present (99.07%): Mary Chaffee (4.55% - Brewster), J. Terence Gallagher (2.30% - Eastham), Lilli-Ann Green - (1.27% - Wellfleet), Elizabeth Harder (5.67% - Harwich), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02% - Yarmouth), Susan Moran (14.61% - Falmouth), Thomas O’Hara (6.49% - Mashpee), John Ohman (6.58% - Dennis), Brian O’Malley (1.36% - Provincetown), Randi Potash (2.84% - Chatham), Patrick Princi (20.92% - Barnstable), Linda Zuern (9.15% - Bourne).
Absent (0.93%): Deborah McCutcheon (0.93% Truro).
Left Early: Christopher Kanaga (2.73% - Orleans – @ 7:00 P.M.).

Clerk O’CONNELL: Madam Speaker, you have a quorum with 99.07 percent of the Delegates present; 0.93 percent are absent.
Speaker MCAULIFFE: Thank you.

Approval of the Calendar of Business
Speaker MCAULIFFE: Our next item is approval of the calendar of business. Is there a motion?
Delegate GREEN: So moved.
Delegate O’HARA: Second.

Approval of the Journal of Proceedings of 2/20/19
Delegate O’MALLEY: Madam Speaker, I move approval of the minutes as distributed.
Delegate O’HARA: Second.

SUMMARY: Communications from the Board of Regional Commissioners

- County Commissioner Ronald Bergstrom updated the Assembly regarding the activities and discussions by Commissioners at their previous two board meetings
- Commissioner reported on discussion and possibility of soliciting an RFP for county legal services, but no decision was made
- Commissioner reported on discussion and possibility of purchasing another dredge, but no decision was made
- Commissioner reported on the status related to the Early Retirement Incentive Program
- Commissioner reported on possible change to the official posting place for board meeting notices
- Commissioner reported on several personnel appointments and assignments
- Commissioner reported on presentation and program update by AmeriCorps
- Commissioner reported that an Executive Session took place for consideration of release of meeting minutes dating back to 2017

Speaker MCAULIFFE: Communications from the Board of Regional Commissioners. I see Commissioner Chair Ronald Bergstrom with us. Welcome.
Commissioner BERGSTROM: Well, it’s been a while for me. I haven’t been here. I missed a couple meetings. Since I last spoke to you -- actually Jack Yunits, our Administrator, gave you the last heads-up on what we’ve been doing.

We’ve had two meetings. The first meeting was on the 27th. There was quite a bit of public comment regarding Commissioner Beaty’s comments and we had, I’d say, at least a dozen people spoke. They were all very well disciplined and kept everything to a dull roar so that worked out very well. Mr. Beaty wasn’t there.

We had a discussion -- we broached the discussion of the status of County Counsel whether we should go out and see what other services are available and decided to put that decision off until this morning, and I’ll get into that when I get into the agenda of the 6th.

We discussed, and I know that Jack is here, and he can probably give you more information on it if you need it, but it’s the purchase of the third county Dredge. We’re looking to, as you probably know, buy a Dredge basically off the rack, you know, that’s already built and it’s already designed, sort of a standard. You know, you go and buy you say, “I want the bottom-line Toyota,” whatever, no-frills and no options. And we’re also going to -- the company that built the relatively new Dredge for us is also going to rehab it this spring so it will be ready for the spring dredging beginning in April and May. We had a discussion on that.

We had a discussion on and a review of the proposed County Early Retirement Incentive Program. That is currently up in PERAC, which is Barnstable’s retirement -- State Retirement Board, and they will be getting back to us within a couple of weeks, and then we will have final numbers available and see what potential savings and who is going to be taking early retirement. That will have to be approved by the Commissioners and we’ll go from there.

We also authorized the adoption of the County’s website as the official method of
posting notices for meetings. So it used to be you’d nail, you know, you’d nail it to the cathedral, you know, door, but now you can put it online and it will be a lot easier. So that’s the official notification is the website. And if the Internet goes down, it creates all sorts of problems, but we’ve anticipated that, and we’ll figure it out as it goes along.

We authorized the creation of a new position of Homeless Management Information Systems, a Program Manager replacing the vacant HMIS Coordinator position, and we authorized the refilling of the vacant Laboratory Director position in the County Health and Environment Department.

And we also designated Stephen Amara, County Accountant, as Entity Administrator for the County and authorizing his access to the United States Government’s online system for Award Management. And if you want details on what that means, you’ll have to ask somebody else.

That pretty much covers it. You know some routine contracts for paving and so on and so that brings us to the 6th.

Speaker MCAULIFFE: Are those new positions filled? They’re new hires into positions that existed?

Commissioner BERGSTROM: Right, yes.

Speaker MCAULIFFE: Okay.

Commissioner BERGSTROM: As far as I -- let me see. Wait a minute now. Now one of them is a creation of a new position.

Speaker MCAULIFFE: Okay.

Commissioner BERGSTROM: A Homeless Management Information System Program Manager but I guess it replaces a very similar position of the HMIS Coordinator position.

Speaker MCAULIFFE: Right.

Commissioner BERGSTROM: We then go down to this morning. Once again, we had public comment. This time two members of the public came up and commented on the same vein as they did last -- the week before.

We then had an update on the AmeriCorps program pretty much basically explaining how it works and going and reviewing of how the program works. I think we have 21 now of the original 24 that were originally -- so you’ll be seeing that.

And then we discussed again County Legal Services, and my colleagues felt that we should do a review -- rather than go out with an RFP, if we could do a review of what our legal exposure has been, what we anticipate it’s going to be in the future and go from there to decide whether we should hire a single counsel or a firm or find out what is available. So we’re going to do that. The Administrator said he’ll give us a breakdown of anticipated legal needs in the future.

As you know, we’re dealing with Human Services; we’re dealing with employees with early retirement; we’re also dealing with environmental issues in the Fire Training Academy. We’re also dealing with other legal issues that are quite vast and disparate, so we’re thinking that we should at least review the current situation and see if it can be improved or we should say with what we have. So that’s it.

We also, and I created a new position of Director of the Cape Cod Municipal Police Academy and appointed Peter Carnes to that position effective March 11, 2019. And Mr. Carnes is here hiding somewhere; there he is. He’ll probably talk to you about that later, but this is a win-win for us and the towns. You probably saw the story in the press so, once again,
it’s a partnership of the County and the towns that bring credit to all of us and significant savings as well.

And then we further created the position of Deputy Director of the Cape Cod Municipal Police Academy and appointed Wayne Sampson to that position effective March 11, 2019, as recommended by the County Administrator. So these are staff positions; they’re not -- they won’t be reoccurring appointments. They’ll be staff positions like any other department.

There is a -- I don’t know if it’s an Enterprise Fund, but there will be income related to the operation of the Police Academy. It should cover most of the expenses. All right.

We then promoted -- authorized the promotion of Phil Burt to the full-time position of Director of the County Fire and Rescue Training Academy from the position of Barnstable County Fire and Rescue Training Academy Interim Director effective March 6, which is today, as recommended by the County Administrator. It was decided that we should have a full-time person there monitoring the activities that go on and making sure that it’s run according to the procedures that we had set up two or three years ago.

We have authorized -- we have authorization of an unpaid leave for an employee. We have authorization of the execution of a Memorandum of Understanding with Cape Cod Healthcare, Incorporated, through Barnstable County Regional Emergency Planning Committee regarding Regional Sheltering Plan. And, of course, my fellow Commissioners wanted to know what that was, and what it is is that people in cases of emergency snowstorms who feel that they need even minor, you know, medical attention who often go to the hospitals which become overcrowded.

So what we’re going to do is along with Cape Cod Healthcare is we’re going to have people in the shelters who are able to give, you know, --

Speaker McAULIFFE: First aid.

Commissioner BERGSTROM: -- minor treatment for health issues and basically do an assessment of the people who are there that will help everyone, and it doesn’t cost us anything, and the Cape Cod Healthcare was good enough to agree to this. So we’re happy to work with them.

Okay. I’m trying to think if I forgot anything. And we entered into Executive Session and we approved the release of minutes of Executive Session going back as far as 2017 at the request of Mr. Beaty who had mentioned to us that we were supposed to do that and hadn’t done it. So be forewarned if you have any Executive Session meetings, at some point you have to review them for release.

And that pretty much covers it so.

Speaker McAULIFFE: Before we go to questions, I just want to let the Assembly know I didn’t formally announce because I didn’t realize that I was going to be speaking before the Commissioners until I saw the item on the agenda, but I did address the Commissioners at their last meeting about County Counsel and made the emphatic point that we use counsel regularly, almost I would say weekly. And I think we have a unique relationship in terms of we have ordinances, we are a legislative body. There’s a lot of legal little things that we need to be on top of. And I think the Commissioners have different things, like they have different projects for different needs, but I did want to reiterate how essential County Counsel is to the Assembly and how well the current situation works.

We have counsel who’s been 30 years with the County, knows the County inside out, is immediately responsive because there are times that questions come up on a Monday or a Tuesday and I have to have an answer for Wednesday sometimes in order to have the matter
covered in a meeting.

So the current situation has worked well, and I think we have different needs. I remember when the Assembly wanted its own counsel several years ago when you were Speaker and the Commissioners told us, well, it wouldn’t do to have two separate counsels because if they didn’t agree, the County would end up suing itself. But I’m just on record as saying how well the current situation and essential the current situation is for the Assembly.

And going into Charter Review, you know, I anticipate we will really need the expert legal services of someone who knows the Charter, and it would be County Counsel who would be the most experienced in our Charter. So that’s just a head’s up. That’s what we’ve done so -- or what I’ve done. That’s because of my experience as Speaker and needing to make sure that everything is handled legally.

Commissioner BERGSTROM: Yes, I made the point that it wasn’t -- this agenda item over the last two meetings was not aimed at the current County Counsel. I just felt that one of the most, you know, one of the most important things the Commissioners do is hiring and firing key positions or hiring key positions, you know, the Administrator is one and County Counsel is another. And I felt I wouldn’t be doing my due diligence as a Commissioner unless I went out and saw periodically what legal services are available and assess whether or not we were getting the -- we were in the right situation as far as County Counsel. So we’ll see where that goes. But we will always need, regardless of how this works out, if we maintain one counsel, we’re still going to have to go out occasionally to various people as we have in the past, for instance, in Charter Review and stuff. That’s, you’ll see, that’s a continuing review so.

Speaker MCAULIFFE: And I just wanted to emphasize though how well the current system works. And when you consider doing something different, it can become an issue in terms of immediate response or someone who may not know the information as readily. It’s just something that really works well for the Assembly.

Commissioner BERGSTROM: And I have to say that this, you know, County Counsel is an expense. So, I mean, obviously, it’s justified. We have to have County Counsel but it’s important that, and I know that the Speaker has emphasized that most requests for County Counsel should go through her, you know, and the same thing with the Commissioners, you know, and the same thing with the Cape Cod Commission. You know, things tend to break down if everybody’s on the phone.

Speaker MCAULIFFE: Right.

Commissioner BERGSTROM: So there has to be a process unveiling oneself of legal services that understands that, you know, our ability is limited, and time is limited. It has to be a formal process.

Speaker MCAULIFFE: And I think that’s why I’m making the point. I think as Speaker I know very well how much it’s used. I would say the typical Assembly member would not know because they, you know, a lot of this happens behind the scenes to get things ready and teed up for meetings so.

Commissioner BERGSTROM: I guess you should have a lawyer right next to you at all times. Oh, I guess you do.

Speaker MCAULIFFE: I feel like I do.

Speaker MCAULIFFE: Look around the room.

Commissioner BERGSTROM: I know.

Speaker MCAULIFFE: More and more lawyers.
Commissioner BERGSTROM: If there’s a car accident outside, half the room would leave.

Speaker MCAULIFFE: Thank you, very much. Any -- Yes, Delegate Killion.

Delegate KILLION: Thank you, Madam Speaker. Good afternoon, Commissioner Bergstrom.

Commissioner BERGSTROM: Yes.

Delegate KILLION: Back to the county dredge, I know you were here last time when we had a brief conversation and you mentioned that this unit -- new unit, which doesn’t have a lot of miles on it, is being retrofit.

Commissioner BERGSTROM: Yes.

Delegate KILLION: Do you have more detail? What is the issue with it; do you know?

Commissioner BERGSTROM: You know, is Jack here -- because he’s in daily contact with these people. The issue is that the company that produced it is going to come back and deal with whatever.

Speaker MCAULIFFE: Mr. Yunits.

Commissioner BERGSTROM: Yes, I’m not the dredge expert.

Speaker MCAULIFFE: Welcome.

Administrator YUNITS: We’re back on the dredge and the need for a third dredge?

Delegate KILLION: No.

Commissioner BERGSTROM: We’re talking about what changes are going to be made in the dredge that we just -- the new dredge.

Speaker MCAULIFFE: The number two dredge.

Administrator YUNITS: Oh, the number two dredge is going to be taken out of the water probably mid-May. There’s a four-page punch list which will mean adjusting the spots, changing the hydraulic system completely, retrofitting the dredge with some -- a different ladder, all at the expense of Ellicott. So it’ll finish the Chatham job and, hopefully, do some outer approaches to some of the channels before we take it down for the season.

We’re taking the Codfish Dredge out in April so that we’ll still have one dredge running throughout the end of the period which mostly expires today -- I mean this month. April 1 is pretty much it’s over under the time of year permitting restrictions that are in place from the environmental side. So that it will be extensive; it will be a three-week project when the dredge comes out, but it will run the way we need it to run going forward.

Delegate KILLION: Do you know the issues that precipitated this? Was it just not designed for the application of user --

Administrator YUNITS: It wasn’t designed for New England waters in the end. It seems to work well in the bayou, but it doesn’t work out down here. And that’s why Ellicott is assuming responsibility for the upgrades and improvements of the dredge.

Delegate KILLION: Great. Thank you.

Commissioner BERGSTROM: One of the issues, for instance, you might be familiar with is that the spuds which are basically put into the bottom to stabilize the dredge, the dredge is meant to operate in up to 40 feet of water, so these things are quite high. When they’re pulled out of the water, that creates basically a superstructure, a heavy superstructure that’s up high, and that affects the seaworthiness of the dredge. You can imagine if you go into a sea, you know, that it can be so -- and, apparently, they are going to allow them to be laid down on the deck; is that what it is?
Administrator YUNITIS: Yes.
Commissioner BERGSTROM: To be benched so lay down on the deck. So if you have to go from let’s say the canal to Provincetown in a northwest breeze, you won’t have these big things, you know, basically affecting the seaworthiness of the dredge because weather is important in transport from one place to another.

It’s been a long haul with this, and all I can say is I know that Jack has been on it every day and, you know, sometimes there’s good news and sometimes there’s bad news, and I’ve been in touch with some of the people, you know, the town managers and so on that have been -- and we have sworn that we’re going to straighten this out, and I’m confident that we are.

Administrator YUNITIS: Yes.
Commissioner BERGSTROM: That’s pretty much what it is.
Administrator YUNITIS: And this is a good opportunity because you all go back to the towns and you’ll hear some issues and concerns being raised about the fact that the county didn’t get to this project and we didn’t get to that project and that’s 100 percent right.

The real issue is that you have a very limited dredge season, and you can’t -- the natural consequences of boating puts a freeze on dredging in the summer when we could get the most done for obvious reasons. There are just too many boats in the harbors in the approach channels.

And then you have the environmental time of year restrictions, which are above and beyond our control, and that’s why we’ve decided to get the third dredge. We really shouldn’t be in this box every year. You know, granted the dredge that we have presently that we purchased last year was over designed but it’s going to be a very good dredge when it’s modified for our waters at the end of the season. And the new dredge will be a simple dredge, so we’ll be able to keep up with all the projects that your towns have and we’ll be able to take on some more projects going forward.

Commissioner BERGSTROM: Yes, and I’d like to add that the cost of the renovation of the new dredge will be borne by Ellicott.

Administrator YUNITIS: Yes.
Commissioner BERGSTROM: The cost of the dredge that we’re going to order from them or from whoever responds to the RFP will be covered by the Enterprise Fund and also, of course, the charges to the towns for the dredging. So it’s not going to affect the operating budget as far as I know. We’ll see.

Delegate KILLION: Thank you.
Speaker MCAULIFFE: Delegate Green.
Delegate GREEN: Thank you, Madam Speaker, and thank you for being here, Commissioner Bergstrom and Administrator Yunits. Could you tell us would the third dredge address the issues that Wellfleet has?

Administrator YUNITIS: No, it won’t, but what we’ve done is we’ve put out an RFP to bring in an environmental consultant because we felt that it was time for the county to take a bigger role in working with the towns, not doing the towns permitting but working with the towns to better coordinate issues like Wellfleet.

Kristy Senatori and I have had conversations about how relevant it would be if the county actually stepped forward and got into Wellfleet on a more regular basis to help you with your problems which are very unique.

We could probably put together a proposal for the Commonwealth of Massachusetts that will save you up to 50 percent on that job so the 24 million drops to affordable levels. And
that would be a long-term goal for us to do that, to get more engaged with you.

I went to Orleans recently, and I went to the presentation at the Nauset Inlet, and we really should be a little bit more engaged with those projects going forward.

The MassWorks program, as most you know about, is the grant-funded program that assists your communities when you apply for grant matches for dredging because this governor recognizes and believes in the value of protecting our coast and our narrow route channels and clean water.

So this is a big new thing for us. This was the first year, but we can help all these towns get these grants if we’re on the same page, and that’s what we intend to do going forward.

Commissioner BERGSTROM: Yes. Lilli, I don’t know -- I don’t know why the current dredge is, I mean, you’re probably more familiar with the, obviously, there’s a different kind of bottom in Wellfleet Harbor; maybe it’s muddy or something like that, you know, but for some reason the dredges that we have are not adequate to do that. But, I mean, we could always look into it and see if there could be modifications made, you know, or if we have alternatives because I know that Wellfleet is looking at that -- is really anxious to get that done.

I know Wellfleet has been anxious about that and, believe me, the county will do whatever we can within reason to see that all the dredging needs of the towns are addressed if it’s at all possible.

