

**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 - June 5, 2019**

**Call to Order**

Speaker MCAULIFFE: Good afternoon. Welcome to the Cape Cod Regional Government. This is the Assembly of Delegates. **It's Wednesday, June 5<sup>th</sup>, 2019, at 4 p.m., and we are in the East Wing Conference Center at the Barnstable County Complex.**

I would like to start with a moment of silence to honor our troops who have died in service to our country and all those serving our country in the Armed Forces, and also a special recognition for the Veterans and Servicemen for D-Day, which will be celebrated tomorrow, 75<sup>th</sup> Anniversary.

(Moment of silence.)

Speaker MCAULIFFE: Thank you.

Please rise for the Pledge of Allegiance.

(Pledge of Allegiance.)

Speaker MCAULIFFE: Will the Clerk please call the roll? We're going to use the electronic system because we haven't had our discussion about whether we're going to discontinue it or not. So we'll just continue with it for now.

**Roll Call Attendance**

**Present (64.38%): J. Terence Gallagher (2.30% - Eastham), Lilli-Ann Green - (1.27% - Wellfleet), Elizabeth Harder (5.67% - Harwich), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02%-Yarmouth), Susan Moran (14.61% - Falmouth), John Ohman (6.58% - Dennis), Brian O'Malley (1.36% - Provincetown), Randi Potash (2.84% - Chatham), Linda Zuern (9.15% - Bourne – Remote Participation).**

**Arrived Late (27.41%): Thomas O'Hara (6.49% - Mashpee – arrived @ 4:15 PM), Patrick Princi (20.92% - Barnstable – arrived at 4:30 PM).**

**Absent (8.21%): Mary Chaffee (4.55% - Brewster), Christopher Kanaga (2.73% - Orleans), Deborah McCutcheon (0.93% Truro).**

Speaker MCAULIFFE: And you're participating remotely due to distance?

Delegate ZUERN: Distance, yes.

Clerk O'CONNELL: Madam Speaker, you have a quorum with 64.38 percent of the Delegates present; 35.62 percent are absent.

Speaker MCAULIFFE: Thank you.

**Approval of the Calendar of Business**

Speaker MCAULIFFE: Is there a motion for approval of the Calendar of Business?

Deputy Speaker MORAN: So moved.

Delegate GREEN: Second.

Speaker MCAULIFFE: Any discussion? We have to do a roll call vote because we have remote participation.

**Roll Call for Approval of Business Calendar**

**Voting “YES” (64.38%):** J. Terence Gallagher (2.30% - Eastham), Lilli-Ann Green - (1.27% - Wellfleet), Elizabeth Harder (5.67% - Harwich), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02%-Yarmouth), Susan Moran (14.61% - Falmouth), John Ohman (6.58% - Dennis), Brian O’Malley (1.36% - Provincetown), Randi Potash (2.84% - Chatham), Linda Zuern (9.15% - Bourne – Remote Participation).

**Absent (35.62%):** Mary Chaffee (4.55% - Brewster), Christopher Kanaga (2.73% - Orleans), Deborah McCutcheon (0.93% Truro), Thomas O’Hara (6.49% - Mashpee), Patrick Princi (20.92% - Barnstable).

**Clerk O’CONNELL:** Madam Speaker, approval of the Business Calendar passes with 64.38 percent of the Delegates voting yes; 35.62 percent are absent.

Speaker MCAULIFFE: Thank you.

**Approval of the Journal of Proceedings of 5/15/19**

Speaker MCAULIFFE: Our next is approval of the Journal of May 15, 2019; is there a motion to accept?

**Delegate O’MALLEY:** Madam Speaker, I’ll move acceptance of the Journal as distributed electronically of May 15.

Speaker MCAULIFFE: Thank you.

**Deputy Speaker MORAN:** Second.

Speaker MCAULIFFE: Roll call again.

**Roll Call for Approval of the Journal of Proceedings of 5/15/19**

**Voting “YES” (64.38%):** J. Terence Gallagher (2.30% - Eastham), Lilli-Ann Green - (1.27% - Wellfleet), Elizabeth Harder (5.67% - Harwich), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02%-Yarmouth), Susan Moran (14.61% - Falmouth), John Ohman (6.58% - Dennis), Brian O’Malley (1.36% - Provincetown), Randi Potash (2.84% - Chatham), Linda Zuern (9.15% - Bourne – Remote Participation).

**Absent (35.62%):** Mary Chaffee (4.55% - Brewster), Christopher Kanaga (2.73% - Orleans), Deborah McCutcheon (0.93% Truro), Thomas O’Hara (6.49% - Mashpee), Patrick Princi (20.92% - Barnstable).

**Clerk O’CONNELL:** Madam Speaker, approval of the Journal passes with 64.38 percent of the Delegates voting yes; 35.62 percent are absent.

Speaker MCAULIFFE: Thank you.

**Summary of Communications from the Board of Regional Commissioners**

- Commissioners Bergstrom reported on three previous board meetings and resulting actions
- Proposed Ordinance 19-13 for language changes to Admin Code for Children’s Cove was approved by Commissioners and submitted to Assembly of Delegates
- Proposed Ordinance 19-12 to establish an AmeriCorps Advisory Board was approved by Commissioners and submitted to Assembly of Delegates
- Transition audit with Powers and Sullivan approved for Septic Loan and Finance

**Department**

- **Kopelman & Paige Law authorized by Commissioners for real estate matters**
- **Ordinances 19-07, 19-08, 19-09 and 19-10, previously adopted by the Assembly, were all approved by the Commissioners**
- **Deep Blue LLC made a presentation to the Commissioners on a shark repellent system**
- **Commissioners authorized the filling of a vacancy for a Chief Procurement Officer**

Speaker MCAULIFFE: We have communications from the Board of Regional Commissioners. We have the Chair of the County Commissioners, Mr. Bergstrom.

Commissioner BERGSTROM: Thank you.

Speaker MCAULIFFE: Welcome.

Commissioner BERGSTROM: It's been a --

Speaker MCAULIFFE: A long time.

Commissioner BERGSTROM: -- well, it's been a while since I last addressed this body. We've had three meetings that I have to report on starting with May 22<sup>nd</sup>. The regular meeting of May 22<sup>nd</sup>, we voted to propose an ordinance dealing with the Children's Cove -- dealing with the method of approval of the Board of Children's Cove. The Director of Children's Cove came to us and said there were some security concerns because the board members were appointed by the Commissioners in a public session, and she recommended that they be appointed by her, the Administrator, and their names, I mean, I don't think it's possible to keep their names totally private, but at least you have some level of privacy and security so. Am I not on? Okay.

Speaker MCAULIFFE: Now you're on.

Commissioner BERGSTROM: Anyway, so we are submitting Proposed Ordinance and I will submit it right now, so I don't forget. You won't let me get there. Is that the security system here?

Speaker MCAULIFFE: Yes, to keep people away from the tech.

Commissioner BERGSTROM: In case the crowd's kind of rush in.

Then we also authorized the approval of an engagement that goes to you and you'll approve it and it will go back to us, the usual routine.

We also authorized the approval of an engagement letter from Powers & Sullivan regarding a Finance Department Transition Audit and a Septic Loan Transition Audit. This is routine when, you know, a changing of the guard in the Finance Department. We have someone come in and does an audit; so we approved Powers & Sullivan engagement letter.

We also authorized the appointment of KP Law, Kopelman & Paige Law, as Special Legal Counsel to the Barnstable County Board of Regional Commissioners on real estate matters. John Giorgio, who I know has worked for the County before will be the lead attorney, but they also have on their firm a real estate specialist whose name I can't remember right now. So they're a well-regarded firm, came highly recommended, and so they're going to deal with any disposition of County property for us in the near future. Okay.

We also approved an Ordinance 19-07, which is the \$500,000 to the County Fire Rescue Training Academy, which is something I think we submitted to you; you approved, and it came back to us and we signed it.

And also, the \$850,000 which we sent to you and you approved came back to us

and we approved it.

So we authorized Ordinance 19-09, which is the \$1,300,000 purchase of a new County Dredge. So we spent some money. I can't total it up, but it's got to be over 2 million. And I think -- did that come to you already

Then -- this was a busy meeting. We moved to approve finally Ordinance 19-10 establishing the Barnstable County Human Rights Advisory Commission pursuant to Section 3 - 8 of the Barnstable County Home Rule Charter. I probably don't have to go over that. You guys had a lengthy discussion on it. It came back to us and we approved it; we signed it. Okay.

Then we authorized the promotion of Jason Bevis to the position of Interim Dredge Superintendent. We authorized some appointments to the Barnstable County Economic Development Council. We got an agreement from the Massachusetts Department of Environmental Protection in the amount of \$250,000 for costs associated with the Water Quality Monitoring Program being conducted for the waters of Nantucket Sound, Vineyard Sound, the eastern side of Buzzards Bay, and Cape Cod Bay.

