

CAPE COD REGIONAL GOVERNMENT
CHARTER REVIEW COMMITTEE
AT THE SANDWICH TOWN HALL

Minutes of OCTOBER 2, 2013

Call to Order:

Chairperson BERGSTROM: Good evening. We're being recorded so watch what you say.

Background:

This is a meeting held by the Barnstable County Charter Review Committee to accept public comment on proposed changes in the governance structure and operation of Barnstable County government.

We have been by Ordinance requested to look into how Barnstable County operates in a way -- and look at making it more efficient and responsive to the public.

We've held a series of meetings in the Barnstable County complex. During those meetings, we've narrowed down at least the governance options to three options that are on the table right now.

The first option, of course, is continuing to operate Barnstable County the way it is currently operated and that is we have a three-member board of County Commissioners who are elected Cape-wide. Each member has to run and is elected by the entire Cape, 15 towns. We have a 15-member Legislative body, of which I am the Speaker, called the Barnstable County Assembly of Delegates. Each town elects a Delegate at the ballot. So that Delegate is responsive to the population of the town. They're not necessarily responsible to the Selectmen or any other political entity in the town. They're elected on their own to represent the interest of their town in the Assembly of Delegates.

The Assembly of Delegates, like most Legislative bodies, rule on the budget, any money, any financial transfers during the course of the year. We also rule on any District of Critical Planning Concerns created by the Cape Cod Commission and any changes in Regional Policy Planning which are proposed by the Cape Cod Commission. And any Legislative body or any combined body that we might create that might come out of recommendations from this committee will pretty much have those same powers. The power of the purse and the power of oversight over the Cape Cod Commission regulations and DCPCs.

So, with that, I also say that you probably have in front of you, but the three options we're looking at right now are the current options I said.

The second option which would create a five-member Board of County Commissioners, that board would be elected regionally. So Falmouth would vote for one along with perhaps Mashpee and so on and Provincetown and a few other towns would have one. So the Commissioners wouldn't run the entire Cape. They'd only run in their district and there would be five of them instead of three. The Assembly would continue as it is.

Another option we've looked at which is a recommendation that follows loosely a recommendation that came out of a Special Commission on County governance which was appointed by the County Commissioners. They recommended a single Legislative body.

And so we have come up with a proposal, not necessarily approved by this committee, but as one of the options which is to create districts. And each one of those districts would elect a representative to a Legislative body. We haven't figured out what to call it, but currently we're currently looking at the number of 11. And the advantage to this is that currently I, as the representative from Chatham to the Assembly, have a vote that's according to the percentage of Chatham's population. So when I vote, it's only 3 percent of the vote. Someone from

Barnstable -- let's say someone from Sandwich, Jim Killion is hiding back there, when he votes, he has 10 percent because Sandwich has 10 percent of the votes. So some members of the Assembly have bigger votes than others. A few people could, four or five, the minority of the people in the room could carry a vote.

Now there's a reason for that. It's because the Constitution of Massachusetts requires that each person have equal representation. So we couldn't have Truro having the same vote as Falmouth because Falmouth has a lot more people that are the reason for that. The advantage to having the districts is the districts would be equal in population so that everybody in the room in this newly-created Legislative body would have the same vote as everybody else.

So that's where we are today. We're having a series of public meetings on the Cape. This one is here out in Sandwich, beautiful Town Hall. They did a great job on it. I know it was controversial but certainly worth it. And we're interested in any input that the public can give us. Ultimately, the County government exists to serve the people of Cape Cod and they're the ones who are going to decide on any changes ultimately because any changes we recommend will have to go first to the Assembly for their approval and then to the Legislature.

And then if the Legislature approves it, they will as long as we're together on this. Ultimately it will go to the ballot. So no changes will be made until the voters of Cape Cod approve them.

So that's kind of a long-winded speech but it tells you where we are. And now I will ask if there's any public comment.

Mr. DOHERTY: Point of order, Mr. Speaker.

Chairperson BERGSTROM: Yes, point of order, Bill.

