

- **Town of Truro** – Patricia Pajaron: The Water Resource Oversight Committee is still working on the Phase 2 five-year wastewater strategy for the town; last Tuesday their consultant gave a presentation before the Board of Selectmen on the collected water flow data for Beach Point; and they are continuing data collection for the Pamet River restoration project.

- **Town of Brewster** – Ryan Bennett: They are beginning the process of implementing the grant that was provided through the CCWPC to further study the design and implementation of septic systems that deal with phosphorus around ponds; they are working with their consultant to develop information to get the word out about the program and to see who they can get to participate in pilot programs that will test these systems; the planning board is also scheduled to take up the stormwater regulations beginning this summer.

- **Town of Yarmouth** – Jeff Colby: Yarmouth is excited about the three-town solution with Dennis and Harwich; they continue to update their Comprehensive Wastewater Management Plan (CWMP) and they will have a \$200,000 article for Town Meeting to continue the wastewater effort this year.

- **Town of Wellfleet** – Curt Felix: They continue to pursue the idea of integrating the wastewater committee with the water department and forming a water quality management group to take over the administration of the wastewater function; there has been a lot of discussion within the town as far as getting an article before Town Meeting and both groups will be meeting on that next week to try to move that forward.

- **Town of Mashpee** – Thomas Fudala: They continue to have discussions with the towns of Sandwich and Barnstable relative to Popponessett Bay; they are close to reaching an agreement on what they will use as the basis for sharing the responsibility in terms of loads; the last funding they received at Town Meeting was back in October 2015 for a conceptual design of the collection systems for directing wastewater to Mashpee Commons and the Mashpee Wampanoag Tribe treatment plant and that contract has been modified.

- **Town of Sandwich** – Frank Pannorfi: The Sandwich Water District, which is separate from the town, came to the town for help and assistance in respect to siting a second water tower in town on conservation land and that is moving along through the permitting process; the Sandwich Water Quality Advisory Committee met with their consultant on their CWMP and they are still on target to do a final presentation to the Board before August with a three-phased approach probably over 60 years and they are concentrating on the first phase; Sandwich met with the towns of Mashpee and Barnstable to finalize the inter-municipal agreement (IMA) between the towns with respect to moving forward on the permitting for the Popponessett Bay area.

- **Town of Bourne** – Stephen Mealy: The town continues working with the Wastewater Advisory Committee; they are putting in two articles for the annual Town Meeting in the spring—one is for engineering and either a clerk of works or a program manager for a wastewater treatment plant; they just submitted their application for a direct discharge permit for 100,000 gallons per day and they hope to have plans finished by the late part of the summer to coordinate construction with the new police department.

- **Town of Chatham** – Florence Seldin: The IMA between Harwich and Chatham is still ongoing; each town had two members of their Boards of Selectmen on the committee that put together the IMA; they had a joint meeting of the full Boards of both towns and a presentation was given by Dr. Robert Duncanson; they also had a discussion on the financial terms of the IMA and both Boards have been holding discussions on whether or not to go forward; it's not required that the IMA go to Town Meeting as it can be voted under law by the Boards, they have determined that it's important enough to be brought to Town Meeting and be a public process but when it will go to Town Meeting is yet to be determined; there is a potential article going to Town Meeting for \$31 million for the next phase of sewerage; the IMA between Harwich and Chatham is on Chatham's town website.

- **Town of Harwich** – Larry Ballantine: The IMA discussion has been going on for a long time, Harwich is opposed to Chatham and their intent is to take it to Town Meeting in the spring; the original Town Meeting article was for \$30 million incorporated with Phase 2 of their CWMP to design a collection system with Chatham, the hope is to get that finished with \$6.7 million and to continue with the cleanup at Hinckley Pond; they are moving ahead with the Cold Brook study and a lot of data has been collected; they will pare back from the \$30 million to about \$9 or \$10 million and postpone construction until they have finished the design; the Wastewater Implementation Committee has put together a handbook on moving forward with the CWMP and it's available on the Town of Harwich website.

