

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 - November 6, 2019

Call to Order

Speaker MCAULIFFE: I'm calling to order the meeting of the Cape Cod Regional Government, Assembly of Delegates. It's 4:30 p.m. on Wednesday, November 6th, 2019. We are in a slight delay because we have some members absent and we needed to wait for a quorum. So, it is a 4:30 start.

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

(Moment of silence.)

Speaker MCAULIFFE: Thank you.

Please rise for the Pledge of Allegiance.

(Pledge of Allegiance.)

Speaker MCAULIFFE: Thank you.

Roll Call Attendance

Present (70.12%): Mary Chaffee (4.55% - Brewster), J. Terence Gallagher (2.30% - Eastham), Elizabeth Harder (5.67% - Harwich), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), E. Suzanne McAuliffe (11.02%-Yarmouth), Brian O'Malley (1.36% - Provincetown), Randi Potash (2.84% - Chatham), Patrick Princi (20.92% - Barnstable), Linda Zuern (9.15% - Bourne).

Absent (29.88%): Lilli-Ann Green - (1.27% - Wellfleet), Deborah McCutcheon (0.93% - Truro), Susan Moran (14.61% - Falmouth), Thomas O'Hara (6.49% - Mashpee), John Ohman (6.58% - Dennis).

Clerk O'CONNELL: Madam Speaker, you now have a quorum with 70.12 percent of the Delegates present; 29.88 percent are absent.

Speaker MCAULIFFE: Thank you.

Approval of the Calendar of Business

Speaker MCAULIFFE: I'll take a motion to approve the Calendar of Business.

Delegate CHAFFEE: So, moved.

Delegate HARDER: Second.

Speaker MCAULIFFE: Any discussion? All those -- we don't have anyone calling in, right?

Clerk O'CONNELL: Right.

Speaker MCAULIFFE: So, we'll do a regular voice call. All those in favor? Aye. Any opposed? **It passes unanimously.**

Approval of the Journal of Proceedings of 10/16/18

Speaker MCAULIFFE: And then I'll take a motion for approval of the Journal of October 16, 2019.

Delegate O'MALLEY: Madam Speaker, move to approve as distributed the Journal

of October 16, 2019.

Speaker MCAULIFFE: Is there a second?

Delegate POTASH: Second.

Speaker MCAULIFFE: Any discussion? All those in favor? Aye. Opposed?
Abstained? All right. **That passes unanimously.**

Summary of Communications from the Board of Regional Commissioners

- **Commissioner Bergstrom updated delegates on board actions of October 30th and November 6th**
- **Proposed Ordinances 19-17 FY20 Supplemental Operating Budget & 19-18 rescind Authorized Debt were submitted to the Assembly**
- **Commissioners authorized the transfer of approximately 6.7 million dollars from General Fund Unreserved Fund Balance to the Capital Fund
Commissioners voted to rename the County Fire Rescue Training Academy and the Cape Cod Municipal Police Academy to the Cape Cod Public Safety Training Center**
- **Barnstable County Climate Action Plan emailed to Delegates by the Clerk**
- **Grants Report was forwarded to the Delegates by the Clerk**

Speaker MCAULIFFE: Communication from the Board of Regional Commissioners.
How fast can we go?

Commissioner RONALD BERGSTROM: We met, we voted, we adjourned.

Speaker MCAULIFFE: And we're done.

Commissioner RONALD BERGSTROM: Okay. We just had two meetings since the last time I talked to you, the October 30th and, again, this afternoon.

The October 30th meeting was taken up by a lot of fiscal housekeeping which was a culmination of a lot of hard work by our finance director and treasurer and Jack looking back in the books and correcting some procedures that were somewhat different than what should've been done.

We had a small -- we had one that was \$215,000 to pay, basically, some additional expenses that were unanticipated, you know, things: electrical chargers, equipment maintenance, so on and so forth, facilities improvements, EVI charging equipment, which we're going to have here for the cars. And so that was taken from Unreserved Fund balance, so that amounted to \$215,000.

Then we rescinded -- authorized an Unissued Debt appropriation for the amount of \$2,276,000. That's pretty much as it's described. We authorized some debt, but we never issued the debt. So, we rescinded the authorization.

Then we come to an item of \$6,786,450 from the General Fund Unreserved Fund Balance to the Capital Fund. And what happened here is that we would take on capital expenditures for which we were going to be reimbursed. But when we were reimbursed for those expenditures, the reimbursement went into the General Fund rather than the Capital Fund to go against the debt.