Mr. DOHERTY: I believe the agenda has three items before we get to that.

Attendance:

Chairperson BERGSTROM: Okay. We can take attendance at a glance.

Clerk O'CONNELL: I'm all set. [Ronald Bergstrom, Ann Canedy, Bill Doherty, Linell Grundman, Suzanne McAuliffe, and Julia Taylor were present] [Austin Knight was absent].

Meeting Minutes 9/18/13 for Approval

Chairperson BERGSTROM: You're all set. Okay. Meeting minutes, yes. You have received the meeting minutes of the meeting of 9/18/13. Any additions or corrections to the Minutes?

Ms. MCAULIFFE: Move approval of the Minutes.

Ms. GRUNDMAN: Second.

Chairperson BERGSTROM: Okay. It's been moved and seconded. Any comment?

Hearing none. All those in favor, say "Aye." "Opposed?"

(Minutes approved.)

Public Comment Session:

Chairperson BERGSTROM: Before we go to Public Comment, I'd like to have the members introduce themselves and why they're here.

Ms. CANEDY: I'm Ann Canedy. I'm the Town Councilor for Barnstable and I'm here as an at-large representative.

Mr. DOHERTY: I'm Bill Doherty. I'm a Barnstable County Commissioner, and I was appointed by the Commissioners to be on this panel.

Ms. MCAULIFFE: I'm Suzanne McAuliffe. I'm from Yarmouth, member to the

Assembly of Delegates, and I'm one of the three Assembly of Delegate members to the Charter Committee.

Ms. GRUNDMAN: I'm Linell Grundman. I'm currently on the Finance Committee here in Sandwich, but I did six years as a Selectmen. I'm also on the Cape Cod Water Protection Collaborative as Vice Chair, and I'm here representing the Upper Cape.

Ms. TAYLOR: I'm Julia Taylor. I'm the Delegate from Falmouth and have been for many, many years. I also served on the original Charter Commission that set up the existing system.

Chairperson BERGSTROM: Okay. And I'm Ron Bergstrom. I'm Chairing this Committee. I'm the Delegate from Chatham as I mentioned previously, and I represent the Outer Cape among us Delegates.

Okay. Ms. Rappaport you're up. You signed up so you have no choice.

Ms. JARI RAPPAPORT: I'm the only one?

Chairperson BERGSTROM: You'll have to sit there and speak into the mic.

Ms. JARI RAPPAPORT: I'm Jari Rappaport. I Chair the League of Women Voters for the Cape Cod Area Committee on County Governance. So I'm going to present our thinking today and several members are in the audience.

We are pleased with the work of the Charter Review Committee in outlining both the positives and the problems with alternate suggestions for County structure, the options that you've got in your handout.

Ever since the recommendations of the Special Commission on governance in 2012, strong positions have been taken by various groups. We felt that your approach gives everyone a chance to think through all the proposals from a fresh start looking at goals and how to get there.

The challenges facing our regional government are many. They include wastewater, offshore pollution, transportation, land use approaches to sustain and preserve our limited resources, and population changes which affect our economy and require responsive action to build a very vibrant-layered population which includes children and young people. We're so anxious to keep our young people here.

These issues require we felt a regional approach, and our County Home Rule Charter was designed to provide the basic structure to make this possible. Our towns give us a strong, meaningful identity and sense of belonging grounded in our history and serve as well for local governance.

However, the framework to enable all parts of the Cape to tackle necessary action jointly is not now sufficient. Our current structure is diffuse. We need a structure in which government can anticipate and/or discern problems as they arise, seek solutions, and bring us together for decision making on a timely basis.

To do this, we need to develop a structure which will provide clear leadership, responsibility, and accountability. Our current government has spread these attributes thinly across too many layers we felt.

We believe an increase in the clarity of leadership, responsibility, and accountability will lead to a corresponding increase in the effectiveness of government. It would also increase County visibility and citizen understanding of County functions and issues.

