

CAPE COD REGIONAL GOVERNMENT - ASSEMBLY OF DELEGATES
Barnstable County Complex
Eastwing Conference Center @ 4:00 p.m.
3195 Main Street, Route 6A
Barnstable, MA 02630

APPROVED Journal of Proceedings - September 18, 2019

Call to Order

Speaker MCAULIFFE: Welcome to the Cape Cod Regional Government. This is the Assembly of Delegates. **It's Wednesday, September 18th, 4 p.m.** We're in the Barnstable County Complex East Wing Conference Center.

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

(Moment of silence.)

Speaker MCAULIFFE: Thank you.

Please rise for the Pledge of Allegiance.

Speaker MCAULIFFE: Thank you.

(Pledge of Allegiance.)

Roll Call Attendance

Present (86.93%): Mary Chaffee (4.55% - Brewster), J. Terence Gallagher (2.30% - Eastham), 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), Brian O'Malley (1.36% - Provincetown), Randi Potash (2.84% - Chatham), Patrick Princi (20.92% - Barnstable), Linda Zuern (9.15% - Bourne).

Arrived Late (6.49%): Thomas O'Hara (6.49% - Mashpee - @ 4:10 p.m.).

Absent (6.58%): John Ohman (6.58% - Dennis).

Clerk O'CONNELL: Madam Speaker, you have a quorum present with 86.93 percent of the Delegates present; 13.07 percent absent.

Approval of the Calendar of Business

Speaker MCAULIFFE: Is there a motion to approve the Calendar of Business for today?

Deputy Speaker MORAN: So moved.

Delegate GREEN: Second.

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

Approval of the Journal of Proceedings of 9/4/19

Speaker MCAULIFFE: We also have approval of the Journal of September 4, 2019; is there a motion?

Delegate O'MALLEY: Madam Speaker, I move acceptance of the Journal as distributed electronically.

Speaker MCAULIFFE: Is there a second?

Deputy Speaker MORAN: Second.

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

Speaker MCAULIFFE: Yes, excuse me, Delegate Chaffee.

Delegate CHAFFEE: Thank you. One comment on the Journal; every meeting that we have that we approve our Journal, I'm aware of the high quality of the document that we review, and I think we need to just take a moment to compliment Linda Wesson from Canal Court Reporting on the great job that she does producing this Journal that I don't even remember the last time we had to make a correction to.

So, thank you.

Delegate O'MALLEY: Here, here.

Speaker MCAULIFFE: And so we have a vote to take on the approval of the Journal of September 4, 2019. All those in favor? Aye. Any opposed? **It passes unanimously.**

Summary of Communications with Board of Regional Commissioners

- **County Administrator Jack Yunits updated Assembly Delegates on actions taken at Commissioners meetings held on 9/11 and 9/18**
- **Cooperative Extension Marine Division re-organized due to challenges related to the Early Retirement Incentive Program and frequency of Sea Grants**
- **Commissioners approved Ordinance 19-13 adopted by the Assembly on 9/4/19**
- **Submission to Assembly of Proposed Ordinance 19-15 for FY20 Dredge Supplemental Budget Appropriation**
- **FYE19 financial presentation made to the Commissioners by Finance Director**
- **Update on impact of Early Retirement Incentive Program on county programs including the Cooperative Extension Marine Division, County Dredge and Septic Loan Program with a savings of about one-half million dollars between the county and Cape Cod Commission**
- **Update on dredges**
- **Commissioners updated by Health & Environment Director Sean O'Brien with concerns regarding the decommissioning of the Pilgrim Nuclear Power Plant**
- **Fire Training Academy received grants for a mobile marine prop and a new burn building**

Speaker MCAULIFFE: Communications from the Board of Regional Commissioners. Mr. Yunits, thank you.

Administrator JACK YUNITS: Madam Speaker, I'm standing in for the Commissioner who couldn't -- had something come up today and couldn't be here tonight; Chairman Bergstrom.

I'll start with last week. There were a couple pretty important items that came before the Commissioners last week.

One was a revamping of the Marine Division and Extension of the loss through the Early Retirement Plan of our chairman of that division who is also the deputy to Mike Maguire had a profound impact on us. So Mike decided that he was going to revamp the whole division and add a third person because the frequency of the Sea Grants through WHOI are going up on a regular basis. So we now have three persons assigned to separate tasks in the Marine Division which deals with aquaculture, coastal resiliency issues, floodplain planning and so on and so forth. And it was just a well, well-presented presentation by Mike and something I'd strongly urge you to see you at some point.

We also had the approval of a bond. I left the original in my car. I'll go down and get it

when I finish speaking and bring it back to you. The BAN was to refinance from the pre-existing debt and to add 1.3 million for the new dredge, and I'll talk about the dredges in just a second. That passed the Board of Regional Commissioners. And you'll see when you get the package next week that a number of the projects that were refinanced, the projects that have been completed and date back to 2013 which is standard in these type of roll -- BAN rollovers. And then, of course, the newest one was the addition of the new debt which is for the dredge which will arrive here the first week in October.

Today, we dealt with the year-end closing presentation by Finance. I'm not going to get into that because Finance is here; they're going to do it for you. I do want to say this though that Elizabeth Braccia and Stephen Amara did an amazing job. We're about three months ahead of the traditional historical schedule for presenting the year end closing numbers and you're going to like what you hear. It's a wonderful presentation. We're still not -- we are attending to the \$6 million capital deficit that Mary talked about on a regular basis before you, and we're whittling that down over time and we'll continue to do so.

But the numbers in general look very solid for the County even if the economy goes into a tailspin. But I'll let them talk to you about that in just a minute.

We also talked a little bit about the ERIP, the Early Retirement Incentive Plan and the impact it had on the County. We never anticipated a dramatic revenue shift with the ERIP. What we were really trying to do is reorganize some of the departments that overtime had probably gotten a little bit stale, and they weren't really focused on our present needs. Needs change in government; needs change all the time so that we wanted to get more away from the teaching and learning aspects of Extension, not eliminating by any means, just reducing the emphasis on some of the learning programs that we had. And through the early retirement, we had the ways to do that without any blood in the water and shift more to the Marine division which is very critical to Cape Cod right now. It's all about clean water. It's about coastal resiliency, and it's about the \$23 million industry we have with aquaculture right now. So we were able to do that.

We were going to revamp the Dredge. We were able to start the process of revamping Septic Loan. And these were some of our ultimate goals in looking to implement the ERIP. It wasn't just cost savings. It was really all about reengineering government internally and it's going to work. It's working well right now. The savings is about a half-a-million dollars between the Cape Cod Commission and the County and that can vary depending on who comes in and whether they take health insurance or not.

But the emphasis, for instance, in the Lab is now part-timers. There happens to be a dearth of part-timers -- full-timers on the Cape but an abundance of part-timers on the Cape didn't know how to work in a Lab. People that have retired that don't want a full-time position but have the skillset that we need in the Lab and it's working out wonderfully.

We also have a new business plan in the Lab and, once again, Sean will be preparing something for you to present later in the fall. So that was the sum of the presentation today on the ERIP.

Steve Tebo gave a presentation on the update for the County Dredges and that's a little more complicated because we have invested significantly in upgrading our Dredge fleet.

The good news is the Codfish was saved. We took it out of the water, and we were shocked by the news that all it needed was a few plates welded and some mechanical alterations well within the budget that we set out for these renovations. The dredge is actually now back on the Cape and will be going to work shortly. So that's great news.

The other dredge that became an infamous part of the negative story last year, the Sand Shifter, was actually taken apart and trucked out to a huge facility that Ellicott owns in Wisconsin and rebuilt. The ladders were cut. The spuds were modified, all the hydraulics were replaced. And last week Steve and Jason Bevis, our new Dredge Superintendent, went out to Wisconsin to view it, signed off on it, and it was trucked out yesterday and it's on its way here now.

They also went down to Baltimore last week and signed off on the new dredge. That will be trucked out probably the end of next week the idea being that when the first dredge gets to Fairhaven it will be reassembled, the Sand Shifter, and put back in the water and then the new dredge will come up.

So we'll have three boats ready to go the first week in October. Two will be running constantly; one will be going from place to place as a backup.

The cost to this was about a half-a-million dollars. Let me try to get a little more specific than that. Obviously, we need new crews. The new crews will be about \$250,000. There will be some equipment add-ons to that in about \$10,000. We need a new push boat, that's a \$207,000 item; it went out to bid. A hundred and thirty-six thousand of that money will come back from the premium attached to the bond sale of the Sand Shifter that we have not spent yet, premiums like a point that's paid by the investor on the loan. So that premium will be used to offset some of the expenses on the push boat, and they'll be an increase in the Professional Services.

And, finally, we had to replace an old crane, and those of you that know your harbor masters have heard them complain about our crane for years; we replaced that with a 35,000 excavator.

So those are the expenses that were presented to the Commissioners and approved by the Commissioners today. They come out of the Enterprise Account, so it doesn't require a transfer of funds, so it probably won't be coming up here except as part of the budget modification.

