

CAPE COD REGIONAL GOVERNMENT - ASSEMBLY OF DELEGATES
Barnstable County Complex
East Wing Conference Center @ 4:00 PM
3195 Main Street, Route 6A
Barnstable, MA 02630
APPROVED Journal of Proceedings - May 1, 2019

Call to Order

Speaker MCAULIFFE: I'd like to call the meeting to order, please. This is the Cape Cod Regional Government, Assembly of Delegates. It's **Wednesday, May 1st, at 4 p.m., and we are having a meeting at the East Wing Conference Center at the Old Jail Building in the County Complex.**

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

(Moment of Silence)

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

Speaker MCAULIFFE: Thank you. Is anyone recording the meeting other than our transcription? Thank you.

Roll Call Attendance

Speaker MCAULIFFE: Will the Clerk please call the roll.

Clerk O'CONNELL: Thank you, Madam Speaker. We'll start the roll call process. And just as in previous weeks, I'll call your name; your electronic device should be activated at this point. I think it's a green flashing arrow and when you press that it will automatically record your presence at the meeting.

Present (91.21%): Mary Chaffee (4.55% - Brewster), Lilli-Ann Green - (1.27% - Wellfleet), Elizabeth Harder (5.67% - Harwich), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02%- Yarmouth), Deborah McCutcheon (0.93% Truro), 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), Linda Zuern (9.15% - Bourne).

Remote Participation (2.30%): J. Terence Gallagher (2.30% - Eastham – @ 4:05 PM).

Arrived Late (6.49%): Thomas O'Hara (6.49% - Mashpee – arrived @ 4:10 PM).

Clerk O'CONNELL: That concludes roll call voting. Madam Speaker, you have **91.21 percent of the Delegates present; 8.79 percent are absent.**

Speaker MCAULIFFE: Thank you.

Approval of the Calendar of Business

Speaker MCAULIFFE: I'll take a motion to approve the calendar of business.

Deputy Speaker MORAN: So moved.

Delegate GREEN: Second.

Speaker MCAULIFFE: Any discussion? All those in favor? Aye. Any opposed?

Delegate OHMAN: Present.

Speaker MCAULIFFE: And one abstention or present. It passes with one abstention.

Approval of the Journal of Proceedings

Speaker MCAULIFFE: Approval of the Journal of April 17th, 2019. I'll take a motion.

Delegate O'MALLEY: Madam Speaker, I would move that we accept the Journal of April 17th as distributed.

Speaker MCAULIFFE: Is there a second?

Delegate HARDER: Second.

Speaker MCAULIFFE: Any discussion? All those in favor? Aye. Any opposed? And present?

Delegate OHMAN: Right.

Speaker MCAULIFFE: And a present. It passes with one present.

Summary of Communications from the Board of Regional Commissioners

- **Commissioner Beaty update delegate on actions taken by the Board of Commissioners on 4/24 and 5/1/19**
- **Commissioners approved Ordinance 19-03 for Capital Budget**
- **Commissioners discussed status of Proposed Ordinance 19-02 and the HRC**
- **Proposed Ordinance is being drafted to formally establish the AmeriCorps Advisory Board and will be submitted to the Assembly at a later date**
- **Commissioners discussed and reviewed the status of county documents on loan to the Sturgis Library**
- **Commissioners discussed County Administrator's decision to discontinue water usage at the Fire Training Academy effective 6/21/19**
- **Commissioners submitted three Proposed Ordinances: Fire Training Academy Cleanup (P.O. 19-09); To Establish an O.B.E.B. Trust Fund (P.O. 19-10); To Borrow and Purchase a New County Dredge (P.O. 19-11)**
- **Appointments made by Commissioners to a grants sub-committee of the BCEDC**
- **Funding available for Rt 6 Rest Area to open this year and the next**
- **Commissioners decided to return to Superior Court Building in Commissioners Conference Room for their business meeting once the court renovations are complete**
- **Commissioners decided to make the county web page its official posting place for Commissioners meetings and will be finalized through the AG's Office**

Speaker MCAULIFFE: Our next item is a communication from the Board of Regional Commissioners. We have Commissioner Beaty with us today.

COMMISSIONER BEATY: Good day.

Speaker MCAULIFFE: Welcome.

COMMISSIONER BEATY: Good day. My understanding of the end of our meeting was Chairman Bergstrom was going to be here. He was going to run back to Chatham and come here but then -- and I was just going to show up. Unfortunately, I guess, he couldn't make it so I'm filling in.

So I'll just let you know we did not have a meeting last week, so we had a meeting today, and we approved our minutes from April 24th -- wait a minute, did we have a meeting last week?

Administrator YUNITS: No.

Clerk O'CONNELL: No, not on the 24th?

Commissioner BEATY: Okay. All right. And then the first item was we had a discussion regarding the AmeriCorps Cape Cod Advisory Board because there was a meeting last week. I sit on that board along with other people, and we were not -- we missed meeting -- making a quorum by one person for a number of different reasons. Some people were ill and some people that attend unexpected meetings. So, Andy Platt, the coordinator, verbalized his desire to maybe try to tweak the ordinance that created the board to try to add alternates so that it would make it easier to make a quorum.

We have since found out after checking with your Clerk, Jan, that there never was an ordinance creating the board as had been in other cases. So we're going to begin the process with the collaboration of different folks to try to craft an ordinance at some point in the next few weeks to try to help things along with that board.

The next item we had a discussion on some historical documents, County-owned historical documents, which are currently housed at the Sturgis Library. The director of the library came and gave feedback, and we had a lengthy discussion on that, and we voted. Turns out there was somewhat of a mis -- it turned out to be a misunderstanding. So we did vote to officially loan the documents that used to hang in the Commissioners' Conference Room. They were a deed and a handwritten poem from 1718. Then it also came up they are currently in possession of the other County documents which got transferred over three years ago from the Cataldo Archives. So the deal is it's on loan to them for however long, and they're going to give us an inventory of what else they have, and we're going to try to backtrack to cross our t's and dot our i's to make sure everything is done appropriately to show that it's County documents but under their care.

The next item we had, 6c., was we had a discussion regarding water usage at the County Fire and Rescue Training Academy. There was a lot of good give-and-take on that, and we voted to validate the action, the recent action that the County Administrator took to stop water usage at the Academy as of June 21st.

Item d. is a Proposed Ordinance, which I have here, to add to the County's Operating Budget for Fiscal Year 2019 by making a supplemental appropriation in the amount of \$500,000 to the County Fire and Rescue Training Cleanup Fund. We had another lengthy discussion regarding that, basically what our responsibilities are; how long we're going to, you know, it came up when is this going to end. And the fact that this is just sort of a just-in-case. It doesn't mean we're necessarily going to expend all those funds but its there if the need arises.

The next, Item e., is another Proposed Ordinance authorizing the borrowing of \$1,300,000 to purchase the new County Dredge, put that out to bond, and we passed that. We passed the other one prior to that.

And then the next item on the agenda, another proposed -- a third Proposed Ordinances to appropriate funds in the amount of \$850,000 to fund the County's Other Post-Employment Benefits, OPEB Trust Fund and that also passed.

And then there was no new business. And then under "Commissioners

Actions,” the first one was we authorized the appointment of Rob Brennan, Peter Karlson, Sheryl Walsh and members, and Duane Fotheringham and Tami Jacobsen as alternates to a Grants Subcommittee to the County Economic Development Council as recommended by the EDC. This subcommittee will be making --reviewing applications for the License Plate Funds. They also were -- we had to fine tune it with dates that their appointments expire. So that was taken care of as well.

And we also authorized the execution of a contract for Drainage Structures and Hot Mix to Aggregate Industries - Northeast.

Then the next item was authorizing the execution of a contract with the Massachusetts Department of Children and Families for a grant to Children's Cove in the amount of \$75,400 from July 1st, 2019, through June 30th, 2020, for its Sexual Abuse Investigative Network, SAIN, initiative.

Item D was authorizing the creating of a new fund for a grant from the Massachusetts Department of Agricultural Resources, MDAR, Southeastern Massachusetts Agriculturalists Center, SEMAC, to the Cape Cod Cooperative Extension for water quality monitoring and Disease Research for Shellfish in the amount of \$29,900 for a period through June 30th, 2019.

The next Item E was authorizing the award and execution of a contract with the Cape Cod Biofuels for the supply and delivery of Fuel Oil to Barnstable County and other political subdivisions for the period of July 1st, 2019, through June 30th, 2020.

And then the next Item F, we authorized the award and execution of contracts on behalf of water districts in Barnstable County for the supply and delivery of Caustic-Potash, Potassium Hydroxide, KOH, Hydrated Lime, Citric Acid, Sodium Hypochlorite, Methanol Solution and Sodium Hydroxide to Coyne Chemical; Shannon Chemical; Borden and Remington Corp; and NBC Distributors for the period of July 1st, 2019, through June 30th, 2020.

And we also authorized the execution of Certificates for Dissolving Septic Betterments.

Just to be on the accurate side, Items, excluding the first item regarding the EDC appointments, Items 8b through 8g we took as a group and passed them all because there was no -- there was no disagreement about it.

Speaker MCAULIFFE: Great. Thank you, very much. Any questions on the report? Yes, Delegate O'Malley.

Delegate O'MALLEY: Thank you, Commissioner. Can you clarify on the new dredge? You authorized issuance of a bond; can you tell us what kind of numbers we're talking about?

Speaker MCAULIFFE: This is an ordinance that's coming in.

Delegate O'MALLEY: This is coming as an ordinance?

Speaker MCAULIFFE: Yes.

COMMISSIONER BEATY: Yes.

Delegate O'MALLEY: Okay. Thank you.

COMMISSIONER BEATY: -- I've got three ordinances right there.

Delegate O'MALLEY: Got it. Thank you.

Speaker MCAULIFFE: So that there will be -- I just want everyone to know that these will come in. There will be a public hearing but there will also be presentation and

discussion at our next meeting. This is just their actions today.

Delegate O'MALLEY: Right.

Speaker MCAULIFFE: Yes. Anyone else? Before I forget, we have Delegate Gallagher participating remotely; are you there?

Delegate GALLAGHER: I am here.

Speaker MCAULIFFE: Excellent. Okay. You're participating, I understand, due to distance.

Delegate Princi.

Delegate PRINCI: I'll be quick, but I just want to thank the Commissioners and especially the executive management in the County for their decision last Friday to cease all live water trainings at the Fire Training Academy. Thank you, very much, for your work on that.

Commissioner BEATY: So, guess what; we did have a meeting last week. I'm sorry; there's so much going on.

Speaker MCAULIFFE: And as Commissioner Beaty said, he was literally thrown into this at 3:58 when I said Ron Bergstrom can't make it; can you give a report? But I think you did a great job. So if you want to continue with last week's meeting or do you want to have the Administrator --

Commissioner BEATY: Well, off the top -- do you have the agenda on you?