- **Town of Falmouth** – Susan Moran: The Water Quality Management Committee (WQMC) would like the CCWPC to know that Falmouth is grateful to the CCWPC for its assistance in making the West Falmouth IA installation and Little Pond oyster projects possible; Little Pond oyster nursery is supplying oysters for two new locations in Bournes Pond this summer and if they are successful year-round colonies are being planned; the permitting for the widening of the Bournes Pond inlet will start in early April, permitting is expected to take about a year and the WQMC is in the early stages of planning an official update of Falmouth's CWMP which is due at MEPA in December 2019; the WQMC has stated its appreciation to Andrew Gottlieb for his efforts in identifying and pushing for changes in state policies regarding total maximum daily loads (TMDLs).

3. Interim Executive Director's Report — Jack Yunits, Barnstable County Administrator

Jack Yunits said the monitoring contracts will be opened two weeks from today, bids will be awarded and at that time they will be asking a five-member committee to make that selection for recommendation to the full Board. He spoke to Gary Johnson about the state match and his only request was that Mr. Yunits keep Mr. Johnson and DEP in Lakeville informed. He said Mr. Johnson identified that he is ready to release it when the County continues with the monitoring program. He said in terms of the Assembly of Delegates the next meeting of the Assembly on the issue of the CCWPC is next week.

4. Presentation by Leo Cakounes, Chairman of the Barnstable County Commissioners

- Commissioner Leo Cakounes said he believes the action with the budget process involving the CCWPC has been open and he also held a workshop meeting with some members of the CCWPC.
- He said in Barnstable County Ordinance 05-22, the Ordinance establishing the CCWPC, under Article 5—Executive Director and Staff—it talks about the position for an Executive Director who will lead an administrative and technical staff which shall be considered to compose a department of Barnstable County. He said the language in the Ordinance states that the CCWPC is a department of Barnstable County and as a department the CCWPC is involved in the County's budget process.
- He discussed the current financial state of the County and said the County Commissioners agreed to put forward a new policy for a grant reserve fund; he said the County has no reserves and no money in savings, the current County budget is approximately \$27 million and the County cannot continue to balance by using its savings. He talked about grant money that could go to the CCWPC and if they had a line item for the CCWPC, contracts would need to go through the County Commissioners but the Commissioners are not obligated to do it. He said with a grant fund the Commissioners will still have to sign contracts so that hasn't changed and to put \$500,000 in a CCWPC line item the County would have to have revenue and the County does not have the revenue to do that.
- He said in the past there was no free cash and now because of the efforts of the Commissioners they are hoping in FY17 that they will have free cash back and a grant fund would be a great place to put it. A portion of the grant fund could go toward vehicle replacement, upgrading buildings and possibly the CCWPC. He said right now there is no procedure in place for a grant reserve fund, within the grant fund they could have earmarks for funds and the Commissioners could earmark funds say for CCWPC as a County department.
- He said the County's charge in regard to the Section 208 program is to have a 208 Advisory Committee and the Commissioners feel the CCWPC is the best board to fulfill that effort in this transition. The action taken in the budget has nothing to do with the operation of the CCWPC, they assigned an interim executive director because it was important to have someone oversee the CCWPC as a County department and the Commissioners are looking to restructure the County. He said

the County Health Department was asked to oversee the CCWPC and this was a step to take as the County looks at this. Commissioner Cakounes said he would like to hear what members of the CCWPC have to say in regard to the Ordinance.

Wayne Bergeron said free cash is not necessarily a good thing if you slash money out of everything else. He said that is not a good way of doing things, services are important and how you get there is important. He said it doesn't work if you lose services but have free cash from loss of services. He said the grant fund would not be an open amount of cash.

Commissioner Cakounes said the Commissioners are not cutting the FY18 budget to get free cash; it was cut because County revenues do not balance expenditures. He said they are trying to get the County back on track. He said Barnstable County does not have a bond rating because of the fiscal management of previous Commissioners. He said the Commissioners are trying to put the County back on a good fiscal path so that they can get bond rating. He said a procedure for the grant fund will be put in place.

Frank Pannorfi referred to bond rating and asked if that was the result of former Commissioners not putting in a budget for that. Commissioner Cakounes said in the past work was approved that would be bonded and then the work was done out of free funds, the bond never got issued, allocation on the bond was never done and time ran out of the bond.