And we authorized the execution of an agreement from the United States Department of Housing and Urban Development in the amount of \$67,000-and-some-odd for the Continuum of Care Homeless Management Information System.

And there were a few other things: Cooperative Agreement with Harwich for the Dredge, \$67,500 and also a couple of authorizations to purchase or to do Drainage and Guardrail Items. So we made it a habit of approving a lot of these things and bundling a lot of the small contracts and so on. Okay.

So that moves us to the May 29<sup>th</sup>, and we had a presentation from Deep Blue LLC, which probably -- their name is probably their total -- full asset right now. They are proposing a shark repellent system based on sound waves, and the sound waves are considered a deterrent to the seals, but they also, at the same time, will have sound waves going through the water and a sonar that would mimic the sound of Orcas, Killer Whales. This is what they proposed to us. Okay. There were two gentlemen there, and one of them had a background -- one of them seemed like more of a businessman. I can't think of his name. The other one had some background through Woods Hole in this kind of sonar. And we listened respectfully, and they gave us quite a long presentation. If anybody's interested, they can punch it up on the website and see what they said.

They were enthusiastic, and I think it was the feeling of the board that, you know, go ahead and see if you get any support, and they said that Woods Hole was doing a study of this. I later found out that Woods Hole is doing a study on multiple approaches. This is one of them so. But that took up a lot of time.

And there were some people there who opposed it and said that they thought there would be -- that the noise would affect other creatures and there were other people there, the International Fund for Animal Welfare was there in opposition. And it was quite a well-attended meeting. You know, some people got up and said, hey, the sharks are dangerous; you have to do something.

Now, that pretty much covered the entire meeting. It wasn't a long one, which brings us to today, which seems like only today. We did almost -- I think the meeting lasted 25 minutes today. It's the summer, you know. It's like amazing. The budget is put to bed. So, we're dealing with various stuff.

So we authorized the introduction of Proposed Ordinance-to be named

establishing the Barnstable County AmeriCorps Advisory Group at the next meeting of the Assembly of Delegates, which is this ordinance which I'm going to provide to you.

Basically, we had a discussion with the head of the AmeriCorps Program and said that we hadn't really done a lot in reauthorizing the appointments and this would fill out -- this would fill out the board. And I suggested -- he said at the last meeting they did not have a quorum; they had 15 members. They didn't have a quorum, so I suggested that we might send out a letter thanking people for their service and telling them how important it is hoping that they can, you know, that we, the County values their service and hoping that they can show up. So it's tough to conduct business if you don't have a quorum. This is a very important program. It's doing well and sometimes when things are doing well, people don't pay attention.

Speaker MCAULIFFE: Right.

Commissioner BERGSTROM: So that's probably why they're not coming there; there's no problems. So I have this here and I'll give it to you as soon as I finish.

Then we authorized the filling of a vacancy for a Chief Procurement Officer. This went back-and-forth. We tried a different system and it didn't work. And right now Steve Tebo -- is he here -- is doing that, but we are going to fill the vacancy. We didn't get any applications or satisfactory applications from the previous position which was slightly more broadly defined so that's where we are now, and we're going -- there's a lot of new people coming on board. I don't know if you've had a chance to meet, you know, the Finance Director's coming aboard and some others too. We also have a Dredge Consultant coming on board.

And that, ladies and gentlemen, is just about it.

Speaker MCAULIFFE: Great. Thank you. Any --

Commissioner BERGSTROM: Although I should say, since this is a Commissioner's Report, Communication of the Board of Regional Commissioners; I had, and Jack had attended on Monday a forum held by the Hyannis Civic Association on the PFOS issue in Hyannis and surrounding areas. It was fairly well attended. There were six of us panelists including Silent Spring, Tom Cambareri, Mark Ells who is the Manager, and Jack was there, and Chief Pike from Orleans; he represented the Fire Departments. So it was a good discussion and we really came out of the room feeling that we had a spirit of cooperation between all parties in going forward on this and I think went well.

Yesterday, I was at an economic forum that was held by the Office of Housing and Urban Development -- I'm not going to say it's not Housing and -- Housing and Workforce Management by the -- the Commissioner came down and, actually, it wasn't a Commissioner; it was Lieutenant Governor and she welcomed us and we broke into small discussion groups. I don't know if you've ever been to one of those where you break out in little names on the tables and stuff, but that was a very -- it was in Chatham; it should have been here, but they didn't think there was enough room, but I think there would've been enough room if we had -- it was held in the Chatham Community Center, and I would say there was well over a hundred people there. Including representatives from Cape Cod 5, representatives from the hospital, various civic representatives, so that was a worthwhile endeavor. And they committed themselves, you know, made us aware they're aware of the specific economic problems we have on the Cape with the seasonal economy, with housing and so on. So, I know we've got their attention.

And then, finally, I went to a meeting yesterday in Orleans where the secretary -- the same secretary -- is it the Secretary of Housing and Workforce Development.

He was there, and he hosted a meeting along with our State Representative and State Senator on dredging issues around the Cape, and that was also well attended. I mean probably 30 people there and they discussed various issues, and they all pointed out that the County was an invaluable and essential part of the effort to keep our estuaries open and navigation on the Cape. So things are happening all over, and it's been good.

So, I guess, that's pretty much it unless you have some questions that you want answered.

Speaker MCAULIFFE: Just one from me. The new Dredge is going to be fall probably?

Commissioner BERGSTROM: Yes.

Speaker MCAULIFFE: Okay. Delegate Killion.

Delegate KILLION: Thank you, Madam Speaker. You mentioned the --

Commissioner BERGSTROM: Yes.

Delegate KILLION: -- the Water Quality Monitoring specifically.

Commissioner BERGSTROM: Yes.

Delegate KILLION: I assume that's a continuation of the monitoring that's been going on for many years in the Sound, and I think this has come up before as where all that data is being stored and to what end. Do you have any detail on that?

Commissioner BERGSTROM: Water Quality Monitoring?

Delegate KILLION: As you mentioned in that meeting that we got a grant.

Commissioner BERGSTROM: Oh yes.

Delegate KILLION: Yes.

Commissioner BERGSTROM: I assume that that's the Water Quality Monitoring, yes, that goes on. I mean we do Water Quality Monitoring for the beaches in the various towns. I mean in Chatham, they've closed some beaches because they've gotten high counts and not on the beach itself but in the small estuaries behind it and it is done by the County. Yeah, I'm assuming that's it, but I don't know.

Delegate KILLION: So that's what it is just for --

Commissioner BERGSTROM: Yes.

Delegate KILLION: -- and it's only for the summer month period or is it beyond that?

Commissioner BERGSTROM: Well, see I can't tell you that, but it's my belief that if it's for things like coliform bacteria that it would be mostly summer because that's when bacteria and the outbreaks are.

Delegate KILLION: And what was the amount of that grant?

Commissioner BERGSTROM: Let me see. You got me. I'll have to rummage through my paperwork here.

Delegate KILLION: Yes, it's from the oldest meeting.

Commissioner BERGSTROM: Yes.

Speaker MCAULIFFE: And that is for the -- what the Water Collaborative used to do every year --

Commissioner BERGSTROM: Yes.

Delegate KILLION: Yes.

Speaker MCAULIFFE: -- and we're supposedly getting money for?

Commissioner BERGSTROM: Yes, that's what I'm thinking.

Speaker MCAULIFFE: Yes, Delegate O'Malley.

Delegate O'MALLEY: It seems to me that there's two issues, and I want to be sure we're clear here. One is the beach testing that we're doing for the towns.

Speaker MCAULIFFE: Yes.

Commissioner BERGSTROM: Right.

Delegate O'MALLEY: And then there's the Water Collaborative money that comes from the state.

Speaker MCAULIFFE: Right.

Delegate O'MALLEY: Which is always that money feels every year to be kind of iffy.

Speaker MCAULIFFE: Yes.

Delegate O'MALLEY: Is that the one we got or is this a more routine one?

Commissioner BERGSTROM: Let me find out.

Speaker MCAULIFFE: We can ask Mr. Yunits when he's at the table for the next presentation.

Commissioner BERGSTROM: Yes.

Delegate KILLION: Thank you.

Speaker MCAULIFFE: Delegate Potash.

Delegate POTASH: Thank you. Good afternoon, Mr. Commissioner.

Commissioner BERGSTROM: Yes.

Delegate POTASH: So I was able to watch your meeting on YouTube with regard to the folks that came and presented about the sharks and seals issue.

Commissioner BERGSTROM: Yes.

Delegate POTASH: And my question to you is what did they want from you?