Speaker MCAULIFFE: Or have the Administrator do it.

COMMISSIONER BEATY: Yes, he has it on him.

Speaker MCAULIFFE: Okay.

COMMISSIONER BEATY: All right. So my apologies again. So for April 24th, we approved minutes of April 10th and then "General Business." We had a brief discussion about the ordinance for fiscal year 2020 Proposed County Capital Budget.

We had a discussion, once again, on the amended Proposed Ordinance 19-02 establishing the Barnstable County Human Rights Advisory Board. Several -- I believe the Provincetown Delegate gave comment and Mr. Schropfer back here also gave comment and had discussion with us. We, basically, threw it back in your court because we knew that Jack was going to be here to have discussions with you. So we didn't want to take any action that would further cloud the process. And a lot of it had to do if it needed tweaking or one of the things amended or added to it. It could be done at the Assembly level.

C., Discussion regarding the status of the Cape and Islands License Plate Funds. We had an update from the Cape Cod Commission, and we wanted to know where things stood because there's a lot of money sitting there. I think it was \$357,000 is available for grant applications after the funds that the Cape Cod Commission takes. They take about 50 percent for their CEDS, their Comprehensive Economic Development Strategy. So those funds have already been earmarked and set aside, plus the \$40,000 for the Route 6 Rest Area. So after those have been taken out, there's about \$357,000 currently available. So that process, we were told, is probably around June we will have -- maybe up and ready to go with that.

Then we had a discussion regarding the Board of Regional Commissioners meeting venue. It was unanimous we're going back to our old digs sometime when it's ready. Though this is a very nice venue, it's more suited to a body your size as well as the Cape Cod Commission. So, anyway, that's how we wound up doing it.

E., Discussion on adopting the County's website as the official method of posting notices for meetings of the Board of Regional Commissioners. After lengthy discussion, we decided to go the way that you have, and we're going -- we'll still put it up on the board outside the Superior Courthouse, but we're going -- we did adopt the website.

And then during the past week with the help of your Clerk and the IT Department and some input from other people, like me, we made sure that the agendas for both this body and our public body are readily available to the public, so it's right on the main page of the website right now, at least a link to it, which previously it wasn't.

Then we also issued a proclamation declaring May 1st, 2019, "Law Day" in Barnstable County. This is a national effort by the American Bar Association and locally by the Barnstable County Bar Association; they have an annual event called "Law Day." The theme this year was, "Freedom of Speech and the First Amendment." And then had an event over here at this courthouse from 9 to 11 and then also at the Orleans District Courthouse. So we decided to help them out and give them this proclamation.

Then under "Commissioners' Actions," we authorized the award of contracts. We did this also as a group. I guess it's starting to become a new routine. If there's no questions about or real concerns about things, we tend to do it as a group -- we're starting to do it as a group and what is that called, a consent agenda possibly? Maybe we should formalize it.

The first one was authorizing the award of contracts to Veterino's Landscaping and Irrigation, LLC, and, 2., St. Peter Landscape, Inc., to provide general landscaping services at County properties for a three-year period from May 1st, 2019, through April 30th, 2022.

And B. was authorizing the award of contracts to, 1., Monitor Equipment Company, Inc., and also to WB Mason for bulk supply and delivery of copy paper to schools in Barnstable County and Nantucket for one year from May 1st, 2019 through April 30th, 2020.

The third one is authorizing the award of contracts to, 1., Sprague Operating Resources; 2., to Diesel Direct; 3. Noonan Brothers Petroleum, Inc., and 4., to Cape Cod Biofuels, Inc. for the supply and delivery of gasoline and diesel fuel to Barnstable County and other political subdivisions for the period of July 1st, 2019, through June 30th, 2020.

And then the fourth one, D., authorizing the execution of a discharge of mortgage held by Barnstable County, acting by and through the Cape Cod Commission dated December 22nd, 2008, recording with the Barnstable County Registry of Deeds. I won't get into that.

G., Authorizing the execution of a discharge of a mortgage held by Barnstable County. So there's several mortgages.

And then there may or may not have been some septic betterments to be dissolved and that was about it.

Speaker MCAULIFFE: Thank you. I noticed that you talked about \$40,000 for the Route 6 Rest Area; is that rest area planned to be open again this summer?

Commissioner BEATY: Yes, we, last fall, the Commissioners did earmark \$40,000 of the License Plate Funds because it turned out that the Yarmouth Chamber of Commerce is so thrifty and so good at doing what they're doing that they took what was meant for one year and made it last for two years. So, I don't know if they still have any

money available from what was allocated to them previously, but that money is there for this year -- at least this year and next year.

Speaker MCAULIFFE: Okay. Good. Thank you. Any other questions?

Thank you, Commissioner Beaty.

COMMISSIONER BEATY: Thank you.

Summary of Communications from County Administrator Jack Yunits

- **County Administrator outlined and explained the history and evolution of Amended Proposed Ordinance 19-02**
- **The HRC Coordinator position has been posted**
- **The Health & Human Services Advisory Council will continue to make recommendations for appointment by the BC Commissioners to the HRC and assist with a recommendation for a coordinator**
- **Handout circulated to delegates – HRC mission**

Speaker MCAULIFFE: Our next is a communication update from County Administrator Jack Yunits, and this is to help us understand a little bit some of the background on Proposed Ordinance 19-02 and the status of Proposed Ordinance 19-02, the Human Rights Commission and the vacant coordinator position.

Administrator YUNITS: I apologize --

Speaker MCAULIFFE: That's all right. It wasn't -- it was we just didn't have information when we had our discussion on the ordinance last week and the ordinance was tabled because there were a lot of conflicting and confusing thoughts, ideas, opinions, so we wanted to get some clarification. Thank you.

Administrator YUNITS: Thanks. And my apologies, I was out in Chicago last week with my grandchildren for Easter practicing rebuilding the Fire Training Academy with Legos about four hours a day, seven days a week so I missed this.

The discussion regarding the Human Rights Advisory Board or the former Human Rights Commission began in earnest last spring, I would say. The chairman and, quite frankly, some of the board members from the Advisory Commission or the Human Rights Commission were growing increasingly concerned that there was too much chaos, not enough order, and no controls in place.

So they convened a discussion group led by the foreman chairman, Chairman Cakounes, to see what we could do to solidify some type of new ordinance.

It then got caught in the political process, i.e. the elections, and kind of dragged for a while. And Alan Milsted graciously appointed Dave and Paul Thompson to work with me to try to get something on paper that we could get over here as quickly as possible. So we did and we probably did it a little too quickly as Brian quite coincidentally pointed out to me.

And so in the last couple weeks, the Human Rights Advisory Board Subcommittee has been upgrading that in partnership with Janice and our County Counsel, and they have really done -- made some good, legitimate changes to the ordinance.

The Health and Human Services Advisory Board will continue to do the nominating with the committee and, hopefully, will help us in the selection of a next director. The add went out for the director last week, or coordinator I should say, the Human Rights

Coordinator position went out last week. I can't tell you how it's going because I don't think it's closed, but I think we're in a pretty comfortable place now with the new ordinance, I would say at this point in time, and we're ready to go forward with it. So.

Speaker MCAULIFFE: So the ordinance before us, which is 19-02, had speakers in the audience at the hearing last meeting give some, I guess, opinions that there were still some issues that were unresolved and still some concerns. I think we're hearing that the Board of Commissioners and the administration are ready to go forward with this at this point. And that we were just given a lot of information --

Administrator YUNITS: Yes.

Speaker MCAULIFFE: -- that was conflicting last time.

Administrator YUNITS: Yes. As Commissioner Beaty just said, there was a good discussion last week, but no action was taken because the Commissioners saw fit that I have this discussion with you first regarding the status. There are really no issues of contention. It's really a question of improving the form, not the substance of the ordinance. And I think pretty much that Janice and the subcommittee have done that, fair to say, and the Commissioners will probably act on it next week.

Speaker MCAULIFFE: Delegate Moran.

Deputy Speaker MORAN: Thank you. So just a little more specifically; with respect to all the folks who had questions and didn't really think there was clarity in terms of an opinion that they could give the Assembly as to what format was going to be better, were those folks specifically consulted about whether their concerns were allayed at this point in time, so that the Assembly could have that information?

Administrator YUNITS: I can't answer because I have not been involved with it since I've got back here, just too many other pressing things going on, and I apologize for that. Maybe David could shed some light on that at some point. I don't know how your order goes in this.

Speaker MCAULIFFE: And Delegate O'Malley.

Delegate O'MALLEY: If I might?

Speaker MCAULIFFE: Yes.

Delegate O'MALLEY: I think that the most critical piece in the draft we got was that there was no process for how do we continue the advisory board beyond the existing members? It continued their service but there was no process defined for what happened next. And what we're now moving to is what was, in fact, the original form, the very first founding ordinance, the Human Services Advisory Board, that's not the right term, Health and Human Services Advisory Council --

Speaker MCAULIFFE: Yes.

Delegate O'MALLEY: -- whatever it's called -- will make recommendations, will vet nominees and record them to the Board of Commissioners who will appoint them. So in that way we're going back and, yes, so that has resolved what was the single, really overriding fault with the draft that we had.

Deputy Speaker MORAN: Can I ask a follow-up?

Speaker MCAULIFFE: Yes.

Deputy Speaker MORAN: Okay. So what I'm trying to determine is our agenda includes a proposed vote, so I'd be interested in the, you know, what would be the impact of waiting until our next meeting to give folks an opportunity for additional feedback

having maybe watched this meeting and see the direction that the Assembly may be taking; if anyone can answer that?

Speaker MCAULIFFE: Delegate McCutcheon.

Delegate MCCUTCHEON: Okay. So do we know how or when the application for the position will close?

Speaker MCAULIFFE: No, the applications for -- are you talking about the coordinator position?

Delegate MCCUTCHEON: Yes.

Speaker MCAULIFFE: That is still -- the Administrator said that they are in the process of recruiting, so they have not closed yet.

Delegate MCCUTCHEON: The applications, yes.

Speaker MCAULIFFE: They don't know how many because they haven't closed the submission process.

Delegate MCCUTCHEON: Right. So it seems to me that they're not going to be stalled off --

Speaker MCAULIFFE: Right.

Delegate MCCUTCHEON: -- from accomplishing if we wait until our next one. And I'd like to see the ordinance rather than kind of hear it orally.

Speaker MCAULIFFE: Okay. Delegate Beaty, excuse me, Commissioner Beaty and then Delegate Kanaga. Sorry. Commissioner Beaty, you wanted to say something?

COMMISSIONER BEATY: Sure. In response to Delegate Moran's inquiry, after our meeting last week, I contacted Beth Albert with the Human Services Department and asked her to clearly outline what the process has been up to this point for nominating members and reauthorizing the appointments of existing members. She forwarded that to Jack and I and Jack since forwarded it to the Human Rights Commission members as well as some of the Delegates. And I asked when the next meeting of the Regional Human Services Council, which does the nominating, was and I think she said in July.