Finally, today we talked -- oh, Sean O'Brien reported to us on what occurred last week with the hearing on Holtec and the transfer of the license. And quite alarming to us is that Holtec is not going to be held responsible for emergency management planning. To Sean, this was absolutely unthinkable and redundant to the whole purpose of setting priorities in place to protect the citizens of Cape Cod from anything that may happen. Remember, these fuel tanks aren't going anywhere. These spent rods are going to be stored at this plant forever. And for the NRC to approve a transfer without an emergency planning portion of it was shocking to Sean.

So he came to the Board of Commissioners today and asked for their endorsement to send a letter for the record in opposition to this move. Entergy always paid and worked with us in training, everything from evacuation training to emergency response. It's a critical piece of what we do here in terms of health and the environment at the County.

So Sean gave a wonderful presentation and got permission from the Commissioners to prepare that letter and send it to them for their approval.

Finally, we had a lot of good news at the Fire Academy recently. The first piece of good news was the grant that we've talked about here before and that's the marine prop. The marine prop is presently in the process of being designed for a retrofit, so it will be a mobile marine prop that will actually be able -- like a tractor-trailer, it will go to your towns and work with fire departments a week at a time to do on site training in marine readiness.

First responders on Cape Cod are the fire department to all marine disasters. So we felt this was critical. The Seaport Council agreed with us and gave us 300,000 to purchase this prop. And we're adjusting the RFP right now to make it a mobile prop.

We also got news of \$128,000 grant to do more safety training for firefighters on site and that came from FEMA. And, finally, FEMA announced last week that in a grant application filed by the County on behalf of the Town of Provincetown, we received \$633,000 to construct a new burn building wherever that final site may be. We're still hoping it's at JBCC. I should say the General has gone above and beyond for us out there and identified a couple sites that are DCAM owned. So it's just a question of us negotiating a long-term license or lease with DCAM and we can start the move to the Base.

It still needs Public Safety approval. There's a chain of command. The Public Safety, Secretary Turco, is actually in charge of the guard, so he's the one that ultimately has to sign off, and they're coming down to see us and hear our presentation the 1st of October.

So those were some pretty significant updates and reports that were presented to the Commissioners today. And, of course, they reconsidered and approved the resolution that you all sent up there that they acted on last week but took no action and today they resolved it. So that's on the 27th and the Killion resolution.

And last but not least, they approved the appointment of four new members to the EDC. So you now have a full quorum of participants in your committee, Susan, so.

Deputy Speaker MORAN: I appreciate that.

Speaker MCAULIFFE: I just want to make a point and I don't want to quash anything positive about the resolution for the Cape Cod Independence Day, but I know there was discussion about when the time clock starts for when a resolution or an ordinance arrives and when it's to be acted on. And the reason I'm bringing this up is I want this on the record that the 10 days for the resolution started when the resolution was submitted to the County government. It was documented -- last week's meeting would have been within the 10 days. Voting outside the 10 days, while we appreciate the support, is not an official vote. And it's great because it's a good thing and it's a positive thing, but I don't want a precedent on record that it's okay to just vote things out of the timeclock of 10 days. Because going forward if it's not such a happy thing or a good thing, I don't want the Assembly to have this thrown back at them and say, "Well, you've done it before. You've allowed us to vote after the 10-day clock."

Administrator JACK YUNITS: Right.

Speaker MCAULIFFE: So that's how the process works. It's a 10-day clock. It's a positive thing. I know there might have been some misunderstanding about acting on resolutions and not acting on resolutions, but an official vote by the Commissioners in this case is outside the 10-day clock.

Administrator JACK YUNITS: That's right.

Speaker MCAULIFFE: Just for the record.

Administrator JACK YUNITS: I believe the Commissioner who raised that issue had it straightened out by the Clerk this week so.

Speaker MCAULIFFE: Right. But I'm just saying --

Administrator JACK YUNITS: There's now a clear understanding of that.

Speaker MCAULIFFE: But I'm just saying the Commissioners will reflect a vote, but the vote really is not a legal vote.

Administrator JACK YUNITS: Yes.

Speaker MCAULIFFE: Yes, Deborah. Delegate McCutcheon, sorry.

Delegate MCCUTCHEON: I'm doing a digression but what's a spud?

Administrator JACK YUNITS: A spud?

Delegate MCCUTCHEON: Yes.

Administrator JACK YUNITS: Spuds are the arms of a dredge that give it the balance as it works in the water. They go up and down so.

Delegate MCCUTCHEON: Oh.

Administrator JACK YUNITS: Yes. Yep, and the contracts -- the number of contracts that are before us right now for this year, or permits I should say, are 13. The amount of revenue we should generate is \$1.51 million. So even though we're spending a lot of money, we'll be bringing in a lot of money. We won't be making money, but we'll be able to cover these expenses so.

Delegate MCCUTCHEON: Thank you.

Administrator JACK YUNITS: Yes, Delegate Green.

Delegate GREEN: Thank you, Madam Speaker. Two questions, one for the Fire Academy, when do you propose that the training will be allowed at Joint Base Cape Cod or do you have a projected date? And is that training for the new hires, let's say, in the various towns?

Administrator JACK YUNITS: That's a great question. Phil was asked that today and he doesn't have a firm schedule, but he's going to try to have one by October 1. Right now, we still would have to -- we have to do your due diligence before you do the RFP because there's a number of companies out there that build these burn buildings. The RFP would then go out. A designer would be selected -- designer and contractor would be selected or a style. They're built off-site and then they're transported in.

So I think Phil's anticipating if all went well it would be late spring/early summer before we actually would have an operable burn building at the new site. The DCAM process could take a lot longer. So we're pushing that as hard as we can, and we've had great help from the Town of Barnstable, from DEP that would love to see this move facilitated and understands the value of Public Safety training. And remember, the police are part of this too, the new Police Academy.

So that I do feel pretty confident, and it fits into the governor's mission, it really does, because if we get a big enough parcel out there and we're able to stay with the Base's mission which is to make the Base as green as possible, that means solar is a very acceptable alternative out there, we could almost pay for this building through the sale of solar credits and solar energy and that would be part of the discussion from day one because it's a way we can finance this building without having to tax the bond capacity of the County and without asking the governor for more money, and it fits in with the governor's mission of increasing solar in Massachusetts.

Delegate GREEN: That's really great. The other question was regarding Pilgrim and the safety there. I would be very interested in seeing the letter. And I don't know, as far as protocol, would we be able to sign on to that letter as well --

Speaker MCAULIFFE: Or we could write a letter. We can put it on our next agenda if you'd like.

Delegate GREEN: I would, yes. I mean I think it would --

Delegate O'MALLEY: Yes.

Delegate GREEN: I mean I don't know what will help but --

Administrator JACK YUNITS: Sean seems to think --

Delegate GREEN: -- that would help.

Administrator JACK YUNITS: Sean seems to think it has to be within the next 10 days.

Speaker MCAULIFFE: Okay.

Administrator JACK YUNITS: So you won't be meeting again but I will make sure that

the minute I receive it from Sean I get it to the Clerk and then maybe --

Speaker MCAULIFFE: You can -- we can --

Administrator JACK YUNITS: Right.

Speaker MCAULIFFE: You can -- we can under "Business" maybe authorize the Speaker to send out something. Well, we can talk about that.

Delegate GREEN: Great. Thank you.

Speaker MCAULIFFE: Delegate O'Malley.

Delegate O'MALLEY: Thank you, Madam Speaker. I was going to address the same issue. I'm very pleased to hear that Director O'Brien has taken this seriously. I think there's been a very concerning slippage that we've read about in terms of Holtec's limited liabilities that they're willing to assume. They don't have enough money to do the decommissioning. It's worrisome and I think that he's very appropriate in signaling that as a Regional Government we have concerns. And I certainly think as the Assembly is the legislature we ought to be in some way expressing our similar concern that there be very clear ongoing emergency monitoring -- monitoring and procedures available.

So I would propose that we in some ways sign on to that letter or express that same perspective.

Thank you.

Speaker MCAULIFFE: Delegate Moran.

Deputy Speaker MORAN: Thank you. I'm just wondering whether Maura Healy is going to be copied on that letter.

Administrator JACK YUNITS: I would say she would probably have to be. I think everybody on the stakeholders list gets included in that because it goes into the comment section in the process of approving this transfer. And our response will not because, as Brian said, not only do we not deal with Emergency Management, we don't deal with monitoring in this transition. It's very alarming to Sean.

Deputy Speaker MORAN: Thank you.

Administrator JACK YUNITS: On a windy day today when it comes right out of the north, we're all sitting ducks.

Speaker MCAULIFFE: Delegate Killion.

Delegate KILLION: Thank you, Madam Speaker. Mr. Yunits, did you mention you were at 250,000 for a crew for the dredge; so is that an additional crew?

Administrator JACK YUNITS: Yes.

Delegate KILLION: So you anticipate doubling of the work, doubling of the revenue?