Commissioner BERGSTROM: Well, you know, I can only speculate. I think they're looking for approval of a -- they're presenting this. I mean these people are vendors; they're selling a system. So they're going out to the people who they feel are parties to the shark issue. You know, we're not specifically part of the solution, but it's anticipated that Barnstable County will be, you know, sort of collaborated with the towns and so on. So I think that they just thought they'd start with us and then make presentations to other towns.

So what did they want? They didn't ask for any money, but I think, ultimately, what they're looking for is either grants or financial support to go forward.

Delegate POTASH: Was I missing something or is it true that there was a paucity of evidence that they had any validity whatsoever?

Commissioner BERGSTROM: Well, I was trying to be diplomatic.

But maybe I didn't succeed. Let's say they admitted they didn't have any -- they didn't have any equipment; they didn't have any, you know, this was when we were questioned on it, they say, yeah, this is just an idea.

Speaker MCAULIFFE: An idea.

Commissioner BERGSTROM: Basically a concept that they're promoting, and there's a lot of people who are skeptical.

Delegate POTASH: But you were very generous with you time, no doubt.

Commissioner BERGSTROM: Yes.

Delegate POTASH: And you folks were really polite and kind and backed them up like cheerleaders. But, again, I don't understand why they took up all that time without even

saying that we tried this here and we have this, or we have any evidence at all. There was nothing.

Commissioner BERGSTROM: Well, what happened is they came up to me and to my other Commissioners, Mr. Beaty, at the beginning of the previous meeting and they say, “Do you have some time that we would like to present something to you?” And so I gave them the routine answer was, “I’ll put it on a future agenda.” So at that point I was committed.

Delegate POTASH: Right.

Commissioner BERGSTROM: I didn’t realize what I was getting into. And once they got there -- I mean we’re a public forum, you know, I mean, I’ve always had the policy even when I was sitting in Suzanne's chair that if somebody wants to come and tell us something, they can do it.

Delegate POTASH: Right, right. No and I’m not criticizing that at all.

Commissioner BERGSTROM: But you were right to suggest --

Delegate POTASH: I just don't understand.

Commissioner BERGSTROM: -- there wasn’t much substance behind it at all.

Delegate POTASH: Okay. Or any.

Commissioner BERGSTROM: Okay.

Speaker MCAULIFFE: Delegate Harder.

Delegate HARDER: Thank you. Regarding Children's Cove --

Commissioner BERGSTROM: Yes.

Delegate HARDER: -- the changes, does this mean that the Administrator of Children's Cove will have the sole -- will be the only person appointing board members?

Commissioner BERGSTROM: That is how I understand it, yes. Well, you have the ordinance in front of you so you can read it but that’s what I -- I mean we questioned that. I think we may have asked them to come back after the original ordinance was submitted, and they gave us a detailed presentation and they felt that there were security issues because Children's Cove can be involved -- the information they gather can be involved in custody fights, you know, and there are people -- and those are some pretty bitter battles at times and with accusations flying back-and-forth. So they felt that if the board members were public, their names were public, and they were exposed to the public scrutiny that they might have some -- the people might, you know, basically go after them.

Speaker MCAULIFFE: Yes.

Delegate HARDER: Is there no other way to keep it private --

Speaker MCAULIFFE: Well, I think what we can do --

Delegate HARDER: -- because that's a great way to stack a board.

Speaker MCAULIFFE: -- what we can do is have this discussion at the next meeting because the ordinance will come forward for a hearing and an Assembly discussion before we vote. So we can ask Stacy Gallagher, the head of Children's Cove, to come in and ask specific questions and also for specific rationale for the changes that are being requested.

Delegate HARDER: Great. Thank you.

Speaker MCAULIFFE: Yes, Delegate Green.

Delegate GREEN: Thank you, Madam Speaker, and thank you, Commissioner, for the report.

Commissioner BERGSTROM: Yes.

Delegate GREEN: I did have another question about the shark presentation --

Commissioner BERGSTROM: Yes.

Delegate GREEN: -- or the presentation you had regarding the shark issue. I was contacted by someone in my town about talking to the Commissioners and talking to the Assembly about that.

Could you just give me some background; are you soliciting groups to come before you or are you just open to hearing what people have --

Commissioner BERGSTROM: We are not soliciting -- these people approached us and asked to be heard at a meeting, a previous meeting. I said they weren't on the agenda but if they had something -- I had no idea who they were or what they were going to tell us. So I said I will put -- and I think that Mr. Beaty may have also reminded me of that because it showed up on the next meeting.

And I think that the media was probably alerted to this because otherwise there would've been two people in the room. So there were people -- there were people there with cameras from WBZ or something in Boston, taking a recording, not a camera, recording. There was also the local press was there, a couple of local press, and it was also filmed for somebody. Oh, it showed up on Channel 10, which is the New England Cable Network. I don't know if they showed the film, but they ran it in their little, you know, their running stripe they have on these news things.

Speaker MCAULIFFE: Right.

Commissioner BERGSTROM: They showed about some shark discussion on Cape Cod. So unbeknownst to me, a courtesy to these people to hear them out turned out to be a large public to do, so, you know.

Speaker MCAULIFFE: There is a Task Force that I think if people were interested, that it is kind of -- in fact, there's more than one.

Delegate GREEN: Exactly, yes.

Speaker MCAULIFFE: But it's not in the County's lap at this point.

Delegate GREEN: Right.

Speaker MCAULIFFE: So I think in terms of working where the action is right now, if you wanted to refer people to one or all of these task forces because I think they need to kind of get a plan. The County may eventually be engaged but at this point is not really handling the shark issue.

Delegate GREEN: I understand that. Thank you.

Commissioner BERGSTROM: Thank you.

Delegate GREEN: I have referred this group to the appropriate groups and also -- but I did want to make sure that I'm understanding that the County is not soliciting for comments because this is what I was told. This group was solicited for comments. And also I wanted to understand if the County is actually doing anything in this direction at this point in time?

Commissioner BERGSTROM: No. If the County has any role, it's just bringing people together in this room or another room where the actual stakeholders -- I know the town of Wellfleet is involved. I don't know what -- I know that our legislative delegation regularly meets on this and people are aware of it. And we're now in the summer season so its unlikely things are going to be done this year except perhaps improve communications.

So the County is a resource, so people tap into us. We're not going to go out and promote a solution, believe me.

Delegate GREEN: I understand that. And I really wanted that on the record.

Thank you, very much.

Commissioner BERGSTROM: Okay. I managed to dig out the action that we took, and it is authorizing the execution of an agreement for a grant from the Massachusetts Department of Environmental Protection in the amount of \$250,000 for a period July 1, 2018, through June 30, 2019 -- it doesn't make any sense because we're almost there so.

Speaker MCAULIFFE: But they always in the past were a year behind.

Commissioner BERGSTROM: Right.

Speaker MCAULIFFE: It was like we had to spend it and then they would match it.

Commissioner BERGSTROM: Okay. So, yes, I know that from -- we used to do that on the Regional Transit Authority. You'd spend it and then they'd say you need --

Speaker MCAULIFFE: Yes.

Commissioner BERGSTROM: So it's \$250,000 and its Water Quality Monitoring Program being conducted --

Speaker MCAULIFFE: Right.

Commissioner BERGSTROM: -- for the waters of Nantucket Sound, Vineyard Sound, the eastern side of Buzzards Bay and Cape Cod Bay. So I assume it's for, like I said, probably for beach quality.

Speaker MCAULIFFE: Right, right. It's the state match.

Commissioner BERGSTROM: Yes.

Speaker MCAULIFFE: Thank you.

Commissioner BERGSTROM: Okay. We exhausted all our --

Speaker MCAULIFFE: Yes, we have. Thank you, very much.

### **Summary of Communications with County Administrator Jack Yunits regarding County Energy Conservation Efforts**

- **County has grant applications are pending with CVEC for electric charging stations**
- **County applied for two electric vehicles through the CVEC and Eversource Grant Programs and the Clean Energy Programs**
- **County is working with CVEC to create an RFP for a number of items related to solar energy**
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Speaker MCAULIFFE: Our next agenda item is an update from our County Administrator, Mr. Jack Yunits regarding County energy efficiency efforts. And I specifically requested that this be a broadbrush, big picture kind of talk because I didn't want to take a lot of energy and time at this point on behalf of the County to expend a lot of personnel and go into depth. So I think this is sort of an overview broadbrush what the County has going on in terms of energy efficiency efforts.

Administrator JACK YUNITS: Thank you.

Speaker MCAULIFFE: Welcome.

Administrator JACK YUNITS: Thank you and welcome back, Madam Clerk.

Mr. Killion, that data, by the way, is posted on the Cape Cod Commission's website, the Water Quality Monitoring data.

