

**BARNSTABLE COUNTY**  
**In the Year Two Thousand and Twenty-Two**  
**Ordinance 22-08**

To make appropriations for the Cape Cod Commission operating budget for the Fiscal Year 2023, for operations and capital requirements and for reserve funds.

***BARNSTABLE COUNTY hereby ordains:***

**Section 1.** To provide for the operations of the Cape Cod Commission and to meet certain requirements of law, the sums set forth in Section Two and Section Three for the several purposes and subject to the conditions specified in Sections Four through Nine, are hereby appropriated from the Cape Cod Environmental Protection Fund (CCEP Fund) established by Section 18 of the Acts of 1989, Chapter 716, as amended; Grants, License Plate funds, Cape Cod Commission Reserves and Other Financing Sources, subject to the provisions of Massachusetts General Laws regulating the disbursement of public funds and the approval thereof, for the fiscal year ending June thirtieth, two thousand and twenty-three.

**ENVIRONMENTAL PROTECTION FUND**

**Section 2.**

**PLANNING & DEVELOPMENT**

To appropriate a total of \$5,949,538 for Planning and Development funded as follows: The Cape Cod Environmental Protection Fund (CCEPF) \$3,883,026; Grants \$1,238,000; Departmental Revenues \$140,000; License Plate funds \$200,000; Cape Cod Commission Reserves and Other Financing Sources \$488,512 for the purposes set forth below:

**CAPE COD COMMISSION**

Recognizing that Barnstable County possesses unique natural, coastal, historical, architectural and other values and that there is regional, state and national interest in preserving these values, Chapter 716 of the Acts and Resolves of 1989, as amended by Chapter 2 of the Acts and Resolves of 1990, created the Cape Cod Commission as the regional planning and land use agency for Barnstable County. The Commission was granted authority to prepare and oversee the implementation of a regional land use policy plan, to recommend for designation specific areas of Cape Cod as districts of critical planning concern, and to review and regulate developments of regional impact. The purpose of the Commission is to further: the conservation and preservation of natural and undeveloped areas, wildlife, flora and habitats for endangered species; the preservation of coastal resources including aquaculture; the protection of groundwater, surface water and ocean

water quality, as well as the other natural resources of Cape Cod; balance economic growth; the provision of adequate capital facilities, including transportation, water supply and solid and hazardous waste disposal facilities; the coordination of the provision of adequate capital facilities with the achievement of other goals; the development of fair affordable housing; the preservation of historical, cultural, archaeological, architectural, and recreational values.

**Section 3.**

No appropriation listed above may be exceeded without appropriate ordinance action to amend budget.

**Section 4.**

(a) Appropriations shown according to numbered groups within departmental Budget Items and Programs are made for expenditure for general purposes as follows:

- Category A – Group 1 – for salaries and other compensation for personal services;
- Category B – Group 8 – for capital structures, improvements and CIP;
- Category C – Group 9 – for fringe benefits; and
- Category D – Group 2 – for contractual services, Group 3 – for supplies & materials, Group 4 – for other current charges, Group 5 – for equipment and CIP Equipment and Obligations and Group 7 – for not otherwise classified.

(b) Funds appropriated in any category may not be transferred to another category without the prior written approval of the Board of Regional Commissioners and the ratification of such approval by a majority vote of the Assembly of Delegates. Such ratification may be by Resolution.

**Section 5.** No liability in excess of the total appropriations for any departmental Budget Item or Program as provided in this ordinance shall be incurred by any official of the Cape Cod Commission except in cases of emergency and then only upon the prior written approval of the Board of Regional Commissioners. The amount and circumstances of any such liability approved by the Board of Regional Commissioners, the Assembly of Delegates shall act on said approval by Resolution.

**Section 6.** No transfers shall be made from the Building Reserve except pursuant to a supplemental appropriation ordinance.

**Section 7.** Transfers to departmental Budget Items or Programs made be made from the Reserve Fund for extraordinary, unforeseen, necessary, non-recurring liabilities, provided that any such transfer shall be approved by the Board of Regional Commissioners and by a

vote of the Assembly of Delegates, representing a majority of the population of Barnstable County.

**Section 8.**

- (a) Transfers from the Salary Reserve may be made only for increases in compensation for personal services in accordance with the Barnstable County personnel compensation plan approved in writing by the Board of Regional Commissioners or pursuant to the terms of any collective bargaining agreement covering employees of Barnstable County executed by the Board of Regional Commissioners.
- (b) Transfers within the Cape Cod Commission FY23 budget for Fringe Benefits (Group 9) may be made from sub-programs with excess appropriations in Group 9 to sub-programs where original appropriations are insufficient to cover the direct allocation of group insurance costs, retirement assessments, workers' compensation claims and payroll tax deductions. Such transfers shall be determined by the Executive Director, with the approval of the County Commissioners.

**Section 9.** Usual expenses of travel, including highway tolls and parking fees, necessary for the performance of the duties of any County official or employee, other than travel from home to the regular workplace of such official or employee, shall be eligible for reimbursement, provided that no expenditure shall be made for the reimbursement of expenses of travel outside the Commonwealth unless such travel shall have been approved in advance in writing by the department head or other County official designated by the Board of Regional Commissioners to determine the expenditure of funds appropriated for such Budget Item. Such travel by any department head or other such designated official shall have been so approved by the Board of Regional Commissioners. The Board of Regional Commissioners shall from time to time promulgate a schedule of standard mileage rates for reimbursement of travel by private automobile designed fairly to reflect the full, actual costs of motor vehicle operation. Such funds shall be expended from the department budget.

Submitted by the Barnstable County Regional Commissioners at a regular Board of Commissioners meeting on the *2nd day of March*

  
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Sheila Lyons, Chair