So what has to happen between now and then is they have to -- they put out, I don't know, they put out press releases to recruit new members and so if that can all be done between now and the next month and a half or so, and then when they're ready to meet, they can do everything and then get them to us, and everything should be in good order.

So, hopefully, that's addressing one of the major concerns that the people who did -- they came to our meeting and expressed some of the same sentiments. So we took action on that, you know, outside informal, outside the meeting so that process could be begun. So it could get started.

Speaker MCAULIFFE: So that process will go forward regardless of when we vote.

Commissioner BEATY: Yes, so irrespective, the process is moving forward and, hopefully, everybody is satisfied with what's going on.

Speaker MCAULIFFE: Good. Delegate Kanaga.

Delegate KANAGA: Sorry, I'm having that feeling like I've totally missed something here. What action did we take on--

Speaker MCAULIFFE: We tabled.

Delegate KANAGA: Yes. Indefinitely or --

Speaker MCAULIFFE: Yes.

Delegate KANAGA: Not till this meeting necessarily?

Speaker MCAULIFFE: We did not do a date.

Delegate KANAGA: Okay. And I think -- I'm summarizing because I don't happen to have any notes in front of me from that; I forgot to bring them. But it seemed to me that there were issues having -- with respect to it used to be that there was a person in each town that people could go to, that there was town by town representation, and that there was some benefit to that that people knew who that person was. They showed up at Selectmen's meetings and people could go there.

I know that was the case in our town particularly with people in the populations that would normally might have issues with human rights violations, foreign workers, so on and so forth, and so that that was a benefit. And that there had been some problems administratively with -- over the past 18 months or two years with respect to being locked out of their office, having their phone shut off, this, that and the other thing and not being able to function, and that that was part of the reason it wasn't functioning was because there were obstacles to it functioning. This was my understanding of the testimony, some of the testimony we received.

So I'm a little confused now about bringing this up to a vote and it's all been fixed. So that's my question.

Commissioner BEATY: Can I add something?

Speaker MCAULIFFE: Yes, Commissioner Beaty.

Commissioner BEATY: So the version of the Human Rights Commission Ordinance, this 19-02 that's before you, is the second incarnation of it. We had sent you a previous version which, apparently, was overly convoluted. And then a number of people worked on the new version, and we were urged by Mr. Schropfer and some others to pass it, which is what we did, and they also had input on the current version, and it came to you.

And then once it came to you, it seemed the argument was reversed. So then we had a discussion again last week and it's like a ping-pong ball.

So if you want to make -- if you want to insert about the nominating process, feel free to do so. We'll work with you. Nobody's trying to make this harder than it needs to. It just needs to be -- it needs to be fine-tuned and move forward, you know, recrafted to your liking and then send it back to us and we'll move forward with it.

In the meantime, the process is still going on so that the Human Rights Commission can do its thing.

Speaker MCAULIFFE: Thank you. I think one of the reasons I talked to the Clerk about putting a potential vote on is if not having an ordinance would slow down any of the processes that needed to go forward as kind of a backstop to creating more problems. But if it turns out that people are going forward with their hiring of a coordinator, going forward with nomination of people under the old ordinances that still exist, then it gives us some time then to consider the Human Rights ordinance and perhaps fine-tune some of the things that we're hearing about.

I agree with Commissioner Beaty. Work was done on this by a number of people, and I'm not faulting anyone for coming to our meeting and speaking up but, clearly, some of those feelings and ideas and thoughts were not incorporated, but I think some people that was the first time they were hearing some of those ideas as well.

So it may be that if we can go forward with the idea of what the Commission is and have a little bit of time to perhaps amend it with a couple of things and maybe there needs to be a coordinator to have some of these discussions. You know, maybe a coordinator will help decide, should it be town-by-town or should there be nine things in terms of representation.

So that's why the potential vote. I don't want anybody, when we get to our part of the agenda, feel like you're under the gun to vote. It was just if it was going to be necessary for them to proceed.

Delegate Chaffee.

Delegate CHAFFEE: Thank you. To answer Delegate McCutcheon's question, the closing date on the County website for the advertisement for the Human Rights Coordinator is May 17th.

Speaker MCAULIFFE: And then Delegate O'Hara and then I'll come back to you.

Delegate O'HARA: Anyway, we're talking about -- and Chris and I were in agreement last time and I think we're in agreement this time; we're already looking for someone -- we call it driving the bus and, you know, get someone in the seat now so they can attend meetings. Well, what if we're driving a tractor-trailer? That person's not qualified. I mean don't you think the driver, who is getting -- going to be placed in this position should know what their duties are and what we're looking for? I think it makes -- it doesn't make any sense to rush to hire somebody right now without having a complete mission statement.

And what I brought was I had gone to Town Hall, ran a little late in getting what the mission statement was in the past, and if this is what we want to be working on is it the one that we had, the mission statement of the past, what the Human Rights Commission was charged to do or do we want to amend that?

I think it's a little premature. I don't see any rush into hiring somebody right now. I don't see how we can miss a step. I think it's been two years since we've had somebody occupying that position, and I've had nobody coming up screaming that they're being denied services or not being able to find services.

I think we should just wait. Let's come up with a plan, a strategy, what the mission is and then we fill the seat. I think it just makes sense.

Delegate MCCUTCHEON: Delegate Zuern.

Delegate ZUERN: I agree with that and I just had some questions to just -- so that I get this straight. The Commissioners are appointing the Advisory Board members?

Mr. DAVID SCHROPFER: Yes.

Delegate ZUERN: That's right.

Speaker MCAULIFFE: Yes.

Commissioner BEATY: We do appoint the Advisory Board.

Delegate ZUERN: Okay. And the coordinator --

COMMISSIONER BEATY: Wait, wait, wait, wait; you mean the human --

Speaker MCAULIFFE: Yes, Human Rights.

COMMISSIONER BEATY: Okay.

Delegate ZUERN: The Human Rights Advisory Board.

Commissioner BEATY: But there's a process that has to be followed. So as soon as that nominating process is done then, you know, we'll be--

Delegate ZUERN: Okay. And the coordinator is chosen by the Town Admin -- I mean the County Administrator.

Commissioner BEATY: Well, there's a committee; isn't there a hiring committee, yeah, which incorporates, I believe, at least one or more members of the Human Rights Commission as well as the Human Resource Department.

Delegate ZUERN: It doesn't say that --

Commissioner BEATY: So it's certainly -- it's a professional process.

Delegate ZUERN: It doesn't say that in the ordinance though. It says the County --

COMMISSIONER BEATY: But it has to follow all County protocols and practices. So that's the reason why it's done that way.

Delegate ZUERN: Okay. That's probably why I'm not clear.

Commissioner BEATY: Because the person is a County employee, they had to be hired through the mechanism that's in place.

Delegate ZUERN: And then I think I heard that the Advisory Board members help in choosing the coordinator?

Commissioner BEATY: In the past they have.

Delegate ZUERN: But not now?

COMMISSIONER BEATY: Is that correct?

Administrator YUNITS: No.

COMMISSIONER BEATY: They let them have input. That's all.

Delegate ZUERN: Okay. Because I think it's very important that if we're hiring somebody as a staff member that that person is doing what Barnstable County wants them to do.

COMMISSIONER BEATY: Right. And that was part of the purpose of changing the ordinance, there was some gray area where, and this is just my interpretation of what was going on, exactly who the coordinator was answerable to, the Commission or to the County Administrator? So this clarifies that, and the current commission becomes -- actually works with the coordinator in an advisory capacity rather than vice versa. So that's one of the reasons for my understanding.

Delegate ZUERN: Okay. And I also agree with Delegate O'Hara that we need to be really clear as to what the mission is.

Commissioner BEATY: Well, they know what their mission is. Well, okay.

Speaker MCAULIFFE: Yes.

Delegate ZUERN: All right.

COMMISSIONER BEATY: That's why you gave this to me?

Delegate ZUERN: I did.

COMMISSIONER BEATY: The goals of the Commission are:

To promote and protect basic human rights of all persons in Barnstable County;

To enlist the cooperation and support of racial, religious, ethnic, civil, fraternal, benevolent, and private and public agencies in eliminating unlawful discrimination, and cultivating an atmosphere of mutual understanding of the County's cultural and social diversity;

To promote community awareness and understanding of the County's diverse

cultures through education and community action;

To provide the public with a forum to identify and address human rights violations within Barnstable County and, where possible, to assist in the resolution of complaints of the human rights violations.

That's their goals anyway. Since we're on this topic; I'm just going to quickly give a reminder, since it was brought up at our meeting. Tomorrow morning at the Cape Cod Academy in Osterville, the Human Rights Commission has one of its premiere events. I think they have it semiannually. It's their Human Rights Academy, and is it at 9 o'clock?

Mr. DAVID SCHROPFER: Yes.

Commissioner BEATY: It starts at 9 a.m. So they would like to have elected officials there, anybody that can attend.

Speaker MCAULIFFE: Delegate O'Malley.

Delegate O'MALLEY: Thank you, Madam Speaker. There have been a couple questions raised about the urgency of hiring a coordinator. And I would point out that for a year now, essentially, this group of volunteers has been functioning as the Human Rights Commission without any paid staff. They've had to do it all themselves. They put on this event tomorrow. I've been to this. I plan to go tomorrow, and it's a big deal; it's a very large, multi-school coordinated event that takes a lot of planning. They've done it. These citizens who are volunteers have done without the role of a coordinator. I think they desperately need somebody.

Part of the reason they're having so much difficulty recruiting and maintaining members is that the organization is kind of in chaos. There's no head. There's no office. There's no ongoing process and support. So, I think it's very clear; we need to get a coordinator hired. We have -- the ordinance goes back to 2005, let's get a coordinator in the job. I think then the next really big piece of work for the Commission is going to build -- rebuild the membership. And now we're working towards there's a process in place. So.

Speaker MCAULIFFE: And I would just say too -- I know Delegate O'Hara said no one had complained to him; I have been stopped in the hallway coming out of meetings on a number of occasions by Commissioners, Human Rights' Commissioners, begging for help because they haven't been able to field a quorum. They have trouble getting members. They had no leader. They needed things that needed to be done. So it may be that it's not getting to individual members, but I would say of County groups, I've heard from them probably more than any other group.

So there is an expressed desire to try and get some help to get them into a meeting space that works, get their membership up so they can meet, and also have a coordinator so that they can carry out programs that they're going to need a coordinator to go forward with.

Delegate Harder.

Delegate HARDER: Thank you, Madam Speaker. I'm confused; Jack, you said Health and Human Services is going to appoint?

Administrator YUNITS: The Health and Human Services Advisory Committee.

Delegate HARDER: We'll be coming up with a list of board members that they then give to the Commissioners or that's what I'm not sure of?

Administrator YUNITS: They'll be culling the applications with --

Speaker MCAULIFFE: With the Commissioners.