At this point, the League favors the Strong Executive to give visibility and leadership to the County role in meeting these regional issues. This puts the current administrator who responds to policy decisions of the three elected Commissioners.

We also believe the current structure to be replaced by a single elected board or a council

which represents a broad cross-section of Barnstable County. This would give real meaning to the legal standard that gives equal standing to each person's vote. One person/one vote.

This new body would carry out both policy and budget oversight combining the functions of a Board of Commissioners and the Assembly of Delegates. The duties of such a merged body require each member to have a broader and more in depth understanding of the issues facing the County.

We believe regional representatives would help foster greater public understanding of regional perspectives and solutions. Such representatives would be in regular contact with their various constituencies. They would be able to both hear their individual concern and to respond to those concerns with interpretations and solutions that help the constituency see the benefits of regional approaches while not detracting from any towns' uniqueness in terms of its identity in local government.

Thank you.

Chairperson BERGSTROM: Thank you. Do we have anybody else who wishes to comment? Yes, I see your hand up. Just identify yourself before you comment.

I should say to the people that there is a list available of not only the options that we're discussing but also the pros and cons of the options without editorializing too much.

Mr. JAMES PIERCE: I'm James Pierce the current Chairman of the Board of Selectmen here in Sandwich. You're sitting in my chair. I'm not used to this angle.

Two members of my board and Ms. Grundman asked me to --

Chairperson BERGSTROM: I see the other one over there, yes.

Mr. JAMES PIERCE: -- asked me to come and remind the group that I think it was in June we submitted a letter too, which is part of the record of your deliberations, where the Sandwich Board of Selectmen actually voted to emphasize the need to keep the Legislative and Executive parts of the County government separate from one another.

And we recommended also an expansion of the Executive branch. We didn't pick a number as I recall but there's now three County Commissioners. I think the Special said around five and potentially seven.

The three options that you outlined, the one with the five Commissioners and the Assembly as it currently stands, seems to fit what we put in our letter. The concentration of the power of the Executive in a Strong County Executive with an elected -- I think you said 11-member board from districts seems to run exactly counter to that, the recommendations in our letter.

So I just would remind you and I see Mr. Vitacco is here, Mr. Pannofi is here. I'm expecting Mrs. James to show up a little bit late. She's running a class up in Milton tonight. If I'm off-base, they're certainly here to straighten me out.

Chairperson BERGSTROM: Okay.

Mr. JAMES PIERCE: But just a reminder that that's where the Sandwich Board of Selectmen is coming from. That I can say, speaking for the Board of Selectmen in Sandwich and speaking for myself personally, the hallmark of American democracy is checks and balances. I don't see a Strong County Executive. And with due respect to the representative of the League of Women Voters, that just doesn't feel right to me speaking as a citizen now.

Thank you.

Chairperson BERGSTROM: Okay. Thank you. There's no reason why anybody -- we don't necessarily have to restrict this as to public comment. If you have a question/comment, feel free. Anyone else wish to speak? Quiet crowd.

Well, do we have any comments from the committee? Yes, Linell. Are you familiar with this building, Linell?

Ms. GRUNDMAN: I am. It brings out the worst in me. No, I was going to say the best in me. I think what's been very apparent to me as we've been deliberating these many weeks is the definition of Executive and the definition of checks and balances.

So, you know, remembering my seventh-grade civics class, three areas of checks and balances for the federal government. And this conversation began actually about the County -- three years ago was the first when the routine Charter Review Committee met, and from the beginning of that conversation, there has been a distinct thread about checks and balances. And I would agree with Mr. Pierce.

But I do believe that one thing we have to remember about the County is the budget for the County is less than most of our towns. So do we overdue government at the County level in terms of involvement to create what we're comfortable with in checks and balances or do we look at creating that checks and balances with the potentially more efficient system and a more dynamic system to be the responsive County government that we clearly need.

So I think that's an important thing. I know I wrestle with that. So are checks and balances three entities or are checks and balances two entities? I think one of the very vital discussions at this table has been about the possibility of creating a checks and balances and that accountability that we all want with two entities, an Executive branch and a Legislative branch. So I'd just like us all to kind of think about that.