You know, we also have made an agreement with Plymouth. They have a small dredge that can wander up into the little estuaries and stuff, which we can’t do now. So we’re trying to -- this is a big benefit to the towns. We’ve had some glitches, you know, we’ve had some, you know, issues, but we’re determined to get it up and running because it is a tremendous savings and we’ll do whatever we can and, hopefully, by the spring we’ll be up and running, and we’ll be moving sand from one place to another only to put it back next year.

Speaker MCAULIFFE: Thank you.
Delegate GREEN: Thank you.
Speaker MCAULIFFE: Yes, Delegate Chaffee.
Delegate CHAFFEE: Thank you, Madam Speaker. Commissioner Bergstrom, I want to go back to your comments about standing up emergency shelters and healthcare personnel.
Commissioner BERGSTROM: Yes.
Delegate CHAFFEE: Did I hear you correctly say that Cape Cod Healthcare personnel will be in the shelters, not county medical personnel?
Commissioner BERGSTROM: That’s correct.
Delegate CHAFFEE: And then they will the bill the county for those services? How will that work?
Commissioner BERGSTROM: No this -- Jack knows.
Administrator YUNITS: Yes, this was -- here’s what happened last year when we had - - most of March we had shelters open and running. We found that the senior population was -- it was dramatically increased during the month of March last year in terms of who was our base population at the shelters. And it came with it the need for a lot of professional medical attention. We brought in our nursing core to back it up, but it wasn’t enough.

At the same time what the hospitals found is that a lot of the seniors had that same fear that they would go to a shelter and there wouldn’t be medical staff there, so they went to the emergency rooms, and that’s a huge problem for the hospitals, huge problem.

So Cape Cod Healthcare has said we’d be better off letting the world know that we’re
going to be at your shelters, so seniors could come, feel safe, and feel confident in the kind of
treatment they’re going to get if they need it in your shelters during these kind of events, and
that would alleviate the pressure on the emergency rooms and help us help our residents during
shelter emergencies.

It’s a great proposal. I think we heard today, Ron, that it was the first in the state.
Commissioner BERGSTROM: First in the state, yes. And, once again, it shows a
partnership between the county and an organization, in this case Cape Cod Healthcare, which
benefits the citizens of Cape Cod. And I’m hoping that if we can get that word out when
something like this comes around that we’re doing this; we’re providing these services and not
only emergency management but also providing for seniors who might need some care. So
we’ll see. We’ll promote these. We’re on a roll, I think, and I’m very happy with how things
are going.
Delegate CHAFFEE: Thank you.
Speaker MCAULIFFE: Okay, great. Thank you, very much.
Commissioner BERGSTROM: Okay. Thank you.

Speaker MCAULIFFE: Okay. Comments from public officials?

Summary: Presentation on the Cape Cod Municipal Police Academy

- Newly appointed Cape Cod Municipal Police Academy Director Peter Carnes
  provided a PowerPoint presentation to the Assembly regarding the formation,
governing and financial structure of the new academy
- A training academy on Cape Cod will help reduce training costs to the towns,
  reduce the waiting list for admission, and improve the time it would take to
  become certified
- The training academy will be located at Joint Base Cape Cod and will startup in
  July
- Barnstable County is providing some initial advance funding ($50,000), some
  fiduciary administration oversite, insurance, to ensure compliance with state
  purchasing and other types of administrative items

Speaker MCAULIFFE: Okay. Next item is a presentation and it says from “Retired
Chief Peter Carnes” but now we can call him “Director of the Cape Cod Municipal Police
Academy.” Chief Carnes is here, and Deputy Director Wayne Sampson is not, but Chief
Carnes will do our presentation. Welcome.
Mr. PETER CARNES: Thank you.
Speaker MCAULIFFE: And full disclosure, I have worked very closely with Chief
Carnes for a very long time; he was chief of police in Yarmouth for --
Mr. PETER CARNES: My favorite Selectmen.
Speaker MCAULIFFE: Oh.
Mr. PETER CARNES: All right. Good afternoon, everybody. My name is Peter
Carnes; I am the retired police chief of Yarmouth. Prior to that, I was chief of police up in
Wenham on the North Shore. And when I retired from Yarmouth, I went to Stonehill College
and worked in Public Safety where I was for 11 years.
And for the past year, I’ve had a number of conversations from police chiefs on Cape
Cod and also with County Executive Jack Yunits on how we can improve police training on
Cape Cod. And one of the issues that we talked about in the beginning was maybe getting a Police Academy together with the Fire Academy and also having an EMS, Emergency Medical Services Academy under one roof. And, unfortunately, because of some of the regulations in the state, the police academies have to be licensed by the state and they almost have to stand alone for some degree of what they do.

So we continued our study and we found that each of the communities on Cape Cod as well as Nantucket and the Vineyard were spending countless dollars sending police officers, young men and women who were recruits for their departments off Cape Cod as far away as Springfield, as far away as Randolph, Reading, New Braintree for basic police training.

There was no close academy to us; the closest one really, was in Plymouth for this 22-week training period. And, unfortunately, the Plymouth Academy covers all of southeastern Massachusetts and about a hundred percent of the time it’s full, it’s over capacity, there’s waiting lists and things like that.

Having said that, two things are very expensive to the communities. One is delaying getting officers trained and, of course, the second thing paying money to have them go across Massachusetts. We recently found out from the police chief in Provincetown that he was trying to get two officers into a summer academy in June for the 20-plus week training period and that academy was in Springfield. So you can imagine being the police chief in Provincetown having to send two officers in the summer for 20-plus weeks to Springfield. Housing becomes an issue, mileage becomes an issue, overtime becomes an issue, so it’s very expensive.

So for the standpoint of offering an academy on Cape Cod seemed like a great idea. And in this PowerPoint you’re going to see some the quick steps we took to accomplish certification of this academy.

Joining me was Chief Wayne Sampson who is the retired police chief in Shrewsbury and most recently for the past 15 years he was the Executive Director of the Massachusetts Chiefs Police Association. Wayne lives in Bourne, and he’s right here on Cape Cod so he understands many of the issues that are presented in this PowerPoint.

What we did initially we, beyond the study, we found a very pressing and serious need. We formed a partnership with the Cape Cod Law Enforcement Council, which is your law enforcement chiefs and officers from each of the communities that are represented here. We formed a partnership with the County, and then we went ahead and met with the Base, and the Base as you are going to see in a few minutes in this PowerPoint, the Base welcomed us in for this project.

So if my technology proves to work, I’m going to just move this along.

Speaker MCAULIFFE: Okay.

Mr. PETER CARNES: Not yet. Thank heaven you have him here.

As I indicated, the objective was to establish a local police recruit training academy to meet the needs regionally by providing an all-encompassing venue for Cape Cod and the Islands.

Now prior to 1990, we did have a Police Academy on Cape Cod, and for a number of reasons that academy was closed, and it was housed at the Fire Academy. And one of the reasons it did close was, obviously, the lack of facility and space and whatnot.

The survey we did we found out that the police chiefs in 21 communities on Cape Cod, Nantucket, and the Islands were, as I indicated, sending police officers across the state to get their mandatory basic police training. This is the initial first step when a man or woman
becomes a police officer that they must go to this training period. And the training is all controlled by the Commonwealth of Massachusetts. We decided based on our information that, of course, Public Safety is impacted when the training is delayed.

What did we need? We needed seats on Cape Cod. We needed to eliminate the costs which were very serious. We looked at the deployment of the officers, the men and women to go back to the communities of work; we found out that the deployment was severely impeded and delayed. And we also found out, and it’s no secret, that policing on Cape Cod is different than Springfield or Randolph or Reading or those other areas where those academies are there’s a unique feature to our policing on Cape Cod, which probably more involves community policing, reflects the need for police officers to be sensitive to the tourism issues on Cape Cod, and the uniqueness of our summer population which we all know expands.

We demonstrated the need. We made it quite clear to everybody that our goals were to impact this issue and try to resolve it. And, again, the driving force was the difficulty in obtaining available seats across Massachusetts.

The cost for police officers to travel and be trained during their training period, we found that if they went to the Plymouth Academy, there would be 300 hours of additional travel per recruit. Now they’re required to arrive at the Academy at about 6:30 in the morning. They leave at about 3:15 or 3:30 and then they’re on the road. So you can imagine just going to Plymouth during these hours you have traffic concerns and things like that, and certainly the situation would be exacerbated if you were traveling to Randolph, Reading, or, of course, New Braintree.

We had a report from one chief on Martha’s Vineyard that his department spent $14,000 during the training period to house his officer in an off-island location during the training period.

We also found out that if there was a six-month delay getting an academy seat, it could cost the community as much as $35,000 in overtime and backfill. So, once again, without doing this, the towns are spending a tremendous amount of money to accomplish the training of their police officers.

The partnerships, as I mentioned, the Cape Cod Regional Law Enforcement Council and the Barnstable County Commissioners embraced the idea during the study and continued to support our study.

General Faux at Joint Base Cape Cod came in and provided an incredible venue for us to use out there. If anybody’s familiar with the base, we’re going into the Wellness Center. On the location is all of the different types of facilities that we need. Case in point would be emergency vehicle operation, which can be done over there on the runways. If it was not done there, we’d have to go to Fort Devens and do it in Central Massachusetts.

And, of course, the important partnership with the Municipal Police Training Committee, which is a state organization which functions under the auspice of the Executive Office of Public Safety and Security, and that group based on our presentation certified our academy on February 20th. So we’ve received a one-year certification so we can begin recruiting.

The police chiefs of Cape Cod and the Islands are providing support. They’re providing that through a Board of Directors. The appointment, as you heard a short time ago, the appointment of the academy director and co-director is through the County of Barnstable. We will provide the Municipal Police Training Committee certified instructors and also at the same time the Chiefs Association, the Cape Cod Law Enforcement Council will assist with...
some of the financial needs of the academy.

The governance; the Board of Directors, Chief Peter Wack who’s the President of the Cape Cod Law Enforcement Council; Chief Frank Frederickson was the chief in Yarmouth; Ed Kulhawik, the Chief in Eastham; Scott Carlone, the Chief in Mashpee; Matt Sonnabend, the Chief in Barnstable; Jack Yunits your County Executive; Mr. John Szucs from Cape Cod Community College; Mike Trudea, the First Assistant District Attorney, and also on here is a James Plath who is a State Police Lieutenant and also from the town of Dennis who is one of our liaisons to the Base. He’s the State Police Commander at the Bourne barracks.

The Barnstable County Commissioners provided us with some initial advance funding. The county is going to provide some fiduciary administration oversite, insurance, ensure that we are compliant with our state purchasing and other types of administrative counsel. And we have signed a Memo of Understanding (MOU), with all of the groups involved which spells out the respective responsibility.

Joint Base Cape Cod provides a dedicated classroom with the latest in IT. A gymnasium with showers, a running track, vacant buildings for applied patrol procedures, firing range for pistol and rifle, and the Emergency Vehicle Operation Track.

On-site facility; our recruits, we’re expecting 45. We’ll have on-site lunch facilities, an auditorium for graduation, a swimming pool for water safety instruction. We’ll have secure office space over there in storage, and we’ll also have some overnight accommodations should the need arise. And just so you know too, that’s very important for the people on Nantucket and the Islands because the boat schedule does not meet the academy schedule so. And, lastly, there is a medical facility on the Base.

We plan the start date for the academy will be July 8, 2019, which because of the regulations of getting people into the academy and meeting the prerequisites for physical standards, all of these recruits must be certified through the academy by May 24. So as you can see, we have an aggressive schedule and part of the getting them ready for the July 8 date is the physical requirements which is known as the Cooper Standards, which is testing them for physical ability and aptitude.

The training that we utilize will comply with the Municipal Police Training Committee Standards. The officers will be certified by them, which is a state-mandated requirement, and we will use all MPTC certified academies.

The maximum number of students that will be in our classes will be 45, and seats will be offered to off-Cape municipalities should we not fill the academy with Cape Cod and Island recruits.

The typical cost, and these figures are just an approximate, the typical cost to either the community or the recruit, whichever the working environment dictates is approximately $3,000 per recruit, and we do have a potential of excepting what they call self-sponsors. These would be men and women that are sponsored by a department but actually do not have a job. They’re not -- they’re like taking a college course or a graduate course. They could elect to take a police academy course, and we expect the tuition for them, if there are people like that, that would be about $3,500.

Conclusion: we have identified the immediate need and a sustainable plan. As of February, we had 25 candidates. I would say today we probably have over 30. We’ve created a very unique partnership with municipal, county, state, and federal groups. We met all of the Municipal Police Training Committee academy requirements. We have secured what we think is a premier training location. I mean this space out there has unlimited potential for future
Public Safety training. And I would suggest once we have this class going in July that other Public Safety administrators will be looking at this venue for other types of training which probably has not been done out there for years. And we are prepared to commence the training on July 8. Thank you.

Speaker MCAULIFFE: Thank you, very much. How long is the training program; is it 20 weeks?

Mr. PETER CARNES: This will be 20 weeks, yes.

Speaker MCAULIFFE: And do you anticipate running them continuously or several times a year or?

Mr. PETER CARNES: We are scheduled for one class and this is the pilot, and we would very much like to do at least one a year on Cape Cod. And if time allows, we try to do two, but it’s kind of an interesting operation. You have to -- it’s almost like running a college. I mean you have to schedule courses and get certified instructors and meet time deadlines and things like that.

So there’s quite a bit of administrative requirements to be met to satisfy the state, and we’re kind of excited to get the first one off the ground. And so far, it looks like it’s going to be a success. You know, we could consider two a year if that was possible.

Speaker MCAULIFFE: I do want to mention that I think you’re minimizing the Herculean efforts that went into getting something like this approved in a relatively short time. We have been trying, you know, to work with the Fire Training Academy to kind of leapfrogged in, brought everyone together, and kind of produced a viable program that fits a need but also perhaps may be a regional example and a revenue generator.

But it’s, I think, we understand the degree to which the efforts and the work and the networking that went on was really crucial in getting this up and running so quickly.

This is an in-depth presentation because it’s new to the County, brand-new to the County for us to see what’s going on. This is a pilot but if it works it anticipates going forward. So there is a $50,000 seed money in this year -- in the 2020 budget for this program.

So I wanted everyone to have the background on this program.

Are there any questions of Chief Carnes? Delegate Ohman.

Delegate OHMAN: Thank you, Madam Speaker. Peter, it’s just a great program. I can’t believe you put this together as the Speaker said.

Mr. PETER CARNES: Team effort, Mr. Ohman.

Delegate OHMAN: Team effort, several people involved.

Mr. PETER CARNES: Team effort. Delegate OHMAN: Just illuminate me on how this works. I have two questions. One is so the towns normally they hire and start paying someone who is a recruit. So they found someone that they think will succeed with no guarantee.

Mr. PETER CARNES: Yes.

Delegate OHMAN: They could fail the course or dropout.

Mr. PETER CARNES: Yes. If they fail the course and then there’s not only academic standards but also physical standards.

Delegate OHMAN: Yes.

Mr. PETER CARNES: So you can fail the physical standards, you’re out. Fail the academics, you’re out. In fact, if there’s three exams that they fail, they’re out.

Delegate OHMAN: Okay.
Mr. PETER CARNES: So, in your case, the Town of Dennis would recruit and advertise and higher individuals. They’d come in. They’d vet them, put them through an extensive background process. There are other types of testing they do, psychological testing and making sure they’re the right person for the position.

And it takes a long period of time just to get them ready to come to the academy. And it’s a considerable investment. Now on Cape Cod, there’s two types of hiring processes. There’s one that’s probably more common than not, that would be just an appointment from a Chief of police or a community.

And then the second type which would be in the case of Bourne or the case of Falmouth or the case of Barnstable would be civil service. So there’s another layer of regulation and bureaucracy that the candidate has to go through.

But after that’s all done, they both go in the same direction. They go towards the academy and there’s no guarantees. I mean, the guarantees are that they have to meet the standards, and if they don’t meet the standards, they come home. And I think it’s one of those things that, right now, and I’ve been in law enforcement 46 years, we are meeting our most challenging times today and probably in the last five years and that has been the case. And we need the best we can get. We need people that are energetic, people that are smart, people that are excited about serving the public, which is our role. And this allows us to do it here, and it allows us to do it with instructors from Cape Cod and it allows us to really work with our homegrown people.

And probably the second thing it does is it gives our young people on Cape Cod an opportunity, which maybe will help the communities by retaining great people.

One of the problems we have, and I think if you went back and you spoke to your Police Chief, you would hear, you know, I can’t keep people. I mean they leave for bigger venues or places where there’s more excitement and things like that.

This is sort of here’s another chance to try to get it right here and try to recruit good people, keep them working in our communities, and also at the same time offer some relief in the high cost that it is to train police officers and then have them go somewhere else.

Delegate OHMAN: Okay. So what I liked about it is it does have that regional nature so every town on Cape Cod can save money if they choose to participate in the program. And I’ve always been a big fan of regionalization. That’s what we preach and you’re in practice with it too. And retention was another question I had.

The other thing is and 4C’s has another component here for retention; do they have CJ programs there?

Mr. PETER CARNES: Yes, they do.

Delegate OHMAN: And can you convince the management there to expand those so that we can keep and retain local young people and keep them here on Cape Cod?

Mr. PETER CARNES: We have, on our Board of Directors, you may have seen John Szucs who was the -- he’s the co-director of the Criminal Justice Program; he’s with us on this. And, quite frankly, in the beginning of the study, we were looking seriously at being at 4Cs. But as many of you may know in the room, they have a building project going on up there, and there were some issues with guaranteeing us the space we needed. So we went to the Base and they opened their arms and said this is where we want you to be.

And we will not break our connection with Cape Cod Community College because of the board member; we would certainly cooperate with those young men and women who are in the criminal justice program trying to obtain their associates degrees. And we plan on doing
some career days and things like that with those young people. So it’s a great partnership and John is one of our big supporters, John Szucs.

Speaker MCAULIFFE: Delegate Green.