Delegate HARDER: Oh, so they're culling just for the coordinator position?

Administrator YUNITS: No, for both.

Speaker MCAULIFFE: No, for both.

Delegate HARDER: And for committee member because that's not in this at all so.

Commissioner BEATY: My understanding is the Health and Human Services Advisory Committee sets up a subcommittee specifically for that purpose and then they take in the applications and review them. And then they have a vote by, I think, I believe they have a vote by the full committee afterwards for the nominations then they send it to us, and we appoint.

Delegate HARDER: So we need that in there. That's not in the ordinance.

Speaker MCAULIFFE: I know it's not in the ordinance, yes. I think what you're seeing in this ordinance is a reflection of what the Human Rights Commission has been going through, and it's a lot of -- I think there's a need for a cohesive direction and some -- they want some unity back. They used to, I think, have a ship that was going in one direction at one point.

Yes, Delegate Killion.

Delegate KILLION: Thank you, Madam Speaker. Commissioner, in the ordinance under one of the requirements of the Human Rights Coordinator, it reads that they shall by either the County's representative of Human Rights and shall promote as directed by Barnstable County Board of Regional Commissioners and the Assembly a consistent unified message. Given that direction of employees' responsibility with the executive branch, how do you feel or believe that the Assembly will become involved in that direction?

Commissioner BEATY: That portion didn't come from me. That was put in there -- well, isn't that part of the original --

Administrator YUNITS: I think so, yes.

Commissioner BEATY: That's part of the original ordinance as far as the job description of the coordinator, if I'm correct. That just got incorporated from what's already there now.

Delegate KILLION: So we don't know; is that the answer?

Commissioner BEATY: Well, whatever it's been for the last X number of years.

Delegate KILLION: I don't think we've done much directing if I'm clear on that. So should we amend that to remove that if we're not going to be doing any directing or if they're not going to be answering to us?

Deputy Speaker MORAN: Good question.

Speaker MCAULIFFE: Good question.

COMMISSIONER BEATY: Here, you take this.

Administrator YUNITS: What originally --

Speaker MCAULIFFE: It's not original?

Delegate O'MALLEY: It's not the original, no.

Speaker MCAULIFFE: Okay.

Administrator YUNITS: Originally, the --

Delegate O'MALLEY: Here's the original.

Administrator YUNITS: -- the Commissioners of the HRC reported to health and -- I mean Human Services, the Human Services director. There was some friction, and then the ordinance was amended to make them answerable to the Administrator. This does not change that. To the best of my recollection when we drafted this, they still technically answered to the Administrator. And, of course, the Administrator answers to the Commission and Assembly.

So there's no change indicated in that regard in this. The reason for that is that there has to be some central control. Certainly, the Administrator would be a fool to try to run the Human Rights Commission.

When Suzanne Quiñones left, I felt that in the interim until we got this thing sorted out, I could step up and do that, but it was a fool's mission. There's so much work that goes on behind the scenes with these guys that I'm amazed that they've been able to sustain it for these last 12 months. In fact, if anybody does want to show up tomorrow, you can help set up bagels and slice bagels with that early on.

So it's really an independent -- and the question about having that core town reps that we used to have, one of the reasons we wanted to amend that is to give the new Human Rights Advisory Board the authority to take a look around and see what is the best way to go. Do we want to recruit people to represent the towns or do we want to rely on the Assembly? Get the Assembly more engaged in the day-to-day functions of outreach programs like this. That's going to be what the new coordinator and this new board will look at over time. I'm certainly not going to -- or they might just assign towns to various Advisory Board members.

But the idea was to give them the flexibility that would help them most manage in an efficient way so that the Administrator is not put in a position where he has to do day-to-day operations because it won't work that way.

Delegate KILLION: So was this written in to deliberately somehow involving the Assembly and what this individual will do? If we're being or he's being advised that he'll be directed by the Assembly and the Commissioners?

Administrator YUNITS: If an Assembly person was to receive a call from somebody who had run into some type of provocative situation, their only role would be to refer it to the Human Rights Commission, and the Human Rights Commission would take it from there unless they wanted to stay more engaged. That's essentially what the town reps did before. Then the Human Rights Commission would do an in-depth analysis to make a determination about what's the best place to refer this particular individual to.

Speaker MCAULIFFE: Delegate McCutcheon.

Delegate MCCUTCHEON: Madam Speaker, it does seem to me that Mr. O'Hara has it partly right that we need to take these pieces as a whole and have them work together. But it's very hard to raise members for an organization that doesn't have an office, doesn't have a telephone, doesn't have a way to get messages or mail or anything like that. It's very hard.

I think that it's also very hard for this group of people to put together the kind of analysis of their organization that you're talking about having when they don't have someone who's in the leadership position of being their coordinator.

I'd like to go back just a little bit. Something was said about somebody who's not going to meet until July to do something. I didn't catch that. And this whole thing is the

mission statement; is that right?

Speaker MCAULIFFE: I believe it says from the Barnstable County Human Rights Commission webpage. It's printed from the webpage.

Delegate MCCUTCHEON: Well, I've never read their webpage, but I bet it's got some interesting things on it. I think that what we need to do is to move that -- let that move forward with a coordinator as quickly as we can and then have them come back.

I agree with Delegate Killion that we ought not to be -- undertake the day-to-day supervision of this employee or her work or his work; I agree with that. I think we're not --

Speaker MCAULIFFE: Right.

Delegate MCCUTCHEON: -- we're not here often enough to really supervise the staff. So that's my opinion.

Speaker MCAULIFFE: Delegate Kanaga.

Delegate KANAGA: Thank you. Just really briefly. My concern here is that at one point the Human Rights Commission was very active and, in my opinion, very effective because they served like Children's Cove in a way. They took in complaints. They referred them out to either the state Antidiscrimination Board or to the police if appropriate in a particular town. They organized meetings when there were racial issues or racial unrest with respect to police actions. They got together, people from a particular police in town and the chiefs and the community involved and had sit downs and discussed things. I mean they were quite active when they had an Administrator.

Then -- this is my recollection now. It was put under the County, directly, County employee at some point in the past; I want to say two or three years ago, and since that time has been the time when there's -- although we've appropriated or we've had money in the budget for an Administrator, there had been no Administrator, and then there was no office and there was no ability to message and then there was no phone.

So, my question about this is, okay, I get that it's under the County now and maybe this isn't changing anything, at least that's what's being said, but the way it has operated since then has been unsatisfactory.

So I guess my question is in this process when this started to fall apart was when it came under -- directly under the County as a County employee. And I think historically human rights/civil rights is often a grounds-up operation, not a top-down governmental operation when it works. And since it's been imposed on a top-down organization, it hasn't worked so well. I don't find that particularly shocking. But I would like to make sure if we're going to do something that it's proactive, either a change in attitude at the administrative level that fosters a more approachable scheme or whatever and that's really Jack. So I guess that's -- my question is directed at Jack; how will this help?

Speaker MCAULIFFE: I think historically -- I'm going to go back even further. There was a time when it was two coordinators ago, something happened at a meeting that displeased one of the current County Commissioners, and it became an issue of whether the County Commissioner was going to have authority to fire or whether the Human Rights Coordinator was independent. And I think there was a move then to try and make sure -- protect the Human Rights Coordinator from a top-down approach from a Commissioner. And I know that kind of set the stage. We had a second coordinator and nothing of that ilk happened.

But I do know Chairman Cakounes felt very strongly that the Human Rights Commission shouldn't be under County government because he felt it should have the independence and the leeway of functioning independently without being at the mercy of a boss or an institution that you have to kind of fall in line or you can't do things that might be considered controversial or say things that are controversial because you are representing that entity.

I don't think that at this point, you know, you're saying, oh, sure, they can be a 501(c)(3), but I think just saying that and that happening are two different things. I know -- I see Commissioner Beaty's hand up. I think, in my mind, if we had a good grant and had a good operating system, the Human Rights Commission should be an entity unto itself so that it could function the way it needs to function without worrying about reflecting on a governmental structure or a County or a Commissioner or an Assembly Delegate.

Commissioner Beaty.

Commissioner BEATY: Yes, just to zero in on the coordinator position and the factual history of it, I think it was in 2015, it was quite some time before I was a Commissioner, the County learned -- it may have even been before Jack was here -- the County learned that they could not be a contract employee any longer like they had been, and they had to be a part-time -- it couldn't be an independent contractor. They had to be a County employee for whatever -- there was a state law -- so we were forced to do that. The County had to make them County employees with part-time benefits, so on and so forth.

So that was the reason why that was done, and I guess at that time they were still under Human Services -- or maybe, I'm not sure exactly when they morphed over into being under the -- directly under the County Administrator, but that was the reason why they went from being an independent contractor with the Human Rights Commission in the Human Services Department to be a formal County employee. We had no choice. And then since then, as people may remember, there were a couple of controversies with some individuals and so on and so forth. So with that history, there wasn't always just a coordinator. There were several different controversies that rose up, so that's one reason why the process began to try to make it more effective and more efficient to try to straighten this all out. Unfortunately, we got bogged down, I guess.

Administrator YUNITS: When Susan Quiñones was here, we actually did look into that, both merging with an outside agency or forming a 501(c)(3) and we couldn't get any takers to support that.

Speaker MCAULIFFE: Yes, and it's not fair to just say --

Administrator YUNITS: And a lot of times, a Commission like this or an Advisory Board like this will rise and fall on the people that are there. That's why we're trying to hasten things now because we don't want to lose any more people. We've got some tremendous people on that Advisory Board presently that have been held over, and we really don't want to lose them right now. I think we can make a good go of it. That's why we, after talking with Doc last week, we hastened to publish the position. And we want to try to make a go of it as quickly as possible.

It's not a huge budget item, so we can always stay flexible. If it suddenly blossoms into something bigger, we'll have to come back before you and look for more money. If somebody comes along and says, "I'd like to pick this up under our 501(c)(3) and merge it, we can talk about it.

But, for now, I think we want to take advantage of the talent we have presently. And I'm telling you the commitment is unbelievable. They do have an office and a phone but there's nobody to answer it and there's nobody to direct and there's nobody to coordinate.

So Alan Milsted comes over here before the board meetings at 2 o'clock and starts making copies himself for the meetings at night so.

Speaker MCAULIFFE: So I think --

Commissioner BEATY: Somebody is updating their website because --

Administrator YUNITS: Yes, that's Sonja.

COMMISSIONER BEATY: -- 19-02 is even posted on their website. So somebody's been accessing that.

Speaker MCAULIFFE: Well, yes, I think the volunteers have kind of taken over just to keep things afloat. Okay. We'll take this up again later on in the meeting. We have it on our agenda.

Delegate ZUERN: Okay. I have one more question too.

Speaker MCAULIFFE: One more question of the --

Delegate ZUERN: Yes. Thank you, Madam Speaker. I just was curious whether the academy tomorrow was open to the public? I'm planning to go myself but is it open to the general public?

