

Special Commission on County Governance

Wednesday, January 25, 2012

Approved as revised at the Special Commission meeting of February 8, 2012

Co-chair Henri Rauschenbach convened the meeting at 6:30 p.m. in Superior Courthouse conference room 11/12. Minutes of the January 11 meeting of the Special Commission were approved.

Correspondence received from the Workforce Investment Board (WIB) was acknowledged, and the process for drafting and voting on recommendations was discussed, especially the question of recommendations that do not receive unanimous agreement.

Special Commissioner Bob Lawton distributed copies of Cape Cod Municipal Managers Position on Barnstable County Government Structure, noting their support of the MMA Consulting report and the Cape Cod Chamber of Commerce comments.

County **Human Services** Director Beth Albert and researcher Christine Stein discussed their work as Convener in providing opportunities for exchange of information and as Facilitator in encouraging growth and improvements in their focus areas. Ms. Albert noted distribution of a new strategic plan for 2012-13, and said the agency's mission is to plan and develop human services programs, and promote regional services for public wellbeing.

Improved access to health services for seniors is pursued in coordinating meetings of COAST – Councils on Aging Serving Together – with efforts toward providing a mental health social worker for seniors through Councils on Aging, she said

Another project is an upcoming business summit for a healthy workforce, planned in conjunction with three Chambers of Commerce, that will involve business owners and single proprietors to address coping with stress.

Ms. Albert said her department is also involved with substance abuse data collection as well as analyzing secondary sources with a UMass medical student.

In support of towns, she cited the crisis response model implemented following Falmouth's 10 suicides in 2010 that serves as a model for the State.

She also referred to the department's web site with human services data, saying Ms. Stein responds to data requests from towns, news media and grant applicants.

Ms. Stein discussed efforts to promote healthy eating, physical and emotional health through the Mass In Motion DPH/CDC Community Transformation Grant-funded 5-year project for the Cape and Islands in conjunction with the Cape Cod Commission (CCC), County Health and Environmental Department and Cooperative Extension Service. The project involves promoting Department of Public Health nutrition standards in schools, promoting safe routes to schools by encouraging safe walking and cycling to school, plus initiatives to increase healthy food donations to food pantries as well as growing of healthy foods, with biking and pathways events planned.

Ms. Albert added that the department is the convening agency for the Regional Network to Address Homelessness, and that public health prevention programs could also be coordinated with other agencies for synergy.

Special Commissioner Cheryl Bartlett complimented the effectiveness of the department, noting that collective work is important to address health needs.

In reply to a query, Ms. Albert elaborated on the role of the Advisory Council, saying it was created by County ordinance and meets quarterly on a focus area of the strategic plan, with the next meeting in February to concern homelessness.

In reply to another query, Ms. Albert described coordination - not duplication -with the Cooperative Extension Service in nutrition education and addressing hunger issues.

Co-chair O'Leary noted public confusion over the various human services agencies, wondering if the County could be a point of access.

Ms. Albert replied that her department had partnered with the United Way on a database of Cape data, with funds needed for a resource navigator, as well as community health workers with translation capability. She said Cape Cod Healthcare is on the advisory council, and they are involved in projects together, besides coordinating needs assessments to avoid duplication.

Ms. Bartlett noted that this will be important in the future with Health Care Reform emphasizing local care, and the State could initiate pilot programs.

Co-chair Rauschenbach asked if a different structure should be recommended for Health, Human Services and the Cooperative Extension Service, and Ms. Bartlett agreed to draft something for consideration.

Next, Paul Ruchinkas discussed the Cape Cod Commission (CCC) **Housing** program, with one and $\frac{3}{4}$ staff working on affordable housing. Providing the context, he said that resort areas have high housing costs, with the Cape's 10% over the State's, along with lower wages (33% below the State's). With 5,400 affordable units, and over 4,000 on the Section 8 waiting list, affordable rentals are needed, he said. Despite the population decline of the past decade, he said the percentage of households paying over 30% of their income for housing rose.

Since 1992, the Commission has served as the County HOME Consortium lead agency and liaison with HUD, receiving some \$700,000 per year and netting 1,000 affordable housing units. Besides a down payment program and rehab program, he said Housing Assistance Corp. (HAC) has administered a Soft Second Homeowner Program since 1993. He said towns with affordable housing bylaws benefit in the count toward 10% of affordable units. His program also involves information collection and distribution, technical assistance to towns, small grants for affordable housing planning, and working with 30-unit subdivisions for affordable housing or cash set-aside. He noted the link with economic development regarding worker housing and jobs for local contractors and workers.

In reply to a query, Mr. Ruchinkas said the affordable housing program is required in the CCC Act, adding that he is also involved in addressing housing issues with the Human Services Department and social services.