Delegate GREEN: Thank you, Madam Speaker, and thank you for all of your hard work to date. I was curious, just a couple of minor things. As far as the success rate is concerned, there’s a big investment by the town to hire people and send them to be trained. What do you do to ensure that there’s -- that people are successful and what has the success rate been?

And also, if you’re charging the towns a certain amount of money, if we’re not billing the positions in our county and we go outside of the county, will the other towns get charged more money, and if they’re not, why not?

Mr. PETER CARNES: Good questions. First of all, your individual community, your chief, is doing the best they can to hire the proper person for the positions say in Wellfleet or wherever. They’re making sure this person is the right fit.

And as far as preventing them from going somewhere else after they’re certified, some communities engage in an agreement that if they’re going to hire them now, they let them know up front that you have a three-year or a five-year responsibility to your respective community, and if you choose to leave for other employment, you may be responsible for some of the costs. And there are costs beyond tuition. I mean there’s uniform costs and things like that.

And it’s an individual thing between the chief and his or her community that when they’re working with the young officers and the potential recruits that, you know, they try to make it clear to them that they’re forming a partnership. And we’re not just going to get hired in one town and get my certificate and run to, you know, the high-paying city or something. I mean they have to make sure that doesn’t happen.

Delegate GREEN: I think what I’m asking is the success rate in the academy and the course over 20 weeks, I mean that’s quite an investment in time.

Mr. PETER CARNES: Yes.

Delegate GREEN: And there’s a track record already. Is that -- is there a high success rate?

Mr. PETER CARNES: There is a high success rate, and the instructors and the staff, senior staff, who work as diligently as they can to save the person in the academy. In other words, they’re not just bringing them in and putting them out. I mean there’s some cases that, unfortunately, if there’s a serious injury or something, that person has to go out. But if it’s academics, there’s an opportunity to do some remedial work and there’s an opportunity for retaking a test and -- but there are limits to. I mean you get to the point where, you know, the individual has to be cooperative with the program and things like that.

And if you said to me what is the number, I don’t have the exact figures with me, but I would suggest the success rate is probably over 95 percent.

Delegate GREEN: That’s super great.

Mr. PETER CARNES: Our academy will strive for a hundred.

Delegate GREEN: Yes, at least 99.9 percent. And, also, the amount of money that’s being charged to communities off-cape, should that be the case, will they be charged more than the Barnstable County ones?

Mr. PETER CARNES: Right now, the state prohibits us from charging more and pretty much the numbers you saw will be the numbers that they’ll be charged. In other words, we
couldn’t say if, you know, you’re coming in from a southeastern Mass. community your rate is X and, you know, we’re giving discounts to Cape Cod, they don’t allow us to do that.

But having said that, please know that to fill the academy, the money is going back to support the program. So a full academy is very important to us so that seat for the officer from say Plymouth or somewhere like that that’s not on Cape Cod is valuable to us because that money comes back to the county.

Delegate GREEN: Thank you.

Speaker MCAULIFFE: Thank you, very much.

Mr. PETER CARNES: Thank you, Suzanne. Thanks, very much.

Speaker MCAULIFFE: Yes, and good luck and I hope we will --

Mr. PETER CARNES: Thank you. We’ll hopefully give you a report next year.

Speaker MCAULIFFE: Yes, yes, we’ll get an update and hear how successful.

**SUMMARY: FY20 Proposed Budget Department Reviews**

Speaker MCAULIFFE: Our next item is the presentation by departments and discussion on our twenty -- FY20 budgets. The first one is the County Commissioners’ office including Human Rights and AmeriCorps program and also Capital Budget.

The times on the agenda are tentative times of -- for two things; one is to kind of let people know that this isn’t an open-ended free-wheeling in depth kind of learn everything, and I apologize to the new members because in subcommittees or in committee you were allowed to do that. But because we have everyone here, you may not be able to get into the weeds the way you would like to. It’s more of a presentation of what the budget is, any major changes, and just sort of the high notes.

The Clerk has gone through the trouble of pulling out from the original budget every single item that is relevant to the topics and put them in order, and that’s why your packet is so large.

So the 30 minutes I have allotted is not a deadline figure. It’s just a reminder to us to keep moving but also -- it’s also, you know, telling people that it might take a chunk of time to go through the various budgets.

So our first one would be the County Commissioners’ Office.

1. **County Commissioners Office, including Human Rights, AmeriCorps and Capital**
   - Overall county budget is increasing by approximately 1.5% for FY20
   - Anticipate a supplement budget adjustment due to early retirements and a 10% health insurance cost decrease sometime this spring during the budget review process
   - Budget increases are mostly reflected in personnel line accounts, and contracted services but overall Commissioners budget is level funded
   - Human Rights Coordinator is funded at 19 hours for FY20
   - AmeriCorps FY20 proposed budget mostly level funded with exceptions to new building adjustments, insurance and items related to housing for its members (24 down from 32)
   - FY20 proposed Capital budget reflects funding for several projects that the county will receive reimbursement for from the state, a new county vehicle, and building for the Cooperative Extension at the County Farm
location

Commissioner BERGSTROM: Yes, I’d just like to say that I’ll sit in here as the head of the County Commissioners’ office, but I’m going to defer to those who crunch the numbers here and let them answer any questions that you have.

Speaker MCAULIFFE: Great. Great. Thank you.
Administrator YUNITS: Thank you, Mr. Chair.
Speaker MCAULIFFE: So that would be Mr. Yunits. Thank you.
Administrator YUNITS: Madam Speaker, just a quick budget overview. The budget this year was increased by the amount of 1.5 percent, but we do expect that it’s going to be diminished not -- when we adjust it later with a supplemental budget. For the good news on our healthcare benefits, the insurance rates are staying the same. So we’ll be reducing our insurance line items across the board by 10 percent, and we’ll have our early retirement numbers hopefully before the Commissioners for approval when we come back with a supplemental budget.

So it’s pretty much a level-funded business. And you’ll see that across the board as you go forward. The only significant increases in line items would be the line items that deal directly with personnel, which is 74 percent of the budget, and that’s because of step increases and/or COLAs.

I also want to point out this will be your last meeting in this room. You won’t have to fight about with mics and poles any longer. We expect to have the new room open by Friday. So congratulations on that.

Starting with the Commissioners’ Budget, it is level funded. The increases that you’ll see on the budget are principally in the salary line items that deal with personnel because we’ve made some transfers in, not new people, but transfers in.

We’ve moved the Payroll Clerk part-time underneath the Commissioners’ Budget where it should be. We’ve moved the Human Rights Commissioner into -- Human Rights Coordinator, strike that, into the budget.

Under “Commissioners,” we have added that $29,000 as a contribution for the Commissioners’ Budget to the Administrative Assistant’s position. That position is funded from three separate sources; the dredge where he spends a considerable amount of time; the Fire Training Academy Cleanup Fund where he spends a considerable amount of time, and also the Commissioners’ budget.

Finally, Communications is now a part-time position under the budget as well in the Commissioners’ office. Communications is the Communications Coordinator is the individual that deals with all the County communications, the website updates, and those of you who remembered before, Sonja Sheasley joined us, and after I’ve seen a huge difference in that. In addition, she chairs the Communication Team which involves representatives from all the County departments who deal with messaging, and she deals with, of course, public communications on a regular basis, press releases so on and so forth. And that’s part-time here, and it’s part-time as part of the collaboration efforts that we’re doing with other departments, part-time out of Health. So that’s the difference between last year and this year in the Commissioners’ Personnel Budget.

The other increase was in Contracted Services. We do expect that we’re going to have some new programs that come on board to help us -- that are run and, more efficiently, organize some of our Enterprise accounts, and to do that we’re going to have to bring in some
consultants along the way to help us with the software that Mary McIsaac will talk about when she gets into her presentation of the Finance Department’s Budget.

Aside from that, that’s the Commissioners’ Budget from this year is unchanged from last. It’s interesting to have Peter up here before us because when Peter first came in to present his proposal for the Police Academy to us, which really goes back to last summer, A., the good news is we got it but, B., the bad news is that I never expected it was going to come this fast.

And what I said to Peter early on was that we’re not going to be able to do any bricks and mortar, and we’re willing to commit to you because it was obvious that Peter could show us the savings of a quarter of a million dollars to the towns if we only ran one program a year. If you run two, it will be more, and you could do professional development.

But what we did is with that in mind and with his great efforts, of course, we were able to build an Academy without investing in bricks and mortar which is critical to us because we wanted to see it done but we couldn’t afford to do it in the more traditional way.

And that’s the approach we’re taking with this budget. We’re not closing the world off to new ideas. We’re saying we need new sources of revenue if we’re going to fund operations. That’s why you’ll see pretty much a level-funded budget except for programs like that where we know Peter will generate revenue over time to at least cover the cost and make that program sustainable. And that’s just a very basic principle in this budget.

As I indicated to you in my cover letter what we’re hoping to do going forward is to start to track and bill some of our reserves. We’d like to be in a situation like all the towns are where there’s a blanket level of Free Cash. So if the economy does tumble, and you know from looking at the revenues that Mary presented to you a couple weeks ago, our revenues are principally -- our only level of cushion in that budget is the revenues we generate from the excise tax at the Registry. When values drop or sales drop, those excise tax drop. And we learned in the last great recession that that can drop as much as $3 million a year. So we have to be prepared for that. To do that, we have to build our reserves.

But we’ve also have some technical obligations that we’ve been ignoring for years. One of them is Other Post Employment Benefits (OPEB). We have an obligation to make sure that our former employees and our future employees don’t become a burden to the towns later on is to fund those OPEB accounts. We intend to do that this year.

So we have put together a Financial Management Team which includes a couple former Town Managers and our Bond Advisor, and we’re going to be presenting to the Commissioners and then to you some financial management practices to deal with reserves, capital reserves, OPEB, and, generally speaking, a savings reserves to protect us in that eventuality. So we’re not in a situation where we were in 2016 where we wiped out all our reserves to pay our obligations. We can’t do that again. That almost put us under.

Speaker MCAULIFFE: Can you just -- we have three new members; could you just give a very brief description of OPEB so that people understand the retirement benefit liability, just how that umbrella hangs over us?

Administrator YUNITS: Yes. For years the practice in government was not to fund future obligations. It was not -- that’s not unique to the County by any means. That was constant across the board and a lot of communities still have variable efforts to fund your pension obligations going forward. So, obligations like OPEB require us to put as part of our annual budget so that we are running current with actualized forecasts about what that obligation’s going to cost us in 2036 or 2040 and we have money in the bank to make sure that our former employees, health and pension obligations, for instance, are compensated for.
Right now, when I got here, I think we had $10,000 in that account; we haven’t set up our OPEB Trust Fund, but I know we appropriated $250,000 two years ago, and we want to continue in that regard until we have a reasonable amount of money in OPEB that satisfies Standard & Poor that we are making that effort. It will impact your bond rating going forward if you don’t. So that’s why we’re making that kind of --

Speaker MCAULIFFE: And the acronym is Other Post-Employment Benefits.
Administrator YUNITS: Right.
Speaker MCAULIFFE: So that’s where -- when you hear OPEB, that’s a common issue.

Commissioner BERGSTROM: Okay. I’d like --

Speaker MCAULIFFE: I just had one question before you move off this. Your health insurance costs, did you budget an increase or is that level funded as well?
Administrator YUNITS: Yes, the budget in front of you shows a forecast of a 10 percent increase, and we did that to be conservative. But we also did it because the background checks that Mary had done over the last 15 years showed an actualized -- actually costing about on average 7.5 percent a year in increase.
Speaker MCAULIFFE: Okay.
Administrator YUNITS: So this is dramatic news out of the county’s Cape Cod Healthcare Group’s Policy Management. I know their surplus is significant, so you can rest assured that that won’t change this year and it may not change next year.

Commissioner BERGSTROM: Yes, I’d just like to say that there’s probably one or two of you who were around or maybe served in your towns when you saw the healthcare increases driving the budgets past what the town assessment could provide for. You know, it was going -- at some point, it was over double figures 10 percent, and now we’re level funded with last year, so that’s huge. It may not continue forever but it makes a big difference.

I’d also like to say that I’d like to take a lot of credit for this budget but, of course, most of it was cobbled together before I arrived on the scene. And thanks to Jack and staff and Mary and my predecessors on the Board of Commissioners.

But it’s good that I feel good in two ways because it’s a good budget and it reflects the priorities of the County. But also, there’s going to be a lot of issues coming down the pike, a lot of initiatives like the Police Training Academy that we’re going to be talking about. So not having to, you know, get a big argument or a big concern over the budgetary matters is going to help us move on to those issues. And I’m confident that we’re in sound shape this fiscal year and we’re projecting out the next few years to make some accommodations so that we can continue in that vein so.

Speaker MCAULIFFE: Did you want to take questions or were you going to go --
Administrator YUNITS: However you would like to, Madam Speaker.
Speaker MCAULIFFE: Why don’t we do questions, a couple questions now, and then you can go on. I think next on our list is AmeriCorps.

Delegate Zuern.
Delegate ZUERN: Thank you, Madam Speaker. I have a question about the Human Rights Coordinator. I thought last year it was about half that amount, and could you just explain how many hours, and do you already have somebody hired and what that person’s job description is?

And I also have some concerns about the Human Rights Commission as to the kinds of things that they were doing, and they seem to be going off on their own and doing the human
rights and the UN instead of the Constitution. So I’d just like you to explain that.

Administrator YUNITS: Yes, well you’re going to have a lot to say about that because we filed a Human Rights Commission Amendment to the original ordinance which is coming before you I believe next meeting. And I’ll tell you, we used to call them the Board of Commissioners, that’s no longer going to be. It’s going to be the Board of Advisors because it was too confusing calling Commissioner and then Human Rights Commissioner and it gets lost in the message sometimes, especially if you’re handing out business cards. So we’ve changed that in that ordinance to the Board of Advisors.

And you’re right, in 2018 we reduced the workload by 50 percent. It turned out to be a bad move. The coordinator of the Human Rights Commission couldn’t keep up with the work. It was putting the Commission in a whole. We weren’t properly supervising it at that time and there were a couple of things that ran amok. But I’ve got to tell you, the Board of Advisors that worked with us on this ordinance were superb. They’re tremendous. They’re dedicated.

So we do plan on restoring that budget to its full fund as it was last year and bringing on a coordinator as soon as possible. I think that we need to add a couple more Board of Advisors too -- members of the Board of Advisors. But generally speaking, this budget, the Human Rights Commission, which is what I want to talk about next anyway, is level funded from last year with a full-time position or a part-time position.

Delegate ZUERN: How many hours is that?
Administrator YUNITS: Nineteen hours.
Commissioner BERGSTROM: And is it $28,000?
Administrator YUNITS: Twenty-nine thousand.
Commissioner BERGSTROM: Twenty-nine thousand and it’s still a part-time position, no benefits.
Delegate ZUERN: Thank you.
Commissioner BERGSTROM: So it’s pretty much in line with what we’ve had historically had there.

Speaker MCAULIFFE: Delegate Chaffee.
Administrator YUNITS: Yes, we made a mistake when we reduced it to 13 hours. It just wasn’t enough time for them to do -- effectively do their job. Nineteen hours should be enough.

Delegate CHAFFEE: Thank you. I have one question about the County Commissioners’ Personnel schedule. The Assistant County Administrator is a full-time position, but it’s budgeted at only $29,000.
Administrator YUNITS: Right.
Delegate CHAFFEE: Why is that?
Administrator YUNITS: That’s because we take a cut of -- a significant amount of the Assistant’s time is spent dealing with dredge issues and assists a huge amount of time as doing the Fire Training Academy cleanup work. We have separate accounts for both of those, so we charge those accounts for that time out of those separate accounts.

Delegate CHAFFEE: Thank you.
Speaker MCAULIFFE: Okay. Next?
Commissioner BERGSTROM: I’m done.
Speaker MCAULIFFE: Okay. Next in my order is AmeriCorps. Is that where you’re heading?
Administrator YUNITS: AmeriCorps, once again, is, you all know, well maybe you
don’t, you’ve got some new members here Andrew so.

Speaker MCAULIFFE: Yes. And just --

Administrator YUNITs: You might want to come up and talk a little bit about it.

We’re very pleased to have Andrew Platt, who is our AmeriCorps Coordinator. Julie Ferguson continues to be the Grant Monitor through the RDO. Andrew’s done an incredible job. He’s got a great staff, staff of one, but a great staff, nonetheless.

We’ve reduced the numbers as you’d recall from last year from 32 to 24, and we did that because we lost the Fire Academy out of Wellfleet. The National Seashore has decided to get away from that and, therefore, we lost the house.

Andrew’s been able to work with David Anthony in the Town of Barnstable who’s been a yeoman assistant to us in securing a house for the AmeriCorps program where four members live. We’ve taken the Old Gosnold House in Pocasset and improved that. We still have some projects going. We have to enlarge a bathroom and repair a roof, but generally speaking, we will be able to house a good portion of our kids here -- members there, and finally turning back to Wellfleet with the traditional AmeriCorps houses; we have that house running as well.

The county contributes about in the range of about $250,000 cash a year to $250,000-$270,000 as a grant match, but we also commit a huge amount of staff time. Administrative Assistant for RDO is also pretty much the staff Administrative Assistant for Andrew. We do the finance backup in the office, the auditing and, as I said, Julie is a compliance officer for the grant long term.

So there’s a significant amount of employee match that goes into the AmeriCorps match as well. Andrew, if he hasn’t already done a presentation to you will show you a significant number of tasks that we do for the towns in the course of a -- in a year. And I know you’ve all heard about it, so Andrew do you want to --

Mr. ANDREW PLATT: Yes, I can speak. So, Andrew Platt; I’m the Program Coordinator for AmeriCorps. You’re probably wondering, on the budget side of things, we are actually -- our budget is under with RDO. So when RDO presents, you’ll actually see our lines broken out there.