So, we're going back many years and it took a lot of work. Glad I didn't have to do it. We decided that we would transfer the \$6 million from the General Fund to the Capital Fund to -- so that would give an accurate picture of the debt that we incurred. You know, for instance, if we fixed a roof over at the courthouse, the state would reimburse us. We had borrowed for the

money, but we put the money back in the General Fund. So that's the derivation of that \$6 million going back several years.

If you need more information, you have to ask Jack because he's the one that did this. And like I say, it was a lot of work and it took quite a while to go back over those small --

Speaker MCAULIFFE: Now are we made whole on this because I know the figure floating around was 8 million, then 7 million, and there was talk of bonding. And now the fact that you've got it because of reimbursements, are we made whole then or do we still have a debt that we owe ourselves? Jack is there.

Administrator JACK YUNITS: Madam Speaker, the number's close to 9 million.

Speaker MCAULIFFE: Okay.

Administrator JACK YUNITS: You have two -- one is not an order; it's a transfer and that's the \$6 million that the chairman was just talking about. And the other was a rescission.

Speaker MCAULIFFE: Okay.

Administrator JACK YUNITS: So that makes us completely whole.

Speaker MCAULIFFE: Okay.

Administrator JACK YUNITS: There will be more talk of deficits in this county.

Speaker MCAULIFFE: Great.

Administrator JACK YUNITS: And it came out of our reserve accounts.

Commissioner RONALD BERGSTROM: So that was the rescission we had just talked about and the transfer from the General Fund. So now we go forward like a normal organization; we borrow money and we put it on debt.

Speaker MCAULIFFE: Great, great because I know we were anticipating having to borrow a couple of years ago. We worked on getting our bond rating up and all these, so we won't be borrowing going forward on that issue, perhaps on other issues.

Administrator JACK YUNITS: That's correct. Yes.

Speaker MCAULIFFE: Okay.

Commissioner RONALD BERGSTROM: Okay. And then we authorized the approval of transfer of funds in the amount of twenty million -- \$20,000 for the Massachusetts Electrical Incentive Program Grant Fund, and we'll talk about some of these when I describe today's meeting. But we're going ahead on a lot of energy savings initiatives and, hopefully, they'll come to fruition not too soon.

The other two just housekeeping, dissolving septic betterments and so on.

So now we go to today's meeting and we had a presentation on the County Fire Rescue Training Academy and the Cape Cod Municipal Police Academy. The police academy, as you know, is up and running, and we're going to graduate the class this late November. I think it's the 22nd or 28th?

Administrator JACK YUNITS: The 22nd.

Commissioner RONALD BERGSTROM: The 22nd, on the 22nd they'll have their first graduating class. And it's been, I would say, a success, you know, and most of them, not all of them, most of them are from the Cape and have Cape ties. So, it's a good service that we provide.

The Fire Training Academy, we still have classes up in Barnstable. We don't do any actual training. We have spent -- we purchased a mobile unit that we can do fire suppression which was originally intended, as you probably know, we're going over old ground here but, originally, intended to be located at the Fire Training Academy, but now it can be trailered to the

various fire departments and they can do the training right there.

So, and we had authorized \$700,000 for a burn building. We haven't got a place to put it yet, but negotiations are underway to, hopefully, with the base but, if not, we'll have an alternative location.

I pressed -- what's the name -- I forget his name; I'm bad with names now, the head of the fire training academy?

Administrator JACK YUNITS: I don't think this will come as a surprise to anybody, but the Barnstable County Fire Training Academy has a certain stigma attached to it now. And because we've merged with public safety in terms of the police and EMS, we've changed the name. The Commissioners voted to change the name today to Cape Cod Public Safety Training Center.

Commissioner RONALD BERGSTROM: So, I pushed him on -- the department head -- who's the department head there? What's his name?

Administrator JACK YUNITS: Phil Burt.

Commissioner RONALD BERGSTROM: Phil Burt. I pushed Phil Burt on the timeframe for here, and he said that currently we're under negotiations with the base and other locations. So, he's hoping that maybe by the summer we can have something concrete on that.

Do you have anything to add to that?

Administrator JACK YUNITS: And in the future too, you should all know that it's strictly a propane fire, which can be turned on and shut off by a switch. There will be no more of the traditional fires.

So that if it does come into your town, you don't have to worry about any stigmas attached to the mobile training prop. And the fire training burn building prop that the chairman just referenced was in partnership with the Town of Provincetown. That's the one we're looking for a location for.

Speaker MCAULIFFE: Okay.

Commissioner RONALD BERGSTROM: Okay. That pretty much -- oh, and then we had a discussion on a proposed Barnstable County Climate Action Plan, and this actually comes from some initiatives from this body of the Assembly over the last few months suggesting that we have a countywide action plan on climate change and mitigating the effects of climate change. I don't have it with me, but it's quite a packet, and we're hoping that an ordinance will come out of the Assembly so that we can look at it and approve and get back to you.

