

**MINUTES OF THE
CAPE COD WATER PROTECTION COLLABORATIVE
Governing Board Committee
December 29, 2016**

A meeting of the Cape Cod Water Protection Collaborative was held on December 29, 2016 at 9:00 a.m. in the Cape Cod Commission Conference Room, 3225 Main Street, Barnstable, MA.

Members:

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| Barnstable | Jessica Rapp Grassetti | Absent |
| Bourne | Stephen Mealy | Present |
| Brewster | Ryan Bennett | Present |
| Chatham | Florence Seldin | Present |
| Dennis | Paul McCormick | Present |
| Eastham | Jane Crowley | Present |
| Falmouth | Susan Moran | Absent |
| Harwich | Larry Ballantine | Present |
| Mashpee | Tom Fudala | Present |
| Orleans | Sims McGrath | Present |
| Provincetown | Vacant | Vacant |
| Sandwich | Frank Pannorfi | Present |
| Truro | Patricia Pajaron | Present |
| Wellfleet | Curt Felix | Present |
| Yarmouth | Jeffrey Colby | Present |
| County Appointee | Lindsey Counsell | Present |
| County Appointee | Vacant | Vacant |
| Ex-officio member | George Heufelder | Absent |
| Ex-officio member | Paul Niedzwiecki | Absent |

Staff Present:

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| Andrew Gottlieb | Executive Director |
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Others Present:

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| Jack Yunits | Barnstable County Administrator |
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Discussion of Transition and Future Role for the Cape Cod Water Protection Collaborative with the County Administrator.

Andrew Gottlieb reported on the status of town assistance contracts. Two technical assistance contracts have been executed between Barnstable County and the Town of Falmouth. Technical assistance contracts have also been executed between Barnstable County and the towns of Brewster, Eastham and Mashpee. Contract management will be through Barnstable County Administrator Jack Yunits, unless and until further direction is provided by the Barnstable County Commissioners. Towns should submit bills for reimbursement to Jack Yunits (jack.yunits@barnstablecounty.org), with a copy to Gail Coyne (gcoyne@capecodcommission.org).

Mr. Gottlieb submitted a level-funded CCWPC budget of \$502,000 for FY18. There is an unexpended balance in the Wellfleet encumbrance of \$140,000 available that could fund FY18. The fate of those

funds rests with the Barnstable County Commissioners as they develop the county's FY18 budget. The unexpended funds could be directed to the county general fund, or they could be directed toward the \$250,000 match for state water quality monitoring funding, or there could be some other disposition.

The CCWPC's budget will be the subject of a 9:30 a.m., January 18, 2017, Barnstable County Commissioner's meeting.

Jack Yunits, Barnstable County Administrator, noted that by a recent vote of the Barnstable County Commissioners, he has been appointed as the interim administrator of the CCWPC. Jack voiced his support for the role and mission of the CCWPC. He stated that it is ultimately up to the Barnstable County Commissioners to determine the future of the entity, and he encouraged board members to communicate with the Commissioners about their wishes for the CCWPC going forward. He noted that a newly forming regional stormwater (MS4) group of DPW directors is looking to the CCWPC as an example of how a regional entity can best assist the towns.

Mr. Yunits noted that George Heufelder, Barnstable County Health and Environment Department (BCHE), had expressed that while the BCHE can assist towns with fresh water sampling and some on-site system analysis, the BCHE is not involved in the water quality issues with the breadth and depth necessary to support the CCWPC. In addition, Sims McGrath noted that the BCHE is in the job of supporting health regulations; it wouldn't be appropriate for them to weigh-in on suggested large-scale regulatory changes to support water quality projects in the region.

Larry Ballantine expressed a desire that the CCWPC maintain its independence regardless of where the entity may land within the county structure. He noted that the CCWPC has achieved many of its early goals, including making additional funds available to towns to carry out water protection planning and projects. He also stressed the importance of creating a structure where town's voices could be heard in water quality discussions. He suggested a CCWPC that works with, but does not become a part of, another entity such as the Cape Cod Commission.

Florence Selden noted that the letter recently sent by the CCWPC board to the Barnstable County Commissioners (cc'd to Jack Yunits and the Assembly of Delegates), recommends housing the CCWPC with the Cape Cod Commission rather than the BCHE. She noted that the CCWPC has worked with, as well as challenged, the CCC in the 208 process. She further noted that county monitoring funds (matching \$500,000 in provided and potential state monitoring funds) have helped some towns. Jack Yunits stated that there are sufficient funds in the county budget to provide the county monitoring match funds in FY18.

Sims McGrath stated that it is important that the town to town communications that take place through the CCWPC continue.

Frank Pannorfi commented that wastewater and water quality planning and implementation will happen, and he pointed to the on-going litigation involving the Conservation Law Foundation.

Jane Crowley stated that the CCWPC is about water protection in general; while wastewater impacts to marine waters is important, the group has also worked to protect drinking water and surface water quality.

Curt Felix suggested that the county commissioners be asked to re-hire Andrew Gottlieb due to his unique experience.

Florence Selden stated that while each town is responsible for water quality, the 208 Plan Update is a regional solution. Ryan Bennett agreed that watershed based solutions require regional cooperation among towns.

Frank Pannorfi suggested that the board invite the county commissioners to come to their January meeting to talk about the future of the CCWPC. Sims McGrath called for a consensus, and it was agreed an invitation should be extended to the county commissioners.

Curt Felix agreed with Larry Ballantine's earlier statement about the importance of maintaining the CCWPC's independence.

Florence Selden asked about the process for making changes to the CCWPC. Andrew Gottlieb responded that the CCWPC was created by and operates under a county ordinance. That ordinance may need to be changed to accommodate a new structure. For example, he noted that the current ordinance requires that the CCWPC be served by an executive director. If, instead, Mr. Yunits were to act as an administrator to the body for a significant period of time, the ordinance would need to be amended.

Sims McGrath asked if anyone wished to change any of the recommendations contained in the CCWPC's recent letter to the Barnstable County Commissioners. No changes were suggested.

Stephen Mealy suggested that members approach their boards of selectmen about writing town letters to the county commissioners expressing their support for the CCWPC. He suggested that the towns may also be in a position to support county budget initiatives such as having the state accept sheriff's department unfunded pension liability (as in the rest of the state). He also suggested that the Cape Cod Selectmen's and Councilor's Association could support county and CCWPC efforts.

The next meeting of the CCWPC will be January 11, 2017. Andrew Gottlieb agreed to coordinate with Jack Yunits to invite the Barnstable County Commissioners to join the CCWPC board at that meeting.