We are looking at a recommendation that is in keeping with all the people on this table participate in government, some at the County level, some at the municipal level, some at both, and all are very aware that we're becoming -- we're at a point in our history where our County government has a vital role in delivery of services, but an equally vital role in making decisions about the regional problems we face that we will have to solve collectively.

So I know for myself, it's definitely been a lesson in looking at how do we define Executive and Legislative and how do we create that checks and balances that best serves the purpose of County government and the evolving and redefining of County government as we move forward as a region.

Thank you.

Chairperson BERGSTROM: Anyone else? Suzanne.

Ms. MCAULIFFE: Yes. I just wanted to say that one of the ways that I can look at some of these options are sort of the way the different municipal governments evolved over time. It used to be we used to have three full-time Selectmen in each town and town meeting. That became passé and now all towns, but one, has five part-time Selectmen and a Town Administrator and still have town meeting.

To me, the option which is the third option, and I'm not expressing a preference, the way I sort of viewed that was going to the Barnstable town form of government where you have a Strong Executive and then instead of having a part-time Board of Selectmen and a representative town meeting which would be the Assembly of Delegates, you now have similar to a Town Council.

So it makes for checks and balance with a Strong Executive. The Executive would still have the power to produce budgets and manage the County, be the face of the County, but you have the balance of an 11-member district representative body, whatever that would be, that

would be similar to the way Barnstable operates.

And the advantages and disadvantages, you know, those of us who have town meetings love town meetings.

Someone in the back doesn't.

Some of us love town meetings. But on the other side of it, when you have a council form of government, you have a very nimble, I think it's a good word, form of government in that you really can get things done quickly and you can be very sort of action oriented and go at a much better or faster pace, which with County government having so many different departments and branches sometimes that would be required even much more so than at the municipal level.

So that's just sort of the way I look at it. It's sort of the way the municipal governments have evolved. It's sort of time to look at the County government and see if it's time for that to evolve too.

And I would also say none of us have taken a position yet. We're trying to keep an open mind. This is the first of three. We've already had one public hearing but the first of three Cape-wide hearings, and we want to hear from people before we really take a vote, take a stand to make a recommendation.

Chairperson BERGSTROM: Okay. Julia.

Ms. TAYLOR: I think the big problem is how do you get town input since a great many services that the County offers are town services, not individual constituent services.

So I think the original Charter was set up when it developed that Selectmen who had previously played the role of the budget oversight group from each town were no longer able to do that because they weren't full-time Selectmen anymore.

So the change 22 years ago really came about because the Selectmen were no longer suited to be the Legislature. They weren't coming to the meetings and for understandable reasons.

So that's why the original set up was that each town would still be represented because we knew the towns were important but they would be elected separately. It wouldn't be one of the Selectmen. But because of the one man/one vote rule, they had to have this proportional vote.

I wonder -- I question, and I don't know the answer, are the existing Delegates the best representation for the towns? Are they a good substitute for the Selectmen since they were really on the ground running the towns? So that's one question.

When we had the Special Commission because I think it is vital to keep the town governments involved. So are the people like me or are we the best mechanism for that?

At the Special Commission meetings, there were several very impressive people who were town managers, and I really was -- I liked our town manager in Falmouth, but here were three more that I was really impressed with, and they had the thought that maybe the town managers could operate in some sort of advisory capacity to whatever the government was. And it occurred to me that maybe they could be, and it doesn't show up in this set up, but it occurred to me that maybe the town managers would be in the Charter as meeting 2, 3, 4 times a year and submitting a document at least once a year setting forth the town's priorities for the County that year. And that document would be official; it would be submitted to whatever the County governance was.

And in some ways -- and I think then the elected officials would have to feel some responsibility to deal with that list of priorities. If they didn't go along with it, they'd have to have some reasons and they'd have to be able to explain to their constituents why they were not responding to these and which ones they were picking from that list as their top priorities.