Florence Seldin inquired about state matching grants and asked what assurance they have that the state would provide matching funds and asked how the CCWPC would leverage state matching funds. Commissioner Cakounes said even now there is no way money can be allocated and said that needs to be done every year. He said a grant fund is a better way because money stays there. He said if the current budget is passed, the County Commissioners can commit to that fund.

Larry Ballantine said the fear is that funds would be arbitrary. He said there needs to be a process and procedure in place. Commissioner Cakounes said within the grant fund procedure there would be the ability to earmark funds.

Frank Pannorfi referred to the 208 Advisory Committee and asked if the CCWPC becomes the Advisory Committee would it involve the whole board. Commissioner Cakounes said he would defer the question to Paul Niedzwiecki. He said personally he believes it would be difficult to work with 15 members and perhaps have an executive board consisting of five or six members. He said if the CCWPC Governing Board is not interested then the County would need to create a new board through a new County ordinance and he would prefer to see a new ordinance created.

Curt Felix said the CCWPC is a unique organization as it's a representation of towns; it's not a department it's towns. Commissioner Cakounes said the Commissioners are not looking to do away with the CCWPC. He said they want it to continue but the County cannot provide money; it's just not there.

5. Report by Executive Director of the Cape Cod Commission — Paul Niedzwiecki

Paul Niedzwiecki said the 208 watershed reports are completed and an implementation report will be available as well. There will be an assessment of the program, right now 15 towns are not represented in an official way and the CCWPC has been instrumental in the process. He said they need to have 15 towns at the table, the 15 towns need to have a more direct connection to the 208 program and there needs to be reliable funds to support that program. He said there needs to be a centralized place for that and monitoring information needs to be collected. He said that needs to be supported and right now that is unfunded. He said at some point federal money is not going to be there, towns may have to take on the cost and that is the threat right now. He said the Cape Cod Commission is scheduling another conference in July and they will have a technical matrix available for discussion.

Mr. Niedzwiecki said he has discussed changing the CCWPC Ordinance with Commissioner Cakounes, the Ordinance needs to comply with what the Department of Environmental Protection (DEP) and Environmental Protection Agency (EPA) want and it should be done as soon as possible. He said there is some concern at the state level with the reduced County funds. He said the DEP and EPA want to see funding and support by Barnstable County be a priority. He said the DEP and EPA's concern is can the County support the 208 program. Mr. Niedzwiecki said it is his hope that they can come up with a narrative and hopefully that can be outlined in a new County ordinance.

Florence Seldin said if the CCWPC is reconfigured and the basic problem still exists in getting funding, where does the money come from and Curt Felix asked how the County would fund monitoring. Mr. Niedzwiecki said it would be provided if there is money in a program and a budget prepared. He said part of the consideration by the state may be that it will be mandated by the state. He said there is other money out there, the CCWPC has been good about finding that money and the money needs to be allocated. Susan Moran said money may have to be taken away from towns and Florence Seldin questioned whether towns would have to do monitoring independently.

Jack Yunits said the County needs to start prioritizing and the County may have to lose other County services because the 208 program is a priority. He said they need to get the Commissioners and Assembly of Delegates on board to set priorities. He said the County needs to find a way of letting the state know that the County is committed to the 208 program.

Wayne Bergeron said he has concerns regarding the state of the County and any money that towns could provide would not be put in the right place to be used. Frank Pannorfi said through towns if there are any concerns about that, they could earmark its use, a capital line item could be set up for money to be used exclusively for that and he asked if that could be done through the County. Paul Niedzwiecki said it could but that could be changed. Chair Sims McGrath said they have to be sure it's a bondable activity and they need to understand what is bondable and what is not. Mr. Niedzwiecki said the real issue that he cares about is having a bond rating with a revenue stream and the next 12 months should be spent looking at that. Mr. Pannorfi said what he is hearing is that there will be a lot of pushback from the state and federal government and asked if it would help if the CCWPC is kept in place. Mr. Niedzwiecki said it would help and it's important to create an ordinance that outlines the role of the CCWPC and the role of regional government relative to the 208 program going forward.