Administrator JACK YUNITS: What happened last year is -- with the MassWorks grants, the number of dredge projects we got increased by about 30 percent. And dredging is a complicated planning area because you have time-of-year restrictions for clams, for winter flounder, for all kinds of shellfish, horseshoe crabs, piping plovers. Everything is different depending on where you are on the Cape, but all those windows seem to close at the same time. So you have to squeeze in as many vessels working simultaneous as possible to accomplish the feat.

I'll give you classic -- two major projects that we'll have going in the fall will be dredging of Bass River. In that project, we actually rolled down the spuds to go under the bridge, set it up again, and pump sand from the other side of Bass River -- the other side of the Bass River bridge 12,000 feet to West Dennis Beach. That's a two to three-week project because we have to work

our way right out the river.

Then, at the same time, we'll be doing Dead Neck in Cotuit and that project is probably the largest project we'll have next year. We expect to be there two months doing that one. So those two dredges will be tied up for two months.

And the only way to meet all the other needs of the MassWorks Programs for the other towns -- Falmouth has about five projects pending -- is to have that third dredge running. So that third dredge will be going around. They'll do Pamet Harbor. They'll do Sesuit Harbor, and then they'll head over to Falmouth and work Falmouth for most of the fall and winter.

Delegate KILLION: So with the increased crew, when do you anticipate clearing of the backlog that's established?

Administrator JACK YUNITS: It's always weather driven. But with any kind of luck, we've got projects -- Stage Harbor's one that we're still discussing with the town because Stage Harbor is just a complicated place to dredge because of the immense change in currents and those changes are recurring in different places.

So we were out there last year, to give you an idea, and Jason took a photograph of a 500-pound anchor that was at the surface being pulled by the current. So we're still looking at how to make this work, and I think we're going to have to change the way the town has set it up to make it work. But that's another major project, that's a month with another crew.

On the other hand, there's a number of projects; the Harwich projects, the other Yarmouth projects, Popponesset Neck, these are easy projects. They're four to five days so.

Delegate KILLION: So do you anticipate keeping this additional crew indefinitely?

Administrator JACK YUNITS: Yes.

Delegate KILLION: And see the workload or, perhaps, even increasing it at some point?

Administrator JACK YUNITS: Yes. I don't think -- because of the MassWorks Program, I don't think the number of dredge projects that we have every year will ever disappear. I think, actually, they'll probably stay pretty much in a continuum. So we'll keep that crew on as long as it's economically feasible to do so.

Delegate KILLION: Which is the foreseeable future?

Administrator JACK YUNITS: Yes.

Delegate KILLION: Thank you.

Speaker MCAULIFFE: Just a couple things. You had an ordinance on the meeting today; is there an ordinance to submit?

Administrator JACK YUNITS: It's in the --

Speaker MCAULIFFE: Yes.

Administrator JACK YUNITS: Yes. It's in my --

Speaker MCAULIFFE: Oh, that's the one that's in the car.

Administrator JACK YUNITS: Yes. I'm going to run down and grab it.

Speaker MCAULIFFE: Okay. And then the other thing, as you were talking about -- first of all, the grants and everything are just phenomenal. It's just a really burgeoning business for the County and I think that's great.

But when you were talking about a lot of the early retirement and reorganization and revamping and savings and all this stuff, I can't follow it. It sounds great but I can't follow it.

So I would like to request a report on specifically the retirees, the salaries, what's happening. And then if you have -- if you've done any revamping, like you said, there's been a third division of the marine, and we'll certainly have Mike Maguire come in and talk about that,

but just any kind of reorganization or restructuring.

Because it all sounds great as a report, but I can't get my head around it for specifics in terms of numbers and positions and things like that.

Administrator JACK YUNITS: Yes.

Speaker MCAULIFFE: So if you could put that together for us that would be great.

Administrator JACK YUNITS: We put the new hiring policy in place. We dealt not only with the potential ERIP, but we dealt with attrition. For instance, we've reduced the budget in the IT Department from 1.9 to 1.2 million over the course of the last three years and we've reduced their staffing by about a third.

In Mike's departments, the former Explorer Program, we didn't eliminate the Explorer Program even though there were two employees that ran it and that and other school programs. What we did is we transferred those programs to the schools on the health and nutrition aspects, and the Explorer Program we transferred it to Brewster to the National Museum of History on 6A down there. So they're now running the Explorer Program. But the cost of the Explorer program and the two employees was over a quarter of a million dollars and that's gone off the books forever. But that's the kind of thing you'll see.

Speaker MCAULIFFE: That's the kind of thing I'd like.

Administrator JACK YUNITS: Yes.

Speaker MCAULIFFE: Because there's a lot of moving parts.

Administrator JACK YUNITS: Yes.

Speaker MCAULIFFE: And it also will help us get a specific figure about --

Administrator JACK YUNITS: Yes.

Speaker MCAULIFFE: -- personnel versus personnel and programs and also any reorganization, revamping, streamlining whatever.

Administrator JACK YUNITS: In the Lab we transferred three full-time positions to five part-time positions.

Speaker MCAULIFFE: Yes, I mean that would be great if we had a report on some of that because going into the budget that is going to come up.

Administrator JACK YUNITS: Yes.

Speaker MCAULIFFE: And, you know, people are going to say, well, we did this, and we did that, and we won't know.

Administrator JACK YUNITS: Yes.

Speaker MCAULIFFE: Thank you.

Administrator JACK YUNITS: Okay.

Deputy Speaker MORAN: Can I add to that?

Speaker MCAULIFFE: Yes, Delegate Moran.

Deputy Speaker MORAN: I don't know if you were going to this place and, you know, just didn't quite pick up, but I'm also thinking that it would make sense with all that work that would be required for the report to really look at what the old cost of services was versus what the new is under all the savings. So I think that would ultimately be helpful as well.

Administrator JACK YUNITS: Yes, the moving part that we're always going to have to deal with is the cost of healthcare and that's what drives the train. The employees may get a 2-1/2 percent increase on an annual basis, but the healthcare can go up 10 percent. And when you add up all the healthcare that we have here in the County, that can be significant, that's two to \$300,000 a year.

So that we're going to continue to work towards finding other solutions outside the box; it may be new carriers; it may be self-insured; HSAs which are something that a lot of communities are starting to look at now. They're very attractive to the younger families, and we don't know if there will be any -- these are always options, by the way, for employees, and we don't know if there will be any appetite for an HSA in this department but until this County -- but until we try, we won't know.

So these are the things we'll be working on in the next couple years to get some kind of control and handle. I know in your town, Jim, I think the town moved out of the Cape Cod Healthcare Group and moved into MIA and there was a considerable savings for the town by doing that. And that's one of the things we'll look at.

Speaker MCAULIFFE: Great. Thank you.

Administrator JACK YUNITS: Yes.

Speaker MCAULIFFE: Thank you, very much.

Communications and presentation of FYE19 financials reports from Finance Director Elizabeth Braccia

- **Finance Director Elizabeth Braccia reviewed the county FYE19 expense and revenue reports, budget to actual with the Assembly Delegates**
- **County revenues exceeded the FY19 estimates by 2.6 million dollars and variances were explained**
- **County expenditures were less than estimated for FY19 and 1.4 million dollars was turned back and areas of saving were noted**
- **Unreserved fund balance after adjustment reflects \$4.5 million dollars for FYE19 which is an increase from FYE18 at \$3.4 million dollars**
- **In FYE19 the county Dredge Enterprise Fund had \$1.31 million dollars in revenues**
- **In FYE19 the county Dredge unreserved fund balance at 1.077 million dollars**

Speaker MCAULIFFE: Next is a communication from the Finance Director Elizabeth Braccia. Welcome back again.

Finance Director ELIZABETH BRACCIA: Thank you for having me again. Hello, everyone.

Speaker MCAULIFFE: And the Clerk did put in your packet the electronic info that was sent to you earlier today.

Finance Director ELIZABETH BRACCIA: Yes, we had a lot to do to get to this point, so we were working right up to this morning, so I apologize for not getting it sooner, but hopefully you'll be able to follow along. I have some highlights that I'll just talk about on this.

The first report is kind of a snapshot of our General Fund Revenues and Expenditures where we closed out at the end of the year. The Revenues, we did fairly well there. We had 2.6 million over what we had budgeted for. The biggest driver in that was the excise taxes at 1.6 million that came in over what we had budgeted for that.

The next one was a Courthouse Rental. There was an increase in the rental space. We came in \$263,000 above what we had budgeted there.

Another one-time large amount was from -- a reimbursement from Cape Light when we split off from them, there was a timeframe I guess where we were still carrying them, so they reimbursed us for that piece for \$286,000.

And then our Investment Income which is a good thing where our money's in the bank making interest; the interest rates have done better so we came in \$207,000 over what we budgeted there from last year. Because, you know, when you're budgeting in the fall, you just don't know what's going to happen the following year with interest rates. So that was a nice bonus. That's on the Revenues. I'm going to stop. If you have questions on anything, please just let me know. We can do Revenues first.

Speaker MCAULIFFE: All right. Delegate Green.