So if that could become sort of -- I don't think that would be that onerous a burden on the managers but it might be a way to really have a very effective message from the towns, and it would be particularly important to have that if there were regional districts. But I suspect it might be important under any scenario. So that's just an extra thought I've been having for a while.

Chairperson BERGSTROM: Anyone else? Ann.

Ms. CANEDY: I just want to address Option 3 since it's the closest to what we have in the town of Barnstable.

I understand the comment about checks and balances and I do agree that it is very important to have checks and balances. However, and I came from that position when I first started on this committee.

But I am beginning to see that Option 3 is also a strong checks and balances, perhaps even stronger because you're dealing with a Strong Executive -- Executive as in one person and then the Legislative body is equally strong. You don't have that dilution of the Commissioners on the next tier.

Under the town of Barnstable, the Legislative branch, the Town Council, does the policy-setting. We set goals. We set priorities. We direct the town manager to carry out those goals. He does so by formulating a budget that we then approve. We go through and approve.

So there is or should be a very dynamic interaction between the Executive and the Legislative branch as is -- as we now have in the town of Barnstable.

So, now as I look at County government, I see that there is an Administrator, and then there is the three County Commissioners who, with apologies to Commissioner Doherty, to me, looking from the outside, it seems to me that the Executive branch directs the Delegates rather than the other way around. And I don't think, you know, I don't think that's what should be occurring.

Chairperson BERGSTROM: All right. Yes, I'd just like to say that currently the Commissioners are in the process, and Bill can give us a heads up here, but one consistent thread that ran through the recommendations of a MMA, the Mass. municipal study which they authorized several years ago and also the recommendations of the Special Commission on County governance, which was chaired by Senators' O'Leary and Rauschenbach. I sat on that committee as did Julia and many other prominent people from the Cape.

The one consistent recommendation that came down was a strong Executive. And I look at the example of, for instance, Barnstable as Ann talks about. The advantage to that, you know, there are disadvantages and advantages, but if you look at the system in Barnstable, you know, John Klimm and now Tom Lynch

Chairperson BERGSTROM: -- strong Executives. They hire and fire, but they also in some way represent the town before the public. In other words, they go out there and they say, "This is what we want to do."

I mean the Chair of the Council does that too, but in a way, their positioned better to be a face of the County government to the public.

And I think one of the things that lacks in County governance is the understanding on the part of people in Barnstable County exactly what the County government does, what we're up to. I think we need a voice.

So that recommendation runs through almost all three of these recommendations. Regardless of where we're going, the die has been cast. The Assembly passed an Ordinance or a Resolution requiring more authority for the Executive, not so much because we want a power center, but if you looked at our Charter you would see that as Suzanne said we were 30 years

behind the time. We had the Commissioners signing minor documents. They were doing a lot of things that were basically paperwork and functionary and administrative that they didn't have to do. So we had to -- we made that recommendation.

Another thing I'd like to say while we're here is that why are we here today? Why is this coming down the way it is? Well, as I mentioned earlier, any changes would have to go before the public at a November election, the biannual election. That election is obviously going to be no earlier than 2014.

Before that, according to the process set up in the current Charter, any changes would have to be -- the way we make changes in the Charter is we form a Charter Review Committee. There are seven of us. Austin Knight from Provincetown couldn't be here tonight. They make recommendations to the full Assembly. If the Assembly agrees, it then goes to the state Legislature on a Home Rule petition.

If the state Legislature passes it, it then goes on the ballot. So think about it. The ballot's in 2014. Secretary of the Commonwealth is very strict about those things. He doesn't like to get anything at the last minute, so he's going to want it in the late spring/early summer. Meanwhile, the Legislature has to act on it, and they don't always do things, you know, the next day either.

So we are looking toward -- if, indeed, we make recommendations changing the way County government is organized, it's going to have to go to the ballot. So the time frame -- we're working backwards from November of 2014 and we're having the process now.

Now during that time, there will be many opportunities for public comment. Not only having these meetings, but we will continue having our meetings. When we're done, we'll make a recommendation to the Assembly. The Assembly will take public comment on it.