There are, based on the ordinances filed by Assembly members Chaffee and O'Malley, the County expedited the process of trying to go green. Presently, we have grant applications pending with CVEC for electric charging stations, two electric charging stations that are under the grant application are limited to County employees only. You get a swipe card and you can use that. And we've applied for two electric vehicles through the CVEC and Eversource Grant Programs and the Clean Energy Programs.

We also are working with CVEC just to create an RFP for a number of things regarding solar energy. The first is on all our flat roofs, solar panels here on the campus. Solar canopies in the lower parking lot which is specifically down by the Cape Cod Commission and up to the First District Court. Solar canopies which would be raised I think to eight feet above the farm on four separate parcels. There will be 2 megawatts on each parcel. Going out to the farm makes it a lot more complicated because not only do we have to deal with the Old King's Highway restrictions, which we'll have to deal with here, but we'll have to deal with the Barnstable Conservation Commission.

I've had preliminary discussions with the town manager who doesn't anticipate that it's going to be a huge mountain to climb, but we'll deal with that when it comes.

In addition to that, we've met with CLC regarding all our buildings here. Most of the buildings here on the campus were upgraded through the MassWorks programs, MassSave, I'm sorry, MassSave Program a couple years ago. So there's a lot of low-hanging fruit to these buildings that has already been dealt with like LED lighting, water, and water conservation so on and so forth.

But there's a program out right now with Eversource that CLC's going to help us apply for grants for the splitters that we don't have in this building. This wing, the East Wing and the West Wing are both -- both have new burners and HVAC systems. But the main building where Sean houses the bulk of his departments are working on splitters. There are grant programs available through Eversource right now to deal with these splitters. So CLC is going to come in and contact Sean and come in and take a walk through and see what we're entitled to in that regard as we expand the program. And that includes the possibility of getting a subsidized new heating system and air-conditioning system in that building as well.

So that's just a summary. We've also had meetings with -- I've had meetings with Dan Knapik. I've had meetings with Ameresco. Ameresco is an energy conservation company that, like NORESKO and Siemens, Johnson Controls, and Trane. They bid on 25E contracts. So we're talking now with some of the town managers about doing, through the County, a regional procurement under an ESCO contract. 25E is a program that was established by the Commonwealth years ago that allows the Commonwealth to -- I mean allows an entity, a public entity to finance a contract to upgrade its energy and conservation systems with the savings principally. So that the company's come in, the companies I just mentioned, Ameresco, NORESKO, Siemens, Trane, Johnson Controls, companies like that would bid on it. They'd come in; they'd do an audit, and they tell you you're going to save X amount. If the bond costs X-plus and you save X through energy savings, it's a pretty good deal because you upgrade your systems.

However, most of our buildings are DCAM buildings, and DCAM is not a big fan of the energy conservation contracts. So we'll only be looking at it for this building if we do it at all. The Town of Yarmouth is back and forth on whether or not --

Speaker MCAULIFFE: Would you just explain DCAM for people who --

Administrator JACK YUNITS: Department -- Division of Capital Asset Management.

Speaker MCAULIFFE: Okay.

Administrator JACK YUNITS: DCAM is the custodian of the Commonwealth's properties, all their real estate. So, anyway, and that means they're leases and here they have a lease.

Speaker MCAULIFFE: And you were talking about the Town of Yarmouth. I'm sorry I interrupted.

Administrator JACK YUNITS: Yes. So that's essentially what we're doing at this point in time regarding energy conservation programming. I know that CVEC has been working extensively with a number of communities on establishing a larger solar program on the Cape. And I would probably suggest that if you want to learn more about that that we have Liz Argo come in and speak to the Assembly about Solar on Cape Cod because she's going out for a huge bid, a very significant bid shortly, and most of those contracts will be PPA, Power Purchase Agreements, that sold on the market so that a County like ours if we can generate 12 to 16 megawatts of power, we'd sell that. We'd get rent payments from the purchaser, and the purchaser would put the power on play on the grid over time. So it's a pretty good program if we can do it because we'll generate a lot of revenue for the County, plus we're doing the right thing for the environment.

Speaker MCAULIFFE: And can you just talk just briefly about the Green Energy Task Force that you're putting together?

Administrator JACK YUNITS: Yes, this is something that Sean and I talked about. Sean, myself, Kristy Senatori had conversation, and Mike Maguire, have had Conversations about taking some of the talent we have here on campus and working with the Assembly on this issue because it's, obviously, going to be a work in progress over a number of years. Mike has designated Kari Parcell who does all the Waste Management Planning for the Extension Service right now and is quite a talent. Kristy's going to designate somebody from her office, and Sean is actually going to do it himself with me, and Donny Reynolds, our Facilities guy, and that's why I'm suggesting that one or two members of the Assembly might want to engage on this. A lot of it will be telephone conferences. We won't be asking for you to make trips for meetings but telephone conferences on stuff as we progress.

Speaker MCAULIFFE: And this Task Force will be, your email says, "To set a strategy for developing a green energy structure for the County and working with green energy industry Cape-wide as part of an Economic Development Plan."

Administrator JACK YUNITS: It's interesting you should bring that up because yesterday at the conference that Ron just spoke about, the Governor's -- well, its Housing and Economic Development anyway, that's the agency that was putting on the conference. But there was a significant amount of synergy at the meeting in terms of business development on green energy and the jobs it could create on Cape Cod. And the Secretary, Secretary Kennealy, actually thought that this might be an area where the Commonwealth might want to invest significantly in developing this as an energy source and as a production center for green energy projects.

I know that the Colonel out at the Base, Colonel Gaglio, is trying to make the Base energy self-sufficient over time. As you know, she's already built windmills. She's doing solar now. She's looking at geothermal as another alternative, and these are the kind of things

that we want to explore. I think if we do the jail, it will be a geothermal-type system that we'll be looking at here. So these are the kind of things that came up yesterday not just because it's the right thing for the environment, because it's also a job generator on Cape Cod.

Speaker MCAULIFFE: Right. So that's going to be the County's approach going forward then with your Task Force is not just the energy but also the economic?

Administrator JACK YUNITS: The economic benefits.

Speaker MCAULIFFE: It will tie the two together.

Administrator JACK YUNITS: Yes. You know what, it's been coming more and more apparent over the last couple months that the economic development sector on Cape Cod is looking more for the County to get involved. We've never really done it, and we haven't done it at least in the last 15 years, so they want us to work with the Workforce Investment Board. They want us to work with Mass. Development and help facilitate and organize in a more central way what the Chamber already does but as a backup to the Chamber in terms of creating new job growth. We talked about growing Cape -- CCCC, for instance, into a technical IT or scientific based four-year college to help us generate jobs. And that kind of stuff was really starting to take the forefront and gaining some traction. So energy would be a part of that.

Speaker MCAULIFFE: Thank you.

Administrator JACK YUNITS: You know, the so-called blue economy that we keep hearing about.

Speaker MCAULIFFE: Right, right.

Administrator JACK YUNITS: That's what it's all about.

Speaker MCAULIFFE: Yes. And this is just sort of a set the table because we have the two ordinances from two different members that will be coming before the Governmental Relations. It's probably -- I had planned on this month but because we have one ordinance presenter not here this time and one ordinance presenter not here next time, it's probably not going to be until July. But with the Task Force development and just sort of the overview, that might help the Government Relations then go forward with what they want to do with those two ordinances as well.

And then, also, for us it sets agenda items for future topics that we might be interested in hearing about as they come forward too.

Administrator JACK YUNITS: Let me add one thing too. I mentioned on the -- the electric conduits for the cars, the charging stations, that they were limited to County employees. That's what the grant is right now.

However, in the fall, there's going to be a new round coming out that will allow the County to put charging stations for the public use where you swipe a credit card to activate the charger. So that the public could actually pull up and do their business here in the Complex and across the street on Main Street and charge the car at the same time.

Speaker MCAULIFFE: Yes. Delegate O'Malley.

Delegate O'MALLEY: Thank you, very much. And with the understanding this is all going to come back, just I'll make a couple of points. Number one, I want to applaud the progress that we're seeing on a number of fronts, Jack. This is a multifaceted and we're going to need to approach it.

I have to react to your comments about DCAM not being really keen on solar --

Administrator JACK YUNITS: Not solar.

Delegate O'MALLEY: -- as somebody --

Administrator JACK YUNITS: Not solar, energy conservation.

Delegate O'MALLEY: Energy conservation.

Administrator JACK YUNITS: Right.

Delegate O'MALLEY: I mean has anybody talked to them about the state requirements or the Global Climate Warming Solutions Act and what has to happen there?

Administrator JACK YUNITS: Yes, well, I think if they've looked to their boss, their boss is kind of saying -- the Governor's saying, "We want to do this."

Speaker MCAULIFFE: Yes.

Delegate O'MALLEY: Yes, the pressure's got to come.