So, again, our matches this year -- it’s our cash match that’s kind of important to point out that we receive a federal grant from the Corporation of National Community Service. That’s a federal agency; the County goes out for that grant. It is match funded by the County. This year it’s in the range of $219,000, that cash match. That grant is based-on a number of members that we have, so it is a lesser amount than in previous years when we had 32. And those funds do come out of the RDO budgets, and you’ll see those specific lines when you go through that.

And, again, that’s the match is a one-to-one match, so where that number makes up because the actual grant order’s around $357,000, but the rest of that’s actually in-kind. So that housing that we provide for the members, we get to count that as an in-kind match, so that reduces kind of the cash cost significantly to match the grant. But it’s also just so critical to provide housing for the members. They only make a small living stipend when they serve here, and they wouldn’t be able to live here otherwise to do that and find a place to live. So that is so critical and, again, it reduces our kind of the obligation in terms of our cash match.

And, you know, really when we go through our budget in RDO, I’ll come back up with Julie then. The only change is kind of shifting a little bit from Supplies to our Facility Improvements. Again, we did move into some new houses so it’s important that we continue
to maintain those houses and take care of them and make sure we’re in them for the long-term.

But I’m always happy to come in, and I can -- I did give a presentation to the Commissioners this morning kind of running through our program, how some of it works, and how the members are doing this year. I showed some pictures from some projects in all of the different towns. So I’m always happy to come in and schedule a time to come in and present that presentation to you.

You know, it’s important that the towns know what the service the County is providing with AmeriCorps. We are part of the County. I think that gets lost when people hear AmeriCorps Cape Cod; they think we’re some agency organization out there. We are part of the County. We are housed out of the Resource Development Office. So it’s important that people know this is a County service that the County’s providing to the towns.

Administrator YUNITS: Thank you. And, again, I’m going ask Julie to come up and talk a little bit about the RDO Budget. But you’ll see the only significant difference in the program is the increase in the line item that deal with the new buildings, the insurance, some accommodations, physical accommodations have to be made and so on and so forth, pretty much level funded as well.

We did a couple years ago we met and decided to change the structure of the RDO department, and Julie’s assigned -- was tasked out to the various department heads the services of the RDO Officers. Julie now is the RDO Officer for Extension and Health. Quan is the RDO Officer for Human Services. Sonja does some work with Human Services but, generally, has come out of the RDO Budget, and in Human Services in the County Commissioners’ Budget as I just talked about. But I’ll have Judy come up and just run through the budget with you.

Speaker MCAULIFFE: We can do -- we have that actually scheduled.
Ms. JULIE FERGUSON: We go after Finance.
Speaker MCAULIFFE: Resource Development after Finance, okay?
Administrator YUNITS: Okay.
Speaker MCAULIFFE: So we’ve got that covered.
Administrator YUNITS: Okay.
Speaker MCAULIFFE: But I wanted -- because you have administrative line authority over AmeriCorps, I know AmeriCorps is an issue near and dear to people’s hearts, I wanted to just have an opportunity if they have any questions.
Administrator YUNITS: Yes.
Speaker MCAULIFFE: Delegate Ohman.
Delegate OHMAN: I’m proud to say that I’m on the Advisory Board for quite a long time with AmeriCorps, so I’m involved in a lot of different ways, and I’ve seen the houses, and I’ve seen the kids in the houses. I’ve watched the amazing thing and the retention of people, young people staying on Cape Cod I think is something like 77 of them currently are still here -
Mr. ANDREW PLATT: When we last heard.
Delegate OHMAN: -- in our 20th year. But, you know, we sometimes talk about the cost to the County in dollars, $270,000 plus, you know, here and there in kind. But you’ve always done a calculation of hours served times rate of service on an actual basis.
Mr. ANDREW PLATT: Yes.
Delegate OHMAN: Do you have that number so that we could publicly state how much benefit that every town regionally gets from AmeriCorps every year?
Speaker MCAULIFFE: Yes, that will be covered under the RDO.
Mr. ANDREW PLATT: Yes, that will be covered under the RDO Budget. When they come up, you’ll be provided with that information with all of the kind of breakdown of that value.

Delegate OHMAN: Thank you, because I think that’s really important.

Administrator YUNITS: And that’s a great point to make too, John, because it’s like the Police Academy; we make a small investment, but we generate and multiply our savings for the towns and that’s -- you’ll hear that when you hear that presentation.

Speaker MCAULIFFE: Thank you. And then the last item under “County Commissioners” is the Capital Budget request --

Administrator YUNITS: Yes.

Speaker MCAULIFFE: -- which is a separate Proposed Ordinance 19-03.

Administrator YUNITS: This is a lot larger than anything we just talked about. So I don’t know if you want to go through it line by line or have Donny summarize it for you some of the most --

Speaker MCAULIFFE: I think I’d summarize it and then we can -- are you talking about line by line each like $80,000; $30,000; $35,000?

Administrator YUNITS: Yes.

Speaker MCAULIFFE: Yes, I think a couple minutes to just give a little bit of information on each of these items just to refresh people’s memories. So I have the ordinance here, so it just starts with the Interior Renovations and HVAC and it -- are we all on the same paper?

Administrator YUNITS: Yes.

Mr. DONALD REYNOLDS: Madam Speaker, Assembly members, good afternoon.

Speaker MCAULIFFE: Donny Reynolds.

Mr. DONALD REYNOLDS: My name is Don Reynolds, the Interim Director of Facilities, and I’m going to chat for a few minutes about my Capital Request.

Speaker MCAULIFFE: I just have the ordinance in front of me. I was just thinking if you just -- there’s one, two, five, there’s eight items.

Mr. DONALD REYNOLDS: Yes.

Speaker MCAULIFFE: Yes.

Mr. DONALD REYNOLDS: I’m dealing with the four relative to my department.

Speaker MCAULIFFE: Yes.

Mr. DONALD REYNOLDS: I think mine’s --

Speaker MCAULIFFE: Okay.

Mr. DONALD REYNOLDS: So, first, I want to say Interior Renovations/HVAC Replacement, that’s at the Orleans District Courthouse, an aging system many years past due of being replaced. At this point, it’s come to a head, and over the next period of time beginning in FY20 there’s always engineering costs, equipment rentals to keep up the summer season with a failing system. So I estimate that cost at $200,000.

Briefly moving on is quite simply the upper-most level of the First District Courthouse is the aging rubber roof and is in need of replacement. Primarily from last winter’s storms it actually separated the membrane from the roof structure itself, and we’ve been constantly getting water leaks and cleanup every time there’s a rain event. So that is in need of replacing.

Third here is for the Registry of Deeds. It’s just simply a rooftop air conditioning that
serves the Probation area of the Probate Court. Just based on age, its useful life has come and gone, and we’re looking to get that replaced prior to a July event where everyone is extremely angry that it’s very hot because it’s failed.

And, finally, we’re in need of replacing a van within the Facilities fleet, model year 2006; we use it primarily for our constructions. The carpenters get in -- all their tools are in there, and it’s just -- it’s tired. Time to let her go.

Administrator YUNITS: And there’s different formulas for all buildings, but the state does reimburse us for these expenses a hundred percent for the District Courthouse, and I think its 80 percent for the Registry.

Speaker MCAULIFFE: And is that reimbursement about a 12 or 18-month lag?

Administrator YUNITS: Yes.

Speaker MCAULIFFE: Okay. So these expenses will be reimbursed, but that’s what gets so complex in the county financing is reimbursements come in and they come in way down the road and you’re trying to remember what the project was.

Administrator YUNITS: So.

Speaker MCAULIFFE: Okay. Next is the Farm, Cooperative Extension.

Administrator YUNITS: The Probate Court; the Probate Court has become one of our most complex courts across Massachusetts, and the Probate Court that we have presently in Barnstable County was not designed for the kind of crisis they deal with on a day-to-day basis. They need mediation rooms. They need cooling off rooms. They need breakout rooms.

In order to provide better security -- and they especially need mediation rooms. So in order to accomplish that, they’ve asked us to move the Extension Services out. It made no sense to spend a ton of money doing things to the lower level of this building that would bring it up to code where we had so much land at the Farm.

So we took a good hard look at the Farm and we decided to move the Extension Service out to the Farm, and by doing an addition to the existing office that already exists out there. Since Extension Services deals primarily with agriculture and aquaculture, it fits in to the conservation restrictions. It should not be a problem for us long-term in dealing with the towns. So we’ve engaged an architect to begin the process of looking at this.

The numbers you see in front of you, I think, are $200 a square foot. I think Donny, Steve Tebo, and myself don’t think that’s going to be possible. I’m sure Tom O’Hara is probably shaking in his boots when he saw that. It’s going to be more than that, but we won’t know exactly. I’ll get a better feel for it until we have some preliminary drawings and sketches done at the Farm. So that’s why we’ve asked for this amount of money for now.

Speaker MCAULIFFE: And this is -- I said the total is $975,000 for all the projects?

Administrator YUNITS: Yes.

Speaker MCAULIFFE: Anybody have any questions on Capital? Yes, Delegate O’Malley.

Delegate O’MALLEY: Mr. Yunits, I’m going to direct this to you. There has been discussion in this chamber, and we are facing with further debate on issues related to County response to the climate change crisis. And I want to be sure that when we’re undertaking some substantial capital improvements to some of our facilities that we’re doing that with the notion that we are driving towards a zero-carbon budget to really maximize our energy savings in this process. And I don’t want to find ourselves looking back two years down the line and say, you know, “We just did the roof and we did a half-way job.”
Is that being incorporated? Clearly, our goal in whatever emerges from this body in terms of climate change is going to ask that the County commit itself seriously to looking at every piece that’s under our control and what can we do about it. So that’s kind of a long question.

Administrator YUNITS: That’s a great question, Brian, and it’s a very fair question. As Donny will tell you, the equipment down in the Orleans District Courthouse is the original equipment, so it dates back to the early 70s.

There’s a way to get around that. The way to deal with a huge infrastructure investment is to deal with HVAC, windows, lighting, and the kind of things you’re talking about, Doc, rest with energy conservation contracts which were set up under Chapter 25A of the Mass. General Laws years ago to try to get communities to invest in maximizing your energy savings. And they do that by allowing communities as part of their bond process to add the savings from the energy contracts so that a new HVAC system in the Orleans District Court may save 25 to 35 percent on the energy. And that savings can be incorporated in as part of the scheduled repairs.

And the way it works is the companies that come in to do the energy conservation work will give you a guarantee that they’re going to save you after they do their audit, they’ll guarantee you that they can save you X amount off your energy bill every year, and they will ensure that savings. So that your bills will go down commensurate with their projections based on their audits.

The problem is that DCAM, who calls the shots, Division of Capital Asset Management for the Commonwealth of Massachusetts which is our principal go-to group for any repairs we do in these buildings, is not a huge fan of energy conservation contracts. It does not mean we have ruled it out. Donny’s original meeting was an Alka-Seltzer meeting.

Mr. DONALD REYNOLDS: Yes.

Administrator YUNITS: But I think we can continue to talk in that regard, Brian, because it could be a significant savings. And the energy conservation companies will come in and they’ll do a little bit more. They’ll see where solar is practical and permeable. For instance, if we did solar canopies over our parking lot, we could probably generate a significant amount of savings and maybe some revenue. But then we’ve got to deal with things like the Old King’s Highway issues. Even though we’re not facing the street, I guarantee you that it won’t be an easy struggle, and the question is does the county wants to engage in that kind of battle? Is that important enough? And we’ll have to get that from you guys, I think, when you discuss the kind of things that you’re raising, Brian, as an issue.

So there are alternatives that we could look at. Either way, we’ll be getting rebates when we put in the new equipment. It will be shared with the Commonwealth of Massachusetts and will be state-of-the-art equipment that will be coming in. So, it will be saving us money and energy and getting us close to zero carbon.

Speaker MCAULIFFE: Okay. Good. Thank you, very much. I think that takes care of the County Commissioners’ office.

2. **Finance Department, Fringes, Shared Cost, Public Safety, Miscellaneous and Debt Service**
   - Finance Office budget has a negligible increase
   - Contracted services reflect an increase for new software and hardware needed by the county and Finance
• Public Safety reflects an increase due to the Sheriff’s Liability and will continue to increase until the end of the funding schedule in 2035 rising from 1.6 million in FY20 to 4 million dollars
• Public Safety budget also includes funding for the Cape Cod Municipal Police Training Academy
• Administration is seeking to mitigate a solution to the Sheriff’s Liability
• Miscellaneous and Shared Costs has a negligible increase driven by actual selections and projected 10% increase for insurance costs for retirees, budgeted legal costs and other types of insurances carried by the county
• Money to fund the obligations to the Town of Barnstable were removed from the miscellaneous and shared costs budget for FY20 and placed elsewhere in the budget (Debt Service)
• Debt Service includes expense related to outstanding bonds and the obligation payable by the county to the Town of Barnstable

Speaker MCAULIFFE: Next is Finance Department and I see Mary McIsaac behind you. This is the budget for Finance, County Fringes, Public Safety, Miscellaneous, Shared Cost, and Debt Service and Reserves. So you kind of get everything around --
Speaker MCAULIFFE: All the leftovers, yes, sure.
Finance Director MCISAAC: All the leftovers, yes.
Speaker MCAULIFFE: Welcome, Mary.
Finance Director MCISAAC: Thank you, everyone. Thank you for having me. And, today, we are charged with talking to you about the Finance Department’s Budget, Public Safety that’s sort of lodged in with all of the other words that you see here, which is a 400 -- we’ll call it a 450 division, but all the other words that you see including County Fringes, Miscellaneous, Shared is actually one budget, and Debt Service is the third.

So, with your permission, Madam Speaker, I will talk about the Finance Department’s Budget, Public Safety, and then the 900 which is really for all of you all of the rest, if that’s okay.

Speaker MCAULIFFE: Yes. That’s great.
Finance Director MCISAAC: Okay.
Speaker MCAULIFFE: I think it’s helpful.
Finance Director MCISAAC: I think it will make it a little simpler.
Speaker MCAULIFFE: Yes, it organizes it. Thank you.
Finance Director MCISAAC: I have analyzed the departments in terms of their group amounts of spending being Salaries and Wages through a Number 9, which is Fringe Benefits by department.

So I’d simply overview you on finance and suggest to you that the Finance Department’s Budget increase in total by $34,782, which is negligible at the best because of how much is involved in salaries in our department. We provide services. Our staff is really what we have. We don’t construct anything. We don’t purchase -- make any purchases of equipment or, you know, really, and everything else is really dedicated towards some contracts which are basically, and Jack alluded to them, in the first instance when he talked about our financial software. So that’s the biggest part of our contractual costs, and we are adding to that because we have funds available to purchase new software and hardware to increase our ability
to utilize MUNIS, which is our software for a lot of applications that are now being spread out into the departments and handled off-site with different programs. We’d like to move as much into MUNIS as we can so that the users can see a lot of things that they can’t really see; they have to call the Department’s to get the information.

There’s a lot of different products that tile ourselves which are modules part of the MUNIS program that once we incorporate them into the main program it gives us a much better view of the whole financial picture of the County as well as it allows departments to be able to retrieve information that can be at their fingertips. And we can work together in terms of reconciliation and managing programs and doing a lot of the things we’d like to do without spending a lot of time communicating back and forth because we can easily both see the same thing.

And so that’s the thrust of where we’re going. The total department budget request for this year is $708,815 and change up like I said from last year. And from an overall perspective, all you’re hearing today is the General Government Services and I’d like to let you know that the General Government Services only increased in total by $51,500-something dollars over last year, which is 1.4 percent increase. So all the budgets you hear today in total only increased from last year by 1.4 percent.

So I’m not sure if there’s any questions on the Finance Department’s Budget before we move to Public Safety?

Speaker MCAULIFFE: No, not at this point.

Finance Director MCISAAC: Okay. The Public Safety Budget is very simple. It is, in all material respects, our assessment for the Sheriff’s Liability increased from last year by 6.3 percent. The retirement actuarial projections for Barnstable County outside of the Sheriff’s Department are projected to increase by 5.28 percent. The last actuarial review yielded the same rate of increase as the newest actuarial review except for the Sheriff’s Liability which, generally speaking, I would expect to increase every year by more than the prior year. So it could have been 5.28 percent several years ago; now it’s up to 6.3 percent increase, and it will increase at a greater percentage every single year until 2035, which is the last year of the funding schedule. Any actuary is currently saying that our assessment in 2035 will be 4 million dollars.

So this year, its 1.6 million, so you can imagine the dramatic slope of increase to 2035 if we’re going to be 4 million by then. And it goes without saying that an analysis of the people who currently comprise that role are mostly birth dates in the 50s and 60s, so they’ll still be at the retirement system in 2035. So that’s a dangerous number. We need to really sort of focus on it. Jack and I are still working with Boston trying to mitigate some solution to that but -- so, we’ll see. We’re still hopeful, you know, that we’ll have some measure of success about that, and we’re just going to keep plugging. So that is Public Safety.

We do have the $50,000 seed money that was mentioned by Retired Chief Carnes and Jack with respect to the Fire Training -- Police Training Academy and that is also in that budget.

So that would be Public Safety if anyone has any questions?

Speaker MCAULIFFE: Okay.

Finance Director MCISAAC: Hearing none.

Speaker MCAULIFFE: Miscellaneous and Shared Costs.

Finance Director MCISAAC: So under Miscellaneous and Shared Costs, I would start with the nine -- well, what I’m calling the 900 Division Budget, which is Fringe Benefits.
Fringe Benefits -- the Fringe Benefits’ Budget last year was 1.213 million; this year we’ve settled it in a review number of 1.24.

And so, basically, it had a negligible increase but that’s been based on prior year’s history, the actuals, and we really didn’t raise it by the 10 percent increase that was projected. We sort of left it where it was except for our historical experience in that number. The numbers are for our DRIs of prior years for County Hospital employees that were still being assessed through the retirement system for, also, for group insurance for our retirees and workers’ comp.

Generally speaking, our experience with retirees which is the major portion of the number, and it’s a million dollars this year, we’ve been able to sort of cover the increases by qualifying events where we’ve had people drop off because our retirees are aging and they’re passing or they may be under 65 and they’re retired so they’re on active plans, and then during the year somebody turns 65. So you have savings during the year to offset your increase cost.