If, indeed, they improve any changes, it will go to Legislature. They -- you can petition them if you like it or don't like it. And then ultimately to the ballot where everyone will have a say one way or another as to whether they feel that the current system is acceptable or whether they feel that changes as Ms. Rappaport said would add to the efficiency of County government.

It's difficult for us because as I've always said I strained under the idea of nobody's paying attention, but, you know, for the first 20 years I lived on the Cape, I didn't pay attention either. I had things to do. I had a job. Some of us actually work. See, that's -- another advantage of having an executive is even the County Commissioners have jobs. You know, we do too. We're not going to be out there everyday pushing the County government. We need somebody to do that.

But it's understandable that people are not aware of the ins and outs of how County government works. We want to make them aware of it. And in the next few months make everybody aware of the services we provide, make them aware of the fact that it is a dynamic force. We're lucky to have a County government because we're a distinct geographic region. Some of the counties throughout Massachusetts, sort of a compilation of towns have disappeared and their duties have been gone to the state. We have an opportunity to do things that they can't do in other places.

For instance, we have the Cape Cod Commission which is a planning agency that we can put in regulations and try to protect the ambience of the Cape, but not everybody agrees with that but we have that option.

So, I'm hoping that over the next few series of meetings people become aware of it. I know that, obviously, the Selectmen are people who are sort of insiders in the process we're in, but I'm hoping that that awareness will extend more into the general population and that they'll be aware of the recommendations and comment when they get a chance.

Yes, Ann.

Ms. CANEDY: I'd like to ask the Selectmen from Sandwich that are here if they have an opinion on the -- on Option 3 as it relates to the fact that it will change the weighted vote concept, and ask the Chair of our committee whether or not we have a map that sort of shows where Sandwich would fit in?

Chairperson BERGSTROM: What's that?

Ms. CANEDY: Do we have a map that has --

Chairperson BERGSTROM: We have a website that covers all of this and my --

Ms. CANEDY: No, I mean do we have a map that shows the 11 districts?

Chairperson BERGSTROM: We do.

Ms. MCAULIFFE: It's on the website.

Chairperson BERGSTROM: Yes, we do.

Ms. CANEDY: It's on the website. So do we remember what Sandwich would look like?

Ms. MCAULIFFE: I'm trying to see if I brought mine.

Commissioner DOHERTY: It was given to us by the Cape Cod Commission.

Chairperson BERGSTROM: Yes.

Ms. CANEDY: Its Option 1 and 2, keeps the weighted vote, Option 3, you might end up having more than one vote on the new -- in that new scenario because of the way the districts fall. I know that the way that it looks for Barnstable we would have at least two maybe three. So, we still have sort of a weighted vote.

Chairperson BERGSTROM: Yes, we have a response from the Sandwich Board of Selectmen.

Mr. JAMES PIERCE: I'd be happy to let Frank or Ralph go first.

Chairperson BERGSTROM: I'd ask you to get up to the mic because we're recording this. See you would say the same thing if you were sitting here and someone started talking.

Mr. JAMES PIERCE: I feel lost over here.

Ms. MCAULIFFE: Those are the 11 districts proposed.

Mr. JAMES PIERCE: Thank you. I've heard the words nimble and efficient and quick and the rest. The problem with nimble and efficient and quick is they're as nimble at doing the wrong thing as they are at doing the right thing.

So I understand the value of having a face of the County. So a Strong Executive who serves at the pleasure of an expanded County Commission would seem to answer that need without blurring. You know, just because you call him an Executive doesn't necessarily mean he's the Executive. He can become the err and void signer of papers and all the rest.

But if you -- my town manager, who I'm suitably impressed with, has told me there's a lot of extraneous language in the Charter that should be probably tidied up and the duties of the Administrator or Executive should be defined better than they are right now. That would relieve the Commissioners of having to deal with the routine running to the office to sign paperwork and the like.