Delegate GREEN: So Cape Light Compact is under "Departmental"; is that correct?

Finance Director ELIZABETH BRACCIA: Yes, it went into like the Miscellaneous Revenue as a one-time thing. They reimbursed us for some expenses that we had, so that's where it was posted. And we won't see that again because they're split off now.

Delegate GREEN: So do we get a breakdown as to what they reimbursed us for?

Finance Director ELIZABETH BRACCIA: You know, I wasn't here when all that happened. I believe it was for a retirement assessment.

Delegate GREEN: Could you please look into that?

Finance Director ELIZABETH BRACCIA: I will find out for you, yes.

Delegate GREEN: Yes, because that's what we heard from the last finance director that she wasn't here when that happened but.

Finance Director ELIZABETH BRACCIA: She was not; I wasn't sure. Okay. I will get that information.

Delegate GREEN: Yes, but I mean there is a lot of history here, and we'd like to -- I think I, as well as several other Delegates would be very interested in knowing exactly what that's for.

Finance Director ELIZABETH BRACCIA: Okay.

Delegate GREEN: Okay.

Finance Director ELIZABETH BRACCIA: Okay. We'll do that.

Delegate GREEN: And also what the County requested and if it was different at all?

Finance Director ELIZABETH BRACCIA: Okay.

Delegate GREEN: Thank you.

Finance Director ELIZABETH BRACCIA: You're welcome.

Speaker MCAULIFFE: Delegate Killion.

Delegate KILLION: Yes. Could you just give us a little more detail on the difference of change in the investment income, what that amounts to?

Finance Director ELIZABETH BRACCIA: The additional \$207,000?

Delegate KILLION: Correct. Yes.

Finance Director ELIZABETH BRACCIA: So we budgeted \$75,000 and we brought in \$282,000 in interest income from all of our investments in banks. My predecessor had moved some funds around and opened up some money markets and CDs and kind of capitalized on some of the interest rates that were going up. And I'm going to continue to look at that to try to, you know, capitalize in continued interest rates. They're still fluctuating so I'm going to try to get in when they're good.

Delegate KILLION: So, you know, she had moved these last year and these rates change in the course of the year because I would think if we knew what they were going into it in a year, the estimate should have been close; wouldn't you think? I mean that's a significant increase.

Finance Director ELIZABETH BRACCIA: It is a significant increase. There was a lot of money sitting in an account that had like .4/.6 interest rates on just a regular depository. She

moved it into investment accounts where we're getting 2.2 interest, 1.85 percent interest.

Delegate KILLION: I understand the nuts and bolts of it.

Finance Director ELIZABETH BRACCIA: Right.

Delegate KILLION: What I'm trying to get at is why we didn't -- why there wasn't a forecast? If she moved that money, knew the new interest rate, could have calculated what that was, it would have been a lot closer to that. So I'm just wondering how that transpired? And maybe you can't answer it because you weren't here.

Finance Director ELIZABETH BRACCIA: Yes, I really can't speak to that.

Delegate KILLION: But going forward --

Finance Director ELIZABETH BRACCIA: We will look closer.

Delegate KILLION: -- you will be able to better estimate --

Finance Director ELIZABETH BRACCIA: Yes.

Delegate KILLION: -- what that amount --

Finance Director ELIZABETH BRACCIA: Absolutely, yes.

Delegate KILLION: All right. Thank you.

Finance Director ELIZABETH BRACCIA: You're welcome.

Speaker MCAULIFFE: Yes, Delegate Green.

Delegate GREEN: Thank you, again. Could you explain what Intergovernmental is?

Finance Director ELIZABETH BRACCIA: Yes, I popped in there the money that we got in for the Fire Training Academy. We get money and tuition in from the other towns. There's a bunch of money in there from that, and I'll have to get a further breakdown for you. I'm sorry; I didn't bring my breakdown sheet with me. I was just kind of doing an overview on this, but I can certainly get that to you.

Delegate GREEN: Thank you.

Finance Director ELIZABETH BRACCIA: But the bulk of that is the Fire Training Academy.

Delegate GREEN: Thank you.

Finance Director ELIZABETH BRACCIA: You're welcome.

Speaker MCAULIFFE: Yes, I think it might be helpful to have a breakdown on these figures in general.

Finance Director ELIZABETH BRACCIA: Okay.

Speaker MCAULIFFE: A lot of the Delegates are in their municipal governmental jobs. Very in touch with specifics on budgets and a lot of detail. So I just think we're probably more detail rather than overview kind of people because when we get into the budget itself, we're used to, you know, kind of trying to keep track of things.

Finance Director ELIZABETH BRACCIA: Okay.

Speaker MCAULIFFE: And find out where things are going.

Finance Director ELIZABETH BRACCIA: That's helpful for me. It's in a spreadsheet. I'll send it right out.

Speaker MCAULIFFE: Great.

Finance Director ELIZABETH BRACCIA: It's just I took the main sheet for you guys.

Speaker MCAULIFFE: And maybe not everyone at the table is interested, but I would say probably at least two-thirds are, so thank you.

Finance Director ELIZABETH BRACCIA: Okay. You're welcome.

Speaker MCAULIFFE: So Expenditures.

Finance Director ELIZABETH BRACCIA: Expenditures. So on the General Fund Expenditures, we're turning back \$1.4 million overall on the budgets. A lot of this is we had position vacancies in our Facilities. We had a mild winter, so we turned back some money from utilities. And a lot of the departments are looking, you know, they all look to make purchasing efficiencies and try to save money. They're being fiscally conservative throughout the year.

There's also a part of this is we budget for people and we get a grant mid-year that we don't know that we're getting when we're budgeting, and part of that person's -- it's in kind wages go towards that grant. So that money remains in the General Fund budget and then closes out to Reserve at the end of the year.

So, again, I have that detail on the spreadsheet as well that I will send forward.

Speaker MCAULIFFE: Okay. Any specific comments on any of the specific areas? So things like Variance IV, like Health and Human Services, a variance of \$630,000, that would be definitely an area that is impacted by grants?

Finance Director ELIZABETH BRACCIA: Yes.

Speaker MCAULIFFE: Yes. I know they do pull in a lot of grants and the County Services as well. I'm just looking at the really big numbers here.

Finance Director ELIZABETH BRACCIA: Right. Facilities definitely had a gap in there and was due to a vacancy. They didn't fill their Deputy Director position.

Speaker MCAULIFFE: Okay. And then Shared Costs, the Miscellaneous and Contingent, you had a variance of \$119,000. Do you remember what some --

Finance Director ELIZABETH BRACCIA: I will get you the detail on that as well.

Speaker MCAULIFFE: Okay. Great. And what we might do then is just have you back for a quick follow up on some of the questions.

Finance Director ELIZABETH BRACCIA: We could do it, yes.

Speaker MCAULIFFE: Yes, great. So we had a variance then, which is a very pleasant one, of 2.6 million unanticipated.

Finance Director ELIZABETH BRACCIA: Revenues.

Speaker MCAULIFFE: Yes, and some of that I think is just also very conservative budgeting if you --

Finance Director ELIZABETH BRACCIA: That's part of it too, yes.

Speaker MCAULIFFE: Yes. If you budget with some wiggle room, it leaves you with some reserves at the end.

Finance Director ELIZABETH BRACCIA: Yes, which is a good practice.

Speaker MCAULIFFE: Yes, believe me, anyone who's been in municipal government knows that or regional school government knows that well.

Okay. And then is there anything -- any other questions on that first page?

Finance Director ELIZABETH BRACCIA: Anyone?

Speaker MCAULIFFE: Okay.

Finance Director ELIZABETH BRACCIA: Okay. So the next sheet is our combined balance sheets excluding the dredge. That is our next sheet. This is an overall picture of all of our funds that we have and where we wound up with our undesignated balances, all of the activity throughout those funds.

I did speak to the Unreserved Fund balance this morning, and the question came up about, wow, that's \$13 million. Well, as you know, in the towns that you're in, you get Free Cash certification, right? In that Free Cash calculation, you back out any deficits or variances that you

have in other funds. We don't do that for this purpose, but I did it for tonight so to explain that. The \$13 million looks like we have a lot of money in reserve, but when you break down and look at all of the fund balances that would go against that Unreserved Fund balance, we truly have \$4.5 million in '19 and last year we had 3.4. And that's backing out the capital that you know we've had that on the books for a bit now. There's a deficit in that fund balance. So you have to remember that because at some point we're going to be taking care of that. So the \$13 million is a misnomer. We don't have \$13 million in reserve if you take in consideration the capital. I just wanted to highlight that.

Cape Cod Commission, their fund balance is about \$5.1 million; 3.8 is put aside for restricted funds.

The Septic Loan Program, when we get payments back, the interest from those loans goes into a reserve fund. There's a \$3.9 million balance. That money can be used to help support the program.