6. Review, discussion and potential vote on Assembly of Delegates Ordinance 05-22 which formed the Cape Cod Water Protection Collaborative (CCWPC)

Florence Seldin inquired about the language in the Ordinance. Paul Niedzwiecki said everything is on the table and the language should be clear and concise. Chair Sims McGrath said the wording needs to be refined.

Larry Ballantine said one mission of the CCWPC was to lobby money from the state and asked who picks that up now. Paul Niedzwiecki said that needs to continue and part of the Cape Cod Commission's 208 commitment is to continue with that but if the Ordinance has other County departments replacing what Mr. Gottlieb did then that responsibility would remain with that board/County department. Chair Sims McGrath said in the letter sent to the County Commissioners in December it was requested that the CCWPC be assigned to the Cape Cod Commission. He said it was advocated back then and he also included it in his "Path Forward" memo today. He said the memo tries to maintain the CCWPC's mission, staff and funding.

Florence Seldin inquired about the CCWPC as a County department versus an advisory board. Paul Niedzwiecki said the County needs to explain why the restructuring and what he hears is that if the CCWPC is using Barnstable County general funds then CCWPC is a department. He said an advisory board can make a recommendation. Ryan Bennett said it seems clear that the CCWPC has to evolve and questioned whether that is enough for the DEP. Paul Niedzwiecki agreed that the CCWPC has to evolve and said they have to be included in the discussions. He said perhaps the CCWPC would want to have a mission

statement, establish a funding stream, CCWPC goals and objectives need to be clear and concise, and perhaps they should ask for a nominal amount of money from towns.

Larry Ballantine said perhaps a standard database with information provided by towns could be established—a database that towns can use—and he asked if that was something the Cape Cod Commission could do. Paul Niedzwiecki said the information should be in a centralized location and those are decisions that need to be made at the local level. He said that is something that the Commission could do. Chair Sims McGrath asked if information given to the Commission is in different templates and if so perhaps the RFP should indicate how information should be given to the Commission. Mr. Niedzwiecki said the Commission could create a standard format that could be used.

Curt Felix inquired about the feeling of the Assembly of Delegates. Paul Niedzwiecki said it would be helpful if the CCWPC could provide them with some direction and said the discussion should be factual. Chair Sims McGrath said there were many letters of support for the CCWPC. He said most recently the Assembly's natural resources subcommittee recommended adopting the policy decision of putting the money back in. Susan Moran said her feeling is that the Assembly will move toward the 208 Advisory Committee. She said an undesignated fund and how we get there is the question. She said the Assembly is looking for direction, the Assembly is going to look to the CCWPC and if an advisory board makes sense, then that's the way to go.

7. Review, discussion and potential vote on Path Forward memo regarding the future structure of the CCWPC

Florence Seldin said she would make a motion that the Governing Board support the CCWPC serve as the 208 Advisory Committee.

Chair Sims McGrath said what would serve as the next steps would be to proceed with discussions. He said it's an opportunity to add or subtract from the list in his memo. Curt Felix said the motion should be that the CCWPC supports the framework as outlined in Chair McGrath's memo. Susan Moran said the biggest challenge for the Assembly is that they have a lot of questions regarding the grant fund. Paul Niedzwiecki said that's the discussion the Assembly should be having. Ms. Moran said she believes the answer is that there needs to be a process and more time for discussions.

Stephen Mealy moved the CCWPC Governing Board adopt Chair McGrath's memo and that it be sent to the Assembly of Delegates. Susan Moran said the motion could say that the memo is a framework for discussion. Curt Felix seconded the motion to adopt the Path Forward memo and that it be forwarded to the Assembly of Delegates as a framework for discussion along with a cover page from Chair McGrath. With 10 members voting the motion passed with a unanimous vote.

8. Discussion of Next Steps

9. Next meeting: date and suggested agenda items

Chair Sims McGrath said the next meeting of the CCWPC Governing Board would be April 12, 2017.

10. Adjourn

The meeting adjourned at 11:40 a.m.