So that's pretty much what -- oh, I should say that we've done a lot in that regard with authorizing solar panels. We're putting up charging stations. We're purchasing electric vehicles, which I think we mentioned at the last meeting. So that's where we're going with that.

What else? Once again, we have grants that we get and some matching funds and some not, and I hope all of you got or have access to the profiles we talked about. Remember we talked about it at the last meeting and said, well, here they are, and they keep coming in. Some of them are recurring, you know, regularly and some are new. We're going to do a market development to diversify shellfish agricultural products in Massachusetts. So, I guess that's promoting the local shellfish and maybe looking for alternative species.

And then \$20,000 in funding for work on a project entitled, "Implementation and Advancement of Sea Grant Visioning Efforts," and you can read into that, whatever it is.

And that is pretty much what we did today. I don't know if you have anything to add to

that, Jack?

Administrator JACK YUNITS: No, I will say that Elizabeth Braccia will be forwarding to you all a more detailed explanation on the deficit financing so you have something to look at before your next meeting, as well as more background information and the two ordinances that you have before you.

Speaker MCAULIFFE: Okay. So, you'll be submitting two ordinances, and then our next meeting we will have -- because we have a postponement of our agenda item for the next meeting.

We'll have room to have the hearings. And I think a couple of these are time sensitive, particularly some of the energy efficiency things. So that's why we wanted to try and get these hearings and perhaps voted on at our November 20th meeting.

Commissioner RONALD BERGSTROM: Okay. Are there any questions? I can take them.

Speaker MCAULIFFE: Any questions from anybody? Yes, Delegate Zuern.

Delegate ZUERN: Thank you, Madam Speaker. It's not so much a question but just a comment on the climate change. I hope that within that packet you're saying that climate change has been happening since the beginning of time, that it's not something recent. And also, that there's an educational component to that so that both sides are given, or as new information comes up that that is related or part of the education that we get.

Commissioner RONALD BERGSTROM: Yes, I think -- I think what we're dealing, I mean, we can look forward a thousand years, but what we're dealing with right now is the immediate effects of climate change no matter how temporary or how long-term it is, we know that the beaches are eroding, for instance, and we know that some forms of energy are more polluting than others. And we're just trying to get the County in line with overall efforts to reduce our carbon footprint and produce cleaner energy and do things like that.

So, I don't think we're really getting into the general climate change debate. I think we're just dealing with facts on the ground right now.

Delegate ZUERN: Well, when you just said, "carbon footprint," that is part of the debate.

Administrator JACK YUNITS: Yes, again, the County's role is not to politicize our reaction.

Commissioner RONALD BERGSTROM: Yes.

Administrator JACK YUNITS: Our role is to work with the dynamics that get presented to us through data. And as the chairman said, that will be dredging, coastal resiliency programs, monitoring soft spots where rising waters are, you know, inundating certain roadways that never were inundated before like Route 6A in Brewster. And that's the kind of thing we deal with here. We don't get political at all in that --

Commissioner RONALD BERGSTROM: And one thing I should say is that there's an economic element to this because, for instance, in the fisheries some fish are disappearing from the sea because of the warming oceans, however temporary that is, but nonetheless fish and lobster and shellfish populations are migrating and that could affect us, you know, as a region so that we have to think about that.

So, anyway, that's what we're going to do. And I have to say, Linda, that you guys are going to produce the ordinance so you can decide what's in it, okay?

Delegate ZUERN: Thank you.

Speaker MCAULIFFE: Anyone else? Okay. Oh, yes, Delegate Chaffee.

Delegate CHAFFEE: I just want to say thank you for the efforts that you've undertaken to address climate change even without an ordinance just based on the conversation we started here.

I think it also demonstrates a real partnership between the two branches of government in Barnstable County.

Thank you.

Commissioner RONALD BERGSTROM: Have you seen a copy of the Climate Action Plan that was given to us this morning?

Speaker MCAULIFFE: Not yet.

Commissioner RONALD BERGSTROM: No.

Speaker MCAULIFFE: No, but we will -- if it was given to you this morning, that means it will be coming to us. Yes, so we will get that.

Commissioner RONALD BERGSTROM: Okay. It's not something we took a vote on. It's just something to review for your --

Speaker MCAULIFFE: Right, right. And in response to the committee that met on the two ordinances asking for more information on what the county -- the status of the county in certain energy efficiency areas.

Delegate O'MALLEY: So where are we -- where are we with that plan? Will that be distributed?

Speaker MCAULIFFE: There is a plan that was submitted to the Commissioners today that will be coming to us.

Delegate O'MALLEY: Come to us. Thank you.