And one of the things we're looking at this year is we have a very old software program that's been kind of kept together as an access database that an employee has done a fabulous job limping it along, but we need to do something there. So we're looking at some options. Our auditors are going to come in and look at the septic program in total and make some recommendations. It could be we have either a bank administers the whole thing for us. We do have an option of getting a module in our current software, the MUNIS software, that would do betterments and liens or getting a canned betterment lien or loan package that would integrate with MUNIS. We're going to look at those three options, and we'll report back when that happens. But those funds of \$2.9 million can help; we'll be able to pay for that cost to help administer the loan program.

And then on the Capital projects, we're just going to do continued oversight from Finance, and we're going to continue to clean up that old balance and we would bring forward rescinding some of those authorized and unissued capital items that are out there.

And that's my big plan this year is just get that off the books and start fresh.

Speaker MCAULIFFE: Get the whole 6 million off the books?

Finance Director ELIZABETH BRACCIA: Well, we can. We're going to, you know, work with the auditors to see what our actual fund balance is. I'm not convinced that that's a true deficit and I'm digging into that fund to just really see where we're at. And the authorized unissued are some of those old capital things I authorized; they never were used. We're just going to rescind those and then they get off of our authorized list.

Speaker MCAULIFFE: And then do you put that money into an account specifically that will then go to reduce our capital from the 6 million or is that -- or whatever that figure is?

Finance Director ELIZABETH BRACCIA: Well the authorized unissued just is kind of like you're reducing your credit line.

Speaker MCAULIFFE: Yes.

Finance Director ELIZABETH BRACCIA: We voted, you know, like \$10 million to spend and we're not going to spend \$10 million so we're going to reduce by \$5 million. So now you only have a credit limit of 5 million credit to give it sort -- like if you had a credit card, that's what it would work like but that's what the debt is like. You authorize those preparations. You don't use it; you rescind them and then reduces that -- that bucket. It doesn't really hit cash, or nothing's been spent on it.

The other, yes, we're going to look at cleaning that up. It may be that it's an audit

adjustment and takes it off the books, and then we have a better picture of where we're at.

Speaker MCAULIFFE: So we could, conceivably then, in a couple -- 1-2 years, optimistically, then have a much better financial situation in terms of not having this unused debt out there that we've approved.

Finance Director ELIZABETH BRACCIA: Yes, hopefully sooner than that.

Speaker MCAULIFFE: Or liability. Now does that show up on the audit as a liability then if it's approved debt that we haven't expended? For instance, if the auditors look at our books and they say, well, you have this as a liability; you have approved it so that means you're going to borrow for it, but we never borrowed for it.

Finance Director ELIZABETH BRACCIA: Right. But it is sitting out there as a possible potential.

Speaker MCAULIFFE: Okay.

Finance Director ELIZABETH BRACCIA: So, yes, even bond ratings, they'll look at all of that; your authorized unissued debt, everything. So we've got to, you know, if we can get all that cleaned up, it will look better when we go for our bond rating. And, you know, there's several things that go into that bond rating. It's your financial policies, your debt to annual revenues and budget. So we're going to take a whole look at that and -- well, we'll get there.

Speaker MCAULIFFE: Excellent. Anyone else have any questions on this? No. Great. And then the Dredge.

Finance Director ELIZABETH BRACCIA: And the last is the Dredge.

Speaker MCAULIFFE: The Dredge is another one of those things I cannot get my head around. I know there's a lot of moving parts, and part of the problem is the backlog of work and trying to get that done, in addition to trying to figure out exactly what we're spending on fixing our new dredges, dredges that need to be retrofitted. So I think at some point we're probably going to --

Finance Director ELIZABETH BRACCIA: Ask for more on it?

Speaker MCAULIFFE: Yes, take, I think, a nuts and bolts look at what happened. But for now, just to follow your money.

Finance Director ELIZABETH BRACCIA: This is just a look at the Enterprise Fund. It is separate from the capital dredge you know, the 1.3 million for this dredge that we're working on. We had an unreserved fund balance at the end of the year of a 1.077 million and we brought in in FY19 a \$1.31 million in revenues. The anticipation, I believe Steve reported this morning it will be about 1.5 million in revenues coming in this year. The contracts are not solidified but they're working on them now with the towns.

This is just the Enterprise Fund.

Speaker MCAULIFFE: Do we cover all the costs of the dredges out of the Enterprise?

Finance Director ELIZABETH BRACCIA: Yes.

Speaker MCAULIFFE: Are all the capital costs covered?

Finance Director ELIZABETH BRACCIA: Yes. Including the previous bond on it. That gets paid out of the Dredge Enterprise as well.

Speaker MCAULIFFE: Okay. Anyone else? Okay. Well, thank you, very much. I would appreciate just some of the detail on some of the -- especially some of the bigger numbers.

Finance Director ELIZABETH BRACCIA: Yes.

Speaker MCAULIFFE: That would be great.

Finance Director ELIZABETH BRACCIA: Okay.

Speaker MCAULIFFE: Anyone else have any questions? And then the other thing we would like is the, and I know this is from Jack, but you're involved in this too, in terms of the numbers of who's left; who has left the County? What the cost of that person was, and what's kind of happening with that job or that job description?

Finance Director ELIZABETH BRACCIA: Yes, we'll do our best to get that to you in a report. There are certain things we can't capture. If somebody that retired wasn't on health insurance but opted to take health insurance upon retirement, that cost is a new cost.

Speaker MCAULIFFE: Yes.

Finance Director ELIZABETH BRACCIA: And if we replace somebody that, you know, maybe had -- somebody had a single policy and a new person has a family policy. So that's kind of a moving target, but we will do our best to bring some good numbers forward for you.

Speaker MCAULIFFE: Yes, I think even if it's just the salaries and, yes, when they left; they left with or without benefits. I understand the postretirement is a moving target.

Finance Director ELIZABETH BRACCIA: Right.

Speaker MCAULIFFE: But also what's happening to those positions? Are they going to be replaced? Are they going to be revamped, streamlined, revised, whatever it would be, that would be great. Because we are anticipating and looking forward to the savings. It's just very difficult to follow the trail.

Finance Director ELIZABETH BRACCIA: And there will be some savings that, right now, they're hard to determine, but we replaced -- I'm just going to speak for Finance. We hired a new procurement officer who's streamlining the bidding process. And with streamlining the bidding process, it opens her up to do some analyticals on all of our spending across the County, where we're going to look for some efficiencies, some better buying practices.

We're implementing P-Cards so that we can use the Amazon account and not just be stuck to the state bid list so that departments can go, all right, where's the best price and really try to get more savings for the County. So we have some things that we're putting in place to help with that.

So those are -- and other departments are doing similar things with this process. So the savings might not be today, but we hope that we can, you know, continue to have savings down the road.

Speaker MCAULIFFE: Yes, no, that's great. Great practice.

Finance Director ELIZABETH BRACCIA: Thank you.

Speaker MCAULIFFE: Great. Thank you, very much. Wait a minute; Delegate Kanaga.

Delegate KANAGA: Thank you. Thank you. Just a quick question. Is there something that would help us reconcile the revenues and expenditures, the net in essence, to the balance sheet? Is there an adjustment or something that happens year to year in the balance sheet, beginning of year, end of year, something that would help me like --

Finance Director ELIZABETH BRACCIA: Yes, the actual fund balance is the revenue and expenditure control close out to the fund balance. So if in both these cases, the 1.4 million and the 2.6 million closed out to the good and increased that fund balance.

Delegate KANAGA: Right.

Finance Director ELIZABETH BRACCIA: Is that what you're looking at or --

Delegate KANAGA: Yes. I'm just -- is there some --

Finance Director ELIZABETH BRACCIA: Yes, it's interesting you ask that because I started doing those analyticals today.

Delegate KANAGA: Okay.

Finance Director ELIZABETH BRACCIA: And I plan to put that as part of the budget process when I bring the budget forward.

Delegate KANAGA: Okay.

Finance Director ELIZABETH BRACCIA: I haven't had a lot of charts and those type of numbers, historical 10-year look at everything.

Delegate KANAGA: Great.

Finance Director ELIZABETH BRACCIA: So, hopefully, you guys will, you know, give me some feedback on that. And, you know, the first year is, you know, be kind but you can give me suggestions and I will make sure that that happens in the next year.

Delegate KANAGA: Thank you, very much.

Speaker MCAULIFFE: I think for us, we started a new budget process last year which was instead of breaking up into groups and kind of doing it piecemeal and then coming together, the entire Assembly goes through each department's budget in the whole group.

So I think the more information the better especially in terms of, you know, perhaps things like what was budgeted last year, what was spent last year, and then going on to what's budgeted this year kind of thing. Anything that gives us an ability to kind of go year to year and also to see any changes or anything that's different going forward would be really great.

Finance Director ELIZABETH BRACCIA: Okay. Great.

Speaker MCAULIFFE: Anyone else? No? Okay. Thank you, very much.

Finance Director ELIZABETH BRACCIA: Thank you.

Speaker MCAULIFFE: Okay. I don't think communications from public officials. I don't see any.

I don't see any members of the public.

Assembly Convenes

Speaker MCAULIFFE: All right. The Assembly will convene.

