

MEETING NOTES

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

At a regular meeting of the County Commissioners held at the Barnstable Superior Courthouse on the eleventh day of December, A.D. 2013.

Vice Chairman Doherty called the meeting to order at 11:01 a.m.

Board of the Barnstable County Commissioners:

William Doherty Present

Sheila R. Lyons Present

Staff Present:

Michael Brillhart County Administrator

Maggie Downey Assistant County Administrator

Justyna Marczak Administrative Assistant

Commissioner Mary Pat Flynn was not present but joined in calling remotely.

Commissioner Doherty informed the public that he will be the Chairman for this meeting and according to the Open Meeting Law Commissioner Flynn will be participating remotely due to geographic distance. The voting system will be by roll call.

The Commissioners recited the Pledge of Allegiance followed by a Moment of Silence.

I. Public Comment

Commissioner Doherty informed the public that pursuant to the Commissioners policy, the public comment is limited to 3 minutes per person and the Commissioners do not comment on any matters raised during public comment.

James Rogers from Sandwich spoke. He stated that in his opinion it's a conflict of interest for Commissioner Doherty to chair the Commissioners' meeting since Commissioner Doherty is a board member for Cape Light Compact (CLC). He also asked for the Commissioners to allow for the investigation by the office of Inspector General into CLC/CVEC.

Next Mrs. Lilly Green of Wellfleet spoke. She submitted to the Commissioners a copy of the resolution 13-06. Mrs. Green asked the Commissioners not to veto the resolution presented by the Assembly of Delegates. She also asked that the public be able to review the revised aggregation plan for CLC before submitting it in front of the board.

Dr. Joyce Flynn, Chair of CLC for 2013 spoke. She said that the aggregation plan is not in effect until it will be voted on during the CLC's regular meeting that is open to the public. The current plan is available on the website and the public is always welcome to view the minutes of the meetings as well as to attend them.

Kathy Sherman of Brewster spoke. She listed issues that she would like to be taken under consideration: the results of the charter review, the strategic plan for the County of Barnstable and concerns about the government's involvement in energy business and the tax payer's portion for the energy bill.

Sheila Bowen from Harwich spoke. She asked for Commissioner Doherty to recuse himself from voting on the resolution. She also asked that the Commissioners, when voting, take under consideration the opinion of Assembly of Delegates. Mrs. Bowen asked the Commissioners to allow the resolution to go through to perfect the operation of the two bodies - CLC and CVEC.

David Moriarity from Falmouth spoke. He asked that Commissioner Doherty recuse himself from voting and not chair today's meeting due to the conflict of interest. He also expressed his opinion that the government should not be involved in energy business.

Malcolm Donald of Falmouth spoke. He stated that if there is nothing to hide the attorney General's office should get involved and perform the audit of CLC and CVEC.

II. Discussion and potential vote on proposed resolution 13-06 for the Assembly of Delegates to seek assistance from office of Inspector General, as adopted by the Assembly of Delegates on December 4, 2013.

Commissioner Doherty asked Michael Brillhart, County Administrator to explain why the resolution was brought in front of the Commissioners. Mr. Brillhart stated that according to the Article 3, Section 3 - 8 of the Barnstable County Home Rule Charter, "every order, ordinance, resolution or other vote of the Assembly of Delegates pertaining to the business and affairs of the Cape Cod regional government shall forthwith following its adoption be presented to the board of regional commissioners". If the Commissioners approve the ordinance presented to them by the Assembly of Delegates and voted on at their December 4 meeting,

"the signature of the majority of the members of the board of regional commissioners shall be affixed to the said measure and it shall be deemed to be in effect".

Motion made by Commissioner Flynn to disapprove the Ordinance 13-06 for the Assembly of Delegates to seek assistance from office of Inspector General, as adopted by the Assembly of Delegates on December 4, 2013 for the following reasons, 2nd by Commissioner Lyons, approved 3-0-0:

- 1. An inquiry into the structure and operations of "these and similar future non-governmental agencies" is inconsistent with Section 3, executive authorities, of the Barnstable County Home Rule Charter.*
- 2. We do not believe either Cape Light Compact or CVEC have committed fraud, waste, or abuse.*

Roll call: Flynn "aye", Lyons "aye", Doherty "aye".

Motion made by Commissioner Lyons to further direct the County Administrator to prepare a written response consistent with these points to the Assembly of Delegates, 2nd by Commissioner Flynn, approved 3-0-0.

Roll call: Lyons "aye", Flynn "aye", Doherty "aye".

III. Discussion and potential vote on resolution 13-07 to approve budget transfers for FY 2014 for Resource Development Office - AmeriCorps, as adopted by the Assembly of Delegates on December 4, 2013.

Motion made by Commissioner Lyons to approve the Ordinance 13-07 to approve budget transfers for FY 2014 for Resource Development

Office - AmeriCorps, as adopted by the Assembly of Delegates on December 4, 2013, 2nd by Commissioner Lyons, approved 3-0-0.

Roll call: Lyons "aye", Flynn "aye", Doherty "aye".

IV. Commissioners Actions

Motion made by Commissioner Lyons to approve the Minutes of December 4, 2013, 2nd by Commissioner Flynn, approved 3-0-0.

Roll call: Lyons "aye", Doherty "aye", Flynn "aye".

Motion made by Commissioner Flynn to approve the Summary of Items, 2nd by Commissioner Lyons, approved 3-0-0:

Roll call: Lyons "aye", Flynn "aye", Doherty "aye".

- 1) Approved the extension of the appointments of David Willard, Allen White and John Kilroy as Council Members to the Cape Cod Economic Development Council for a term: 01/01/2011 - 12/31/2015.
- 2) Approved the appointment of Felicia Penn as Chair to the Cape Cod Economic Development Council through December 31, 2014.
- 3) Approved the appointment of Ken Cirillo as Vice Chair to the Cape Cod Economic Development Council through December 31, 2014

V. Commissioners Reports

Sheila went to the annual Human Rights breakfast on December 10, 2013.

Barnstable, ss. at 11:31 a.m. on this eleventh day of December, A.D. 2013, Commissioner Lyons moved to adjourn, 2nd by Commissioner Flynn, approved 3-0-0.

Roll call: Lyons "aye", Flynn "aye", Doherty "aye".