So we’re kind of finding that pretty level for now. And so I think that’s generally going to be the county’s experience based on its demographics. So 900 is Fringes; the total of that is 1.241.

We have Miscellaneous Shared Costs which is also our 900 Budget, and I’m just going to get to the total here quickly. The Miscellaneous Shared Costs are really all those other things that don’t go into departments’ budgets that don’t -- that don’t conceivably belong under the Finance Department’s Budget but are literally shared, like our legal expenses, like our property and casualty insurance, our unemployment cost, and all things of that nature, and then there’s other particular costs of financial software and everything else that don’t particularly reside in Finance; we put them in Shared because they’re used by all of the departments.

So when you look at the “Miscellaneous Shared Cost Budget,” those are the kinds of things you’re seeing, things that just can’t belong someplace else.

And last year, the revised Budget for last year was 928,000, and this year we’ve asked for $750,000 but I would point out to you that this is where we housed money temporarily to satisfy our obligations for the Town of Barnstable last year because we really didn’t have a place to put it, and we were able to put it into the budget. So we let it fall into Miscellaneous Shared last year and it’s someplace else this year. And so that basically covers it on Miscellaneous Shared.

I don’t -- I can’t really tell you that there’s anything extraordinary or unusual in our request. They just really are what they are based on increases from the vendors and increases based on our experience. I don’t know if there’s any questions?

Speaker MCAULIFFE: Any questions? It is all over the place. Every item is sort of --

Finance Director MCISAAC: Well, you know, it’s a mixed bag.

Speaker MCAULIFFE: I know. I know.

Finance Director MCISAAC: There are things that just don’t go anyplace else.

Speaker MCAULIFFE: Right. You have to put them somewhere.

Finance Director MCISAAC: So, historically, the county has placed them there. And the last item that we have is our “Debt Service.” Debt Service is pretty much new to the county in the last few years in terms of budgeting for actual debt service because now we do have bonds outstanding. So we’re paying principal and interest on those. This is also the place where we’ve embedded our obligation to the Town of Barnstable, and this is where we appropriate the money for debt service on debt that they issued but a portion of it belongs to us per the settlement agreement that we reached.
So principal and interest for that is there, and also we have interest on what I’m calling short-term paper, which is our bonds, bond anticipation notes, and they’re payable at maturity which is annually for us. And what we did when we issued bonds, and I think we’ve talked about this a little bit before, but when we sold our bond issue, we issued a $900,000 note, which was sort of like miscellaneous shared, just a collection of some spending that was minor that was not timely, and you couldn’t put it in the bond issue. So we’re really utilizing this bond anticipation note vehicle as debt service for ourselves. So it matures annually and each year what we do is we pay down an amount. So we’ll roll over the note, but we’ll roll it over for less so we’re actually using it to pay sort of as a loan to provide the required financing source for that spending that didn’t have a financing source. And so that’s really the nuts and bolts of debt service.

And for the County, if you had debt service someplace else in your town and you have experience with that, usually the theory is that you want to see your debt service declining every year, and then you backfill that. You know, when it declines enough, you have room for something else and you might issue debt for another project.

In this case where we’re paying down our debt and this year our budget is a little bit increased because we chose to bite the bullet and pay off more than what we needed to pay off. So that that $900,000 note will be cleared on our books faster. And so that’s where we’re at on that. The note currently resides at $760,000 and, hopefully, next year when we pay it down we’ll be under $500,000.

Speaker MCAULIFFE: So it could be within 5 or 6 years you could --
Finance Director MCISAAC: Oh, that’s the plan.
Speaker MCAULIFFE: Okay.
Finance Director MCISAAC: For sure because then we’re clear of all the small spending and the debt service that we come and talk to you about is really debt service; do you know what I mean? Its debt service on bonds that we sold in the market.
Speaker MCAULIFFE: And is the plan to not add debt service? I know a lot of places where I’ve been, as you said, it was to keep the debt service level.
Finance Director MCISAAC: Sure.
Speaker MCAULIFFE: So as debt service came on, you edit it so that it was always a flat number every year.
Finance Director MCISAAC: Right.
Speaker MCAULIFFE: But are you going to pay it all the way down and then think about adding debt service?
Finance Director MCISAAC: Well, the entire bond -- in terms of the note payable?
Speaker MCAULIFFE: Yes.
Finance Director MCISAAC: I think we may be adding debt before the end of the note payable.
Speaker MCAULIFFE: ------- all the way down.
Finance Director MCISAAC: I mean unless we come forward and wanted to clear it and ask for funds from Unreserved Fund Balance to just pay off the note because now we’re talking about a third dredge.
Speaker MCAULIFFE: Yes.
Finance Director MCISAAC: There’s not cash to float a third dredge. Also we’re talking about, you know, some interesting material expenses at the Extension. We don’t really know, you know, we’re not really sure of the length and breadth of that proposal, so it’s hard to
say what the financing would be.

Speaker MCAULIFFE: Okay.

Finance Director MCISAAC: But I would generally say that in any construction project you wouldn’t be issuing a bond anticipation note and paying that down because the maximum now -- the maximum used to be you’re rolling it over for three years. You could roll it over for two, then you had a bond issue but they kind of let you go for three. But with the passage of the Municipal Modernization Act, we can now roll over bonds for 10 years, which is terrific because for towns that have a lot of road betterments and other betterments, those 10-year loans were -- those were borrowed with bond issues or bond proceeds and now we don’t have -- nobody -- I mean I wouldn’t have it here, but you don’t have to do that anymore because you can just issue short-term paper and annually when it matures you pay some of it down.

Speaker MCAULIFFE: And the interest rates are usually so much more favorable.

Finance Director MCISAAC: Well, the interest rates on the market, you know, I think now you can’t refund bonds, so when you have a sale, you have your rate --

Speaker MCAULIFFE: Okay.

Finance Director MCISAAC: -- until the end of your issue. You know, we used to make a lot of money or save the towns a lot of money taking those aging series and refunding them. So in a refunding issue, you take your old bond issue and, basically, you can set it aside. They set it aside in a fund, pay it off when its due, but they issue you a new issue at a lower rate. So you have tremendous savings. I think in Harwich one year we saved 750,000 on a refunding and so -- but you can’t do that anymore.

Speaker MCAULIFFE: It caught up.

Finance Director MCISAAC: Yes. So I don’t know if there’s any questions?

Speaker MCAULIFFE: Any other questions on -- well, thank you, very much.

Finance Director MCISAAC: You’re entirely welcome.

Speaker MCAULIFFE: And that covers Finance Department. Thank you.


- RDO budget provides the administrative and physical oversight of over 50 county grants
- RDO budget reflects an increase due to personnel costs and fringes, and facilities line for housing costs related to AmeriCorps
- RDO receives matching funds for several grant programs including AmeriCorps
- AmeriCorps has provided over $25 million in services to towns since its inception on Cape Cod

Speaker MCAULIFFE: Our next item is the Resource Development Office, RDO. Thank you.

Ms. JULIE FERGUSON: Good afternoon.

Speaker MCAULIFFE: Good afternoon. Welcome.

Ms. JULIE FERGUSON: We have materials that I didn’t give you beforehand; may I approach to --

Speaker MCAULIFFE: Yes, of course. All right. We have our MUNIS information in front of us. Great. Thank you.

Ms. JULIE FERGUSON: So just because you didn’t have enough paper, we’ve got
more for you. So, good afternoon. The County of Barnstable Resource Development Office, RDO, is pleased to present our FY20 Budget to you today.

In years’ past, this was done in subcommittee, so I’m happy to present to you today as a full Assembly. There are folders for each of you, and anything that I’m saying is backed up in that folder. So I won’t be referring to anything that you don’t have in front of you.

I’d first like to introduce myself. My name is Julie Ferguson; I’m the Director of the Resource Development Office. I have had the privilege of serving with the County for over 12 years now in the roles of RDO Officer, Deputy Director, Interim Director, and now the Director as of July 2017.

In your folder you have our organizational chart. Obviously, our budget request is up as well as other pertinent documents related to our department and how RDO serves the County. It’s worth mentioning here that the overall RDO Budget request of $699,855 has approximately $219,170 of match.

Now, you’ve recently met Andrew Platt, our AmeriCorps Coordinator. So this is a unique situation, but that $219,000 that’s within the overall RDO Budget is hard cash dollar match to the federal grant that the AmeriCorps Cape Cod program receives.

It’s unique in that our cash match of the federal grant, which is for $357,000 is enmeshed with the RDO Operating Budget. RDO and AmeriCorps Cape Cod have a unique relationship, not only in our budget but our support for the program and the valuable opportunity we have in working together to create the most successful outcomes of service provided for our County in the most efficient and effective manner.

Our RDO AmeriCorps Cape Cod team is housed down the hill in the white house, the old Sheriff’s building, and the RDO team is made up of four full-time employees. We have two extremely talented officers: Quan Tobey and Bobbi Moritz, and we have an outstanding Administrative Supervisor, Priscilla Ellis. The AmeriCorps Cape Cod staff program Coordinator, Andrew Platt; Program Specialist Kayla Baier, and Residential Supervisor is Meredith Ballinger and Alex Bates round out the team.

Our office provides the administrative and physical oversight of over 50 County grants. And as I mentioned, one of those grants is the AmeriCorps Cape Cod grant. The receipt of the AmeriCorps Cape Cod grant, which is made possible due to the one-to-one match is due in large part to the in-kind hard dollar match that we have within our budget as well as the in-kind match which is training and housing. The County funds that are in the budget are the 219; the others are the residential houses in Wellfleet and Barnstable and in Bourne.

The County funds that are provided as the match to the federal grant award pay for the AmeriCorps Cape Cod Program Coordinator’s salary and fringe, as well as the operating cost of the program with line items such as, Supplies, Equipment, Utilities, Travel, the usual, as well as the member stipends for our 24 members.

This budget also has a Facility Improvement line which is used for the upkeep of the residences that we have for general maintenance.

Finally, in terms of Grant Development and Outreach, which is also part of the RDO Office in addition to the fiscal management of grants, I’d like to note that while our Number 1 customer is our county departments such as: Health and Human Services, the Cooperative Extension, and the Children’s Cove, we also serve our 15 Cape Cod towns with any technical assistance that they may require with proposal, development, and submissions.

RDO continues to maintain its commitment to providing the highest level of service to our county departments and our Cape Cod towns while continuing to hold the line on spending.
Our directive was to hold the line to essentially level fund. So the only increase that you’ll see in our budget request today is due to salary and fringe personnel-type costs, the health insurance increase, etcetera.

And also there’s a slight increase in the Facility Improvement line this year for the AmeriCorps match funds due to the fact that there are some repairs that need to be made to the residences.

And that’s our budget, and I thank you for your time. And I can answer any questions you have.

Speaker MCAULIFFE: I have a question on the AmeriCorps stipend; what is the stipend?

Mr. ANDREW PLATT: So each AmeriCorps member receives over the course of their 11 months $8,000 as their total stipend, and a small chunk of that comes out of the County match and the rest of it comes out of the federal grant.

Speaker MCAULIFFE: And there’s no benefits with that? No health insurance?

Mr. ANDREW PLATT: The members are offered health insurance through the AmeriCorps network which we budget for, but the majority of them stay on their -- either the parents’ insurance or MassHealth if they choose.

Speaker MCAULIFFE: Anyone have questions?

Mr. ANDREW PLATT: Mr. Ohman --

Speaker MCAULIFFE: Yes.

Mr. ANDREW PLATT: -- I should point out that in the Report to the Community, that number you’re looking for is over 25 million in service since -- it’s on the Community Impact Statement, several pages in.

Delegate OHMAN: So that’s well over a million a year.

Speaker MCAULIFFE: Yes. Thank you.

Ms. JULIE FERGUSON: You’re very welcome.

Speaker MCAULIFFE: And thank you for these documents. This will give everyone an opportunity to kind of get their heads into some of the details.

Ms. JULIE FERGUSON: Yes.

Speaker MCAULIFFE: Because this is supposed to be sort of a flyover.

Ms. JULIE FERGUSON: Exactly.

Speaker MCAULIFFE: Thank you, so much. I appreciate your coming.

Ms. JULIE FERGUSON: Thank you.

4. Information Technology

- FY20 budget reflects a reduction of approximately 12% due to reliance on cloud-hosted technology
- State phone systems are being off-loaded and the county cost will be reimbursed

Speaker MCAULIFFE: Information Technology, Billy Traverse. Thank you. We have our next --

Mr. WILLIAM TRAVERSE: How’s everyone doing?

Speaker MCAULIFFE: -- group of papers. Hello. Welcome.

Mr. WILLIAM TRAVERSE: Thanks for having me. I’m Billy Travers, the IT Director for the County of Barnstable.
I’ll try not to spread any germs onto whoever’s next. So our Budget for FY20 is, if you look at the bottom line, we’ll start there, is a reduction of about 12 percent, and that’s largely due to the removal of a lot of Joint Initiatives Funding that was put in last fiscal year. And there’s a few other highlights within this, and it relates to this being kind of the culmination of a cloud strategy that we’ve been engaged in for some time now.

That FY20 stands to be the point where we become mostly cloud-hosted as near a hundred percent for everyday services anyway. And some of the end costs --

Speaker MCAULIFFE: I’m sorry, can you say -- 2020 is the year that we become cloud-what?

Mr. WILLIAM TRAVERSE: Cloud-hosted.

Speaker MCAULIFFE: Cloud-hosted, okay.

Mr. WILLIAM TRAVERSE: That’s really the first year where we’re going to get -- this is a true snapshot of what it will look like a bit higher than I think what will be the average ongoing to be a hundred percent cloud-hosted. There are other variables in there, of course, and, actually, feel free to interrupt me at any point if I seem to have skipped something or clarify.

Speaker MCAULIFFE: Could you just explain maybe what cloud-hosted means?

Mr. WILLIAM TRAVERSE: I’ll start there.

Speaker MCAULIFFE: Let’s start there.

Mr. WILLIAM TRAVERSE: Sure. So cloud-hosted is essentially not hosted here. So we’re taking all the things out of the data center, the physical things that consume electricity in the data center and migrating them to any number of providers.

We happen to be already invested in Microsoft, so we’re moving to Microsoft’s cloud platform. A lot of good options out there though, of course, but, you know, we’ve picked that horse.

And this is a way that most modern organizations are going, cloud first. So if you need a service of any sort, you’re looking at is someone else doing that better? In a lot of cases, it’s been done, and it’s offered as a neatly packaged utility bill sort of deal. And that’s maybe a good way to think of it is think of cloud-hosted as basically a utility and as a service offering. It’s just not electricity or cable-television but that’s essentially it. So this gives us the ability to have all of our utilization metered out to -- very granular, but it gets down to the hour in some cases but we’re not going that far.

So we have things divided up per department, so we have true cost, and we have, you know, a fluctuation with utilization, and that’s something that you can do yourself and larger, much larger organization might do that, but in our case, it’s not the most efficient way to do it.

So we have -- the infrastructure we have on site here actually in the basement of the next building there, it’s very expensive to maintain. It requires expenses, support contracts annually. And when you crunch all the numbers, moving in this direction is cheaper, and even from angles that you might not expect like with compliance and things like that.

Most of the providers, particularly Microsoft, has bent over backwards trying to become compliant with things like CJIS and Theora 60 industry certifications at this point. So that’s cloud in a nutshell. Is that good enough?

Speaker MCAULIFFE: Yes.

Mr. WILLIAM TRAVERSE: Okay. So, one major thing actually related to that is we have a lot of services spinning there currently, and we have to get them out for lack of a better way to put that. We have several -- we have two towns that we were hosting email for them
from here and one town we’re hosting phones for, and we’re currently ending the email migration. We’ve gotten them out of the data centers to their own cloud-hosted providers, and we’re in the middle of a project to get the final town out on the phone front. So, we have to make sure that it’s vacated before we tear the building down essentially, figuratively, of course.

So that brings up an interesting conundrum. So we are obligated to provide the state offices on the campus here with phone service, and we charge it back annually. But we don’t want to keep the expensive infrastructure because they’d be very unhappy if we gave them the full bill for all of our infrastructure here just to host the phones for them.

So we’re working with actually MassIT, or the Executive Office of Technology at the state, and one of their resellers for a project called Mass-A-Voice, which runs out of the state data center. We’re moving all the state Trial Court phones to the state data center currently, and that is one point where the telephone line has increased here. We estimate that about $36,000 annually to completely offload that for the state, but that will be reimbursed through the formulas and whatnot that are used upstream from me.

That’s really the only direct noteworthy item where -- or the only kind of new bit of territory there.

Let’s see here, other big items of note. Currently, the Microsoft Office licensing or subscriptions annually and it’s more than Office actually. So Office 365, the licensing tier we went to includes our phones and basically everything. It’s kind of almost like IT has a service if you can think of it like that. But that this recent -- the most recent year was -- I should have broke this down actually as being less than what I budgeted for, but at max $138,000 annually for everything, and we do have that broken up by department and we essentially have a per user cost. So we can determine a new employee by classification, by job type; we know what they need access to, what they need to do, and we know what license tier to give them, so we know what they’ll cost annually too. So that can really be factored into our planning perspective as well.

Outside of that, we have some of the more advanced services and this is a moving target that we’ll rein in as time moves on. So you think of Office 365 as your software as a service, so it’s your email, your things you use directly to interact with, you get a service out of.

Then, the next tier up is the platform and infrastructure as a service and that’s where you can actually take something that doesn’t want to be put in the cloud and package it up and send it up there anyway. And that’s kind of the catchall. So anything that doesn’t fit into these tiny little boxes and these other services, they get bundled up incentive that way and that’s the thing we want to keep to a minimum. Right now. I have it estimated at $50,000 annually, and that’s the goal that includes some kind of transition cost and consulting and things like that. But if that’s done efficiently, I expect that to be much lower ongoing, and I’ll end it there.

So, outside of that, we’re expecting, you know, when we get into revenue or anything like that, any focal points you want to get out of, Madam Speaker?