Summary of Committee Reports

- **Standing Committee on Governmental Regulations reported to Assembly Delegates on discussions related to Proposed Ordinances 19-04 & 19-05 on climate change and draft meeting minutes of 9/4/19 were corrected and approved by committee members**
- **Assembly Liaison to the Human Rights Advisory Commission Delegate O'Malley, provided the Assembly Delegates with an update on the 8/12/19 commission meeting**
- **Chair of the Recall Subcommittee Delegate Moran, provided the Delegates with an update on the 9/18/19 committee meeting**

Speaker MCAULIFFE: Our first item is a committee report on the Standing Committee on Governmental Regulations. This committee met at the last meeting; the date was September 4th, and it was to discuss the two ordinances on climate change and there were some recommendations made. I believe you all have a copy of the minutes. And I think the consensus in general was to gather more information to get a report from the County to update our information on what's going on with regard to climate change. And we'd like to take a look at

what the Assembly and County can do going forward to influence climate change reduction and with whom in the County -- and who would engage these, the facilities and identify and involve stakeholders.

So the Clerk has, on behalf of the committee, requested information from the County Administrator, Cape Light Compact, if possible, by the County Administrator, and the Cape Cod Commission will be part of that as well.

Clerk O'CONNELL: That's what I asked for.

Speaker MCAULIFFE: Yes. And I think -- yes, Delegate Green.

Delegate GREEN: I would like to propose that one word is inserted here and that is that the County Administrator is to prepare a written report. I think that would be really important. **I think that was the consensus of the Standing Committee as well.**

Clerk O'CONNELL: I think you have to get one of the committee members to make that change.

Speaker MCAULIFFE: Yes, and I think -- yes. And I think the request from the Clerk was for -- to them was for a written report.

Clerk O'CONNELL: I don't recall right this moment.

Speaker MCAULIFFE: Okay. You're right, written would be helpful.

Delegate GREEN: I was there so.

Speaker MCAULIFFE: Yes, right.

Delegate GREEN: I didn't realize that I need to do that.

Speaker MCAULIFFE: No, no, that's all right. Would someone like to -- yes, Delegate O'Malley.

Delegate O'MALLEY: Madam Speaker, I'd like to move approval/acceptance of the minutes from this meeting, and I want to compliment our Clerk on a very nice job of synthesizing and summarizing what went on there.

Clerk O'CONNELL: Thanks.

Delegate O'MALLEY: I mean it didn't flow this smoothly in the meeting.

Speaker MCAULIFFE: No.

Delegate O'MALLEY: You pulled together a lot of threads and made it kind of coherent. So, thank you.

Speaker MCAULIFFE: So I think the request was do you want it approved with an additional --

Deputy Speaker MORAN: Specificity.

Speaker MCAULIFFE: -- specificity of a written report?

Delegate O'MALLEY: I'd be happy to add that line change, yes.

Speaker MCAULIFFE: To amend, yes, to amend your motion?

Deputy Speaker MORAN: And I'll second that.

Delegate O'MALLEY: The County Administrator prepare a written report for the committee and Assembly.

Clerk O'CONNELL: And this can only be approved by acclamation of the people who were at the meeting on the committee.

Speaker MCAULIFFE: Right. We just do it at the full table because this is the next --

Deputy Speaker MORAN: Right.

Speaker MCAULIFFE: And if Ed McManus were here, we wouldn't be doing it.

Clerk O'CONNELL: And that's okay; we've got a legal opinion that it's okay to do it.

Speaker MCAULIFFE: That it's all right. Yes.

Speaker MCAULIFFE: So we have a motion --

Deputy Speaker MORAN: And a second.

Speaker MCAULIFFE: -- to amend it, amend a written report and a second. And those on the committee, everyone in favor of the minutes?

Delegate CHAFFEE: Aye.

Delegate KILLION: Aye.

Deputy Speaker MORAN: Aye.

Delegate OHMAN: Aye.

Delegate O'MALLEY: Aye.

Speaker MCAULIFFE: And anyone opposed? Okay. **It passes unanimously by the committee members present at that meeting.** Thank you for that.

Speaker MCAULIFFE: And the Clerk has, as follow-up to this, the Clerk has written to the Administrator requesting reports. And I think we all got an email from the Cape Cod Commission that they are convening listening groups, I guess is what it is, or convening some sort of activity group related to climate change and they have, in a sense, solicited, I think, participation and input. So they're already kind of either -- and they did have a representative sitting in on that meeting but they're kind of out in front of what we were thinking anyway. Because one of the things we wrestled with was, well, who's going to be in charge of doing all this? And they kind of stepped in, you know, pulling together some of this information about what is currently going on and then what we can do with that going forward.

So the consensus on the two ordinances is to hold them for now while we collect the information. So that's the bottom line on that meeting. Those ordinances won't come forward until we have more information.

Yes, Delegate O'Malley.

Delegate O'MALLEY: And if I might just add as one of the proponents and Delegate Chaffee was the other, I think it was very clearly the sense we both expressed at that meeting that the individual ordinances as submitted were not really the point. The point here is, as the Clerk has said, we need to start this discussion, look at what the County's already doing and try to look in a global picture what can we tackle?

So I think I'd like to commend both of us for kind of letting go of ownership of these submitted articles and rather moving towards a process where the legislation is developed by the group rather than just one person at home writing it. I think this is a much better model for what do we want to include; where do we agree; where do we find that consensus that Delegate McCutcheon's talking about and let's build that. Then we put that into an ordinance so.

Speaker MCAULIFFE: Okay. Thank you. Yes.

Delegate O'MALLEY: I have another piece. It's not a committee but Human Rights.

Speaker MCAULIFFE: Oh yes, okay. Yes.

Delegate O'MALLEY: I did attend, and I left my notes home. I did attend the meeting of the Human Rights Advisory Commission last week, and I want to just bring everybody up to date a little bit.

We have a new Coordinator for the Human Rights Advisory Commission, that's Deb Battles with a M.Ed. degree. Deb came on in mid-July. She actually has an office -- I believe it's

in the old Sheriff's building and has been getting that together.

And very clearly the direction has been in establishing communications to all of the community links that are critical to the work of the Human Rights Advisory Commission to do their programs, the Human Rights Day breakfast on December 10; the Human Rights things that the schools -- all the local schools do in the spring and the other reach outs.

So I'm pretty pleased to see -- oh, and the body has adopted both a clearly defined process for recruiting new members, is working with the Human Services department, their Advisory Council which actually makes the recommendations to the Board of Regional Commissioners, and has developed a job description for the position of Human Rights Advisory Council members.

So there's a lot of progress, but the thing has really regained its footing and is seeking new members at this point, and I would point out that anybody in this body should consider whether their town has somebody. There's no longer a town body but certainly for another few weeks, I mean it's only another couple weeks, there are positions open. I think those -- that closes on October 11 if I'm not mistaken. So we should see a fully reconstituted Human Rights Advisory Commission within the next month or so.

Speaker MCAULIFFE: Excellent. Delegate Zuern.

Delegate ZUERN: Thank you, Madam Speaker. I just have a question about people who want to apply for that, who do they apply to? Where do they send that application? Is it Jack Yunits or is it the Human Rights Director?

Delegate O'MALLEY: It's the Human Rights Coordinator.

Delegate ZUERN: And it is on the website?

Delegate O'MALLEY: It's on the website.

Delegate ZUERN: Okay. Thank you.

Delegate O'MALLEY: Yes. I'm sorry.

Speaker MCAULIFFE: Delegate Moran, did you want to just give a three minute/30-second capsule on the Recall Committee? You don't have your minutes, but I just didn't know if you wanted -- you've met twice.

Deputy Speaker MORAN: Right. So we are proceeding with more procedural questions at this point in terms of developing substantive changes because it was the, I think, the consensus of the committee that cost was important, timing was important, what sort of process should we be looking at whether, you know, it's an election, a petition, working with a legislator, what voters would have to do. And so we invited Attorney Troy here today to answer some of those questions, and he was able to go through maybe about a third of it.

And a couple of the things that are being considered include, for example, what is, you know, what is the interaction between Charter Review involving recall whether it's a recall of Assembly member or of a Commissioner along a comparative line with the restructuring of the government.

So, for example, if this body and the Charter Review were to suggest or decide that there should be five Commissioners rather than three or zero rather than three, how would that affect the recall process?

And Attorney Troy opined today that there could be a separation so that the voters would not be given a confusing choice of, you know, well, if I'm going to say zero Commissioners, then why am I voting on a recall provision of Commissioners? And the determination that was suggested today is that there is a process for separating recall that can be entirely within the Assembly and then sent to the legislature. And so it could be that the committee might review

separating the process and what that means. But we do need more information from Attorney Troy which he'll be in an upcoming meeting and this will all be coming as well to the Assembly, you know, soon enough.

Speaker MCAULIFFE: Thank you. It's impressive to have several legal minds in that group and just watch how the detail and the depth of the nuances of the thinking and the discussions. It's an impressive meeting to watch.