Administrator JACK YUNITS: Right.

Delegate O'MALLEY: And, again, I see our role here as being potentially a visible leader, and I think that's one of the important things so that when we talk about, you know, historic district is going to give us grief about -- on the carport here. I think that's an opportunity for a community conversation about what are the values. What do we have to really focus on? That's that.

Administrator JACK YUNITS: Yes, I --

Delegate O'MALLEY: And, Number 3, I think keep in mind the potential for the synergy with the towns. You're purchasing. You've made a commitment to purchase some electric vehicles. I presume these are not big trucks.

Administrator JACK YUNITS: No.

Delegate O'MALLEY: But there might be an incentive there to say to the towns, you know what, let's get aboard.

Administrator JACK YUNITS: One car and -- yes, one car and one service vehicle.

Delegate O'MALLEY: Yes. I mean --

Administrator JACK YUNITS: But that's a start.

Delegate O'MALLEY: -- there could be a potential for --

Administrator JACK YUNITS: That's right. That's a start.

Delegate O'MALLEY: -- buy and sale.

Administrator JACK YUNITS: As the industry develops, the engines get a little more powerful, then we can start to look at the bigger vehicles.

Delegate O'MALLEY: Exactly.

Administrator JACK YUNITS: But, for instance, the AmeriCorps vehicles, you need to put 8 to 10 people in those vehicles to move them efficiently around. You can't do it with an electric vehicle. The same with the plows, the pickup trucks that we need to plow.

Delegate O'MALLEY: Right.

Administrator JACK YUNITS: But they're coming. It's coming.

Speaker MCAULIFFE: Delegate Green.

Delegate GREEN: Thank you and thank you for the report and I'm glad I asked. I'm very impressed with what the County has done in the past and has the goals for in the future.

One of the reasons why I did ask is because I've been hearing from different departments in these meetings about how the departments are doing things within the County and as resources for the town in regard to climate change as far as not only mitigation but adaptation as well.

So not only with what you're doing as far as, you know, solar or energy efficiency and energy conservation but also in dealing with sea-level rise and storm surge, etcetera. I mean it's impressive what the County is doing, and I haven't seen -- perhaps there is something that, you know, a webpage or a handout or something that talks about that. And I think it would be really important for the County employees, for us, for the towns and for the public to see what the County is already doing.

And, also, with these goals that you have that you've put together in the last couple of months, I mean, they're very impressive. And I'm really excited about this Green Energy Task Force. I think that will help to really publicize this and also to develop resources for the towns and, you know, this is really amazing. And to have 12 to 16 megawatts of power generated through solar panels and be able to sell that power, sustain the County's operations and then have extra power to sell is very impressive.

I will say one thing, Wellfleet -- I've been involved with sustainability issues for a very long time. I date myself, since the late 60s actually, and I've been involved with my Energy Committee in Wellfleet since 2010. I've been attending meetings and I've been a part of the committee for a good number of years and secretary, and we are moving to do solar panels on our landfill area. We put it out to bid and, frankly, Ameresco who you're talking about dealing with anyway gave us a much better deal than CVEC did, frankly.

So I might suggest that you put that, the solar energy, the solar panel project out for bid and see what Ameresco can do. And they're -- we're developing -- we plan to develop more energy than what the town will use and to sell it as well and sell it to the Nauset Regional School District.

So these are very exciting projects, and I applaud you. I applaud the County.

Administrator JACK YUNITS: And --

Speaker MCAULIFFE: Delegate -- oh, I'm sorry.

Administrator JACK YUNITS: -- the reason we want to talk a little bit more about doing a regional bid as opposed to just the County going out to bid is when you're talking about energy conservation projects in older buildings, most of the towns don't have that challenge. They have newer buildings, newer fire stations, new police stations. But some of the towns like Yarmouth and some of the -- Falmouth, they still have a lot of the old buildings, and there might be economies of scale there to have a regional bid as opposed to a County bid.

Delegate GREEN: Yes. One more thing.

Speaker MCAULIFFE: Yes.

Delegate GREEN: Yes, I agree with you. So our Energy Committee has banded together with other Energy Committees on the Lower-Cape and we plan to expand that to -- for consumers and businesses to buy solar panels in bulk and other energy conservation devices, shall we say, in bulk like heat pump hot water heaters and the price saving is impressive.

So I can see that putting out a bid for the whole County would be important and perhaps even reaching out to the towns would be important.

I also will tell you that I'm sure that CVEC and CLC and whatnot will give you advice about the EVs in the charging stations as well. There are some state grants that are available for more than what you're talking about.

Administrator JACK YUNITS: Yes, this is a Clean Energy grant that we're going for from the state.

Delegate GREEN: Yes, because Wellfleet has looked into that, and we are

moving in that direction. And we have found that there are other grants as well.

Administrator JACK YUNITS: Great. And relative to the King's Highway, on this side and certainly at the farm, none of the panels will face Main Street. And I think they would -- remember, the legislator could create -- the Old King's Highway Committee, the legislator can take it away or can certainly modify the rules. And I know in particular out on the Outer-Cape that the delegation is starting to get a little bit frustrated by the anti-solar attitude of the Old King's Highway Commission.

So I think they'll have to play that very carefully with us because we will make noise about it if we get that far that we actually have some serious bidders, we're going to have to push it. It's the right thing to do. It's useless space. The parking lots have got to be repaved anyway. The roofs have to be done. And, certainly, the Farm at 99 acres setting aside 8 acres to build -- I mean 20 acres to build 8 megawatts is not going to break the back of the Farm, and we're not taking down any trees to do it.

Speaker MCAULIFFE: Delegate Ohman.

Delegate OHMAN: Thank you, Madam Chair. Jack, once again, thanks for this presentation. I know it's been ongoing and it's in its nation stage, and I'm glad we're a part of this whole project.

I want to get back to DCAM. I need a lesson. I thought DCAM never got involved until it got to the million-dollar range. So why can't we do something at the older buildings that are under DCAM but if we stay under the DCAM minimums?

Administrator JACK YUNITS: Yes, here it's not that. I think it's \$250,000 on these buildings because they lease them.

Delegate OHMAN: Oh, okay. So it's \$250,000 -- so it's a different ball game.

Administrator JACK YUNITS: And it's a little bit more complicated too because you spend -- if you spend over a certain level, and maybe it's a million, I don't know. I wish Steve was here; he could fill us in on this. Then it changes everything. It changes the whole framework in terms of handicapped accessibility and historical and all this kind of stuff. But roof repairs are not considered part of that so.

Delegate OHMAN: Okay. So that's one thing. And, also, you haven't mentioned this either, but I know that you're planning on putting out to bid and you've already done architect work with a new building out at the Farm as well. Will that be a green building?

Administrator JACK YUNITS: Yes.

Delegate OHMAN: I know you've done some architect work on that. Will it be green? Will it be coastal resilient? And how far have you come along with the plan of that new building that's going to be housing the Extension Service?

Administrator JACK YUNITS: Mike Maguire has set aside -- had set aside last year \$10,000 for an architect to draw the schematics and get the schematics and they're being done now. We would go to bid based on those plans.

The goal would be to construct an additional office building at the Farm for the Extension because the courthouse desperately needs new space in the Probate Court. They've given us until next July, a year from now, to vacate that property. Now, obviously, they can't force us out but that -- they're a great partner and we want to work with them, but they need to be in there. They need mediation rooms. The Probate world has gotten a little more less civil, I should say, over the years, than we may remember it. So they need mediation rooms; they need conference rooms, and they need better security. So they want Extension out; the Extension

wants to go to the Farm. It would all be one at the Farm, which is great for us. So we want to make that happen as quickly as we can.

So the bid will include new stick built. It will also include prefab modular.

Delegate OHMAN: I know that Anastasia Welsh happens to be one of my constituents and she -- next July is probably a year too late for her. But if she's giving you that leeway, that's great, but I'm glad to hear this going on. I hope we push it right along, along with the Commissioners. Thank you.

Administrator JACK YUNITS: Yes. I've actually toured the Ohman Estate down behind Kate's, and I saw that modular works. It was beautiful, beautiful building.

Speaker MCAULIFFE: Delegate Moran.

Deputy Speaker MORAN: Thank you. Mr. Yunits, first, I really want to commend you about the liaison. Barnstable Economic Development, the group that has been looking at the Regional Policy Plan has really been focusing somewhat on making the blue economy first and foremost. And one of the things that comes up and Falmouth, by the way, put one of the charging stations at a couple places in Woods Hole. We found out about this maybe a year ago, so we've sort of had an opening on it. And part of the initiative is, "If you build it, they will come." So Eversource is building these things with the idea that young professionals who want to drive electric cars will, you know, favor the Cape in terms of job opportunities. So I appreciate how you've linked all this together.