Speaker MCAULIFFE: Well, I know there will probably be questions because based on, you know, what you’ve done in the past and what the current status is; does anyone want to start? I don’t want to necessarily take over.

Okay. Delegate Killion.

Speaker MCAULIFFE: Okay. Does anyone down there have a question
Delegate HARDER: He can start and then we’ll work our way down.
Delegate KILLION: Thank you, Madam Speaker. So, as you move to the cloud
service, are we still hosting servers in the building down the street?

Mr. WILLIAM TRAVERSE: Forgive me for not clarifying that completely that we won’t be. Right now we are but the goal is to get rid of that completely. So that’s a $1,400 a month bill that we won’t need to pay anymore, not including utilities.

Delegate HARDER: What is that from?
Delegate KILLION: The servers that were formerly serving the county that are going to be replaced by our cloud services.

Speaker MCAULIFFE: We’ve gone from hardware to file. Did you -- okay. Is there anyone else down that end?

Delegate HARDER: Takes me a while to get budget, sorry.

Mr. WILLIAM TRAVERSE: -- and it made no difference we had these things on people’s desk in their offices. But then we moved to a newer, more updated platform and it started to get weird because these newer platforms, even the one that we’re moving away from now, has different levels of licensing for video calling and for mobile apps and stuff like that. And the state, they just want desk phones for their people in their cubicles and things.

Now, with the Microsoft licensing, then we completely overlap with the state, the Trial Court’s IT people. So they keep their data networks separate from their phone networks, and we were getting to the point quickly where we would be buying the Office licensing just to give the state phones. It made absolutely no sense at that level they would be keeping that either. So that’s kind of where it just started to make more and more sense to isolate.

One thing I was really hopeful of is that since it’s a state initiative, MassVoice and everything, that we’d be able to get the state to pay the state, but we’re still kind of stuck as the middle person on that.

Delegate HARDER: Okay. So that’s sort of what I’m confused on. So, right now, we still have to operate landlines for the state even though we’re not using them and pay for them?

Mr. WILLIAM TRAVERSE: Right, then they pay us back. So we’re responsible for giving them phones.

Delegate HARDER: Right.

Mr. WILLIAM TRAVERSE: So we’re moving them out of the data center here so we’re getting -- we didn’t want to take them on our journey to the cloud, I guess if you will, if that isn’t viable for them.

Delegate HARDER: Right. That makes sense.

Mr. WILLIAM TRAVERSE: So we picked this other service to move them to so that we could clear up the spot at home here and stop paying for the data center and the hardware costs on that side; does that make sense?

Delegate HARDER: Yes. So we are -- so eventually -- so what you’re doing is you’re moving the state to a different cloud than ours?

Mr. WILLIAM TRAVERSE: Yes, essentially, yes, host service.
Delegate HARDER: Thanks. I was just trying to figure where the state was going. Okay. Thank you.

Speaker MCAULIFFE: In the past, I know there were a lot of initiatives to try and provide services as you said, the email and the phone services for towns; so are you now more in the business of helping towns become independent in terms of getting them into their own services as opposed to actually providing the services here ourselves?

Mr. WILLIAM TRAVERSE: Yes, and in a way it’s -- so we’ve been kind of watching the evolution of the cloud services for a long time now. I mean a lot of people have a Gmail account or go by the Yahoo account, whatever or something like that; that’s cloud-hosted email essentially. You know, so it has been -- as connectivity gets better and better and more pervasive and available to people residentially that it just -- these other services like voice and video conferencing become more attainable so they actually make sense and work reliably now, and you can do things even more advanced than that. So the reasons not to do it kind of evaporate.

And then what really tipped it was that it started to become cheaper. So we looked at our infrastructure here what it costs annually to support, and we can host servers for them here and recoup cost on it; but even if we were to do it and breakeven, there would still be a cheaper cloud offering.

So that was kind of -- at any point, I don’t want to recommend anything to a town that’s not in their best interest. So in these cases that’s kind of what we’ve done. Wellfleet was a great example actually. We went straight to Office 365. We went straight to the cloud service with them because we were already at the point where we looked at what we could give them for email and phones and said, “Well, this would be a cheaper option for you.” There’s a lot of other factors in there that’s kind of...

Speaker MCAULIFFE: So we’re no longer then pursuing a revenue source of providing services for regional, you know, for different towns?

Mr. WILLIAM TRAVERSE: Yes.

Speaker MCAULIFFE: We’re more providing the consulting services to help them get their own?

Mr. WILLIAM TRAVERSE: Right, but it doesn’t stop there because even when we were hosting things ourselves, they would still want various levels of autonomy or not. So there’s a lot of cases where we do manage the things for them in the cloud. And with modern cloud offerings, there’s a lot more work to be done on the security front and things like that. So in a lot of cases, we find out there’s more work. One great example of this is with our old phone system we had a -- I can’t remember the exact cost may be around $40,000 annually for managed service for 24-hour monitoring and for incident response and things like that and mainly for, you know, we had the jury line and stuff like that. And it was still -- we didn’t really have the ability to manage various aspects of it. If you wanted to create an auto attendant or a phone tree or something simple like that, it was scope of work.

But with the Microsoft platform on Skype For Business, we can actually do that work in-house now. So it’s actually in-sourced some things in surprising ways and actually given us more work for better or worse.

Speaker MCAULIFFE: So you are then providing services to towns?

Mr. WILLIAM TRAVERSE: Yes.

Speaker MCAULIFFE: Just different services and you have --

Mr. WILLIAM TRAVERSE: Right.
Speaker MCAULIFFE: -- because one of the things we talked about was the contract
to their business model, the marketing, all that for the IT Department and you’re on top of all
that?

Mr. WILLIAM TRAVERSE: When we met last, I believe, I can’t remember what
month it was, so I might not have had everyone here, but we went over that. It’s a new
contract framework and we actually had a couple of customers that we’ve put through that new
framework, and that was the three exhibits. So we start with the assessment, the review, and
give them a deliverable as a report that they can then act on with us or, just to be fair, they can
take someplace else and get a second opinion on that if they wanted to. So just an objective
opinion on various things and a menu to select from and all that.

And then we had just basic annual IT support, and then we had a very good
(Indiscernible) see that it was advanced projects, the scopes of work, custom kind-of drawn-out
things. And we actually, in Chatham, we drew up a scope of work for their phone migration.
Harwich and Provincetown we did assessments for. In Harwich, actually, we’re doing basic
support for.

Speaker MCAULIFFE: And if you don’t have the figure, I’m not -- this is asking a lot.
Mr. WILLIAM TRAVERSE: Okay.

Speaker MCAULIFFE: -- but I would be interested in knowing what your revenues for
the town services were perhaps this last year just to kind of --
Mr. WILLIAM TRAVERSE: I can get that for you.

Speaker MCAULIFFE: Oh yes, just at your -- not right this minute, but that would be
something that I would be interested in.

Mr. WILLIAM TRAVERSE: We were estimating 190 for next year.

Speaker MCAULIFFE: Right. Okay.

Mr. WILLIAM TRAVERSE: That’s a conservative estimate but.

Speaker MCAULIFFE: Delegate Green.

Delegate GREEN: You asked the questions I was going to ask.

Speaker MCAULIFFE: Okay.

Delegate GREEN: Thank you.

Speaker MCAULIFFE: All right. Anyone else? Okay. Thank you. You said
everything you wanted to say?

Mr. WILLIAM TRAVERSE: I think so, as long as I answered all the questions.

Speaker MCAULIFFE: Thank you, very much.

Mr. WILLIAM TRAVERSE: Thank you.

Speaker MCAULIFFE: I appreciate your -- and we took note that you did not bring
one piece of paper with you.

Delegate O’HARA: You saved money already.

5. Assembly of Delegates

- Assembly budget increase due to personnel costs and insurance plan
  selections
- Professional services increased based on cost and history, but part of the
  increase was offset by a decrease in the out of state travel line, so the
  overall net was a slight increase

Speaker MCAULIFFE: We have our Assembly of Delegate’s Budget which is very
brief. It’s in front of you, and I’m going to ask the Clerk to -- if you would just do a very quick discussion on that.

Clerk O’CONNELL: Good evening, Delegates. Excuse me; I apologize for the raspy voice, but it hasn’t been a good winter with regards to colds. So, I’ll be brief.

In your packets, you received a copy of the personnel schedule for the Assembly of Delegates as well as the MUNIS report detailing the budget for the Assembly.

The budget for the Assembly is increasing by approximately $54,000. The lion’s share of the increase is a reflection on an increase in COLA for the Clerk and also plan selections for health insurance. Keep in mind that the health insurance was also budgeted at a 10 percent increase, so you will see that number come down when we get revised figures later on in the budget process.

Other than that, almost all other budget lines remain the same -- excuse me, I apologize -- with the exception of the Professional Service line and the In-State Travel. Professional Services increased because we did experience a slight increase in the cost of that service, that in addition to, there’s been a lot of talking at the Assembly. So when there’s a lot of talking, the bill goes up. That’s just the way it works.

Deputy Speaker MORAN: Just like lawyers.

Clerk O’CONNELL: And on the flipside, the In-State Travel looking at an average and that largely reflects the cost for conference attendees, that has decreased slightly, so I was able to decrease that line because I was increasing Professional Services. So the net between the two is like $750 increase. So, again, of the 54,000, the largest increase is a reflection in Wages and Health Insurance.

And other than that, everything else pretty much stayed the same, and that’s all I have to report.

Speaker MCAULIFFE: Any questions on the Assembly budget? It’s pretty straightforward.

After we, you know, who knows, go down the road, we’re going to need money for renovations for an office where that will come from. All right.

**Summary: Communications from Members of the Public**

- Public comment from Sheila Mulcahy from Barnstable, Rick Bibeault, Chris Bartley, Shira Kavon from Provincetown, Phyllis Sprout from Mashpee, Dave Schropfer from Eastham, Elizabeth Gawron from Eastham, and Erin Andrews from Barnstable

Speaker MCAULIFFE: Now, we have come to public comment. I apologize; I buried my agenda here again. So we have communications from the members of the public.

I have seven people signed up. So I would say try and keep your comments to a couple minutes just because it is after six and we still have our business meeting. I apologize that it’s at the end of the meeting, but this is the business of the Assembly and our budget is our budget.

If there is an ordinance, there’s a public hearing, so that’s when you get the priority. But this is where you get to watch your Assembly of Delegates at work.

The first person is Sheila Mulcahy.

**Ms. SHEILA MULCAHY:** Good evening, folks. My name is Sheila Mulcahy, and I’ve been a full-time resident in the Town of Barnstable since 1979. And there are a few things that I’m passionate about, and one of them is my community.
I have been a volunteer in one way or another since 1980. And, at present, I am the Vice Chair for the Barnstable Disability Commission and one of the leaders of Cape Cod Women for Change.

And one of the major strengths of our community is our tolerance for diversity. I do not feel our best interests are being represented by the Barnstable County Commission in its present make up.

When our community is disparaged by one of our officials and one of our own officials, the community in its entirety is harmed. Those of us who have been assaulted in the past and identified with the #MeToo platform are just as important as the people who identified with the LBGTQ committee as well as the high schoolers.

We do not need to complicate our challenged lives by an elected official who is bigoted and skewed on his attacks on any part of our community.

Therefore, I suggest that the County Commissioner, who continues to disparage our community, be censored and removed from any subcommittee he may be serving on.

And I’m here also to voice my support for the Proposed Resolution 19-01 on Hate Speech Condemnation. Thank you.

Speaker MCAULIFFE: Thank you. And public comment is just that, it’s you give us comments; we don’t respond or have discourse. This is an opportunity for you to give us your opinions. I just want you to know that it’s not practice to have an exchange in public comment.

Next is Rick -- is it Bibeault?

Mr. RICK BIBEAULT: Yes, Bibeault.

Speaker MCAULIFFE: Bibeault. Welcome.

Mr. RICK BIBEAULT: Thank you. Similar to the prior comment, similar to her, I’m here to say I support Brian O’Malley’s Resolution 19-01 against hate speech. And I hope that you folks can look at putting a recall into the Charter in the near future. I’ll keep it that brief. Thank you, so much.

Speaker MCAULIFFE: Thank you. Chris Bartley.

Mr. CHRIS BARTLEY: Hello. So here we come again. The Democrats are looking to take away someone’s free speech. I, as a gay person, am 100 percent in support of Ron Beaty’s free speech. I think Ron Beaty should be allowed to say or do whatever he wants on his personal Twitter account.

I think Brian O’Malley is probably a good person, but he is looking to take away someone’s free speech by censoring them.

I just think that we need to step back as a country and start being like what if we were to not go against all these Democrats that are going after straight white males? I just think it’s absolutely a stupid thing that we are going after Ron Beaty right now and not focusing on the other challenges regarding Cape Cod. Thank you.

Speaker MCAULIFFE: Thank you. Shira Kavon.

Ms. SHIRA KAVON: Kavon.

Speaker MCAULIFFE: Kavon. Welcome.

Ms. SHIRA KAVON: Thank you, Speaker and Delegates. I’m honored to be here and speak my mind about Dr. O’Malley’s initiative.

I am Shira Kavon, a 60-year-old married, straight woman living in Provincetown. Living in the Barnstable County town that has the largest per capita gay population in the country, I feel that our representatives must understand their responsibility as elected officials
to serve all of the citizens of the County and to have the safety and well-being of all citizens uppermost in their minds and act and express themselves accordingly.

I have no argument, and, in fact, I support invocation of First Amendment free-speech rights; however, yelling “Fire” in a crowded theater is the commonly cited exclusion. Questioning whether elected officials who belong to minorities be their sexual, gender, religious, or racial whether they are able to fulfill their mandate to serve all of the people because of that minority status is not an exercise of freedom but is essentially an attack.

Commissioner Beaty squelches his critics’ freedoms of speech by deleting their Twitter accounts in contravention of recent Supreme Court rulings. He cannot both claim the free speech right and squash it when he does not like the speech he hears.

I am most concerned as a resident of a nationally and internationally acknowledged gay town that we can suffer financially when it comes to allotments to the town from the County and the Commonwealth, and that our physical safety could be compromised by those incited to do violence by calls through social media.

Mr. Beaty has shown no hesitation in uttering and dehumanizing women, abuse victims, and gay public servants. As a Jewish Barnstable County resident, I fear whom he might choose as his next target.

Speaker MCAULIFFE: Thank you. Phyllis Sprout.

MS. PHYLLIS SPROUT: Yes, good evening. I’m Phyllis Sprout from Mashpee, Massachusetts, and I am here in support of Ron Beaty’s ability to ask a provocative question. In Western civilization, provocative questions have been necessary to examine our deeply held beliefs. And right now, we seem to be very polarized and it’s extremely important that these provocative questions are brought forth and examined carefully.

I find no attack in this question that was raised. It was out there, private, social media. And I looked at the beginning of the resolution by Brian O’Malley and I did not see anything in Mr. Beaty’s question that would impinge on the freedom of anybody in the categories that were first mentioned.

I think that this is an over-extension of -- it’s basically control of speech; it’s a gag order, and this country does not need gag orders.

I’m a traditional Catholic. I support marriage between a man and a woman, and I will defend it because it’s good with natural law. And I reserve the right to say that if something frustrates the completion of the marital act, that’s my free speech. I can do it, natural law. And if Mr. Beaty wants to throw out a question, that’s fine with me too.

But I think the answer to his question needs to be floated as long as -- until we have an election and then let the voters decide. They’re the silent majority, and that’s where this question needs to be asked, not in censuring Mr. Beaty’s provocative questions.

As a matter of fact, I would like to hear more provocative questions asked by the Commission, and I would like them to be debated in a forum. But as you are all elected representatives, I think you can expect to hear some really interesting questions coming from the voters in the next election cycle.

Thank you, very much.

Speaker MCAULIFFE: Thank you. Dave Schropfer. Welcome.

MR. DAVID SCHROPF: Thank you. I’m Dave Schropfer; I’m from Eastham. A former Selectmen and a former Moderator there so our government is important to me, and I would like to talk about two things.

One is about you and what you have been doing working with your budget. I don’t
know if you’re aware that your budgets about the same size as the smallest town on Cape Cod.

And for the amount of work that you’re doing, I, at one point, was running a committee trying to look at how the Outer-Cape towns, which are our smallest towns, could possibly share things and do things. And some very interesting things came out of that in which a great deal of money was saved.

But some of the things that were discussed at that time which I’m not going to discuss now but would like to let you know what they were was assessment. Does every town have to have a department, as Eastham does, of -- I think we have four or five people, because of services since everything comes back to the county anyhow. Deeds are right across the street here, and I just keep thinking that the potential for all the things that could be done here is greater than your budget allows. And I do hope the day comes when more towns can contribute because one of the restrictions that you live with is your sources of revenue. And I strongly believe that, if I were a member of this, I’d be fighting hard for new ways of financing the county.

It’s a remarkable county. You don’t know that you’re the best county in the entire state, but you are, and I’ve looked into that very carefully. And the state legislature did knock out most counties but not here and not in Franklin.

So, I’m very pleased that you’re all committing the kind of time that you are, and then I’d like to go on to another comment.

And I’ll be commenting on some of the people that have already spoken. The Constitution does protect free speech. But as one of the speaker’s mentioned, the acceptance to that is you can’t yell “Fire” in a crowded theater. People will get hurt.

What we’re discovering is that when it’s LBGTQ, all of the different groups that are within that, is not the same thing as that speech that a Commissioner gave was because they’re black they can’t do things, or because they’re Hispanic they can’t do things. So what they said was -- what he said was because they’re gay, they’re only concerned with themselves and not concerned with the rest of us.

You have two legislators who are gay among our delegation and both of them are in leadership positions chosen by leaders because they are so effective. And to attack them, to me, is ignorant as to not know how much good they’re doing for this Cape. The only two people representing the Cape in leadership, and the leadership just like in any other organization is, basically, what runs what’s going to happen. And the state legislator are the ones that can stop the legislation or push it forward.