Administrator YUNITS: I believe so, yes.

Mr. DAVID SCHROPFER: Yes, it is.

Delegate ZUERN: Okay. Thank you, very much.

Speaker MCAULIFFE: Okay. Thank you.

Speaker MCAULIFFE: Communications from public officials? Okay.

Summary of Communications from Members

- **Kate Epperly and David Schropfer made public comment regarding Human Rights Committee**
- **Gordon Starr made public comment regarding petition and possible amendments to RPP coming forward to the Assembly**

Speaker MCAULIFFE: Communications from members of the public. Yes. And you're Kate -- I can't remember your last name.

Dr. KATE EPPERLY: Dr. Kate Epperly.

Speaker MCAULIFFE: Epperly, yes, I knew that.

Dr. KATE EPPERLY: Vice Chair of the Human Rights Commission. And I wanted to thank both Ron Beaty and Jack Yunits for their work with us. The situation sounds a lot more convoluted than some of you perceive it to be, and there was an error, a factual error I just want to correct. Susan Quiñones was our last coordinator. She was someone with a law degree, practicing lawyer, did wonderful coordination of the program. She did take complaints. She went out and did listening groups and that was within the last two years. We were functioning just fine. It was when she resigned that we've been in a stall ever since.

However, I want to say that Owen, Jack's Administrative Assistant, has been

taking messages, theoretically he's checking our phone, and Sonja Sheasley -- I can't say that -- she's been doing the web material.

Speaker MCAULIFFE: Good.

Dr. KATE EPPERLY: And this summer I supervised an intern who was with us for several months who was working on the website as well, and she quit because she said I just see a group of wonderful people trying really hard to make a difference but being bogged in, you know, I don't know what you want to call the trivia of --

Speaker MCAULIFFE: Right.

Dr. KATE EPPERLY: -- of the functions of government. But, yes, the people that we are -- the five of us now are very committed and we're very proud that the Academy is going on now for its second meeting without a paid coordinator to do a lot of the footwork, and that remains our main program but we do not want to change the mission.

Leo Cakounes had two issues that he brought to us, and correct me if I'm wrong; the main one was it in the ordinance the way it was written the word "mediation" was in there, and he said that the County Counsel -- the lawyer said that's a liability issue. So we need to take the term out because we do not mediate, and we don't want to use that. So we assess, we analyze, and we refer to other agencies for intervention, if you will, when there are complaints.

And the second was that we, ourselves, recognize that many of the towns had not appointed a representative. So we had very few coming and that whole network of communications didn't seem to be working as much as we tried. We all tried to recruit talking to County managers, and so we said, okay, maybe it's an opportunity to streamline. So nothing in the mission has changed and all we were doing was taking advantage of an opportunity to look at this again to be a more effective organization.

Our morale is high when it comes to the some seven schools which will be there tomorrow and the youth. And then we have done our awards, McDowell Awards, for high school students that have been outstanding in the field of human rights advocacy. And I made the case when I last spoke about the fact that -- even today I was talking with Rabbi Freedland (phonetic), there is a concern to have a program in the fall and we've got some dates and some people backing it for an educational program about hatred, anti-hatred ways of behaving and learning with the Muslim community, the Jewish community, the Council of Churches, and the County, and the Cape Cod Community College. This will be a program I'm dedicated to seeing happen. It's going to happen. But without a coordinator, it's going to be hard.

Speaker MCAULIFFE: It's a challenge.

Dr. KATE EPPERLY: Yes. So but thank you for just taking the time to think about it and it is an important issue. And I do recall Delegate Harder mentioning something about the review of the Charter or some other major look at the functioning, and it would be great to have a statement that would be something a little sharper than the code of conduct about how we operate, and I say "we" meaning the County, government in regard to human rights. So I would look forward to that.

Thank you.

Speaker MCAULIFFE: Great. Thank you. Yes, Dave Schropfer.

Mr. DAVID SCHROPFER: I'm Dave

Schropfer. I'm from Eastham, and I'm a Commissioner currently from the Human Rights

Commission. The ordinance that we are operating under does need repair, but we are not operating under 19-02; no one here has approved it.

So the one thing that I've said publicly, and I said it to the Commissioners was this should have been coming from the Assembly to you and not the other way around. Listen to the questions that we've heard that I wish I had heard before we got involved in trying to rewrite this thing. And I did hear from the last time I was at one of your meetings that that might be something you wanted to do.

Madam Speaker, I believe you said maybe even something of it belongs in the Charter as well. There are already things about human rights in there. But I want to thank everybody who's looking at this and trying to get an understanding of it. And I hear a lot of complication partly with information that's not accurate. We're trying to do the best we can to make it more accurate.

I'm very grateful that you now have Dr. O'Malley coming to our meetings. It's helped us a lot. And all those who say that we're trying to do that work but we also lose somebody almost every week. We can no longer get a quorum. If we're lucky -- we have six people -- the quorum is based on the nine that we're required to have so five is the minimum for a quorum. And if any one of us is missing or two of us are missing, of course, you can't have a meeting.

I do want to make one thing very clear that if 19-02 is to be revised, I believe the Assembly is the place it should be revised and to do whatever issues anybody has. We've already corrected and are working as if that were the case. In other words, we're accepting the fact that we'd no longer be called "Commissioners"; we'd be called "Advisory." We're accepting the fact that we've never done any mediation. We're not going to start to do any mediation, but that word needs to be out of the existing ordinance.

So if the existing ordinance remains, recognize that we are not doing any other things in it that were objected to by the Commissioners, the County Commissioners.

In 2015, Ordinance 15-06 stated, as was said earlier, that this person must be a County employee which means they report into the -- into Jack's operation and we fully understand that. That's exactly the right way it should be.

What had happened without that being clarified was actually -- she was reporting to us, which is incorrect. We basically report in through her, she to the County executive. So those things mean that we can operate starting today. It was very clear from the meeting that I attended last week that the Commission -- Commissioners said we are not going to stop. We want to go forward. You're approved for your budget. You're approved for hiring based on the existing ordinances -- I have to make that plural, and that the new ordinance could be taken care of by the Assembly in any way you wish.

I, personally, will commit myself to work through Dr. O'Malley or anyone else you appoint, Madam Speaker, to help bring information, answer questions, bring it back to the Commission to a power group if need be so that you can get your questions answered. And I'll repeat again, I only wish I could have heard these questions and these concerns in the first place because we could have written a much better document than we did.

So Commissioner Beaty had said well in the past you were in favor of this revised one. I said that was before I heard what the questions were, and we can do a better job.

So if it's okay, the only thing I hope to hear is that the Assembly wants to go

forward on their own pace and do what they need to do. We will continue to operate under the old one without anything that was questionable happening anymore. We know how the reporting goes, everything's in place.

And we are primarily an educational group. If you want to see the damage that's been done in this last year, last year we had 19 high schools and middle schools; this year seven and that loss is because we just can't get to every school.

Speaker MCAULIFFE: Right, right.

Mr. DAVID SCHROPFER: In the past, we did. And we also want to make clear as has been brought out on this table that the towns in the new ordinance, the new concept would get three times more meetings than they have now. They only came to four meetings a year. We now want to see them come as often as they want, and we are looking at if there is a Commissioner or whatever the term is, if there is a Commissioner from a town, there wouldn't be a representative from the town. In the past, we've had two or three people from the same town, totally incorrect. It should be all the people, the nine members who are running the place, anybody from that same town would not be needed. What we need is the towns that aren't represented by that. And myself and several others are going to go to the Boards of Selectmen and ask them to put it on their agenda to go to their personnel committees and try to get them to find volunteers to make this whole thing work.

Speaker MCAULIFFE: Great.

Mr. DAVID SCHROPFER: So in some ways, it's been terribly damaging. In other ways, I think the future looks bright.

Speaker MCAULIFFE: Thank you, very much.

Mr. DAVID SCHROPFER: And I thank you, Madam Speaker.

Speaker MCAULIFFE: Anyone else from the public wish to comment? Yes.

MR. GORDON STARR: Yes. Good afternoon. My name is Gordon Starr. I'm here representing about 300 citizens of Cape Cod who signed a petition that eventually will come before you. Recently, you passed the Regional Policy Plan and there were a number of hearings and there were people who had concerns, so we have rewritten parts of the Regional Policy Plan and submitted them with certified signatures to the Cape Cod Commission. And eventually, hopefully, in the month of May they're going to organize some public hearings to look at the amendments, and then eventually they will come to you.

Speaker MCAULIFFE: Great. Thank you.

MR. GORDON STARR: And then the ordinance that we used to bring -- you need at least 100 signatures, certified Barnstable County signatures.

Speaker MCAULIFFE: Right.

MR. GORDON STARR: And the ordinance I think will come before you because the language is not particularly clear at some point. So, you'll see us again.

Speaker MCAULIFFE: And this is in reference to the climate change issues?

MR. GORDON STARR: Yes.

Speaker MCAULIFFE: Yes.

Delegate O'MALLEY: The RPP.

Speaker MCAULIFFE: Yes.

Delegate O'MALLEY: Right, yes.

Speaker MCAULIFFE: Yes, the climate change issues in the RPP, yes.

Okay.

MR. GORDON STARR: Okay.

Speaker MCAULIFFE: We just wanted to make sure that we knew what the petition was --

MR. GORDON STARR: I don't know if you've heard or I don't know if you've heard about the petition itself.

Speaker MCAULIFFE: Yes. Yes, we had hearings on the Regional Policy Plan and there were a lot of speakers who spoke to us at that time. So now we're aware --

MR. GORDON STARR: Okay.

Speaker MCAULIFFE: -- that you're working with the Commission.

MR. GORDON STARR: Yes.

Speaker MCAULIFFE: And we will be on alert for what happens next.

MR. GORDON STARR: Yep. Thank you.

Speaker MCAULIFFE: Thank you. Anyone else from the public?

Assembly Convenes

Proposed Ordinance 19-06: FY20 County Operating Budget

- **To make appropriations for Barnstable County's operating budget for the Fiscal Year 2020, including the operations of the County Assembly, Executive branch, County agencies, boards, commissions, departments and institutions and the maintenance of certain County functions; for interest, reserve funds and serial bond requirements of the County**
- **To appropriate a total of \$22,317,410 to fund the Operating Budgets of the General Fund as follows: County General Funds \$19,028,502.53, Grants \$1,773,006.53 and Other Financing Sources \$1,515,900.94 according to the schedule set forth.**

Speaker MCAULIFFE: Okay. The Assembly will convene. I want to thank department heads for being here through two meetings. It's at the end of busy days, and I know this budget has been not as controversial as past budgets, and we really appreciate your attendance at our meetings and your perseverance and forbearance with us.

The proposed ordinances that we are voting today we have had hearings on. The first ordinance is 19-06, which is the FY20 County Operating Budget. Typically, if it's going to be amended, this would be the time that someone from the Assembly would amend if they had a change they want to make. We are not aware of any amendments coming forward. So would someone make a motion to put Ordinance 19-06, the County Operating Budget on the floor?

