

**CAPE COD REGIONAL GOVERNMENT
ASSEMBLY OF DELEGATES**

APPROVED Journal of Proceedings - June 5, 2013

Deputy Speaker MARTIN: Good afternoon, everyone. I'm calling to order the meeting of Wednesday, June 15th, (sic) for the Assembly of Delegates.

First, I want to ask, is this meeting being recorded by anyone than the usual recording processing?

So, we're going to begin with a moment of silence to honor troops who have died in the service of our country and all of those serving our country in the Armed Forces.

(Moment of silence.)

Let's rise and say the Pledge of Allegiance.

(Pledge of Allegiance.)

Deputy Speaker MARTIN: Now I'm going to have the Clerk call the roll.

Roll Call (70.57%): Richard Anderson (9.15% - Bourne), Cheryl Andrews (1.36% - Provincetown), Ned Hitchcock (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), Marcia King (6.49% - Mashpee), Teresa Martin (2.30% - Eastham), Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), John Ohman (6.58% - Dennis), Anthony Scalese (4.55% - Brewster) Julia Taylor (14.61% - Falmouth).

Absent (29.43%): Ronald Bergstrom (2.84% - Chatham), Leo Cakounes (5.67% - Harwich), Patrick Princi (20.92% - Barnstable).

Clerk OCONNELL: Madam Deputy Speaker, we have a quorum present with 70.57 percent of the Delegates present and 29.43 percent absent.

Committee of the Whole

Deputy Speaker MARTIN: Thank you.

You should all have in front of you the Calendar of Business. Do I have a motion to accept?

Ms. KING: So moved.

Ms. MCAULIFFE: Second.

Deputy Speaker MARTIN: Second. It's been motioned and accepted. All in favor?

(Motion carried.)

Deputy Speaker MARTIN: You should also have in front of you and received a copy of the Journal of May 15, 2013. Motion to accept?

Ms. KING: So moved.

Mr. SCALESE: Second.

Deputy Speaker MARTIN: Moved and seconded. All in favor?

(Motion carried.)

Deputy Speaker MARTIN: All right. The first thing on our agenda -- the first thing is the Communications from the Board of Regional Commissioners, but I don't see any here yet.

Clerk O'CONNELL: They're not coming.

Deputy Speaker MARTIN: They're not coming. Okay. Janice says that they are not coming and no one will be here.

So, we'll move on to Communications from Public Officials? Any Communications from

Public Officials?

Okay. Hearing none.

Communications from Members of the Public

Deputy Speaker MARTIN: We'll move on to Communications from Members of the Public. And just a reminder, all these Communications are not for discussion and please keep them brief.

Mr. JIM ROGERS: Thank you, once again. Jim Rogers from Sandwich.

Several meetings past, there was a recommendation made by three Assembly members to invite the President of Cape Light Compact to appear before the Assembly to discuss what actions the Compact had taken to address the suggestions of the Special Subcommittee.

My understanding now is that the President of Cape Light Compact will appear at the next Assembly meeting, but only in the company of an auditor from Sullivan and Rogers.

This is not what I understood was being asked for by certain members of this Assembly.

The President of Cape Light Compact appeared previously of her own volition before the Assembly, and it really wasn't possible to engage her in a discussion during public comment.

Now it seems that a field is being put up by the President of Cape Light Compact and the auditor from Sullivan and Rogers to limit discussion.

A year ago, as I recall it, some Assembly members suggested the Cape Light Compact be given time to address the concerns of the subcommittee. I believe that a reevaluation by the Assembly is now in order.

I hope this issue, the nature, and scope of the appearance by the President of Cape Light Compact can be clarified today during Other Business. Thank you.

Deputy Speaker MARTIN: Is there any other comments? Anybody else? Okay. Hearing none.

Assembly Convenes

Deputy Speaker MARTIN: The Assembly will now convene.

The first order of business is Committee Reports and Minutes from the Finance Committee, Minutes dated 5/13. John.

Report/Minutes of Committees

Mr. OHMAN: Thank you, Madam Chair.

On May 15, the Standing Committee on Finance Committee met to review the FY 201 financial statements with the County's auditing firm of Sullivan and Rogers and Company, meeting at 3 p.m.

We had an extensive discussion and, basically, this company thinks that the County is very well run. And I want to restate that because there are some other forces amidst us that would like to see our County government structure change significantly. And I'm, for one, not in favor of that. That's just a little political statement there. If it ain't broke, don't fix it.

So we reviewed that and our minutes have been in front of the Finance Committee. I would ask them to approve the minutes with a vote right now.

All those in favor that were present?

Mr. OHMAN: Aye. Any opposed? No. It's 4 to 0. Thank you.

Deputy Speaker MARTIN: Thank you. The next Item, Number 12, is a report from the Clerk.