We’ve got a speaker, I’m sorry, not a speaker but a member of the leadership team in both the House and the Senate. Not a whole lot of towns can say that -- a whole lot of counties or others can say that. So I’m very, very proud of the group that we have.

But I want to go on and make just one more point. If it’s true that you cannot say, “Fire” in a crowded room, then how can it be possible to say something which might get other people who are either disturbed or have criminal records or who have hate for other groups, how can you say because you are of this one group, you’re incapable of doing the job that you were elected to do.

So, to me, that’s saying “Fire” in a crowded room. You’re saying, basically, that the crime against them would be instituted by others who are, we all see this constantly, who are disturbed people, who are gay get killed. One of them in the west was brutally tortured and murdered and it’s all over the country. And to incite that kind of thinking and to have someone who should be respected in government make statements like this, it causes people who are
disturbed, people who hate to say, “If he can say it, I can do it.” And I don’t know what “I can
do it” would mean, and I don’t want to give examples but it’s disturbing to me.

Yes, I have a gay daughter, married very happily, and I am very proud of her. I’m very
proud of the service she provides to the community she lives in. But I would like very much to see what Assemblyman Brian O’Malley has put forth. I sat here last time when he did present it, and I’d like very much to see that approved by this Assembly.

And I thank you for providing this time.

Speaker MCAULIFFE: Thank you. Elizabeth Gawron. I’m not sure how to

pronounce your last name.

Ms. ELIZABETH GAWRON: You did fine, Gawron.

Speaker MCAULIFFE: Gawron. I’m familiar with your name, but I wasn’t on top of

it.

Ms. ELIZABETH GAWRON: Thank you. Thank you for letting me speak this

afternoon. I’m an Eastham resident. I’m represented here by Terry Gallagher. I’ve lived in

Barnstable County now for 19 years, and I’m very proud to be a resident of Barnstable County.

I thank Delegate O’Malley for the resolution that you have proposed.

But I want to mention a couple things. Personally, I was offended by Mr. Beaty’s

questioning of an elected official’s ability to honestly and effectively represent the interest of

their constituents.

I had the honor to serve my town of Eastham as a Selectmen for three years. Never in

any deliberation, whether it was about dredging or about water or about affordable housing did

I ever think to have my sexual orientation as a lesbian sway my votes or decision-making. I

just find it -- that’s what offended me the most when I heard what Mr. Beaty was talking about.

Barnstable County is no place for hate. The County stands for so much and is so much

better than that. So I just ask for the Delegates’ support of the resolution that Brian is

presenting.

Thank you.

Speaker MCAULIFFE: Thank you. Yes, I didn’t have you down, but you can come

up.

Ms. ERIN ANDREWS: Hi.

Speaker MCAULIFFE: Hi. And just state your name, please.

Ms. ERIN ANDREWS: Hi, I’m Erin Andrews, and I live in Centerville in Barnstable. My family and I are new residents to Centerville. We just moved from Boston in August, and we are really proud to be here and be a part of this community.

While I appreciate my neighbors sharing their opinions about the First Amendment and

how important that is, as a mother and a teacher, and my husband would be here, he’s a teacher

as well in Barnstable, but he’s putting to bed our little ones.

I’d like to just share that this incredible resolution that I support -- it’s -- I don’t believe

it’s to stop anyone from sharing their opinion from disagreeing with one another. I’m sure

there are many topics on which you’ve disagreed. Over the course of this fiscal year as

Delegates or as community members, but this is to remove hate speech, to condemn that that’s

happening in our community, to respect one another, to also not create a platform in which our

young people who are watching us constantly whether we like to admit it or not. My four-

year-old is becoming me and all those things I really -- I don’t like. Those of us who are

parents know that very well.
As a middle school teacher, it would be hypercritical of me to say something and not do something. So as adults, adults who are leaders in our community to stand strongly to condemn hate speech. Again, not to condemn speaking one’s opinion but to remove hate speech from our politics, I think, is something that all of us could stand behind, that we concentrate on the important things that our community has to approach and instead remove this discrimination.

So thank you for bringing forth this. I’m in great support, as is my family albeit at home.

Thank you.

Speaker MCAULIFFE: Thank you. Is there anyone else who didn’t get to sign?

Okay. Thank you, very much.

Assembly Convenes

Speaker MCAULIFFE: We will now go into session. The Assembly will convene, and the first item is Proposed Resolution 19-01, and this is proposed by Delegate O’Malley. And what I am proposing is that Delegate O’Malley will read the resolution. We will motion it onto the floor, second it, and then have our discussion. But he will read the resolution. He does want to give a background for that, and then after that we’ll have a discussion.

So, Delegate O’Malley, you wanted to read the resolution?

**Proposed Resolution 19-01**

“It is the Policy of Barnstable County to promote equal opportunity for all persons of Barnstable County regardless of race, color, religious creed, national origin, sex, age, ancestry, sexual or affectional preference, marital, family or military status, source of income, neighborhood or disability, where unlawful discrimination exists in housing, employment, education, public accommodations, town or county services, insurance, banking, credit and health care. Barnstable County will not tolerate retaliation or reprisal against persons exercising or supporting the exercise of equal opportunity rights.”

**Whereas**, the above statement of policy has long been the standard for Barnstable County, and;

**Whereas**, the current political climate and social media have encouraged the public use of language which singles out, demeans, disparages and threatens certain groups of minorities, and;

**Whereas**, such use of hateful and intolerant language is inconsistent with standing county policy;

**THEREFORE**, the Assembly of Delegates

**HEREBY RESOLVES** to affirm its policy of non-discrimination, especially with regard to county services, and strongly condemns and censures any form of hate speech, especially from persons employed by Barnstable County.
Delegate O’MALLEY: Proposed Resolution 19-01 was submitted at our last meeting, and it begins with a quotation taken directly from the preamble to the Barnstable County Human Rights Commission enacting ordinances back from nineteen ninety -- 2006; I’m sorry, 2005 or ’06.

This quote is, “It is the Policy of Barnstable County to promote equal opportunity for all persons of Barnstable County regardless of race, color, religious creed, national origin, sex, age, ancestry, sexual or affectational preference, marital, family, or military status, source of income, neighborhood or disability; where unlawful discrimination exists in housing, employment, education, public accommodations, town or county services, insurance, banking, credit, and health care. Barnstable County will not tolerate retaliation or reprisal against persons exercising or supporting the exercise of equal opportunity rights.” That’s the quotation that’s been at the head of all the recurring resolutions and ordinances enacting the Human Rights Commission of Barnstable.

Whereas, the above statement of policy has long been the standard for Barnstable County; and,

Whereas, the current political climate and social media have encouraged the public use of language which singles out, demeans, disparages, and threatens certain groups and minorities; and,

Whereas, such use of hateful and intolerant language is inconsistent with standing County policy. Therefore, the Assembly of Delegates resolves to affirm its policy of nondiscrimination especially with regard to County services and strongly condemns and censures any form of hate speech, especially from persons employed by Barnstable County.

Now --

Speaker MCAULIFFE: Okay. Is there a motion to put motion the resolution on the floor?

Deputy Speaker MORAN: So moved.

Speaker MCAULIFFE: Second?

Delegate HARDER: Second.

Speaker MCAULIFFE: Now you wanted --

Delegate O’MALLEY: Now, I wish to offer an amendment. I’m presumed that many of us have read County Counsel’s considerations of this article -- of this resolution. And County Counsel points out that the use of the term “censure” has very specific legal implications in some jurisdictions, this is not one of them. So this -- I move to amend Proposed Resolution 19-01 by deleting the words “and censures” from the last paragraph period.

Speaker MCAULIFFE: So it will read, “As amended” -- the last sentence would be --

Delegate O’MALLEY: So then it will read, “Strongly condemns any form of hate speech, especially from persons employed by Barnstable County.”

So let’s make no mistake about what’s going on. There’s no ambiguity here of what we’re talking about. This resolution is drafted in response to hate speech on the part of a County elected official. It was couched as a question, but it was clear that the implication was divisive and hateful.

This Commissioner -- this individual, I’m sorry, suggested that as a category some elected representatives could quote, “Not fairly and adequately represent all their constituents.”

Of course in creating another class of “Gay politicians,” the author makes clear his own inability to represent all of his own constituents across this County. He hides behind the fig
leaf of free speech knowing full well that there are, indeed, limits to what can be said in public about others, and that there can be serious repercussions through its aggressive exercise.

As a society, we have determined and committed to protect our freedom of speech, even hate speech. However, this represented -- this individual is representative of our shared regional government. We all bring the traditional expectations that after election officials have the responsibility to represent everyone. Sadly, these expectations for our country have been destroyed the last couple years.

What we do have, however, is unambiguous and long-standing written policies of nondiscrimination in Barnstable County government. As I cited, the preamble comes from the Human Rights Commission and, in addition, very significantly, the Barnstable County Employees Policies and Procedures Handbook that we all get, in Section 1.3 explicitly states, “Discrimination against any person on the basis of non-merit factors is prohibited.” Further, Section 1.5 explicitly bars discrimination “On the basis of sexual orientation under any activity provided by the County of Barnstable.”

These cited standards apply to all employees of our County government and, of course, we, Delegates and Commissioners, all elected officials, are also County employees. We accept these roles and the rules and policies that apply to them when we seek office.

It is clear that the individual Commissioner who spewed the hate speech has no remorse for his actions and sees no reason to consider resignation, which would be most appropriate. Until such time as a planned Charter amendment process permits the recall of such an official. This body will indicate with today’s vote to reject hate speech, its intent to maintain – and its intent to maintain an environment of tolerance and respect for old people. While free speech is protected so, too, is our freedom to reject hate speech.

Thank you.

Delegate OHMAN: Madam Speaker.

Speaker MCAULIFFE: So, just -- yes --

Delegate OHMAN: Point of order.

Speaker MCAULIFFE: Yes, he amended it, so it’s on the floor as amended. We don’t have to have a vote; is that --

Delegate GREEN: Is there a second? Do you need a second?

Speaker MCAULIFFE: No.

Clerk O’CONNELL: It’s his resolution so --

Speaker MCAULIFFE: It’s his resolution. When he puts it on the floor and amends it, it is on the floor as amended.

Delegate OHMAN: May I tell the point of order?

Speaker MCAULIFFE: Yes.

Delegate OHMAN: Have you announced recently that if anyone is recording any part of this --

Speaker MCAULIFFE: No, I haven’t.

Delegate OHMAN: And I think that would be appropriate at this moment.

Speaker MCAULIFFE: Yes. Is anyone recording other than our transcription?

Delegate HARDER: Yes.

AUDIENCE MEMBER: Not the full meeting, just clips.

Speaker MCAULIFFE: Okay. Yes, and, actually, you’re right. I have been lax in that. We’re required by law to ask that at the beginning of every meeting and it always slips my mind.
Delegate OHMAN: But it wasn’t going on at the beginning of the meeting.
Speaker MCAULIFFE: Okay.
Delegate OHMAN: That’s why I made the point of order.
Speaker MCAULIFFE: Thank you. Thank you. I appreciate that. So, we have a resolution on the table. It was amended to remove the term "and censure." So discussion.
Now I will say, I would, according to our attorney, this is not specific. We do not specifically talk about a person. This is a resolution talking about county policies, county procedures. This is an opinion of the Assembly. The Assembly does not have the authority to remove or censure or do anything. So we are having a discussion about a resolution which talks about the county policies and it’s a sort of a more generic resolution before us. It is not specific to a particular person.
So, please, if you when you give your comment, don’t refer to anyone specifically because I don’t want to cross any legal lines. Thank you.
Comments? Yes, Delegate Moran.
Deputy Speaker MORAN: Thank you. I just want to speak very quickly. I’m very much in favor of the Proposed Resolution. I think that Delegate O’Malley really covered all the bases well. You know, hate speech is really, you know, it can be a form of bullying that really can create fear and actually oppress free speech. So that’s one of the reasons I’m going to be voting in favor. Thank you.
Speaker MCAULIFFE: Delegate Zuern.
Delegate ZUERN: Thank you, Madam Speaker. I consider this Resolution totally unconstitutional. In the Constitution, it says that we have freedom of speech. It doesn’t say however or but or it doesn’t include representatives or elected officials. Everyone has free speech, but it doesn’t say that. Everyone has freedom of speech.
Once you start having resolutions like this where you’re taking that freedom of speech away saying its hate speech, you are taking the freedom of speech away from everyone.
Because what you consider hate speech may not be what somebody else considers hate speech. I consider hate speech somebody saying that so-and-so is a bigot or President Trump is evil or - - I consider those things hateful.
I consider this against Ronald Beatty hateful. So I wanted to say --
Speaker MCAULIFFE: Delegate Zuern, I want to just caution; we are not talking specifics here. Please, no names.
Delegate ZUERN: Okay.
Speaker MCAULIFFE: Because I don’t want to cross a legal line, okay?
Delegate ZUERN: Okay. I’m just trying to point out that we all have our different opinions of what hate speech is. Somebody else might think that a comment is just fine. But I think comments that are made anywhere are just a part of your freedom of speech.
I just think it’s very dangerous to start going down this road, and it is unconstitutional and every one of us took an oath to abide by the Constitution of the state and the country, the United States Constitution.
So if we’re going to vote against freedom of speech, you’re really breaking your oath. That’s how I consider it. Thank you.
Speaker MCAULIFFE: Okay. We’ll go down the table. Delegate Princi.
Delegate PRINCI: If the Delegate from Bourne read the Resolution like I did, she would see that it’s not condemning any individual. It’s more or less just reaffirming what our kind, objectives, and policy and sentiment is regarding any type of attacks on any specific race,
religious, or sexual orientation. That’s all it is.

I wholeheartedly support it. I think it comes at a good time. I think it’s very important. I appreciate some of my constituents for coming out, especially the teacher from Barnstable. I mean the kids -- little kids pick up on these things. They pick up on it at the national level. Unfortunately, my four-year-old picks up on it at even a County level. (Laughter.)

So by us going on record letting the residents of this County know how we feel about these issues, it’s already there and it just reaffirms it.

So, thank you, Delegate O’Malley for bringing this forward.

Speaker MCAULIFFE: Delegate O’Hara.

Delegate O’HARA: So, I had to do a little bit of homework and I wanted to understand the First Amendment as best I could in a short period of time.

And I guess the question as it comes up is I don’t -- we’re talking about an incident, and I don’t know that I can determine that there was any hate. When I think of hate, I think of anger, and I didn’t sense that in anything that would have been related to this, an incident.

So I see it different, and I don’t know that it’s up to me to determine what was hate speech because I didn’t feel it there and anything that’s there I just didn’t feel comfortable voting on this amendment because of that.

But I looked at the First Amendment and printed out just a bit. And I highlighted one particular portion of it. It says, “The Constitution states that the government cannot make any law that restricts free speech or freedom of the press. This means that the government cannot censure what Americans read in newspapers or other forms of media, and the government cannot arrest citizens for speaking about their ideas and opinions, even if they differ from those of the government. However, this does not mean that Americans are free to say whatever they want.”

But I just didn’t feel that there was any hate speech from the incident that I think we’re referring to and that’s all.

Speaker MCAULIFFE: Delegate Harder.

Delegate HARDER: Okay. I just want my constituents to know why I am voting for this. I have to read it because I had to change it, so nobody gets named.

One thing about freedom of speech is that while everyone does have freedom to speak, it does not mean you have the freedom to speak without consequences. Private companies are perfectly allowed to fire you should they disagree with something you write.

We are not, as a government entity, firing him -- firing anyone. We are not doing anything but reaffirming our belief that any form of hate speech is wrong, and that is a -- a fully legal consequence of free speech.

Another defense made was that people speaking out against certain things that have been said is because we are Democrat activists, and I just want to let my constituents at least know that, yes, I’m a proud Democrat, but I know that half my constituents are not, and I take that very seriously, and I keep that in mind when I make any decision.

This has nothing to do with politics. This is not because somebody has a (D) and somebody has an (R). This has to do with the most important thing that I think is lacking in government today and that is dignity.

I think any elected official who debases an office by insulting the dignity of anyone else is not -- should not -- sorry, how do I say that without naming names -- a government official should not debase an office by attacking the dignity of another -- of any member of their constituency regardless of whether or not they agreed with their lifestyle.
We must try to restore dignity. We, unfortunately, here can do nothing about that on the national level, but at least we can do it on the local level, and vote for this resolution that Delegate O’Malley wrote because it affirms the fact that we need dignity and respect towards everyone on this island. Thank you.

Speaker MCAULIFFE: Delegate Kanaga, did you have your hand up?
Delegate KANAGA: I did.
Speaker MCAULIFFE: I just see a sea of hands.
Delegate KANAGA: I did. I guess I’m speaking as -- I’m probably the only one who sued the county for civil rights, so I feel like --
Speaker MCAULIFFE: I would say that you’re right.
Delegate KANAGA: I feel like I should set the record straight a little bit on the First Amendment things because I’ve heard a lot of things said here that aren’t -- they’re either misrepresented or misunderstood.

And I will preface this by saying that if I still can be here when this vote takes place that I would vote in favor of it now that the sanction word has come out of it because I couldn’t.

Speaker MCAULIFFE: Censure.
Delegate KANAGA: The word “censure,” well that’s the sanction word that I’m talking about.
Speaker MCAULIFFE: Yes, exactly.
Delegate KANAGA: Because I could not vote in favor of sanctioning what I perceive to be speech. Now the yelling “Fire” in a crowded theater is a different thing, that is -- where does it cross the line to inciting violence issue, and we have many examples of -- there’s a congresswoman from California, whom I won’t name now, who incites violence all the time but it’s okay because there’s no danger perceived -- imminent danger to human beings. It’s a general incitement to violence which has been and still is okay in America.

Rightly or wrongly, that’s where we are, and the Supreme Court says frequently and recently that freedom of speech in order to be real freedom has to protect not just the speech you like but the speech that you hate. And that’s what I see -- why I didn’t want to see the word “censure” in here because the speech that you hate has to be allowed in order to protect all speech.