Deputy Speaker MORAN: So moved.

Speaker MCAULIFFE: Is there a second?

Delegate PRINCI: Second.

Speaker MCAULIFFE: Is there any discussion? All right. This will be a roll call vote.

Clerk O'CONNELL: Yes, this is the time when you'll be able to use your electronic device again. You'll see there are three lights flashing. Green is yes; yellow is abstain, and red is no. And I think Lilli-Ann will take care of the response that we receive

from the remote participant.

Speaker MCAULIFFE: Yes.

Clerk O'CONNELL: Terry Gallagher. Are you still there, Terry?

Delegate GALLAGHER: (Remotely.) I'm here.

Clerk O'CONNELL: Okay. Thank you.

Speaker MCAULIFFE: Thank you.

Clerk O'CONNELL: We're ready to start the voting process on proposed Ordinance 19-06.

Roll Call Vote on Proposed Ordinance 19-06

Voting "YES" (100%): Mary Chaffee (4.55% - Brewster), J. Terence Gallagher (2.30% - Eastham – R.P.), Lilli-Ann Green - (1.27% - Wellfleet), Elizabeth Harder (5.67% - Harwich), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02%-Yarmouth), Deborah McCutcheon (0.93% Truro), 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).

Clerk O'CONNELL: Madam Speaker, Proposed Ordinance 19-06 passes by 100 percent. Now known as Ordinance 19-04.

Ordinance 19-04: FY20 County Operating Budget **Barnstable County hereby ordains;**

- **To make appropriations for Barnstable County's operating budget for the Fiscal Year 2020, including the operations of the County Assembly, Executive branch, County agencies, boards, commissions, departments and institutions and the maintenance of certain County functions; for interest, reserve funds and serial bond requirements of the County**
- **To appropriate a total of \$22,317,410 to fund the Operating Budgets of the General Fund as follows: County General Funds \$19,028,502.53, Grants \$1,773,006.53 and Other Financing Sources \$1,515,900.94 according to the schedule set forth.**

Speaker MCAULIFFE: Okay. Our next ordinance is the --

Delegate HARDER: Four or six?

Delegate KILLION: Zero four.

Clerk O'CONNELL: No, it's zero four.

Speaker MCAULIFFE: It came in -- yes, it comes in under a number and when it gets passed, it gets its official number. It's sequentially numbered following the last ordinance that you passed, which was 19-03, the Capital Budget, so this is 19-04.

Delegate HARDER: Okay. I got it.

Proposed Ordinance 19-07: FY20 Cape Cod Commission Operating Budget

- **Adopting an Operating Budget for the Cape Cod Commission for the Fiscal Year 2020, beginning July 1, 2019 and ending June 30, 2020.**

- Appropriations for said budget are as follows:
Cape Cod Commission \$6,049,370
Total Planning and Development \$6,049,370
TOTAL FY 2020 BUDGET \$6,049,370

Speaker MCAULIFFE: The next ordinance is 19-07. This is the FY20 Cape Cod Commission Operating Budget, and also thank you to the Commissioners and Executive Director for being here. Thank you. Not Commissioners, Cape Cod Commission executive people. Thank you.

I'll take a motion to put the ordinance on the floor.

Delegate O'HARA: So moved.

Delegate O'MALLEY: Second.

Speaker MCAULIFFE: Any discussion? We will take a vote.

Clerk O'CONNELL: We'll try this again, same rules apply.

Roll Call Vote on Proposed Ordinance 19-07

Voting "YES" (100%): Mary Chaffee (4.55% - Brewster), J. Terence Gallagher (2.30% - Eastham – R.P.), Lilli-Ann Green - (1.27% - Wellfleet), Elizabeth Harder (5.67% - Harwich), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02%-Yarmouth), Deborah McCutcheon (0.93% Truro), 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).

Clerk O'CONNELL: Madam Speaker, Proposed Ordinance 19-07 passes with 100 percent voting yes, now known as Ordinance 19-05.

Ordinance 19-05: FY20 Cape Cod Commission Operating Budget Barnstable County hereby ordains:

- Adopting an Operating Budget for the Cape Cod Commission for the Fiscal Year 2020, beginning July 1, 2019 and ending June 30, 2020.
- Appropriations for said budget are as follows:
Cape Cod Commission \$6,049,370
Total Planning and Development \$6,049,370
TOTAL FY 2020 BUDGET \$6,049,370

Proposed Ordinance 19-08: Dredge Operating Budget

- Adopting an Operating Budget for the Dredge Enterprise Fund for the Fiscal Year 2020, beginning July 1, 2019 and ending June 30, 2020.
- Appropriations for said budget are as follows:
Dredge \$2,232,144
Total County Services \$2,232,144
TOTAL FY 2020 BUDGET \$2,232,144

Speaker MCAULIFFE: All right. And our next item is Proposed Ordinance

19-08. This is the FY20 County Dredge Budget as we all know the Dredge is a separate account unto itself. I'll take a motion.

Delegate O'MALLEY: So moved.

Speaker MCAULIFFE: Is there a second?

Delegate HARDER: Second.

Speaker MCAULIFFE: Okay. Any discussion? Okay. We'll take a vote.

Clerk O'CONNELL: Voting on Proposed Ordinance 19-08.

Roll Call Vote on Proposed Ordinance 19-08

Voting "YES" (100%): Mary Chaffee (4.55% - Brewster), J. Terence Gallagher (2.30% - Eastham – R.P.), Lilli-Ann Green - (1.27% - Wellfleet), Elizabeth Harder (5.67% - Harwich), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02%-Yarmouth), Deborah McCutcheon (0.93% Truro), 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).

Clerk O'CONNELL: Madam Speaker, Proposed Ordinance 19-08 passes with 100 percent of the Delegates voting yes, now known as Ordinance 19-06.

Ordinance 19-06: Dredge Budget

Barnstable County hereby ordains:

- Adopting an Operating Budget for the Dredge Enterprise Fund for the Fiscal Year 2020, beginning July 1, 2019 and ending June 30, 2020.
- Appropriations for said budget are as follows:

Dredge	\$2,232,144
Total County Services	\$2,232,144
TOTAL FY 2020 BUDGET	\$2,232,144

Speaker MCAULIFFE: Yes. Thank you, everyone, for the work on the budget, and thank you to the department heads.

Speaker MCAULIFFE: We have no Committee Reports at this time.

Summary Report from the Clerk

- **Reminder to delegates that Statement of Financial Interest due to be filed by 5/28/19**
- **Week of 5/13 potential of limited office hours due to jury duty**

Speaker MCAULIFFE: Report from the Clerk.

Clerk O'CONNELL: Thank you, Madam Speaker. I just want to remind everyone that Statements of Financial Interest will be due to be filed electronically on May 28, that's the deadline, fast approaching.

And, also, a reminder that the next time you meet the week of May 13th, I might have jury duty. So I may be somewhat sporadically in and out of the office because

the good news is they've assigned me to Barnstable District Court, not Orleans, so I can just kind of go back-and-forth and check on things, if you will.

And that's all I have to report today.

Summary of Other Business

A. Discussion and Potential Vote on Proposed Ordinance 19-02

- **Assembly waiting for possible revisions to proposed ordinance**
- **Assembly voted to defer a vote on Proposed Ordinance 19-02 until 5/17/19**

Speaker MCAULIFFE: Thank you. Under "Other Business," we have a discussion and potential vote on Proposed Ordinance 19-02, the Human Rights Commission ordinance. There were some people who had some comment -- Delegate O'Malley, did you have a comment before we -- to kick off the discussion?

Delegate O'MALLEY: I did, Madam Speaker. I'm not sure we need to go into it now. I was going to -- I have the ordinance that establishes the Health and Human Services Advisory Council. And I was going to just kind of read through that to demonstrate the breadth of community organizations that they pull from to develop that Advisory Council, but we can pick that up at a later time.

Speaker MCAULIFFE: Okay. Delegate Moran.

Deputy Speaker MORAN: Thank you, Madam Speaker. It seems to me that what we're weighing is, on the one hand, really a dire need for a present, functioning committee because of the level of importance of their mission. At the same time, there will be ongoing review of the mission.

The thing that I think is a little bit of a Hobson's choice here is the recognition that this has been a position that has changed and is kind of morphed from one thing to another, and that was a lot of the testimony that we heard at the last meeting.

And Delegate Kanaga raised some of these issues where, you know, is the question is can you really be an effective advocate if part of the mission is to refer and that may, for example, include referral to law enforcement, and is that the business of the County, and what are the repercussions of that? You know, what are the limitations of having that person as an employee of the County subjected to, you know, the County personnel policies and procedures.

And so, you know, I think that there's a bit of a sea change in the whole formation of this committee. And, yet, it seems that the folks certainly here in the audience are prioritizing the mission and as they well should be. I mean, they're strong advocates. There's a dire need for that advocacy.

And so, you know, I think that I would prefer to have this wait a bit for more public comment because it seems from what I've heard unless, and correct me if I'm wrong, that the hiring will continue. There won't be a monkey wrench thrown in the process if we wait until the next meeting to move forward.

You know, I've also heard some tweaking needs to be done potentially with some of the ideas. So, I'm in favor of waiting one more meeting until we address this.

Speaker MCAULIFFE: Yes, Delegate Harder.

Delegate HARDER: Thank you, Madam Speaker. I don't quite understand

what you mean about there being a conflict if they'd have to refer someone to law enforcement or whatever. I mean I assume if somebody goes to whoever's in charge of human resources and says, you know, somebody's assaulted me or harassing me in the office that that might turn out to be criminal and they would have to talk to law enforcement. So I don't quite understand that problem.

It just seems to me that if we have something that, you know, maybe it's just one line in the actual proposal that says, you know, as human rights -- I mean, they shouldn't be controversial but apparently they are, that the views espoused by certain members of the Human Rights Commission do not necessarily reflect those of everyone at the County level; doesn't that take care of any problems we'd have?

Speaker MCAULIFFE: Yes, and that's a good point for consideration. I guess the process right now is I -- it says, "potential vote." It doesn't say a definite vote. In terms of going forward with this, part of me is very uncomfortable with people sort of picking and choosing what they're going to operate under, what they're not going to operate under because it doesn't work or it's a problem.

I'm sort of by the book a little bit and I almost want this 19-02 on the books so that there isn't a need for a quorum that's too high, so that we have, as flawed as it is, at least people are operating under a structure.

It doesn't have mediation in it. It has the absolute structure or chain of command in terms of reporting to County Administrator, and I guess it's kind of a little bit backwards to go ahead with a flawed ordinance, but the fact that they're currently operating under four, and if we don't vote on this, then how do we square the fact that they are picking and choosing what they're going to do and not do out of those ordinances? That's just my sort of by the book perspective.

Delegate Zuern.