Deputy Speaker MORAN: And if I might along those lines, just that I have to thank the entire committee who have done a lot of research.

Speaker MCAULIFFE: Research and homework.

Deputy Speaker MORAN: We have a couple of lawyers; we've got a couple of policy and political gurus, and it is a very dynamic committee, and I'm just really grateful to be a part of that. Thank you, all.

Speaker MCAULIFFE: Thank you. All right.

Speaker MCAULIFFE: Oh, sorry. Delegate Harder.

Delegate HARDER: Just one thing I wanted to mention back to Mr. O'Malley's point. The new Human Rights Coordinator was at the Cape Women's Coalition event last night and announced as of last night there were two open seats so.

Speaker MCAULIFFE: Oh, wonderful. That is such a difference from being able to field a quorum and having several openings and just feeling like they were adrift to now. It looks like there may be competition for seats which is great. It might be an interesting predicament.

Summary Report from the Clerk

- **Delegates mileage logs submitted for review and signatures**
- **Invitation delivered to Assembly Delegates to a Tales of the Cod event on 9/27/19 @ 5 p.m. at the Olde Colonial Courthouse in Barnstable**
- **Copy of Barnstable County 2019 September Report distributed**

Speaker MCAULIFFE: All right. Report from the Clerk.

Clerk O'CONNELL: Thank you, Madam Speaker, a few items today. First, you should have found the mileage logs in your folder that are located at the back of the room. If you will kindly review those, sign them, and return them to me before the end of the meeting today or at the end of the meeting.

And, also, in the folder I placed an invitation to a Tales of the Cod event. I think I also sent that to you electronically. That's on September 27 at 5 p.m. at the Olde Colonial Courthouse. It's all in conjunction with the Barnstable County Independence Day celebration. So you may want to take a look at that. You've been personally invited by the President of Tale of the Cods.

And, also, I think probably under "Other Business," Delegate Chaffee may mention the event that she attended with Jack yesterday it might've been. But how these ties into my report is I was asked to place a copy of a report, if you will, on County activities into your folder, and Mary's going to be suggesting a few tweaks to a few things in the report that need correcting. And one of the things -- I don't want anybody getting upset -- but the picture that's featured of the Assembly is missing the names of a row of individuals. So we'll get that fixed and corrected so nobody feels left out of the picture, not literally but --

And that's all I have to report today.

Summary of Other Business

- **Delegate O'Malley expressed interest and consideration in the use of the term Cape Cod Regional Government versus Barnstable County government**
- **Speaker McAuliffe restated that Assembly meetings, all committee meetings and subcommittee meetings are subject to the alternative meeting posting location for meetings of public bodies, the county government webpage, as approved by the Attorney General's Office and adopted by the Assembly in April 2014 and duly noted on future agendas**
- **Speaker McAuliffe inquired as to what process, scheduling, format and documents the Assembly Delegates would like to receive for the upcoming FY21 proposed budget review cycle**
- **Speaker asked Charter Review Committee members to prepare and review Charter Section 3 for the next committee meeting**
- **Consensus of Assembly Delegates to support letter being prepared by Department of Health & Environment Director Sean O'Brien stating his concerns regarding the decommissioning process at the Pilgrim Nuclear Power Plant**

Speaker MCAULIFFE: Yes, Delegate O'Malley.

Delegate O'MALLEY: Madam Speaker, there was an element that came up in counsel Troy's presentation that I think is at least worth mentioning to the greater body, and it is that he suggests that we should consider along the line dropping the name "Barnstable County." He points out that there are no more counties. The counties were a vestigial remnant that were run by three County Commissioners in every case where they exist at all. And that the term "Cape Cod Regional Government" is the one --

Speaker MCAULIFFE: The correct term.

Delegate O'MALLEY: -- that was selected by the legislature that was approved and that, in fact, is a more apt definition. I have no particular proposal right now, but I thought it was extremely interesting what he had to say about that and really quite clear that Barnstable County doesn't really cut it as a name. So, I'm going to throw that out as let that work.

Speaker MCAULIFFE: No, I think that's a great agenda item for the future because a lot of times people will say, "Well, in Plymouth County they do this" or in this County and that's fine, but we aren't governed by the same rules that an actual County is because we are a Regional Government, not technically a County. So it's settled in its nuance in that we saw that with the appeal for legislation as well that we were being lumped in with counties because that was what they were asking for. It was congruent with what we were asking for, but it wasn't necessarily -- we weren't -- it wasn't all apples to apples. So it's a good discussion to have.

Deputy Speaker MORAN: One more.

Speaker MCAULIFFE: Yes, I just wanted to do my "Other Business" -- oh, I'm sorry.

Delegate POTASH: Okay. When I listened to the Commissioners' meetings, they take great pains to say Regional Government all the time.

Speaker MCAULIFFE: Right.

Delegate POTASH: So they don't seem to --

Speaker MCAULIFFE: Maybe we should correct our language, yes.

Delegate POTASH: They don't seem to misstate that way.

Speaker MCAULIFFE: I try and do it at the beginning of our meetings, say

"Cape Cod Regional Government."

Delegate POTASH: Right, yes.

Speaker MCAULIFFE: But then I'll say, "We're in the Barnstable County Complex" which kind of negates the whole thing. So we'll maybe just be aware of how we're addressing this body, the governmental body.

Speaker MCAULIFFE: Yes, Delegate Green.

Delegate GREEN: Are we on "Other Business"?

Speaker MCAULIFFE: Not yet.

Delegate GREEN: Oh, sorry.

Speaker MCAULIFFE: Although we were, I just had two quick things. (Laughter.) Two quick things and then we'll get back to "Other Business."

Delegate GREEN: Sorry about that.

Speaker MCAULIFFE: No, no, that's all right. It's all "Other Business."

The first item is I wanted to put on the record an update on alternative posting locations of notice for public bodies. We don't want to be called on not posting notices appropriately and it's not the issue of the Assembly, but this also covers all committees of the Assembly.

So even though we are covered for the Assembly, this, also, just by stating this at the meeting will now cover any committees of the Assembly.

So our alternative posting site is the website for the Cape Cod Regional Government, just so that's official. It's officially for the Assembly, but we want to make it official for all committees of the Assembly.

Clerk O'CONNELL: And that's what the Attorney General's Office officially recognizes.

Speaker MCAULIFFE: Yes, that's what they recog --

Clerk O'CONNELL: -- the website as the go-to place for our meetings and notices as the parent body and any committee, subcommittees, etcetera, that applies to them as well.

So as a courtesy, we'll post a notice on the bulletin board. I have one on the office door, but the official go-to place, and the AG has approved that back in 2014, is the website.

Deputy Speaker MORAN: Madam Speaker.

Speaker MCAULIFFE: Yes, Delegate Moran.

Deputy Speaker MORAN: With respect to that, I just wanted to request that the Clerk on the prepared agendas list that and so that could be incorporated into the meeting that it's a good practice to state during a meeting. So if we actually have it on the agenda, it would be a good reminder for me, I'll tell you.

Thank you.

Speaker MCAULIFFE: And then I'm drawing a bit of a blank on the next item, but I have something to say and then you can tell me why I put it on the agenda.

I think in terms of the upcoming budget review, there's one thing that I am very much a stickler about and I know a lot of -- most Assembly members feel this way too, that preparation for a meeting to deal with things, we really do need materials ahead of our meetings in order to be able to read them, digest them, look at them, understand them.

So going forward for the budget review, I would like to officially request of all people coming before us that we receive materials prior -- the Friday prior to our meetings with our packets so that we can have a chance to look at things and not just be doing it on the fly at the meeting.

Was there something else I had for that too?

Clerk O'CONNELL: Yes, we really do try in advance. Once the Speaker starts to make a determination of what the agenda is going to look like, I do try to reach out as soon as possible to department heads and anyone coming in because no one wants short notice. You don't want to hear from me on Thursday that I need this Friday for the packet. So we really try to do that far enough in advance and sometimes it works and sometimes it does not.

But the other driver for this item on the agenda is the fact that the Finance Director was in when she had her initial introduction with the Assembly -- I guess it was probably well over a month now and mentioned the fact that she was going to want information from me/from you regarding what you want for the budget process.

Now I know you think that maybe that's far away, but it really isn't. We were told at a department head meeting that we're going to start to have to think about and develop our budgets in October. We will submit them in November. They'll start to pull all that information together in December, and then off it goes to the Commissioners during that January process.

So you know what comes on the heels of that and that is how you all are going to deal with the budget. So it's very helpful for me and for them to know do you want to stick with the structure that you used last year that's coming before the full Assembly?

With that being said, do you want to continue to receive -- I think last year we got them in advance and we got them all at once for all departments versus getting them piecemeal through the budget review process, all the personnel schedules so that you can see what the positions are, the benefit cost, and that, of course, would directly tie to the budget that they're submitting.