MATERIALS USED/PRESENTED AT THE MARCH 8, 2017 CCWPC MEETING:

Handout materials:

- March 8, 2017 CCWPC Meeting Agenda
- Draft meeting minutes of December 14, 2016 and December 29, 2016
- Path Forward memo from Chair Sims McGrath regarding the future structure of CCWPC
- Barnstable County Ordinance 05-22 establishing the CCWPC

TO: Governing Board
FROM: Sims McGrath, Chairman
DATE: March 2, 2017
RE: Future Structure

As you all may be aware, the future of the Collaborative has been the subject of extensive conversation. There is little consensus on the path forward and, on the heels of yesterday's meeting at the Assembly, I'd like to suggest a solution for us as a body to advocate.

1. Support working with the Assembly on an amendment to the ordinance that established the Collaborative that defines its responsibilities as follows:
 - A: The Collaborative shall have the ability to serve as the 208 advisory committee if so designated by the Cape Cod Commission in response to a state or federal directive to establish such a committee. As such the Collaborative will provide direct municipal oversight of the regional plan in support of the County effort to comply with the requirements of the federal Clean Water Act;
 - B. The Collaborative shall function as a clearinghouse for the sharing of best practices and as a forum to facilitate inter-municipal cooperation in the protection and restoration of water resources;
 - C. The Collaborative shall work with state and federal authorities to facilitate necessary statutory and regulatory reforms that allow for the more efficient implementation of the recommendations of the 208 plan;
 - D. The Collaborative shall identify and pursue state, federal and private funding that benefits the implementation of the 208 plan and town sponsored projects, including compliance monitoring.
2. Request the County Budget provide funds to the Cape Cod Commission to provide support for the operation of the Collaborative. This could be funded with the money currently earmarked in the Commissioner's FY 18 budget for County Health to staff the Collaborative with existing staff.
3. In FY 17, obtain a commitment from the Commissioners to execute a three-year contract for the monitoring of near shore waters pursuant to the RFP currently issued.

4. Obtain a commitment from the Commissioners and the Assembly that any remaining funds from the Collaborative FY 17 funds, after the execution of the monitoring contract, be placed in a line item that would fund monitoring in FY 18. Added to the carry over of the unencumbered FY 17 balance to this line item should be the unexpended balance (\$140,000) from the Wellfleet purchase order. This would provide roughly \$320,000 in this account and will cover the cost of FY 18 monitoring and provide a head start to funding the FY 19 contract. This will enable the state match requirements to be met.

5. No longer pursue funding for municipal support grants. This will reduce the annual cost of Collaborative related activities by \$150,000, a 30% reduction in annual operating costs. This will eliminate any ongoing controversy about the sweeping of funds into a discretionary grant account under the control of the Commissioners.

Taken together I believe this plan provides a clear set of roles and responsibilities for the Collaborative that focuses on the critical needs of the County and communities going forward. Acceptance of this approach provides clarity and certainty and responds to the budget issues facing the County while preserving the most essential and cost effective functions of the Collaborative.

BARNSTABLE COUNTY

In the Year Two Thousand and Five

Ordinance 05-22

In partnership with the fifteen Towns of Barnstable County, to establish the **Cape Cod Water Protection Collaborative**:

Whereas Cape Cod possesses great beauty and abundant natural resources cherished by its residents and visitors;

Whereas the quality of many Cape Cod water bodies has diminished, primarily due to inadequate wastewater treatment;

Whereas the cost of providing effective wastewater infrastructure is exceedingly burdensome to Towns acting individually;

Whereas many estuaries, bays and coves, their watersheds, and lakes and ponds cross Town boundaries;

Whereas there is need for a regional framework to concentrate resources and strategies on overcoming this pervasive environmental problem;

Whereas citizens' understanding varies regarding the contribution wastewater management makes to Cape Cod's environmental and economic health:

NOW THEREFORE,

BARNSTABLE COUNTY hereby ordains:

Pursuant to Sections 1-6, 6-1 and 6-2 of the Barnstable County Home Rule Charter, and to focus regional attention and resources on the critical need to develop comprehensive wastewater infrastructure for Cape Cod, it is hereby proposed to establish the **Cape Cod Water Protection Collaborative** (the "Collaborative").

The Mission Statement of the **Collaborative** shall be the following: "To offer a coordinated approach to enhance the wastewater management efforts of Towns, the Regional Government and the Community for the provision of cost-effective and environmentally sound wastewater infrastructure, thereby protecting Cape Cod's shared water resources."