And I’m also saying this just because I mean I think -- I mean it occurs, and I’m not just saying the congresswoman from California, but this occurs, you know, religious prejudice, racial prejudice occurs frequently, and there are many organizations even who I perceive as promoting it. We have a County-wide newspaper who can’t seem to print my name without mentioning what church I belong to and disparaging it.

So, anyway, that’s why I couldn’t vote for the way it was written, but I can vote for the way it’s written now. Thank you.

Speaker MCAULIFFE: Delegate Chaffee.
Delegate CHAFFEE: Thank you. The state of Massachusetts has a webpage called, “Massachusetts Law Updates, the Official Blog of the Massachusetts Trial Court Law Libraries,” and on this page they include a definition of hate speech from Black’s Law Dictionary, 10th edition, and it reads, “Speech that carries no meaning other than the expression of hatred for some group, such as a particular race, especially in circumstances in which the communication is likely to provoke violence. And even though hate speech could be viewed as hateful, it is, indeed, protected under the First Amendment.”
I want to point out, as the Delegate from Barnstable did, that what’s before us is not something that is unconstitutional, that certainly would’ve been pointed out to us in County Counsel’s thoughtful four-page memo where he offered his legal views on the Delegate from Provincetown’s Resolution. This is merely an affirmation of a current county policy. And while hateful words are powerful, so are our county’s words.

And I think that the choice by the Delegate from Provincetown to open his resolution with the beautiful language from the ordinance passed by the Assembly of Delegates that created the County Human Rights Commission demonstrates the county’s values. Thank you.

Speaker MCAULIFFE: I don’t want to skip over Delegate Killion. I didn’t see your hand go up, but I assume --

Delegate KILLION: I wasn’t fast enough.

Speaker MCAULIFFE: I’m going to put you on the spot.

Delegate KILLION: I guess my concern with it is with some of the others who are questioning it is its objective nature of the term hate speech. Because I think as I’ve listened over the last couple of weeks, we’ve had people on both sides of the argument saying it is or it isn’t. It really comes down to how it, I guess, affects them personally.

And if you look at what the issue at hand is the question being he was questioning their ability to serve. And I think if we look back at where this country has come from, we had a government which was served mostly by men, and it was until a few decades ago when women and others began to really enter the elected office. And we all believed that was better serving this country, it was creating a more diverse background of people who were solving problems and creating a better product. And if we accept that premise in that we did create a better government by having more diverse backgrounds, that we accept the premise that we aren’t all monolithic thinkers in that when we come to these positions, our elected positions, we bring with them our experiences, our personal experiences, our educational experiences, who we are, and we bring that to how we make our decisions.

And so I don’t think it’s too far afield to say, okay, well, are you letting your personal judgments sort of affect the way you make decisions. I don’t think I would be offended if a woman asked me if I was able to represent women’s interest in my position. I think that is a legitimate question to ask any elected official. Are you able to understand the problems that one segment of society faces every day? And, conversely, I think those types of questions should be able to be asked of our elected officials and should be able to be done without offending anyone.

And so that’s my concern with this specific language because it can be interpreted no matter what the speech is. I would be more in favor of making this more of a positive approach and say that the Assembly encourages civil discourse in how we conduct ourselves.

I think that is a more appropriate way to handle this matter because, you know, as actually we’ve seen with the U.S. House of Representatives now, they’re actually dealing with a very similar problem to this where one of their members has made some speech that is considered anti-semitic, and they’re not going the censure route. They’re just saying, no, we don’t believe in that type of talk and this is how we’re going to handle it, and I think that we should handle it the same way.

I’m afraid that if we go down this road, we are going to be now challenged with making these determinations. Someone else could come in here a month from now and say, you know, hey, someone else said this; we think that’s hate speech, and we think that it should be condemned as well. And I don’t think that’s the business we want to get into. I think we
should allow people to make those determinations on their own.

We can certainly take this road to say we encourage people to behave themselves civilly. But by the same token, I think you have to be encouraged at the way that the community has turned out to defend people. I certainly was. No one was willing to let what they felt was any perceived slight by -- and people debated the issue and, again, we had people on both sides of it. So that encourages me that these problems will become less of an issue in the future because people do conduct themselves in a civil manner.

What I did find interesting is all this debate we’ve had over the last couple of weeks, and we had an incident a week ago in Falmouth where an individual was verbally and physically assaulted because of his perceived political beliefs. And yet we’ve had no one come in here to complain about the intolerance on the political spectrum. And so I think do we want to get into now debating that, and I don’t think we do. I think, again, we let the public sort that out.

So, again, I would be willing to support this resolution if, in fact, we were to amend it and to not condemn and censure but to encourage the civil discourse among ourselves. Thank you.

Speaker MCAULIFFE: So are you offering an amendment or are you suggesting --
Delegate KILLION: I’m suggesting if Delegate O’Malley would like to.
Delegate O’MALLEY: The word “censure” has been pulled out already.
Speaker MCAULIFFE: Right.
Delegate KILLION: No, I understand but I’m looking to move out the word “condemn” and “hate speech” because I don’t want to become the arbiters of what hate speech is. And I think that’s the issue because we’ve seen both sides of the argument. We’ve heard -- I’ve been listening on the radio, people have been talking about it, and the problem is the subjective nature. And I think that, you know, I don’t believe we want to start making decisions of what it is, and I would rather take the position of encouragement in a positive nature and say that we would encourage that sort of discourse and discourage others.

Speaker MCAULIFFE: Okay. Hold on. I want to let everybody have a turn. We’ll go down at the end. Can you pass that microphone to Delegate Gallagher?
Delegate GALLAGHER: Thank you, Madam Speaker. There’s been several references in today’s session to the three new members of whom I am one, and there have been many references to our children and how they watch what we do as well as what we say. And in many ways today I feel like one of those children. I’m trying to learn the rules here and how things happen, and some of these things are procedural.

In our last session, I didn’t speak because I was surprised how things played out. They were not in the order I expected. I’m still learning the ropes here, and I’m really grateful for all the help and support I’ve received and for all the wisdom I’ve been hearing here today.

In this particular issue, I had to learn about hate speech and that it is protected. And I appreciate Delegate O’Hara’s comments that it’s not really clear that there’s an incident of hate speech on the table.

I think in the incident at hand, there was a very clever phrasing; there was a question asked, not a statement made. You couldn’t take that to court and say this was an act of hate speech.

But it’s not only the Constitution and the First Amendment that governs our behavior here and part of the rules I’m trying to still learn about. I was sworn-in for the first time the
beginning of January. On my desk at home, I have a stack of papers about that high that has Barnstable County what’s called the Rules and Regulations Procedures, how we go forward.

One thing I’ve learned about in this instance, let’s call it the Barnstable County Declaration of Human Rights that I don’t know the exact title that Delegate O’Malley quoted at the beginning of this resolution, that governs our behavior.

We also have -- I took some notes. We have a Code of Conduct that covers all of us as employees of Barnstable County. We have specifically a policy on harassment of individuals in protected classes. I reviewed that document today. A case could be made that the case in question bears directly on that document.

I don’t think we’re calling upon ourselves here today to decide what is "hate speech." I don’t think we’re talking about violations of the First Amendment or restricting ones First Amendment rights. We are all employees of the county. The county has policies. Violations of those policies should have consequences.

It’s not up to me to determine whether there’s been a violation or what those consequences should be, but I will support this resolution because I think that’s the kind of thing that should help. Thank you.

Speaker MCAULIFFE: Thank you. Delegate Green.

Delegate GREEN: Thank you, Madam Speaker. I’ll be brief. There’s been a lot said that I agree with. I support this resolution, and I think it’s very important that we’re not silent, that our voices are heard through this resolution.

Speaker MCAULIFFE: Thank you. Delegate Ohman. I want to go to everybody first and then I’ll go --

Delegate OHMAN: I, too, will be brief. Basically, everybody that -- I will support this. I wholeheartedly support this resolution as written. It’s applicable to everyone in county government as written. I think that it has to be generalized like that, and I appreciate the language that has been put forth and then amended.

Everyone in Barnstable County government has to think about this. It’s appropriate for us to affirm our values and call out any public official who has crossed that line at any point in time, and I think this has happened, and that’s why I will support this resolution.

Speaker MCAULIFFE: Delegate Potash, did you want to --

Delegate POTASH: Yes. Thank you. Most people have said all the things that I’ve been thinking -- most people, so I don’t want to reiterate anything we’ve already heard.

But I will say that even though the Delegate from Eastham just said it, I can’t refrain from reminding everybody that this does not have -- this ordinance, which I do support.

We have a great group here. There’s no reference or attachment to any tweet, to any Facebook; it’s just a reiteration of a condemnation of hate speech. And it doesn’t say what hate speech is; it just says we don’t like it. And we have the right not to like it just like people have the right to say it. And nobody is trying to muzzle anybody. We’re just, with this resolution, we’re stating an opinion.

And I also want to point out that there’s been a lot on the radio. People have come to Commissioners’ meetings last week, this week. People have come to our meetings, and I think the people that have voiced their opinions are the real heroes of Barnstable County for the 2019 so far.

And I appreciate everybody doing that. And, again, I do support the resolution, and I’ve gotten a lot of emails from people from Chatham all -- every single one of them has encouraged me to support it and I do that.
Speaker MCAULIFFE: Thank you. Second comment, Delegate Zuern, and then I don’t know if Delegate O’Malley --

Delegate ZUERN: I just feel this whole resolution was based on one tweet. And, to me, it was a witch hunt, and it was based on one tweet by one person that was not liked by some of the people on this Assembly and other people in county government.

When you’re saying that this doesn’t -- this is your form of free speech, once this is passed and you start talking about hate speech, you no longer have free speech because anytime you say something that offends me, it can be condemned.

So just think about that when you say something about President Trump, who I seem to like a lot, and you make a comment about him that’s in a negative, I would consider that hate speech. You may not but I would.

So like Delegate Killion said, this is so subjective. There’s nothing in that tweet that was hateful at all. To bring forth a resolution like this that takes away our freedom to talk and make comments, I think we’re just going down the wrong path, and I think we could be sued for this. Thank you.

Speaker MCAULIFFE: Delegate O’Malley, you wanted to -- just quickly.

Delegate O’MALLEY: I will only just recap this that in addressing an instance of what many of us feel is hate speech, and I’m tempted to quote the old thing about pornography. You know, we know what it is when we see it even if it’s pretty hard to actually define it hard and clear.

This was clearly intended as a hateful kind of comment, and I think it’s important that what we’re doing here is speaking out against it. We’re not in any way attempting to stop it. We’re not prohibiting his speech, his exercise of his free speech rights. This is simply we are exercising our right to say, well, we don’t think that’s appropriate coming from a County employee period.

Speaker MCAULIFFE: I’m going to change that. You don’t want to say “his,” anyone’s.

Delegate O’MALLEY: Anyone. I’m sorry.

Speaker MCAULIFFE: Me, personally, reaffirming what is county policy and what is decorum, dignity, proper behavior, I have no issue with that because that’s something that we all stand for.

I’m a little old-school in that when you are an elected official you rise about your individual concerns and issues sometimes. I have made many votes that have gone personally against my family or to the detriment of my kids when I was on the school committee. I’ve made decisions that, personally, I felt were way beyond, you know, what I felt was reasonable but because I thought it was appropriate for the group or the circumstance or the situation.

I believe elected officials hold themselves to a higher standard than the general population. We don’t lose our right to free speech; we just have to consider the impact of what we say. We are looked to as leaders. We are looked to as people who will help solve problems, help people with things that they need, and I think that to try and behave, as Delegate Harder said, with dignity is called for.

I can support this because I believe all this resolution says is that you need to consider how you are going to -- what you say and the impact it will have, not necessarily on everyone else who hears it because it is subjective, but how it makes you perceive and your ability to do your job as an elected official.

So as a representative of Barnstable County, I think we all hold ourselves to a little bit
higher standard, and I think that where I’m coming from.

So, with that, I think we will have a vote on the resolution.

Roll Call on Proposed Resolution 19-01 (as amended by petitioner)

Voting “YES” (71.12%): Mary Chaffee (4.55% - Brewster), J. Terence Gallagher (2.30% - Eastham), Lilli-Ann Green - (1.27% - Wellfleet), Elizabeth Harder (5.67% - Harwich), E. Suzanne McAuliffe (11.02% - Yarmouth), Susan Moran (14.61% - Falmouth), John Ohman (6.58% - Dennis), Brian O’Malley (1.36% - Provincetown), Randi Potash (2.84% - Chatham), Patrick Princi (20.92% - Barnstable).

Voting “NO” (25.22%): James Killion (9.58% - Sandwich), Linda Zuern (9.15% - Bourne).

Absent (3.66%): Christopher Kanaga (2.73% - Orleans – left @ 7:00 P.M.), Deborah McCutcheon (0.93% Truro), Thomas O’Hara (6.49% - Mashpee).

Clerk O’CONNELL: Madam Speaker, Proposed Resolution 19-01 passes with 71.12 percent of the Delegates voting yes; 25.22 percent voting no; 3.66 percent are absent, now known as Resolution 19-01.

Resolution 19-01

“It is the Policy of Barnstable County to promote equal opportunity for all persons of Barnstable County regardless of race, color, religious creed, national origin, sex, age, ancestry, sexual or affectional preference, marital, family or military status, source of income, neighborhood or disability, where unlawful discrimination exists in housing, employment, education, public accommodations, town or county services, insurance, banking, credit and health care. Barnstable County will not tolerate retaliation or reprisal against persons exercising or supporting the exercise of equal opportunity rights.”

Whereas, the above statement of policy has long been the standard for Barnstable County, and;

Whereas, the current political climate and social media have encouraged the public use of language which singles out, demeans, disparages and threatens certain groups of minorities, and;

Whereas, such use of hateful and intolerant language is inconsistent with standing county policy;

THEREFORE, the Assembly of Delegates

HEREBY RESOLVES to affirm its policy of non-discrimination, especially with regard to county services, and strongly condemns any form of hate speech, especially from persons employed by Barnstable County.

Speaker MCAULIFFE: Excellent. Thank you.

Speaker MCAULIFFE: We don’t have any Committee Reports. I don’t think we’ve had any committee meetings. No reports.

Report from the Clerk.

Clerk O’CONNELL: Nothing to report.
Summary: Other Business

- Speaker indicates Assembly will go forward with a Charter Review
- Speaker continues to investigate appropriate office space for the Assembly Office and Clerk
- Next Assembly meeting will take place in the East Wing Conference Center

Speaker MCAULIFFE: Okay. I’m going to take one minute under “Other Business.” We are going to go forward with a Charter Review as I’ve mentioned almost every meeting. I think some of the topics that have been in the popular discussion are on our list to deal with in the Charter Review. So, certainly, whether it’s term limits, recall, county government structure, however, we want to determine what the County Charter to look like we will have that -- we will tackle that as soon as the budget is done.

And I’m talking to Attorney Troy about whether it’s something we can actually manage as an Assembly as opposed to a more formal distance kind of committee. So I will be keeping that on the forefront.

We are also under the gun to move the Clerk’s Office again because there are problems in construction over at the courthouse. They’re putting in some much-needed rooms upstairs, and it’s just making the downstairs intolerable.

However, I am standing by the ground that the Assembly office needs to be proper, appropriate, accessible to the public. We are not going to be in a basement somewhere that people can’t find the Assembly and can’t deal with the Assembly.

So, stay tuned. We will see what they can find, but I think that the County is under a lot of pressure for space, but we can’t be pushed into the corner because there’s a problem with office space.

Delegate O’MALLEY: And the next meeting?
Speaker MCAULIFFE: The next meeting will be in the new -- what are they calling it?
Clerk O’CONNELL: East Wing.
Speaker MCAULIFFE: East wing, I guess. So, hopefully, that’s where we’ll be.

Anything else?
Delegate HARDER: Quick question. As one of the three new people mentioned so often today --
Speaker MCAULIFFE: Sorry.
Delegate HARDER: -- I don’t -- things I don’t know yet. Regarding committees, when will we begin discussing whether we’re going to have them, whether we’re going to have climate change committees dealing with the various proposals that were put forth on that topic? How does the committee process work?
Speaker MCAULIFFE: We had a proposal -- we had a proposal at the end of the last session about combining committees into three kind of super -- two or three super committees. However, the Assembly decided to do the entire budget review in its entirety before the entire Assembly. It used to go to the committees and then come to the Assembly after the review was done.

Changing too many things at once got to be problematic. So we went with the old committee structure and we are doing the review in total. If people like this after the budget is done, then we can, again, have a discussion about what we want to do about our committee structure, what committees we think we need. Do we want to maintain the committees that we had or add committees, take away committees, but it was one thing at a time. I didn’t want to
have too many balls in the air.

Delegate HARDER: Okay. So after budget then.
Speaker MCAULIFFE: Yes.
Delegate HARDER: Thank you.
Speaker MCAULIFFE: I’ll take a motion to adjourn.
Deputy Speaker MORAN: Motion to adjourn.
Delegate CHAFFEE: Second.
Speaker MCAULIFFE: We are adjourned.
Whereupon, it was moved and seconded to adjourn the Assembly of Delegates at 7:10 p.m.

Submitted by:

Janice O’Connell, Clerk
Assembly of Delegates

List of materials used at the meeting:

- Business Calendar of 3/6/19
- Unapproved Journal of Proceedings of 2/20/19
- PowerPoint presentation slides – Cape Cod Municipal Policy Academy
- FY20 Budget Message from County Commissioners and County Administrator
- FY20 Proposed Personnel Schedule and budget – Count Commissioners Office
- FY20 Proposed Capital Budget Ordinance 19-03
- FY20 through FY24 County Capital Improvement Plan
- FY20 Proposed Personnel Schedule and budget – Finance Department
- RDO handout dated 3/6/19 – FY20 budget summary
- FY20 Proposed Personnel Schedule and budget – information Technology
- FY20 Proposed Personnel Schedule and budget – Assembly of Delegates
- Proposed Resolution 19-01
- Amendment to Proposed Resolution 19-01 submitted by Delegate Brian O’Malley
- County Counsel’s legal opinion regarding Proposed Resolution 19-01