In reply to a query regarding the feasibility of regionalizing housing authorities, Mr. Ruchinkas said housing authorities were concerned with **[as revised and approved with these minutes at the Special Commission meeting of February 8, 2012] loss of their own jobs.**

Co-chair Rauschenbach asked if the County could administer rather than control, recalling that HAC Director Rick Presbrey had thought the County might do more, possibly running programs.

Ms. Bartlett noted that the State had moved homelessness from the Department of Transitional Assistance to the Department of Communities and Development, but diminishing funds were not promising for the County.

Mr. Ruchinkas reminded that towns pay fees for regional administration.

Co-chair Rauschenbach noted that the Soft Second program ended in 2008 with the State funding HAC directly, and Co-chair O'Leary asked if the County could play more of a role in its relationship with HAC.

Mr. Ruchinskas noted that HAC operates a full-service affordable housing program. Co-chair Rauschenbach wondered if County bonding authority should be used to develop affordable housing, and Mr. Ruchinskas said now is the time to prepare for a better economy.

CCC Executive Director Paul Niedzwiecki expressed concern for future leadership in affordable housing as current leaders retire.

Assistant County Administrator Maggie Downey pointed out the significance of wastewater infrastructure to housing cost as development continues in sensitive areas, involving the CCC land use planning role.

Co-chair Rauschenbach wondered if any coordination could be possible through the Community Preservation Act (CPA), and Mr. Ruchinskas referred to a coordinating role in the initial CPA and to regional land buys involving Brewster and Orleans.

Co-chair Rauschenbach asked if there is any study of banks' Community Reinvestment, and Cape Cod Chamber of Commerce CEO Wendy Northcross noted that CRA assures no red-lining. Co-chair Rauschenbach wondered what big banks are funding and what are big insurers' contribution to the region. Ms. Northcross said that homeowners' insurance costs are rising, without necessarily reliable models.

It was agreed that elaboration should be sought from Mr. Presbrey, while Special Commissioner Margo Fenn said specialized expertise is needed, and what exists should be supported, suggesting partnering with HAC, rather than taking over. Special Commissioner Sue Rohrbach said towns could partner, as well, as former Housing Authority Director Tom Lynch has done in Barnstable.

The idea of recommending that the County convene housing authorities received no support before a break in the meeting.

When the meeting resumed for consideration of **Energy**, Co-Chair Rauschenbach recused himself due to conflict, and Co-Chair O'Leary chaired, asking Scott Ridley to provide background.

Mr. Ridley explained that New England is at the end of the energy pipeline, with some of the highest rates in the nation, and the electric industry the last to be deregulated. He said the County structure and deregulation are to benefit the public, not just large corporations. Municipal aggregation involves everyone unless they drop out, and the County could take over the utility's energy efficiency program, he continued. The Cape Light Compact (CLC) looks out for consumers' interests, he said, and in 2001 benefited from the sale of Canal Electric. He called its current issues administrative, involving how to manage, and he said development of smartgrid is now experimental and important for reliability and cost-control.

Co-chair O'Leary noted that the legal relationship between the County, CLC and the Cape and Vineyard Electric Cooperative (CVEC) is an issue.

Ms. Downey explained that CLC is an intergovernmental agreement involving 21 towns and two counties under Mass. General Laws Chapter 40, **with its own treasurer [as revised and approved with these minutes at the Special Commission meeting of February 8, 2012]**. She said Energy Efficiency is a \$22.5 million program with a three-year budget approved by the State and invested in the communities. The County's standing is equal to each town member, and Chapter 40 requires a member to administer. She said she spends 75% of her time on CLC and 25% on County business, but 100% is paid by the County. Contracted energy-audit crews also employ over 50. Mass. Law requires holding executive sessions for procurement and litigation, she said. Power purchase funds amounting to \$130 million pass through CLC, with member towns and counties the ultimate authority and rate payers able to opt out.

CVEC can help with lower-priced power, she said, and deregulation and competition were to reduce consumers' costs.

In reply to the question of whether the CLC administrator should be paid by the County, since it's not a County department and the County has only one vote in CLC, Ms. Downey replied that the County staffed and funded the organization to initiate it until it evolves to be self-supporting.

Co-chair O'Leary called the relationship between the County and CLC confusing, and Special Commissioner Larry Cole said the League of Women Voters and MMA Consulting reports are misleading and organization chart wrong, as CLC is not under the County.

Regarding intergovernmental agreements, Special Commissioner Charlie Sumner noted that Brewster, Dennis and Harwich buy golf equipment together for savings, and towns seek more County coordination like that – an appropriate County role. He added that CLC has saved towns millions.