The Goals of the **Collaborative** shall be the following: 1) Attract state, federal and public-private revenue sources for financing assistance to the Towns for wastewater projects; 2) Maximize regional cooperation and action in managing wastewater; 3) Coordinate the development of infrastructure that is cost-effective, technologically efficient and environmentally appropriate; and 4) Educate the public concerning the contribution wastewater management makes to sustaining Cape Cod's economic and environmental health.

The organizational structure, responsibilities and functions of the **Collaborative** will be in accordance with the provisions of the following proposed Ordinance:

Cape Cod Water Protection Collaborative

Article 1. Purpose

It is essential that Towns and Barnstable County work cooperatively to fund, plan, implement and manage a comprehensive infrastructure of wastewater systems and provide related technical

services, in order to protect Cape Cod's bays, estuaries, ponds, lakes and drinking water wells. The **Collaborative** will provide complementary support and resources to Towns for acquiring this infrastructure and offering these services. The **Collaborative** will be responsive in fulfilling this mission by recognizing varying community and watershed protection needs and apportioning resources accordingly.

Article 2. Establishment

Pursuant to the provisions of Sections 1-5, 1-6, 6-1 and 6-2 of the Barnstable County Home Rule Charter, the **Cape Cod Water Protection Collaborative** is hereby established. The **Collaborative** shall operate within the Barnstable County Regional Government structure and in accordance with its administrative and budgetary procedures. Towns may choose to interact with the **Collaborative** at any of a range of levels, from provision of comprehensive facilities planning, financing, development, operation and related services, to contracting only for a specific type of financial aid or treatment/disposal service.

Article 3. Definitions

Collaborative	Cape Cod Water Protection Collaborative (CCWPC);
Governing Board	policy-making body of the CCWPC, with membership from each participating Town and Barnstable County
Charter	Home Rule Charter of Barnstable County
Commissioners	Barnstable County Board of County Commissioners (Executive branch)
DEP	Department of Environmental Protection, Commonwealth of Massachusetts
Steering Committee	five-member body responsible for executive decision-making and management between regular Governing Board meetings
Executive Director	individual responsible for managing daily operations and staff, reports to the Steering Committee/Governing Board and, for departmental coordination, to the Commissioners
Town	any participating Town of Barnstable County
Assembly of Delegates	Legislative branch of Barnstable County
Regional Wastewater Plan	a plan envisioned by the Collaborative for planning and coordinating the implementation of wastewater infrastructure on Cape Cod that is consistent with the intentions of the participating Towns and with the Regional Policy Plan
Technical Advisory Committee	engineers, scientists and related experts to provide technical support and advice to Steering Committee and Governing Board (initially, the Wastewater Implementation Committee will serve as the TAC).

Article 4. Governing Board, Steering Committee and Technical Advisory Committee

The **Collaborative** shall be managed by a Governing Board composed of multi-faceted, managerially experienced persons representing each participating Town and Barnstable County. Initially each Town joining the **Collaborative** shall appoint a representative and the Commissioners shall appoint two at-large representatives to serve nominal two-year terms as members of the Governing Board. Based on subsequent Governing Board policy, members will be appointed to staggered multi-year terms of service. If an even number of Governing Board members results from this process, the Commissioners shall appoint an additional representative, thus permitting majority vote decision-making. The Governing Board shall establish policies for fulfilling the mission, goals and objectives of the **Collaborative**, and it shall endeavor to support the provisions of a Regional Wastewater Management Plan and the Comprehensive Wastewater Management Plans of member Towns. The Governing Board shall also adopt regulations and procedures for administering the activities of the **Collaborative**, and it shall prepare and submit an operating budget annually to the Commissioners for inclusion in the omnibus Barnstable County budget.

The Steering Committee, a five-member executive management body, shall be in session as often as needed between regular meetings of the full Governing Board in order to provide timely policy direction and to take decisive management actions as needed. Three members of the Steering Committee shall be appointed by the Governing Board from within its member Towns, and the other two Steering Committee members shall be the same individuals appointed to the Governing Board by the Commissioners. The chairperson of the Governing Board shall also serve as chairperson of the Steering Committee. The hybrid appointing process for determining Steering Committee membership is designed to ensure a broad spectrum of management, finance and planning skills to best serve the varied and extensive responsibilities of the **Collaborative**, ranging from seeking revenues to planning projects.