A couple of questions; will there be batteries on the campus here? Because I do recall something about a generator and gasoline, and you are moving to a place that's light years away from that.

Administrator JACK YUNITS: Yes, batteries are absolutely part of the bid both here and at the Farm. And they give the -- the whole, especially on Cape Cod, the whole contract a lot more value because if you can store energy and you have it when you need it, things whether it be the peak summer heat or storms and the residual effect of blackouts, it's great to have the batteries on the campus because that goes back into the grid and will keep places that normally should run running.

By the way, I'm glad you brought up the EDC. I want to be clear about this. The County's principal economic development generator is the Cape Cod Commission, and we'd be there to assist the Cape Cod Commission. We wouldn't be taking over any of their duties. We don't have that capacity. We could certainly facilitate, as Ron was talking about we did with the sharks when they called, "Can you do this seminar?" We can help people learn and steer meetings in the right direction.

I know that we're talking with OpenCape right now. We're talking about creating a new loan pool that would parallel the Septic Loan pool that would allow end users in the last mile to actually borrow from the County through, hopefully, an MBI account, which is a Mass. Broadband Institute, would get the money from the legislature and lend it through us so that when the last mile -- Provincetown is \$300,000 away from having the last mile blown out in Provincetown.

You want to talk about economic development and economic growth, Assemblyman Killion and I have talked about this many times, there's a huge potential for Cape Cod to boom if we can get OpenCape out onto the street.

Deputy Speaker MORAN: It's huge. In fact, just promoting Falmouth again, Falmouth has the ED -- Chair of the Barnstable County EDC, but the Falmouth EDC has done

exactly that. We've gotten money from the state that we're lending to our Main Street businesses so that they can actually run credit cards during -- which they were not able to do last year during high season. So the program is starting with, you know, hopefully we'll be a good test place for that.

But one more question on the Farm. The solar panels are going to be 8 feet. There's a state program because I'm doing a lot of solar development with farms right now, but there's a program -- there's two programs. One is you can continue to farm under it; the other is not. Do you know if this is the one that will continue to farm under the panels?

Administrator JACK YUNITS: Yes, because that gives us the right to develop the solar as a matter of right. As opposed to extended permitting challenges. So the plan would be that the farm would graze the pigs under the panels. It would continue to grow hay and so on and so forth. The panels will be raised enough to allow that to happen.

Deputy Speaker MORAN: Great. Thank you.

Speaker MCAULIFFE: Yes, Delegate Princi.

Delegate PRINCI: I just want to thank you and the Chair of the County Commissioners for listening to what the residents said during the County Commissioner, I'm sorry, during the Cape Cod Commission hearings recently and actually hearing what we do and what we're planning on doing with our resolutions and ordinances and actually taking action earlier.

But most importantly, I want to thank you for not only looking at sustainable energy and so forth but also efficiencies when it comes to our human capital. I especially liked what you said whereas you'll be speaking with some key County leaders and trying to coordinate without having to have them come across campus to meetings in your office or other people's office. Just using technology to get the job done and not waste many of our higher salaries time on this. Thanks.

Speaker MCAULIFFE: Yes, Delegate O'Hara.

Delegate O'HARA: Jack, just it was on my mind the whole time this discussion has been going on is the highest and best use of the land. And my question was you somewhat touched on it when Mr. Ohman brought it up and that was on the building the courts needing to expand and looking for another building, and I was thinking about this property. I mean have you looked at other buildings, other facilities that may be needed for this area before you would put the solar panels in there because you would restrict the use of the property?

Administrator JACK YUNITS: Yes.

Delegate O'HARA: Whether it be a raise, an elevated building with parking under and solar panels on the roof tops, you still get the use but more so with the building under it.

Administrator JACK YUNITS: Here on the campus here except for the flat roofs, that's an obviously highest and best use of a flat roof would be put solar panels on top of it, but the solar canopies in the lower parking lot -- the parking is absolutely required, not just for the campus use but for the village as well, that should have no negative impacts long term.

At the farm, we're so restricted by the type of development we can do under the conservation easement. And the history of that is -- and the Speaker probably remembers it the most is the state was taking over Sheriff's Departments. It was feared that when the plans were developed for the new jail that ended up in Bourne, it was going to end up on the farm. So conservation got very aggressive with the County to protect the farm. And it's going to be very

difficult to get anything done there that isn't agriculture or aquaculture, and that's why the panels will be raised so that it will still be part of the farm.

Delegate O'HARA: That makes a lot of sense. My thoughts were here so with a facility, like I said, with possibly an elevated building with parking underneath so you still retain the parking that's necessary.

Administrator JACK YUNITS: Yes.

Delegate O'HARA: Whether it be offices or senior housing. I'm not quite sure what the need might be, but it was just a thought and if you look at that.

Administrator JACK YUNITS: I think that, for instance, out here on the other side of the lab, that parking lot won't be touched because that is a potential development site and there's no abutters. There's plenty of sideline and frontage issues that are taken care of by its placement. So we won't put panels there but just down in the lower end. Actually, customers like solar panels in weather like ours.

Delegate O'HARA: Yes, I agree. I agree. Thanks, Jack.

Speaker MCAULIFFE: Thank you. I think we're all set. While I have you here even though this is totally unrelated, I did want to just mention your idea about having Assembly liaisons to some of the County meetings that are coming up. The first one was the Green Energy Task Force. So I could anticipate that if one or two people were interested in serving as liaisons, you know, think about it and then you could be appointed to attend those meetings, you know, just as a conduit between the Assembly and the Task Force.

The other item that you had recommended was the real estate, I guess, committee because there are lands, County lands that are going to be sold and that, perhaps, someone from the Assembly would like to be involved in some of the process that goes along with that.

And the Dredge is another group, working group, I guess, that Mr. Yunits had suggested, and then also the Barnstable County Fire Training Academy. We used to have two liaisons to that Fire Training Academy, but this would be more from the, I guess, the County side of it.

So those are just some ideas that Mr. Yunits had thrown out in terms of having an Assembly presence just for similar to what we have for Human Rights right now. So just think about those things and, you know, what piques your interest and you can let me know and we can make some appointments and then you can let people know when they're meeting.

Administrator JACK YUNITS: Yes, and I'm so glad you're doing that too because remember under our Charter, the Assembly is supposed to be engaged on the real estate transactions so on and so forth.

Speaker MCAULIFFE: Right. And as long as we keep it -- I know there are thoughts with boards about serving on committees if you're going to be voting on something, but if we keep it at a liaison level, an information level that you're not actually part of the decision-making process, I think that keeps it clean. I know there are many Boards of Selectmen who won't serve on town committees because of the issue of having to vote on things that come before them. But I think we can figure out a way to make it work.

Administrator JACK YUNITS: Yes, and as the Chairman said during his report, we have engaged John Giorgio to start the progress. We have a meeting Friday morning at 11 to start the progress moving forward on the Pocasset disposition.

Speaker MCAULIFFE: Yes, and these are just four. I mean I'm sure there are other ones that come up. I know Grants in the past has been an issue. Perhaps OpenCape might

be something that if that ever moves down the road in terms of trying to work with them for something. So, definitely, we're interested in being involved. Thank you.

Yes, Delegate Green.

Delegate GREEN: Thank you. I'd like to ask a question about Assembly involvement that I was in conversation with Jack about. What is the status of the group that was working on the shark information materials including the Chamber and the Seashore and the County? I know that we talked, and you said that the Assembly was going to be involved at some point.

Administrator JACK YUNITS: Yes, at the last meeting I was at at the Chamber, Wendy Northcross was still in the process of raising money to hire a public relations firm that was going to focus on the issue of -- very realistically speaking Wild Cape Cod; eagles, osprey, coyotes, sharks to help keep the people involved and help keep them thinking that, you know, this isn't Disney World, real things happen here, and you have to be careful because there's not a lot else we can do right now except prepare.

Delegate GREEN: So the materials will not be available for this season; is that the gist of it?

Administrator JACK YUNITS: No, I think they're going to be everywhere. I think shortly I think they're going to be in all the tourist information centers. The National Seashore actually has been a huge help to us in getting those materials together so.

Delegate GREEN: And will the Assembly be involved at some point as we discussed it?

Administrator JACK YUNITS: Yes, well, you are already. I know you are in Wellfleet.

Delegate GREEN: Yes.

Speaker MCAULIFFE: Certainly, if someone has an interest if there's anything going on at the County, you know, just let me know and I can appoint that person as a liaison to work with whatever happens at the County level.

Delegate GREEN: Thank you. I appreciate it.

Speaker MCAULIFFE: Okay. Thank you, very much. And we sort of crossed over a little bit into Administrator Report and Question. I just don't want people thinking we went off agenda, but I wanted to take advantage of the Administrator being before us for a report. So it was green energy and Administrator items.