CVEC President Charlie McLaughlin said legal fees consume inordinate funds as the process is so complex, and an imminent second Request for Proposals for a solar vendor will save Cape and Islands communities \$50 million. In reply to a query regarding CVEC administration, Ms. Downey said it is separate, with the County as fiscal agent, and CVEC emerged from a CLC study as a way to reduce costs through the cooperative.

Special Commissioner Bud Dunham said Mr. Ridley's projected issues are now being fulfilled, and Ms. Downey's role is aiding towns, but support for wind energy drew criticism.

Special Commissioner Florence Seldin noted the public confusion over CLC through Ms. Downey's dual role, but Special Commissioner Julie Taylor said no other entity would be appropriate to administer it. County Commissioner Sheila Lyons said that Ms. Downey assumed the energy responsibility 18 years ago, along with other County responsibilities, and perception is the issue. Mr. Cole noted that the County Administrator also serves as treasurer for various organizations, and Ms. Downey said that he is the County appointee to CVEC and serves as treasurer.

CLC Energy Efficiency Manager Kevin Galligan said that County Procurement procures energy and CLC staff cooperates for efficient operation.

In **Public Comment**, the question was asked whether the \$55-60 million from CLC benefitting communities through net metering benefits is subsidized, and Mr. McLaughlin replied, "No," adding that they are rate-payer funds. Consideration of a municipal utility was also thought to be of interest for discussion. The CVEC role in developing guidelines for wind energy was a concern, and whether rate payers have a net benefit was also questioned.

Mr. Ridley, Mr. Cole, and Co-chair O'Leary agreed to draft a recommendation for consideration, and Special Commissioner Mark Forest noted that the County role is positive and a model for County intergovernmental operation.

Next, CCC Executive Director Paul Niedzwiecki addressed **Economic Development**, reporting collaboration with the Economic Development Council (EDC) and Chambers of Commerce, with three major focal points: first, data aggregation in STATS Cape Cod; second, completing a five-year update of the Comprehensive Economic Development Strategy (CEDs), with 16 projects for implementation, including OpenCape; and third, involvement of a reset team of 4-5 water, transportation and legal staff assigned to help towns by amplifying town resources, working, for example, with Yarmouth on a Parkers River plan and next with Sandwich on its Golden Triangle area. He also referred to SmarterCape work with IBM, with a second goal-oriented conference in the spring. He reminded that the CCC Act requires economic development, and he noted Business Roundtable discussion of a redevelopment authority, but he questioned the extent of interest in Countywide eminent domain power.

Special Commissioner Bud Dunham called CCC outreach to towns valuable, and Co-chair O'Leary asked about any constraints of State law. Mr. Niedzwiecki replied that State funding is the constraint.

Special Commissioner Vicky Lowell asked if the EDC remains active, and Mr. Niedzwiecki replied that it is viable and working closely with the CCC. Tracking past license plate grants proved to be difficult, he said, so the new policy calls for pooling funds toward a common vision – for example, the Transportation Improvement Program (TIP) and pre-development funding. He explained that the EDC is a department of the County, but now staffed by CCC, although still a department (without administrator). County Commissioner Sheila Lyons reminded that the County Commissioners appropriate to EDC, adding that it

makes sense for the CCC and EDC to work together. In response to Ms. Fenn's query on the status of EDC grants, Ms. Lyons said that funds are pooling now for towns and OpenCape, and Mr. Niedzwiecki referred to a three-year grant for the CCC reset team. He felt that State resources should be consolidated for economic development, and he reminded that the EDC is advisory to the County Commissioners and CCC, with EDC appointments made by the County from EDC nominations.

In discussing distribution of license plate funds, Ms. Northcross said the Lower Cape Community Development Corp. receives 17%, with the remainder divided among the Islands, County and the Cape Cod Chamber of Commerce, the only agency among the recipients to audit them, to her knowledge. She said the Cape and Islands license plate remains the State's most popular special license plate.

Ms. Northcross also reported that she had just submitted a draft economic development recommendation, in collaboration with Mr. Niedzwiecki, for Special Commission consideration.

Regarding the Regional Transit Authority, it was agreed to delete first steps from the draft, after Special Commissioner Sue Rohrbach questioned the meaning, and it was also agreed that the Regional Transportation Plan should be the official plan.

The draft recommendation on Mosquito Control was also accepted

Regarding the WIB, David Augustinho and Kris Dower requested addition of the word "consider" to the draft recommendation, and Mr. Augustinho said there is a Federal vision for the WIB to be operated by private businesses, but private sector involvement would be compromised by County affiliation. Co-chair Rauschenbach agreed to redraft the recommendation with the word "consider."

With the February 8 meeting to concern wastewater and governance, Co-chair Rauschenbach said voting would occur at the last meeting, scheduled for **Thursday, February 16.**

The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Marilyn Fifield

Minutes Clerk