Delegate ZUERN: Thank you, Madam Speaker. When I brought up the point that says the County Commissioner appoints the Human Rights Coordinator and then, you know, we were told, no, that's not really the way it is. So if we held off, I would like to see some of those clarifications put in here, so we know exactly what the process is and who is doing what.

I could also vote on this today thinking that in the future that amendment could be made, and we could vote on that later. So either way I would be comfortable with that. But I just think there are some things that need to be clarified.

Speaker MCAULIFFE: It does say here, "The County, through its County Administrator, shall appoint a coordinator."

Delegate ZUERN: Right, but then he said there's also another committee that goes through --

Speaker MCAULIFFE: But makes recommendations.

Delegate ZUERN: Right.

Speaker MCAULIFFE: And will go through applications and all that. I think that this is just -- it could be up to the County Administrator how that process happens, but the appointment is the County Administrator's job according to this.

Delegate ZUERN: Okay.

Speaker MCAULIFFE: And I think in the past it was County Commissioners, so now it's County Administrator.

Delegate Ohman.

Delegate OHMAN: Thank you, Madam Speaker. It seems to me that we still have an ordinance in place that would allow us to --

Speaker MCAULIFFE: Four ordinances in place.

Delegate OHMAN: Well, we have ordinances in place that would allow the County Administrator to appoint a coordinator. So there's no sense in hurrying through this.

I think the proper place to go through this is the Health and Human Services Subcommittee of which I am chair and would be happy to work with my fellow Delegates on, whether they're on the committee or not. But I think that we don't have to hurry through this because there seems to be some real questions that we have to do. We can get some legal counsel. We can work on it, but we can still keep this in the budget as it's structured right now, it seems to me and maybe I --

Speaker MCAULIFFE: Yes, it's in the budget. I think it's just how its functions is the issue.

Delegate OHMAN: So we keep in the hiring process, the County Administrator can hire at his pleasure if the proper person comes along, and we could just work on the new ordinance as the Human Services Subcommittee, and I think that's a proper place for it.

Speaker MCAULIFFE: Yes, Delegate Chaffee and then I'll come back to you.

Delegate CHAFFEE: Thank you, Madam Speaker. One technical issue that needs to be added to the list of modifications that are made, Section 2.C.d., the statement is "All Advisory Board members shall have one vote." That says to me the group has one vote. So, I suggest that "all" needs to be changed to "each" and "member" should be singular.

Speaker MCAULIFFE: Okay. Yes, Delegate Zuern.

Delegate ZUERN: Thank you, Madam Speaker. I wouldn't be in favor of postponing this so that we can send it to another committee to have revisions done. I think, if anything, there are just a few tweaks that we have to do. And as you pointed out, it does say that the County Commissioner has the right to appoint. So whatever process is there before that is okay -- I'm okay with that. So, I don't think we need to hold off on it.

Speaker MCAULIFFE: Yes, Delegate O'Hara.

Delegate O'HARA: I'll just chime in and I'll second what's been going on. What I'm hearing is it sounds like we're not very prepared to make a vote today, and I would postpone at least to the next meeting and, hopefully, some solution/some answers to some of these questions, and we move forward as a group and we all are happy with our votes, and I'd be happy if I had more answers.

Speaker MCAULIFFE: Okay. So in terms of process --

Delegate O'MALLEY: Motion.

Delegate O'HARA: I can make that motion.

Speaker MCAULIFFE: Yes, make a motion to --

Delegate O'HARA: Make it a motion.

Speaker MCAULIFFE: -- yes, to defer a vote until the next meeting.

Delegate O'HARA: Yes.

Delegate OHMAN: I'll second.

Speaker MCAULIFFE: Okay. Discussion on deferring to the next meeting?

All right. Because we have remote participation, this is a roll call vote. So we are voting right now on deferring the -- tabling to the next meeting.

Clerk O'CONNELL: Same rules apply with the electronic device. Sorry.

Roll Call Vote to defer vote on P.O. 19-02 until 5/17/19

Voting “Yes” (100%): Mary Chaffee (4.55% - Brewster), J. Terence Gallagher (2.30% - Eastham – R.P.), Lilli-Ann Green - (1.27% - Wellfleet), Elizabeth Harder (5.67% - Harwich), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02%-Yarmouth), Deborah McCutcheon (0.93% Truro), 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).

Clerk O’CONNELL: Madam Speaker, on the motion to defer until the next meeting any action on amended Ordinance 19-02, 100 percent of the Delegates voting yes.

Speaker MCAULIFFE: Thank you.

B. Discussion on Future Action Related to Climate Change Proposed Ordinances 19-04 and 19-05.

- **Standing Committee on Governmental Regulations will review proposed ordinances on climate change**
- **Assembly would like an overview and report from County Administrator regarding county energy conservation efforts**

Speaker MCAULIFFE: The next item is a discussion on future action related to Climate Change Proposed Ordinances 19-04 and 19-05. You have in your packets both ordinances for a proposed Barnstable County response or plan for climate change.

I had tried to work with these two ordinances to combine them and come up with one, but the challenge I ran into was one seems like a planning process kind of thing and the other ordinance seems more like a once the plans have been decided, the actions for moving forward.

So, I am before you now because we can tweak them separately and vote on them separately as two separate ordinances. We can refer them to committee to have a committee, and then choosing a committee I found very challenging the last time I referred it to a committee, or we can ask the two ordinance formers to see if they -- I know initially the reason we have two ordinances is because they -- both presenters felt that they were presenting what they wanted before the Assembly. So I don't know if it's fair to ask them to go back again and reconsider trying to make it into one.

But, as I said, we do have the opportunity to go forward and address each one individually if that’s what people want to do.

Delegate O'Malley.

Delegate O'MALLEY: Thank you, Madam Speaker. Yes, I certainly would agree that our process should be that we work to combine these two. I think these two draft proposed resolutions are not in any way contradictory. They approach it from slightly

different angles, one more of a step one/step two process and, as you say, planning out, and I think mine was more let's jump in and do it. But I don't think they're fundamentally different given the fact that I think both resolutions aim to move the County in a friendly way, in a positive non-confrontational way here to commit ourselves to do everything we can do in all the resources that are under our control.

I would think that we should be working, perhaps Delegate Chaffee and myself, with the County Administrator because I think that the realm of what's possible/what's doable is certainly something that really needs to come from the administration. I don't think it's either one of our intent that we pass some proposal that's, you know, pie-in-the-sky and unaffordable. Our goal is to say what can we do; how can we save money; how can we cut our carbon footprint, and how do we make this work for the County?

So it seems to me we need a lot of input from the administration, and I would propose that we, either through committee or a special committee of some sort, work to combine these two. I think it would be awkward if we passed them individually because we will find that there are conflicting timelines and processes that I'm sure we can -- I'm really confident and I think Mary would agree that we can work through those little differences and come up with something that accomplishes the goal.

Speaker MCAULIFFE: Yes, I had -- I found it very challenging to try and combine these as an individual. It seemed it was two different -- apples and oranges in a sense. You're right, it's a very similar topic but different approaches. One is a more planning process and the other is more of an implementation process.

So, I have had a conversation when these first, before they even came forward, I believe, with the County Administrator, and I think the County, if I may speak for them, is interested in something that would address a planning process because, as you said, they don't know what's doable; what's not doable; what's financially feasible; what's even remotely feasible in terms of jumping in on some specific ideas.

I think I like the idea of perhaps a specific climate change committee put together with a few interested people from the Assembly and the administration sitting down and perhaps hammering out an ordinance that would go forward as a special -- sort of a special project committee as opposed to -- when I --

The other challenge I faced was trying to find a committee to put it in because it was -- it covers all committees, and I, actually, ended up putting it in finance because I thought there were financial implications, but then that kind of delays things if you sort it out to finance.

So I would like to lift these two up and put them perhaps into a specific targeted subcommittee that could meet a few times, meet in general on the topics, and meet with the administration to see what fits with what's actually reasonable and doable and could go forward at this time.

Yes, Delegate Chaffee.

Delegate CHAFFEE: Thank you, Madam Speaker, and thank you for putting this on the agenda today to have this discussion to move this process forward.

I've had a number of conversations with Dr. O'Malley about this, and when I conceived the ordinance that I submitted, I did not expect that it was the perfect solution to a huge complex problem that we must address somehow. But I felt that because it is so

complex that we do need an interim step before we act so that the actions that we do decide to take ultimately in conjunction with the County Administrator and with the Board of Regional Commissioners is the right thing to do.

And what I hear you saying about putting together either a subcommittee, that is somewhat reflective of what I had proposed putting together a group of folks from multiple bodies to do some of the brainstorming to gather the information to figure out what is it that we really do need to do.

The other difference that I do want to point out between the concepts that Dr. O'Malley and I came up with was that I wanted to really differentiate between County actions that the County executive can tackle within resource limits. There are certain things under the County's control that we can do that should be specified and prioritized and funded as needed.

But then the rest of the work is not going to be actions under direct County authority, and I think it's important that we separate those two because they're going to be very different plans. So I just wanted to point that out and bring it to the attention of the Assembly.

And the final comment I have about going forward is I so appreciate the thoughtfulness and intellect in this room, and I would really like to have the entire Assembly put their best efforts and raise questions and critiques and comments so that we get this right. This is too important for all of us not to be engaged in tackling one or both of these ordinances or coming up with something new. So I would like the entire group to be engaged.

Thank you.

Speaker MCAULIFFE: I'll go to Delegate Princi and then over to Delegate Green.

Delegate PRINCI: Obviously, you can hear there's two sides to every story. And after spending last summer studying statistics, it just tells you that you can take any parameters that you want with every data value that you have and come up with your own statistics.

But it is clear that global warming and emissions is certainly a problem and it's going to be in the future affecting us here the most. My only concern is that we have such good intentions but yet what may come out of this could be a product that really we have no authority to even enforce. So that's why I agree with what your -- where your resolution is where you're looking to kind of feel things out, see what the County can do to be good stewards for reducing emissions and set examples for our regional municipalities and residents.

The one thing that we do have to consider that whenever we form these committees and working groups and so forth, we're taking salaries away from their day-to-day jobs. We recently had the early retirement. There's less workers that we have within our County now, and it's important that if we do go forward with this that we make certain that we, as a body, are structured as far as we want so that we can accomplish something in a short time.

Thanks.

Speaker MCAULIFFE: Delegate Green.

Delegate GREEN: Thank you. There's a couple of points I'd like to make.

One is that I think the County is already doing a lot in this direction. It hasn't come under that kind of a wrapper as a report to us, and I think it would be very helpful if we heard some of the ideas that our County is already implementing and has goals for in the future.

I know that I and several other Delegates have questioned the County Administrator, Mary, and other department heads as they've been presenting the budget. And some of the topics have been -- could come under this -- these two proposals, for instance, but we haven't heard that all packaged together as a report. Not only from Jack or from Mary or from the Cape Cod Commission. The Cape Cod Commission has been working quite actively on outreach to the various towns and a resource to the various towns, as I'm sure there are other departments that are doing that too.