Administrator JACK YUNITS: Okay.

Speaker MCAULIFFE: Thank you.

Administrator JACK YUNITS: Thank you.

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

### Assembly Convenes

Speaker MCAULIFFE: Okay. The Assembly will convene.

### Committee Reports

- Delegate O'Malley reported on the Human Rights Advisory Committee meeting

**held on 6/3/19 to which he is the Assembly liaison**

Speaker MCAULIFFE: Under “Committee Reports,” we do have a report from Delegate O'Malley who attended the Human Rights Commission meeting. So even though it's not our committee, it is another County --

Delegate O'MALLEY: Thank you, and thank you, Madam Speaker, for putting me in the role of liaison to the Human Rights Advisory Commission. So this was actually the first meeting of the newly constituted body since our passage of the ordinance at last meeting. Who was there were the existing members: Alan Milsted, Dr. Kate Epperly, Pat Oshman, Dave Schropfer, Paul Thompson, and Theresa Santos. So they're all staying on, that's six. As we pass the ordinance, there will be nine. So they're looking for three.

In the absence of anybody higher level, I wound up calling that meeting, convening it and kind of calling it to order. And Alan Milsted was elected President and -- Chair and, well, yeah,

Chair they call it, right, and Kate Eppley as Vice Chair.

I pointed out that they are a functioning County office and, therefore, they are subject to all the Policies and Procedures of the County, Administrative Handbook, and that this office is -- they are County people like we are.

I was informed that all four -- they had four candidates for the coordinator position. All those interviews had been completed, and I believe they were going to make a recommendation this week. They were very impressed with the quality.

As mentioned, so here's a little bit of a discussion. As I said, we approved a nine-person body. Three have been -- three are already currently filled and will serve out their existing terms as what they had before. That's the way the ordinance wrote it.

Now the way the ord -- the ordinance calls for every town to have a representative, every town and the tribe to have a representative, although most of them will not be voting. There's only nine voting members; the others are welcomed to participate.

So then the question came up -- now the Board of Commissioners will appoint these people based on recommendations from the Human Rights Advisory -- from the Human Services Board. The question came up at that meeting how candidates' names are submitted, and the discussion was going in the direction of Boards of Selectmen. It was my opinion, and I want to through this out to this body, it was my opinion that I believe it's our role as individual town representatives to be involved in talking to people in our community and saying, “The Human Rights Commission needs a representative from our town; will you do it?”

First of all, I don't believe that the Selectmen have as their primary interest the functioning of County agencies. That's our role. Number two, as a town -- I see my role here as I am the elected representative from Provincetown to this -- to the County. It seems to me that's partly my responsibility to try to come up with somebody. Now, clearly, if we don't succeed, somebody's got to push a candidate and that would probably come to the Board of Selectmen.

So I would simply make the plea to each of us, talk to people in your community who could be a representative. These will be nonvoting town delegates to the Human Rights Advisory Council, and they approve -- meetings will be scheduled second Monday at 6 o'clock and the schedule was approved through the rest of the year. So they're off and running.

Speaker MCAULIFFE: Excellent.

Delegate O'MALLEY: And, hopefully, we'll have a Commissioner -- a

Coordinator --

Speaker MCAULIFFE: Very soon.

Delegate O'MALLEY: -- soon and they are planning for the Human Rights Day breakfast next fall as routine. So, that's the report.

Delegate HARDER: The second Monday at six?

Delegate O'MALLEY: Second Monday at 6 p.m.

Speaker MCAULIFFE: Thank you.

### **Summary Report from the Clerk**

- **Statement of Financial Interest filings are almost complete**

Speaker MCAULIFFE: Report from the Clerk.

Clerk O'CONNELL: Thank you, Madam Speaker. It's been a quiet few weeks for the Assembly, but we keep everything moving forward as usual. It looks or appears to be that you will have a somewhat busy week at the next meeting on June 19<sup>th</sup>. And I just want to say that I just quickly checked, and it appears that we have almost all of the SFIs filed -- almost.

Speaker MCAULIFFE: You want to make sure if you didn't because they can fine you.

Delegate O'MALLEY: The cost.

Speaker MCAULIFFE: They can fine you. So even though it's kind of a nuisance, just go online and get it done.

Clerk O'CONNELL: And that's going to be the last thing that had to be done for a while.

Delegate HARDER: The grace period is Friday.

Clerk O'CONNELL: So that's good.

Delegate HARDER: So if it's not in by Friday.

Clerk O'CONNELL: And that will just be, you know, next year.

Delegate O'HARA: Feels like this happens once a month.

Clerk O'CONNELL: So that's good. And I also want to thank everyone for their well wishes and their cheerful thoughts because it's been a challenging couple of weeks for me but back on track.

Speaker MCAULIFFE: And in spite of that, the Clerk has kept the Assembly afloat, you know, showing up to get agendas out, trying to get bills paid, and also being available from home. So it's been greatly appreciated.

Clerk O'CONNELL: And that's it.

### **Summary of Other Business**

- **Consensus of the assembly was to continue with the use of electronic equipment for roll call and voting purposes**
- **Speaker interested in short video of each county department for public educational purposes**
- **Proposed resolution 19-02 to establish a Charter Review by the Assembly was submitted by Speaker McAuliffe**

Speaker MCAULIFFE: Under "Other Business," I have a couple of items but,

first, we have a discussion regarding the Assembly's continued use of electronics for roll call and voting purposes. Anyone have an opinion?

I will say, just as a for instance, if we did not do the roll call, it would allow you to sit where you'd like. You could fill in gaps if people are absent if that's important to you. You could change your seats. That's just another benefit to not having the roll call. But that's -- I just want people to be aware of that.

Yes, Delegate O'Malley.

Delegate O'MALLEY: Madam Speaker, I'm going to weigh in with a pretty strong opinion on this. The opinion being that, yes, we should consider it and continue it, and I have two major reasons.

Number one, we have seen the fallibility of these electronic systems and as we did this before and this is meant with no aspersions on our Clerk who I think does incredible work, but the way it has always worked is we say our vote and the Clerk enters it. At that point, it's gone into a black box. Nobody has any feedback whether it's been entered right, whether the numbers are totaling right, and the Clerk announces it at the end, but nobody knows.

This system allows for full transparency to us so that if I vote yes and I see on the board it comes up no, I know it. Otherwise, I'd not know.

The second part is actually related, and it is it gives transparency to the public, to the people out there and anybody watching because our votes are recorded here. They're very obvious and I think transparency has to be a guiding principal for us.

So, yeah, I think they're a little bit of a nuisance sometimes, but we've got them; I think we should use them. I think they really expose clearly what we're doing, and they prevent the failures that can happen in the system. And we've seen the failures happen. So this makes it all kind of visible and on the screen.

Speaker MCAULIFFE: Delegate Green.

Delegate GREEN: Thank you. While I understand what Delegate O'Malley is saying and I agree with transparency, I think that transparency is really important; I -- even today this didn't work, and I just think it's a duplication of what we do. I mean if it was something that really mattered; I just don't see the benefit of it. I really don't. I really like technology. I am very supportive of technology when it is an enhancement, but I just -- the roll call is done and Janice, the Clerk, records that and I mean we all know if it's correct or if it isn't correct and I think the public knows as well. I just think it's not a helpful tool for us, and I don't support using it in the future.

Speaker MCAULIFFE: You wanted to speak, Delegate Moran?

Deputy Speaker MORAN: Sure. I only have noticed an incorrect vote by reason of the technology. I think that's my first point, the votes were incorrect because the technology was not working.

I also have a bit of a problem with the added time that it takes to deal with the technology. I think that there's more of a flow to the meeting, more of a discussion when we simply do the votes that we've done before. I'm not a fan.

Speaker MCAULIFFE: Delegate Princi.

Delegate PRINCI: I'm a fan. I don't want to repeat anything. I agree with everything that Doc O'Malley said.

Speaker MCAULIFFE: Killion and then Potash.

Delegate KILLION: Thank you, Madam Speaker. I agree with the Delegate from

Barnstable and Provincetown. I think like any new system there's going to be quirks and bugs to work through; we will get through them.

I just can't think of a more irritating response that we would get from the public knowing we put the system in and then we refused to use it because people are hitting a wrong button. I can't think of anything more embarrassing than that.

So I think we keep at it. We will perfect it, and I think the transparency is a great thing to have for the public. They can see who's voting exactly. They can see the percentages. It's very important for them.

Speaker MCAULIFFE: Delegate Potash.

Delegate O'HARA: Do you want to go in line or just jump?

Speaker MCAULIFFE: Well, yes, okay.