The Governing Board and Steering Committee shall routinely consult with and receive support from a Technical Advisory Committee for research regarding wastewater technologies, and for engineering and technical assistance on wastewater system capabilities, development, operation and maintenance. The Commissioners shall appoint persons with requisite scientific and engineering credentials in wastewater systems management or related fields of experience to serve as members of the Technical Advisory Committee.

Article 5. Executive Director and Staff

The daily operations and activities of the **Collaborative** shall be managed by an Executive Director on behalf of the Governing Board and its Steering Committee. The Steering Committee shall search for and screen candidates for the position of Executive Director and recommend the most qualified one to the Commissioners via the Governing Board for appointment. The Executive Director shall be in attendance and shall report on all matters affecting the **Collaborative** to the Steering Committee and the Governing Board when these bodies are in session. At other times, the Steering Committee chairperson, acting on behalf of the Steering Committee and in concert with the policies of the Governing Board, shall provide guidance and direction as needed to the Executive Director. The Executive Director shall lead an administrative and technical staff; its size and composition shall be as recommended by the Governing Board and established by the Commissioners and Assembly of Delegates. The Executive Director and the staff shall be considered to compose a department of Barnstable County Regional Government for purposes of personnel administration, budget preparation and other similar organizational requirements.

Article 6. Responsibilities and Functions

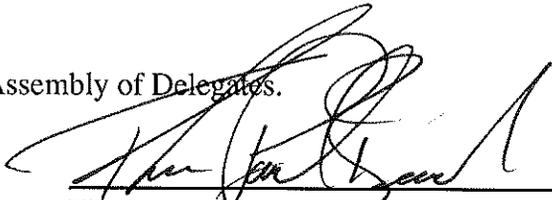
The **Collaborative** shall have authority to discharge, but not be limited to, the following responsibilities and functions, consistent with the Administrative Code of Barnstable County:

- a. Establish the Regional Wastewater Management Plan in conjunction with County staff;
- b. make grants or loans, or provide other forms of financial aid, to complement the funding resources of Towns dedicated to wastewater management;
- c. apply for, accept, administer, expend and comply with the conditions and obligations of any grant, gift or loan from regional, state or Federal government agencies or from private, corporate or public-private partnership organizations;
- d. seek legislation to access dedicated State Revolving Fund (SRF) resources for infrastructure development and services;
- e. arrange public-private funding partnerships for wastewater management;
- f. enter into inter-municipal agreements with one or more Towns or other jurisdictions as necessary, in accordance with the Charter;
- g. assist each Town in preparing and adopting its Comprehensive Wastewater Management Plan within 3 years of receipt of Total Maximum Daily Load (TMDL) data from the DEP;
- h. consult with and assist Towns with their planning and implementing of wastewater treatment and septage/sewage disposal systems;
- i. assist Towns in contracting for and providing wastewater treatment services and sewage or septage disposal services;
- j. make and enter into contracts that serve the purposes and interests of the **Collaborative**;
- k. produce and distribute informational materials in various formats, including PEG Access television programming, a **Collaborative** web site, and the sponsoring of educational workshops and conferences;
- l. consistent with the Charter and Massachusetts General Laws, conduct any functions as may be necessary for, or incident to, carrying out the goals of the **Collaborative**.

Article 7. Review of Cape Cod Water Protection Collaborative

Prior to the end of the fourth year from when the **Collaborative** is established, the County Commissioners shall notify the participating towns that a comprehensive review of the work of the Collaborative shall take place. Participating towns will be asked to nominate a person to serve on a Review Committee, whose duties shall be to examine the work of the **Collaborative**, ensuring that the mission and goals of the **Collaborative** are progressing as outlined in the ordinance. At the end of its review, the Committee shall file a written report with the County Commissioners and the Assembly of Delegates stating its findings.

Adopted on December 7, 2005 by the Assembly of Delegates.



Thomas P. Bernardo Speaker

Approved by the Board of County Commissioners, 12/14/05 at 9:30 a.m.
May Lee Michael Kelly _____
Date Time