I think we should get a report from the County as to what is happening already and what the plans are for the future before we move forward with an ordinance of this nature. But I do think it is important. I mean I think it's critically important, and I know that the towns are working on this as well. I mean my town -- I'm on the Energy Committee, and we're working not only as far as alternative energy and energy conservation and energy efficiency, but we're working to inventory the townspeople, the businesses and the townspeople, and it would be very helpful because we're to have County support because we're running into stumbling blocks. And if we're creating a blueprint for that, then the rest of the towns might also be able to use that information. So just even that networking and sharing and perhaps there's a framework already that the County has devised or could point Wellfleet and the various towns in a different direction.

So I think that it would be really important to just get that information first, get an understanding of the breadth and depth of this and then we move forward.

Thank you.

Speaker MCAULIFFE: Delegate Zuern.

Delegate ZUERN: Thank you, Madam Speaker. As you know, I'm totally against all of this. I don't believe in any of it. When it says, "Whereas" when I read it, I just say false assumptions. This is all done by the UN. Some of the things that they're proposing are, what I've read, is not true at all. CO2 levels have nothing to do with warming. We haven't had any warming since 1998. It's actually stabilized and it's actually -- our temperatures are actually cooling a little bit. So, and all the work that we do to try to reduce CO2 is negated by China in three weeks. So we can work a year trying to take out CO2 and it's just negated in three weeks.

Some of the things that are proposed like electric cars, the batteries are very toxic; they're hard to get rid of in areas, you know, don't want to take toxic batteries. Plants need CO2 and it's been proven that the more CO2 that's in the air, the more our plants flourish.

So I've been to some of the climate change workshops and it doesn't make any sense to me that they're trying to grow plants to take the CO2 out of the air. We should be leaving the CO2 in the air so the plants can flourish. They will.

So, if we're going to work on this, I'd like to have the other side present it as well and say, you know, how much is this going to cost, and is it worth it, and is it really true?

I just -- I would like us to be educated on it. And if we're going to work on things like this, I am totally for conserving energy, and I would be all for this if we took all

the climate change language out and said how can we conserve energy? How can we cut our costs? What works? I would be in favor of that. But to say that we have to do certain things to reduce CO2 in the air has no -- makes no sense to me at all.

Speaker MCAULIFFE: Yes, Delegate Killion.

Delegate KILLION: Thank you, Madam Speaker. You had mentioned, starting this conversation, about next steps if you were going to send it to subcommittee. My suggestion is if you are going to go that route, perhaps we have a committee of the chairs and we meet to discuss these proposals, these ordinances, and then those chairs can then work their way through and decide if, perhaps, there are subjects or material that would be best served in their specific committee to ferret out information that would help move the process along.

Speaker MCAULIFFE: That's a great idea. This has been a knot I have not been able to untangle.

Delegate Harder.

Delegate HARDER: I just have to put on record that when we're discussing land rights/property taxes, you don't also have somebody at the meeting who thinks the earth is flat, and I think we --

Speaker MCAULIFFE: Excuse me.

Delegate HARDER: -- really need --

Speaker MCAULIFFE: Excuse me.

Delegate HARDER: -- to be careful about not facing the facts.

Speaker MCAULIFFE: Excuse me. We do not insult.

Delegate HARDER: I do not mean to insult.

Speaker MCAULIFFE: We do not insult Delegates. We do not insult each other. We may not agree with each other. We may hear things we don't agree with, we don't like to hear, but we are respectful of everyone's opinions, please. This, by some people, is a very political position, and I know people who feel very strongly with this. I will tell you right now in my particular town, I think these "Whereases" would not go. I think that you would be very safe if you stuck with the law or what is concrete because these things are so politically charged. And because they're politically charged and in today's environment, we feel that we can let our manners slip a little; I don't want that to happen in this room because I think everyone has a right to their opinions whether you agree or not.

Delegate HARDER: I apologize if that sounded like an insult and that's why I was trying to be so careful as to how to say it because I don't mean it as an insult but there are facts, and I think it's a waste of time to argue facts. That's all I'm trying to say. It's not personal. It's just there are facts.

Speaker MCAULIFFE: There are facts and there are also -- there's also a lot of opposing information too. I make a point to try and cover the gamut when I study something.

Delegate HARDER: I didn't mean to insult.

Speaker MCAULIFFE: And there are compelling arguments on all sides. It's not that I don't agree with climate change, but I do know that there's a lot of information and data and some of the points are valid, you know. We can do all we want, and China won't so.

Delegate Potash.

Delegate POTASH: Okay. Great. I just wanted to say that I took the

opportunity to meet with Dr. Robert Duncanson in Chatham. You may be familiar with him. He speaks about environmental issues, and I provided him with both ordinances, and he was impressed. I had tried to get him to commit to coming here to speak to the Assembly, and he didn't seem to necessarily say that he would.

However, perhaps we could have some expert -- maybe an expert on if there has to be “sides,” different perspectives, that may be helpful in the long run, but he was impressed with the ordinances.

So, I just wanted to make that known.

Speaker MCAULIFFE: Yes. Yes, Delegate O'Malley.

Delegate O'MALLEY: Madam Speaker, this may be surprising; I'm rising to speak in agreement with what both Delegate Killion and Delegate Zuern have said in the following way -- and this is an unusual moment.

I would agree with Delegate Zuern that, frankly, the issues of causation and climate change are in certain ways irrelevant to the purpose of what we're trying to craft here, which is what are we going to do? And as Delegate Zuern pointed out, measures that would help us conserve energy, save money for the County, and operate more efficiently. We don't have to predicate them necessarily on climate change, and we don't even have to get caught up in whether we're causing it or not. Those are good things to do. Those would help us -- you know, that would help our financial situation. I know Administrator Jack Yunits has said the potential savings here are very large money approaching three quarters of a million dollars is doable.

So from that standpoint, I'm comfortable with taking out the language that makes people get crazy, but at the same time focusing on everything that we can do that lets us burn less fuel, save money, keep our building cooler and warmer, etcetera, etcetera.

With respect to Delegate Killion's suggestions that we form a committee of the chairs, in essence that's almost the Finance Committee. I think what you alluded to yourself that this issue touches on everything. We're talking about the grounds. We're talking about our vehicles, we're talking about even staffing schedules, you know, a four-day week might be feasible in some parts of the year. I don't know but that's the kind of thing that lends itself to a kind of a high-level committee. This clearly needs to be worked out in a forum where language can be tossed around. I don't see it happening in this body.

So, there it is. I see that as a way forward. Let's get a committee together and let's put an ordinance together.

Speaker MCAULIFFE: And I appreciate Delegate Chaffee's comments for the full Assembly to hash this out, but it is a Gordian knot. It is very challenging trying to get one thing before us at this point. So I think if we can have a subcommittee, work it out, bring it forward, then the entire Assembly will definitely participate in that.

And I do like the idea so in terms of going forward with the process, I would like to perhaps convene -- it's called “Governmental” --

Clerk O'CONNELL: Governmental Regulations.

Speaker MCAULIFFE: “Governmental Regulations” is the committee of the chairs and have them toss this to Governmental Regulations, have them come up with a path forward in terms of these resolutions because it's a -- it's a challenge to do this in this group. It would take all our Charter Review time going forward.

Thank you. I appreciate everyone's input.

Yes, Delegate Green.

Delegate GREEN: Thank you, Madam Speaker. I might also urge that we have a report on to the full Assembly --

Speaker MCAULIFFE: Yes.

Delegate GREEN: -- prior to the meeting so that we all have an overview and understanding. I mean I even see Sean back there still; I'm sure -- and his department is doing a lot of things as far as adaptation is concerned.

Speaker MCAULIFFE: Right.

Delegate GREEN: So I think we should really see a full picture of what the County is doing for the County properties and what the resources are for the towns.

Speaker MCAULIFFE: Right.

Delegate GREEN: Thank you.

Speaker MCAULIFFE: Because it may be that what comes out of the Governmental Relations Committee is a very simple, scaled down, one or two paragraph, you know, go forward and do, you know, what's best in the terms of energy conservation and money-saving and -- but I don't want to discount all the work that's been done. It's very, very thoughtful and very, very good work; it's just challenging to -- I don't want to put them to a vote because you don't want them to go down in a vote.

Deputy Speaker MORAN: Just one quick --

Speaker MCAULIFFE: Yes, Delegate Moran.

Deputy Speaker MORAN: Just a quick follow-up to that point and to something that Delegate Chaffee said earlier. I think part of the instruction about, you know, what is the baseline, what are we doing already, will inform the committee on options, what would be doable, what not, you know, what has been tried and maybe not continued by virtue of cost or practicality. So I think that will be very important.

Speaker MCAULIFFE: Yes, I think that's a great idea, and I agree going forward and maybe we could get a quick update of what's currently going on and then, obviously, as groups come forward -- I know you've been very diligent, Delegate Green, when people come forward with proposals about asking during the budget process, "And what are you doing about energy conservation," and kind of making sure that that's been front and center.

All right. So that gives us a path forward. Thank you, very much. And I don't have any other business. We're working on the agenda going forward. We will have three ordinances that came to us today that will be going -- that will have hearings and votes at our next meeting. I will see when the administration can be prepared to give us a climate change update. I don't know if it's a quick thing that can be done, you know, or if there needs to be some research done on that. So, I will find out, and we will get that on the agenda.

And then, as you know, we have the Charter Review in the -- coming down the road probably more towards -- I think Bob Troy isn't available to the second meeting in June, so it won't be the first meeting, but we certainly have a lot to do.

And part of this whole Charter Review, I don't want -- I want questions answered about whether our process can go forward the way we envision it, but I also want to make sure that we have several public hearings throughout the process so that we invite participation from people in the public on our ideas.

We certainly all have things that we have on the list for the Charter, but also

hear other ideas from outside our group so that it's a very open, transparent ongoing process so, and that's coming this summer.

Anyone else have other business? I'll take a motion.

Deputy Speaker MORAN: Motion to adjourn.

Speaker MCAULIFFE: We are adjourned. Thank you.

Whereupon, it was moved and seconded to adjourn the Assembly of Delegates

at 6:00 p.m.

Submitted by:

Janice O'Connell, Clerk
Assembly of Delegates

List of materials used at the meeting:

- **Business Calendar of 5/1/19**
- **Unapproved Journal of Proceedings of 4/17/19**
- **Handout – HRC Mission**
- **Proposed Ordinance 19-06: FY20 County Operating Budget**
- **Proposed Ordinance 19-07: FY20 CCC Budget**
- **Proposed Ordinance 19-08: FY20 Dredge Budget**
- **Proposed Ordinance 19-02: BCHRAB**
- **Proposed Ordinance 19-04: Reduce Climate Change**
- **Proposed Ordinance 19-05: Establish Office of Climate Change**