Having grown up on Cape Cod, I could be accused of having more value for town boundaries than might be possible. Of course, I think I've got it exactly right. But this doesn't look like the town boundaries.

Ms. GRUNDMAN: It's not.

Mr. JAMES PIERCE: So I will admit to having a built-in prejudice in that regard. But you could do it with districts, for example, Falmouth and Mashpee, that would be about 45,000 people; Sandwich and Bourne about 42,000 people; Barnstable around 44,000 people; Yarmouth, Dennis, Brewster, in the 40,000s, everything else out around the end of the arm. There are ways

to structure it. You can have districts that still respected, if you will.

Chairperson BERGSTROM: We actually in looking at the County Commissioners, we divided --

Ms. MCAULIFFE: Five.

Chairperson BERGSTROM: -- in recommendation 2, we looked at having the County Commissioners elected by districts. And the districts came out pretty much almost exactly the way you said it would be: Falmouth/Mashpee, Sandwich/Bourne, Barnstable would be its own district, Dennis/Yarmouth would be slightly under populated but we don't know exactly what the over/under is that the state would permit. They have to be vaguely close, but it's possible that Dennis/Yarmouth would be like 18 percent and then the rest of the Cape, us poor guys out there on the Atlantic, would be like one district.

Mr. JAMES PIERCE: That's all right. You're going to wash away pretty soon anyway.

Chairperson BERGSTROM: I know we're getting less and less of us anyway.

So, yes, the reason we came up with 11, I should say, is that obviously we have to divide by precincts and some math works and some doesn't. In other words --

Mr. JAMES PIERCE: And you've got to deal with November elections which are precinct driven.

Chairperson BERGSTROM: Yes, it has to be precinct driven. So, you're right. You could wind up in a precinct that's partially in one town or another. But that's the only way you could get to a one man/one vote is to have districts that are almost equal in population within a certain percentage.

Ms. CANEDY: That's one of the Barnstable's objectives, districts would be -- we would share with Yarmouth.

Chairperson BERGSTROM: Would be who?

Ms. CANEDY: Sharing with Yarmouth.

Chairperson BERGSTROM: Sharing with Yarmouth. Yeah, well, see, we don't know how you towns feel. See, I'm from Chatham and how other towns feel about each other; we could be causing feuds here.

Mr. JAMES PIERCE: Well, let me say I really appreciate all the work that you folks are putting into this. I know it's not an easy job.

So I guess what is it that they say, "Don't be critical unless you've walked a mile in the other guy's shoes. And besides that, if you walk a mile in his shoes, by the time he gets mad you'll be a mile away and he'll be barefoot"; right?

Chairperson BERGSTROM: Thank you. Suzanne.

Ms. MCAULIFFE: I just wanted to say that we also understand that there is a lot of work to be done on the Charter. I don't know if we're going to get to all the Charter language this time, but there are some big issues in terms of how the County operates.

And, as you said, there are jobs and certainly administrative functions that could be cleaned up. We have Michael Curran who is our attorney hired by the County Commissioners for special counsel to help us with not only navigating the ins and outs of what should be but also the language.

So I assure you, I'm not sure how much of this group will take on. We started with the governance because we felt that that was the elephant in the room and that that was going to -- everything was going to sort of flow from that.

So the governance is not the only issue. It was just sort of the big issue that we thought. Once we sort of had an idea of where we were going then we can cleanup some the language and the functions and maybe that would help with some of the governance issues that we're looking

at.

It's interesting that the towns that have the smallest percentage of vote, which is the Outer Cape towns and some of them have less than a percent are the ones that really seem very strongly committed to having a representative at the table, having a voice that is heard even though their vote really is negligible in terms of the overall vote, they really are tied to the idea that we don't necessarily care that it's not equal and even and don't lump us all together necessarily. We like having a voice at the table.

So that's the other thing that we're considering too. It's not just the checks and balances but there are a lot of people on the Cape who like their municipal entity and their municipal identity.

Chairperson BERGSTROM: Does anybody else wish to comment? Have we loosened any tongues? All right. Anything else from the assembled committee?