Delegate O'HARA: Yes, I agree. I got the technology and we'll all get better at it, you know, as we continue to use it. I agree. I agree with Mr. O'Malley, Mr. Princi, Mr. Killion, myself. I think we'll only get better at it. The system will be more efficient as the more we use it, and the transparency issue is important as well. So absolutely I agree to keep using it.

Speaker MCAULIFFE: Delegate Potash.

Delegate ZUERN: Madam Speaker.

Speaker MCAULIFFE: Just a second, Delegate Zuern. I'll get right to you.

Delegate Potash.

Delegate POTASH: Thank you. I agree with the Delegate from Wellfleet 500 percent. I don't think we need it. It's a waste of energy. We're talking about conservation of energy and here we are using something that even if everything is true that everybody in support of it has said we still don't really need it. And every smidgen of energy matters, and I don't think we put this in. It was all of a sudden presented to us and my understanding is other people use it that use this room. So if we don't use it, it doesn't mean it's gone to waste. That's my understanding. If I'm wrong, then I apologize. But I used to watch the meetings on YouTube last year and the year before and I thought that the Clerk did a great job. I thought it was really interesting how it all just worked out and anyone that's interested in knowing who voted could watch or could ask, and I don't think that we're not transparent by not using this.

Speaker MCAULIFFE: Delegate Harder.

Delegate HARDER: I like it.

Speaker MCAULIFFE: Delegate Zuern.

Delegate ZUERN: Yes, I do like it because it shows the percentages of people and the public can see that we have a weighted vote. I think sometimes in the past they were confused with the outcome because they were looking at the majority of people who voted and not the weighted vote.

Speaker MCAULIFFE: Delegate Ohman and then Delegate Green, yeah. You had weighed in already, yes?

Delegate GREEN: Yes.

Speaker MCAULIFFE: Let's hear from Delegate Ohman.

Delegate OHMAN: I want to let everyone know that every once in a while I do agree with Delegate Zuern. I think that transparency rules.

Speaker MCAULIFFE: Just a second. Delegate Green and then I'll come back to you.

Delegate GREEN: Thank you. I'd say that my side has lost (Laughter), but I do

want to say that -- I just think it's redundant. I think it's unnecessary and there are some elements of technology that would have been really helpful like if the Clerk actually had a microphone. I mean that technology would be like duh, simple. (Laughter.) And yet I mean we're doing something redundant, but the Clerk doesn't have a microphone.

The other thing is that every time Delegate Zuern or anyone who is absent votes, somebody next to them has to press the button. Well, if they have the technology, then they should have the technology that actually works for our situation. We were not consulted about the technology, and if we were, perhaps we could have given some advice for technology that would actually enhance what we do and not just be redundant. But I know I've already lost so.

Speaker MCAULIFFE: Delegate Princi.

Delegate PRINCI: I have a quick compromise for the Delegate from Chatham regarding the power being used for the speakers and the new technology. (Shutting room lights off.) Natural light.

Delegate O'MALLEY: Yes.

Delegate PRINCI: Can anyone -- can anyone see their papers? Can everyone see us up here? We can use the natural light.

Speaker MCAULIFFE: I actually can't see my paper flat -- I can't see my paper flat. I'd have to lift it to read it.

Delegate PRINCI: Okay. I guess it didn't work.

Speaker MCAULIFFE: And I'm not going to hide behind the Speakership to not weigh in. I find that the technology interferes with the process, and I do not like the business of a meeting to be taken over by an outside force.

But I also agree with Delegate Green that I hear the "Let's continue," so we will continue at this point unless there are issues going forward. And some of it's not just pushing wrong buttons. Delegate O'Malley had a system that couldn't vote at all and we ended up having to go back to the Clerk's program on the computer. So that's what I object to is the time wasted, the artificial overview of a meeting that works very well. That's just from the person who's running the meeting so.

Delegate O'MALLEY: For what it's worth, I come from a long line of people who have to fight for the vote.

Speaker MCAULIFFE: Okay. So we will go forward with using the technology and just keep things as they are and, hopefully, we'll get really good at it.

A couple of other quick things I wanted to bring up. I am submitting a resolution today that will be before you at the next meeting and this is to establish a Charter Review by the Assembly of Delegates required by Article 9, General Provisions, and it will go into that. So this is a resolution that will be coming before you. Our next meeting will be the discussion with Attorney Troy about the process, and so I thought this is something that we could then, after we hear from him, have this discussion and if you're ready vote on it. Or if you have too many questions or are not ready then we can always defer that.

One of the things that is out there not in the immediate future, but the Town of Yarmouth years ago did a video of all the committees and what they did. It was maybe a 30 to 45-minute video. And when I was at the Selectmen meeting a couple weeks ago, the local access channel Terry Duenas who runs the local access channel said that he runs our meetings 10 to 12 times every two weeks. And so he's very familiar with what we're doing and what we watch.

I thought, well, wouldn't it be great if we had a video that just is -- these are the

County departments, this is what they do, these are the different things, very similar to a website but more of an informational video that could run on local access channel.

Now I will tell you, because there were two people, one on the Board of Selectmen and one in the IT Department who ran the cameras who put a lot of energy into this and conducted interviews of people. I'm just tossing this out as a concept, and it won't go forward unless we have the personnel and the people and the money to do that. But it worked -- when I heard that we were being played 10 to 12 times in the Town of Yarmouth every two weeks, I thought, well, gee, that's an opportunity to put some other things out there too. I don't know what's going on in the other towns.

So just a thought going forward and that's another way to engage people. So I think that was my business.

Yes, Delegate Moran.

Deputy Speaker MORAN: Thank you. I wasn't quick enough on the trigger, but I want to thank the Delegate from Provincetown with respect to his work on the Human Rights Commission. This was, I think, the quintessential example of liaison work because it took a complicated situation that was, you know, had various levels of administrative complications of sort of interdepartmental workings, had the ordinance, various drafts, and I think everyone of us on the Assembly would probably agree that your work on the issue informed us all and was just incredibly valuable.

And as we look at the Administrator and, you know, just the suggestion by Madam Chair here that we look at that model going forward whether it's for green energy or the dredge. You know, I think this is sort of a quintessential moment in the development of the Assembly, and it really dovetails with what you were just saying now in terms of the informational video. So I just want to really kind of mark this moment and thank you for your work.

Delegate O'MALLEY: Thank you.

Speaker MCAULIFFE: Yes, Delegate Potash.

Delegate POTASH: Thank you. Thank you, Madam Speaker. As to the issue of the Human Rights Advisory Commission, I was wondering if Brian O'Malley, could send us an explanation of what each town representative would be required to do. So before I talk to people in Chatham and say, hey, do you want to sign up to be involved with the Human Rights? They're going to say, "What do I need to do? How much time? What's my job description?" And so I was wondering if you could inform us that maybe through email, however you want to go about it, because then we could maybe get the ball rolling in a more efficient fashion.

Speaker MCAULIFFE: Or I would suggest you could get that from the Human Rights Commission too.

Delegate O'MALLEY: That's exactly what I was going to say. I'll pass that along as a "Could you write up what it is you do and what you're looking for," and make it available.

Delegate POTASH: Please.

Delegate O'MALLEY: I think that's the way to do it. Not me.

Speaker MCAULIFFE: Delegate Harder.

Delegate HARDER: And if we could also get a list of who's on the board now and what towns they're from so that we know if they're, you know, I don't need to find someone from Harwich if there's a Harwich person already on there.

Delegate O'MALLEY: Apologies. I can give you that instantly.

Speaker MCAULIFFE: Well, I think people are going to want it electronically.

Delegate O'MALLEY: It's Bourne, Barnstable, and Yarmouth are the towns that are -- and Eastham that have somebody.

Delegate HARDER: Okay.

Delegate O'MALLEY: It's Bourne, Alan Milsted; three from Barnstable, somebody's from Yarmouth, and then Dave Schropfer is from Eastham. So if you're not in one of those towns, you could use somebody.

Delegate HARDER: Okay.

Speaker MCAULIFFE: Great. All right. Any other business? Delegate Zuern, are you all set?

Speaker MCAULIFFE: Okay. So I'll take a motion to adjourn.

**Deputy Speaker MORAN: Motion to adjourn.**

**Speaker MCAULIFFE: We are adjourned. Thank you.**

**Whereupon, it was moved to adjourn the Assembly of Delegates at 5:25 p.m.**

**DELEGATES TOUR THE COUNTY LAB IMMEDIATELY FOLLOWING THE MEETING.**

**Submitted by:**

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

**List of materials used at the meeting:**

- **Business Calendar of 6/5/19**
- **Unapproved Journal of Proceedings of 5/15/19**
- **Proposed Ordinance 19-12: To Establish an AmeriCorps Advisory Board**
- **Proposed Ordinance 19-13: Administrative Code changes to Children's Cove**
- **Proposed resolution 19-02: To Establish a Charter Review by the Assembly**