Delegate HARDER: Excellent.

Commissioner RONALD BERGSTROM: But it's not -- well, I would say it's coming through. It's not for you to vote on.

Speaker MCAULIFFE: No.

Commissioner RONALD BERGSTROM: It's for your edification.

Speaker MCAULIFFE: It's an informational --

Commissioner RONALD BERGSTROM: Informational, yes.

Speaker MCAULIFFE: It's informational, yes. That's what we wanted was kind of a snapshot.

Administrator JACK YUNITS: But I think originally that when you presented us with this challenge, the objective was to say, well, okay, what is the county focusing on to deal with these problems?

Speaker MCAULIFFE: Yes.

Administrator JACK YUNITS: And that's where we got -- we gave you a synopsis. I think there were 25 items.

Clerk O'CONNELL: Yes.

Delegate O'MALLEY: Great.

Administrator JACK YUNITS: With different departments are doing different things regarding the impact of rising waters mostly.

Clerk O'CONNELL: The Delegates got that. I emailed that --

Speaker MCAULIFFE: Yes, no, we did get that so.

Delegate HARDER: Yes.

Speaker MCAULIFFE: By email, okay. Thank you.

Speaker MCAULIFFE: No communications from public officials. No communications from members of the public.

Assembly Convenes

Speaker MCAULIFFE: I will convene the Assembly.

Committee Reports

I don't believe we have Committee Reports. I know Human Rights didn't meet. Anyone else have a committee report?

Report from the Clerk

Speaker MCAULIFFE: All right. Report from the Clerk.

Clerk O'CONNELL: Nothing pressing. It can wait until the next meeting.

Summary of Other Business

- **Commissioners FY21 Budget Message distributed in meeting packet to Delegates**
- **Assembly FY21 budget development under way and will include a line item for Assembly legal services**
- **Delegate Zuern reported that the Town of Bourne appropriated \$900,000 to purchase some county owned land in Bourne**
- **Delegate Potash submitted Proposed Resolution 19-04 related to a violation of the Code of Conduct by Commissioner Beaty**

Speaker MCAULIFFE: Okay. Under "Other Business," there's a Commissioners' FY21 Budget Message that was sent to everyone. These are guidelines or a philosophy or a structure for the development of the budgets going forward that are going to be submitted to the County. And these are kind of a template for going -- how their thinking is when they're putting together their budget for this year. And then when we get the budget, we will ask for kind of a general summary, an executive summary, if you will, of the actual budget. So, this is the sort of the marching orders. Okay.

The other item on the agenda is "Assembly Legal Services." A couple of years ago we had legal services as a line item in the Assembly budget, and then it was taken out and our legal services were then through the County.

So, this year we've decided that to put the Legal Services line item back into the Assembly Budget so that we can kind of track and follow the Assembly's expenses relative to legal services.

So, we'll go back and look at what our history's been over the last few years and then pull together what should be a reasonable amount for legal services.

So that's what I want to say about that. Anybody else have anything?

Yes, Delegate Zuern.

Delegate ZUERN: Probably not under a committee report but the Town of Bourne did vote at the Town Meeting to appropriate \$900,000 for the purchase of the Barnstable County land

in Bourne.

Speaker MCAULIFFE: Yes, excellent.

Delegate ZUERN: Just to let you know.

Speaker MCAULIFFE: Yes, and Delegate Potash.

Delegate POTASH: I have a Proposed Resolution to submit for your consideration at a future date and time.

Speaker MCAULIFFE: Okay.

Delegate POTASH: Do you want me to pass it in now?

Speaker MCAULIFFE: Sure. Yes, just pass it in and we'll put it on a future agenda.

Okay. If there's no other business, **I'll take a motion to adjourn.**

Delegate CHAFFEE: So moved.

Delegate KANAGA: Second.

Speaker MCAULIFFE: Okay. All in favor? Aye.

Speaker MCAULIFFE: We are adjourned.

Whereupon, it was moved and seconded to adjourn the Assembly of Delegates at 4:50 p.m.

Submitted by:

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

List of materials used at the meeting:

- **Business Calendar 11/6/19**
- **Unapproved Journal of Proceedings 10/16/19**
- **Proposed Ordinance 19-17 submitted by Commissioners**
- **Proposed Ordinance 19-18 submitted by Commissioners**
- **Commissioners FY21 Budget Message**
- **Assembly reference: Proposed Ordinance 13-06, Finance Committee Report 6/5/13, Journal of 6/19/13, Proposed Ordinance 13-07, Finance Committee Report 8/7/13, Journal of 8/21/13, and Ordinance 13-05**
- **Proposed Resolution 19-04 with attachments A.1 through A.14 submitted by Delegate Potash**