We are going to have another hearing in Orleans to give those people way out there along with my Chatham residents a chance to speak. And we'll have our final public -- our final session that's dedicated exclusively to public comment will be at Barnstable -- the Barnstable County complex a few weeks from now.

Ultimately, we hope to wrap this up, at least our recommendation, by Thanksgiving. We'll see if that happens, but hopefully have something to the full Assembly by the first of the year.

As we see in Washington, things don't always go ahead on a timely basis but that's our goal.

Any time you want to send any written comments to the Assembly, you can contact us. We have a website. And I'm not -- basically Barnstable County.org?

Ms. TAYLOR: BarnstableCounty.org.

Chairperson BERGSTROM: Go to Assembly of Delegates, Charter Review Committee and you'll get the information that I've just given you and a lot of other stuff. So that's where you'll be.

Anything else? Yes, Linell.

Ms. GRUNDMAN: I just want to add that all the communication with the County Charter Review Committee since we began is also available on the website. So people's opinions, the Selectmen letters, anything that's come to us is there. So it's a wonderful resource to kind of catch up with the whole process.

And thank you for coming.

Chairperson BERGSTROM: And we also insults and conspiracy theories so don't hesitate.

Ms. TAYLOR: Spread the word.

Commissioner DOHERTY: Before the Assembly meeting -- before we leave, I'd like to mention that the Commissioners voted today to make an offer to Michael Brillhart from Florida.

Chairperson BERGSTROM: Oh, okay.

Commissioner DOHERTY: For the Executive job. And we authorized Mary Pat to negotiate for us, you know, with him.

Chairperson BERGSTROM: That's an interim appointment right now? Is that an interim appointment, Bill?

Ms. MCAULIFFE: Speak into -- just repeat that because I don't think they can hear.

Mr. DOHERTY: All right. Today, the Commissioners authorized Mary Pat to negotiate with Michael Brillhart, who is the candidate from Florida to fill the job of the Interim Executive. We'll find out in the next couple of days as to whether or not she was successful with that, and

we'll have another meeting where we will vote to approve.

Chairperson BERGSTROM: Is that still an interim appointment, Bill?

Ms. MCAULIFFE: One year.

Ms. TAYLOR: One year.

Chairperson BERGSTROM: One year.

Commissioner DOHERTY: If it had been, in my opinion, if it had been advertised as a permanent job, we would have gotten a much larger group of candidates. It was specifically intended so that the person would be -- and I believe that this candidate got that consultancy where he would be responsible for managing activities during the period where the Charter review process would come up with a permanent --

And at that point, you know, there would be more traditional means of evaluating candidates for the permanent job, which should include let's say a search committee and things of that sort.

Chairperson BERGSTROM: Yes.

Commissioner DOHERTY: But the interim, you know, we're making -- we've gone forward. There were 20 people that applied for it. There were five people who were interviewed. Two people were given a second interview, and of those two people, both of which are very able candidates, and both of them, in our opinion, could have served.

But Michael has the benefit of having many years of experience both at the municipal level and administrative management as well as a County administrator management.

And I think that if all goes well, then he will serve what I think the intention of the Assembly had been to fill the job with someone who would stay the course during the period of time that this committee did its work.

Chairperson BERGSTROM: Okay. Thank you, Bill.

Ms. GRUNDMAN: Mr. Chairman, move that we adjourn.

Chairperson BERGSTROM: Yes. We need a second on that.

Ms. MCAULIFFE: Second.

Chairman BERGSTROM: Moved and seconded. All those in favor of adjourning? Okay. Thank you all for coming.

Next Meeting:

Next meeting and public comment session will be held on October 9, 2013 in Orleans at the Town Hall from 4:30 p.m. to 6 p.m.

Whereupon, it was moved, seconded, and voted to adjourn the Charter Review Committee Meeting held in Sandwich at 7:50 p.m.

Respectfully submitted by:

Janice O'Connell, Clerk
Assembly of Delegates