

**CAPE COD REGIONAL GOVERNMENT
ASSEMBLY OF DELEGATES
CHARTER REVIEW COMMITTEE
AND
PUBLIC COMMENT SESSION**

Approved Minutes for June 5, 2013

Call to Order

Vice Chair MCAULIFFE: My name is Suzanne McAuliffe. I'm the Vice Chairman of the group. The Chairman is Ron Bergstrom, and he is unavailable today.

We have our meeting committee members seated at the table, and their names are up above so that you know who they are. We are representatives of local government and from the Assembly of Delegates.

Today's purpose is to accept public comment. It is a Public Hearing so that we encourage people who have something to say to give us your ideas, your input.

We have also accepted written comment. We have quite a packet of information from interested citizens that we have not had a chance to go through yet because we just got this today. But we would like to encourage anyone who isn't available to come to this meeting to also feel free to submit in writing if you can't make a meeting.

And I know there's also been discussion about perhaps having Public Hearings in different parts of the Cape as well, so that other people will be able to attend. And I know Mr. Knight was going to bring that up at some point during this meeting.

So we would like to welcome everyone who has had the opportunity to come today, and we hope that you have an opinion you would like to share with us.

So, I think what we'll do is because this is a hearing we have a call to order. Let me find the right agenda that we have here.

Clerk O'CONNELL: Suzanne.

Vice Chair MCAULIFFE: Yes.

Ms. O'CONNELL: Just as clarification, the committee is meeting and you're taking public comment.

Vice Chair MCAULIFFE: Right.

Clerk O'CONNELL: So it's not technically a Public Hearing. Its public comments that you're going to take from the public.

Vice Chair MCAULIFFE: Okay.

Clerk O'CONNELL: And you've got that at the beginning of your agenda.

Attendance

Vice Chair MCAULIFFE: So, we start with attendance, and then we will go into the public comment. I stand corrected. It is not a Public Hearing. It is a meeting to accept public comment.

Ms. O'CONNELL: I'll do attendance.

Vice Chair MCAULIFFE: Okay.

**Present: Ann Canedy, Linell Grundman, Austin Knight, Suzanne McAuliffe, Julia Taylor.
Absent: Ronald Bergstrom, Bill Doherty.**

Clerk O'CONNELL: We have a quorum.

Public Comment

Vice Chair MCAULIFFE: Thank you. So is there anyone in the audience who would like to give public comment at this meeting?

Ms. JARI RAPPAPORT: Am I alone?

Vice Chair MCAULIFFE: You have a choice. If you want to use the podium, you can. If you're more comfortable at the table, we can move the microphone down, whatever is your choice.

Ms. JARI RAPPAPORT: Good evening. I'm Jari Rappaport representing the League of Women Voters.

With the passage of more than 20 years since the formation of the regional government on Cape Cod and its first Charter, it's been clear to us as a need to provide a more effective and efficient -- oh, efficient governments to meet the needs of the next 20 years.

The League applauds the current (Inaudible), Ron Bergstrom, Speaker of the Assembly, and Chair of this new Charter Review Committee, has promised an open-ended review of the County's challenges and possible reform measures. He has promised to appoint members who will be committed to consider our suggestions brought before the group and who will not be limited to previously held positions.

This initial comment period is a welcomed start to the work of the Charter Review Committee. To be worthwhile, we trust there will be frank discussion and study of all possibilities presented this evening and later for increasing the efficiency and effectiveness of our County government through various changes to the existing Charter.

The League of Women Voters worked actively for our initial Home Rule Charter and continued to observe and comment thereafter.

Since 2008, our interests have intensified as we observed limits to the ability of the current regional government as structured to carry out its promise to truly meet regional needs.

Following our hosting of free public forums in several years and the comprehensive work of the Special Commission on County Governance, the League took on the study of the County structure and reached for ourselves a consensus on some aspects of structural change.

These included, one, the belief and the need for a single, strong County Administrator or Executive.

Secondly, a smaller legislative body to be elected on some regional basis. The rationale is as follows:

The Executive. The League believes that a single executive would have responsibility for and be able to articulate a clear vision for the County. This one executive would be the spokesperson for the County, generating greater visibility both to the office and to the County government.

Furthermore, with that accountability, it becomes firmly located and understood by all. Such strong leadership and vision is essential in carrying out the Executive's/administrator responsibilities to help our government meet the challenges of continuing change in our social and economic environment, and to take advantage of as well as meet. The challenges are rapidly evolving technology in our everyday life.

And certainly today's structure shows with all of its technology how we need to keep moving forward and using it constructively.

With regard to the smaller legislative branch, the League believes that a smaller branch elected regionally would foster more recognition of the independence of our 15 towns and resulting need for regional solutions when appropriate.

A regional representative and legislator would necessarily focus on helping citizens of their town see their interconnectedness and efficiencies of sound regional approaches.

We also note that a smaller legislative branch would make possible a stronger commitment of

legislators time and effort in attending to our regional government's operation and issue safe and now currently possible with meetings held for an hour or so twice a month.

This, of course, does become more expensive if more time would be given for such procedures.

Critics of a smaller regionally elected legislature have argued that towns would lose their voice. We disagree in that meetings would continue to offer opportunities to address the meeting and the legislative branch.