Now I think last year we received I want to say, I don't want to call it condensed or abbreviated but a roll-up version of the budget numbers, salaries, one figure that tied back to the information on the sheets. But sometimes there's also an opportunity to get a breakdown because that's how I keep track of the numbers for our budget. If I have Professional Services, well, I know that's the cost of the transcriptionist and there may be a few other items listed but it rolls up to one number. So she's going to want to know how much detail you want in that budget process that's going to come forward to you. And I guess it's a fair question that she had.

So I don't know what you're willing or able to commit to by way of a yes right now; we know we want these three things and we'll think about whether we want more detail. I think she sort of mentioned it a little bit today in her presentation you've asked for more detail related to revenues versus we're going to get \$4 million in revenue. Well, what's the breakdown? What's the intergovernmental breakdown of that anticipated revenue, and those opportunities exist in the budget document to get more information. She just doesn't know how much of that detail you're going to want. So I hope I kind of explained --

Speaker MCAULIFFE: Yes, no, that was what we -- no, that's what we had talked about. We had talked about we need enough information to be able to feel that we are on top of the budgets, and also as Delegate Kanaga said, and so that we can actually tie things together. And that was a little bit of, well, this number is this number and how does that meld in for me, or what did you budget last year? What did you spend and how does that compare to this year? I don't want to have numbers that are floating out there that don't have any connection.

So think about it. If there's something your town does or your Finance Committee does or that your school district does or that you're familiar with in a business, certainly bring it forward because as we -- as they bring out their budgets, we can certainly say early on while you're doing your budget can you please give us a little more detail.

Yes, Delegate O'Malley.

Delegate O'MALLEY: I'm certainly not a budget maven. I'm really not the person to be addressing this but very clearly when I approach a budget, and I think we all do, the thing we want detail on is where the numbers have changed greatly.

Speaker MCAULIFFE: Right.

Delegate O'MALLEY: I mean we're not managing these departments. If their expenses are stable one year to the next, fine. But if there's a big jump, I think every one of us looks at that and says, "Oh, what happened here?"

So that's a pretty crude guideline but clearly that's a place to go.

Speaker MCAULIFFE: I think differences are crucial. But I go back to 16 years of marbling contract raises into a regional school budget, and you do that by putting in, because you don't want to tip your hand on how much money you have for contract negotiations, and so you marble and you put things in where there may not be noticed or they may not cause red flags. So if something's coming off, you might slip it into there, like debts coming down. You might slip it into someplace else.

So I'm just saying, the obvious is yes; big increases/big decreases but also just a general understanding of, well, this is how the expenses were going, but wait a minute, you lost a person last year and your budget's the same this year. You just -- the kind of detail that you want so that you feel like you have a good understanding, not that anybody's trying to slip anything by you and, believe me, we weren't trying to do anything nefarious. We were just trying to not come up 4 percent short at the end of the year, whatever, you know, the contract negotiations were.

So, at any rate, if anybody has a particular -- we'll certainly -- I think she's getting the idea that we need a little bit more information rather than less.

And on a general topic, is everyone wanting to go forward with the same process that we did last year?

The DELEGATES: Yes.

Speaker MCAULIFFE: Yes. That was -- so that is we are going to go forward -- and I just said that today assuming we were going to, but I didn't hear any negative last year.

So we'll go forward with the full group and you can tell the Finance Director that we would like breakdowns in detail, not only in changes but also in some of the things that we asked for today in terms of --

Clerk O'CONNELL: Revenues I think was --

Speaker MCAULIFFE: Yes. Revenues --

Clerk O'CONNELL: How about an annual comparison?

Speaker MCAULIFFE: Yes.

Clerk O'CONNELL: Do you want a two year/three year? If you're going to be establishing an FY21 budget, you know, you can look at '20 but '20's not going to be finished. So you're going to have proposed for FY21, '20 snapshot, here's where you're at right now.

Speaker MCAULIFFE: Yes.

Clerk O'CONNELL: Do you want to also look back at '19 and '18?

Speaker MCAULIFFE: One of the things we used to do was we used to do two budgets back proposed and final so that you knew what was -- what the proposed budget was and what the final budget was.

Then the next year that you're in is the proposed and you don't have the final numbers for that. And then the fifth column was what you were asking for this year. It's a little open ended and a little loose but it gives you an idea of two years of requests, one year of how it worked out,

and then, you know, as you said a snapshot. But sometimes you only get three quarters of a year in that snapshot but something to that -- along those lines. They may have a better idea too.

Yes, Delegate Moran.

Deputy Speaker MORAN: Thank you. One of -- I think where there were opportunities to have sort of a narrative overview of big things to look at, in other words, big changes, I think that was very helpful.

Speaker MCAULIFFE: Yes.

Deputy Speaker MORAN: So you could kind of, you know, you got an idea of what the department head thought was important, and it gives department heads an opportunity to really shine in terms of their own management and for their whole department so they can kind of talk about changes they implemented or, you know, good news or, you know, --

Speaker MCAULIFFE: Sort of an executive summary on their budget, yes.

Deputy Speaker MORAN: That was helpful.

Clerk O'CONNELL: Just to keep with that, many of these things are exactly what you did last year. It's just wanting to, you know, recertify that.

Speaker MCAULIFFE: And by Charter, I think its 30 days before we're supposed to have a Capital Budget and Capital Plan. So perhaps if they could --

Clerk O'CONNELL: And a budget transmittal letter.

Speaker MCAULIFFE: Yes.

Clerk O'CONNELL: Yes.

Speaker MCAULIFFE: Yes. If we could kind of stick to the Charter, I would like that. I'm kind of a stickler. I know, sanctimonious I've been called. Anything else on the budget?

Okay. And then I had one other item. For our next meeting, we're going to be doing some Charter Review. So if you would just look at the language in the section about the Commissioners just to kind of look at it, get it in your heads because that's one of the things I want to talk about at the next Charter Review.

Delegate Green.

Delegate GREEN: Thank you. I would like to go back to an issue that was raised earlier by Mr. Yunits and that is the NRC. And I don't know if it's appropriate to make a motion for the - - or we discuss it first, but I'd like to make a motion for us to authorize the Speaker to write a letter to the NRC and copy all of the appropriate stakeholders expressing our concerns that go along with the department heads' concerns.

Speaker MCAULIFFE: Supporting Sean.

Delegate GREEN: Sean O'Brien.

Speaker MCAULIFFE: Sean O'Brien's concerns.

Clerk O'CONNELL: Consensus.

Speaker MCAULIFFE: Consensus. We can do consensus and then it won't be an agendaed vote. So we have consensus for that?

Yes, okay.

Clerk O'CONNELL: And once that's structured and done, I guess I can send a copy out to the Delegates once that's kind of completed.

Speaker MCAULIFFE: Yes.

Clerk O'CONNELL: Which I guess has to be within the next 10 days.

Speaker MCAULIFFE: Yes.

Clerk O'CONNELL: Based on what Jack said.

Speaker MCAULIFFE: Yes. So is there a hearing that O'Brien's going to; is that what it is, the 10 days? Or is it maybe just a 10-day comment period?

Clerk O'CONNELL: Yes, I'll touch base with Jack and Sean and --

Speaker MCAULIFFE: Right and put the --

Clerk O'CONNELL: -- make sure that --

Speaker MCAULIFFE: -- put the weight of the Assembly.

Clerk O'CONNELL: -- it's consistent language.

Speaker MCAULIFFE: Yes.

Delegate GREEN: May I?

Speaker MCAULIFFE: Yes, Delegate Green.

Delegate GREEN: And on a more -- on a less serious note, I was wondering if something could be done with the seating of Delegate Killion and myself? We're sort of in the corner. I mean he's like -- he has one leg on either side of one of these posts. And my chair lined up with --

Delegate KANAGA: Why can't they just switch with somebody if they don't like that seat?

Speaker MCAULIFFE: They could but we just have to do the electronics to follow them. Yes, Delegate Potash.

Delegate POTASH: I don't mind.

Speaker MCAULIFFE: Oh, okay. Delegate Potash said she'd switch. Delegate Killion do you have a need to switch?

Delegate KILLION: I'm okay.

Speaker MCAULIFFE: Okay.

Clerk O'CONNELL: All right. We'll get that worked out.

Speaker MCAULIFFE: We'll get that worked out. Delegate Potash will switch.

Delegate GREEN: Thank you.

Delegate McCutcheon: Motion to adjourn.

Deputy Speaker MORAN: Second.

Speaker MCAULIFFE: Yes, there's a motion to adjourn, second. We're adjourned.

Thank you, very much.

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

Submitted by:

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

List of List of materials used at the meeting:

- **Business Calendar of 9/18/19**

- **Unapproved Journal of Proceedings of 9/4/19**
- **Proposed Ordinance 19-15: FY20 Dredge Supplemental Budget submitted by Commissioners**
- **FYE19 balance sheet for county and the dredge**
- **FYE19 county revenues and expenses budget to actual report**
- **Standing Committee on Government Regulations draft meeting minutes of 9/4/19**
- **Invitation to event from Tales of the Cod**
- **Email from Attorney General’s Office to Clerk dated 9/6/19 regarding alternative posting locations regarding meetings of public bodies**
- **Barnstable County September 2019 Report**