Report from the Clerk

Clerk O'CONNELL: Thank you, Madam Deputy Speaker.

I do not have very much to report today other than the fact that I would appreciate it if you could complete the mileage forms that are in your folders and return them to me. I'll update them through the end of the month, but because we're at the end of the fiscal year, it becomes a timing issue with getting these submitted and through the AP process before the end of the year.

I will keep you updated on future meetings that will be happening from now through the end of the summer.

And, again, a reminder that it's very, very helpful for the Speaker and I to know in advance if you will not be able to attend a meeting so that we can make sure that we maintain quorum, etcetera.

That's all that I have to report.

Other Business

Deputy Speaker MARTIN: Thanks. Number 13, Other Business. And just a reminder, we cannot discuss things that aren't on the agenda. You can bring things forth for information but no discussion. Thank you. Suzanne.

Ms. MCAULIFFE: Yes. I have two items related to CLC and CVEC, and these are just to put before the Assembly, not for discussion as you said.

There is a letter that we copied from the Office of the Attorney General about the Open Meeting Law finding from, I guess, prepared by Mr. Bibler. And it starts off by saying that they found no violation.

However, if you dig down onto page 4 of that letter, it says that both the President of CLC or the Chairman of CLC and the President of CVEC acted independently and on their own in terms of making decisions and issuing letters.

So, while they did not, according to the Attorney General, violate the Open Meeting Law by conferring with members of their board, they did, in fact, issue letters and act independently from CLC and CVEC.

Which I think if you just look at the letter you think, oh, everything's fine, but if you look at it more closely, I think the concerns before us as we take up this discussion with CLC and CVEC is how they operate. And some of the issues are that there is unilateral or very small decision-making by -- on that group.

So, I would like that before the Assembly to perhaps take at least a look at page 4 of that letter that came to you because if you just read the beginning, you might turn off.

The second item is Dr. Joyce Flynn, who is Chairman of CLC, emailed me a couple weeks ago and offered to sit down with me to go over the budget with Maggie Downey, the CLC and CVEC - the CLC budget.

So I would think that if there was an invitation to a single member of the Assembly, perhaps my response to her should be if the Assembly's interested, perhaps we would like to have Maggie Downey and Dr. Flynn come and have a discussion with the full Assembly as opposed to just one member of the Assembly.

And I'm bringing it forward to see if that would be an invitation you would want me to extend or have the Clerk extend.

Ms. MCCUTCHEON: May I speak, Madam Chair?

Deputy Speaker MARTIN: Yes.

Ms. MCCUTCHEON: I would certainly endorse that as a correct approach. I'm sorry I missed the last meeting, and I'm not aware that it's been scheduled. Has it been scheduled?

Clerk O'CONNELL: I've been trying to get it scheduled.

Ms. MCCUTCHEON: So has there been a commitment for anybody to appear?

Clerk O'CONNELL: It will be on the agenda for the next meeting. That's the anticipation, yes.

Ms. MCCUTCHEON: So I would suggest that it would be appropriate to extend the invitation to discuss with all of us whatever they would have discussed with you.

Ms. MCAULIFFE: And then I had one other item.

Deputy Speaker MARTIN: Yes.

Ms. MCAULIFFE: Last Wednesday, the Charter Review Committee met for the first time. Ron Bergstrom is the Chairman, and he couldn't be present today, so they elected- appointed- nominated, whatever, me Vice Chairman.

Ms. TAYLOR: Forced.

Ms. MCAULIFFE: Forced, okay, that's a good one. So, in his stead, we had an organizational meeting. We did not really cover any substantive issues, but we did decide that we were going to pretty much meet on Wednesdays and try and meet around the Assembly meeting dates so that it would be convenient for people if they wanted to attend.

The meetings are live-streamed, so that they are open to the public.

We also decided to start with an open Public Hearing this afternoon at 5 o'clock. And I understand its short notice and people were concerned about that, but we've also encouraged written comments. And we are also going to have other opportunities for comment through the process of the Charter Review.

So it was just a preliminary organization meeting. And if the Public Hearing doesn't take up the whole time, we might even tackle the Special Commission Report, which was homework for the group.

Thank you.

Deputy Speaker MARTIN: Thank you. Anyone else? Jim.

Mr. KILLION: Yes, thank you, Madam Speaker.

I'd just like to follow up on the Delegate from Truro's statement that not only do we invite them to come, but if they come they should be prepared to answer questions from us regardless of whether they're relative to the audit or not.

Deputy Speaker MARTIN: Thank you. Anything else?

Ms. KING: Motion to adjourn.

Mr. SCALESE: Second.

Whereupon, it was moved, seconded to adjourn the Assembly of Delegates at 4:15 p.m.

Respectfully submitted by:

Janice O'Connell, Clerk
Assembly of Delegates