Currently, a town has its voice through its Assembly Delegate, but the smaller towns have very little power in terms of that vote. It takes the voting power of eight, out of Lower Cape towns, to equal the approximate voting power of the single town of Barnstable.

A regional legislator would have the interest of his or her constituents in mind and considerable more voting power. Any method of this routine would ensure an equal distribution of residents in each.

We appreciate this opportunity to comment and your commitment to accept comments in written form throughout this process and for further opportunities for public input such as this.

Thank you, very much.

Vice Chair MCAULIFFE: Thank you, very much. Is there anyone else who has comment? Cheryl

Ms. ANDREWS: Thank you for your time tonight, and that you for your service. My name is Cheryl Andrews, and I grew up right down the street. I graduated from Barnstable High School, and after my education was finished, I settled in Provincetown in 1986 to begin my professional career as a dentist.

While in Provincetown, I served six years on the Board of Health. I served as Chair of our Citizens Advisory Committee on Wastewater. I served on our Water and Sewer Board. I wrote the Wastewater section of our Local Comprehensive Plan, and I served on the Board of Selectmen from 1998 to 2007, the last three years as Chairman.

I was Provincetown's representative to the County's Water Protection Collaborative from its inception in 2006 until 2010. I'm currently serving my second term as Provincetown's representative on the Barnstable County Assembly of Delegates.

I am here this evening to express my views on the issue of Barnstable County governance. I believe that the Board of County Commissioners would function much better as a five-member board.

All the Boards of Selectmen on Cape Cod are five member boards. Frankly, most town boards have minimums of five members. This allows for a diversity of opinion and experience and reduces accidental quorum problems. This number works well for our towns, and the track record already exists for its advantages. Improved transparency would occur.

I believe that the proposal to eliminate the Assembly of Delegates is a mistake. By removing the one town/one voice system that Barnstable County has enjoyed since the Charter reduction in 1989, it's my opinion that the smaller towns will feel disenfranchised.

I do agree that this change would lead to a more powerful board of Commissioners allowing greater leadership potential. Clearly, it would mean less meetings, and, therefore, would be more efficient. I don't feel that that change would be a net gain for County government. Frankly, I feel the opposite.

Without a town representative, the small and medium-sized towns would lose the minimal connection and voice they have now. The risk here is great. Once disenfranchised, the call to leave regional government will get louder.

The citizens voted in 1989 to create the Cape Cod Commission. We gave the Commission broad regulatory and planning powers, but with the understanding that those regulations would require the approval of the 15 member Assembly.

Once that Assembly is gone, the agreement is broken and the risk to the continued success of the Cape Cod Commission would be genuine.

The people of Cape Cod will not stand for regional regulation and economic planning that could be set by as few as four votes.

As a strong supporter of the Cape Cod Commission, I believe that this is an unnecessary and dangerous risk.

Untreated wastewater and the negative impacts it has had on the environment is clearly a critical planning issue for the towns of Barnstable County.

Almost 25 years ago, Provincetown adopted a rather unique growth management bylaw that identified solid waste, liquid waste and drinking water as the three critical limitations on growth that should be managed by our local government. Since then our solid waste landfill -- sorry, I think it was - - yeah, I guess it was a landfill -- dump was closed and our transfer station opened, our septage lagoons were closed, and our sewer plant opened, and our drinking water wells in Truro have been expanded and upgraded.

But these issues remain critical in some of the other Cape Cod towns, and County government has been identified as the best vehicle to assist these towns, particularly with wastewater.

Systematically over the last 10 years, Barnstable County has expanded its role in wastewater planning, a process which some have suggested could have a price tag in the 4 to 5 billion-dollar range.

Is it acceptable to take away the voice of the smaller towns at the same exact time that the County wishes to expand and address the most expensive issue that has faced Cape Cod? No, it's not. It's inherently unfair and unreasonable.

I urge the Charter Review Committee to recommend an expansion of the Barnstable County Board of Commissioners from three partisan positions to five nonpartisan positions. I urge the Charter Review Committee to not recommend eliminating the Assembly of Delegates, and, instead, call for maintaining our current checks and balances system.

Thank you.

Vice Chair MCAULIFFE: Thank you, very much.

Mr. DAN MCCREADY: I'd just like to announce I'm from Cape Cod Broadcasting and I'll be recording.

Vice Chair MCAULIFFE: Thank you. Is there anyone else in the audience? Yes, ma'am.

Ms. MARY LOU PETITT: Thank you for the opportunity. Hi, Julia. It's sort of like home. I couldn't wait to come back here every once in a while.

My name is Mary Lou Petitt. I was a member of the Assembly of Delegates for 14 years, and also was a member of the Special Charter Committee, the Special Commission on Governance. And I'm speaking strictly for myself, not for any other agency or department or commission.

My remarks will be strikingly different from the previous speaker, but I, also, am from the Lower Cape, so I think I bring a perspective from that direction also and it will be different.

My background and I think it's important to give you this because it will reflect what my thinking is. I am a community organizer and was a community organizer for eight years on the Lower Cape.

I think that makes it somewhat different from the speakers of some of the smaller towns because my role was to develop regional approaches to issues on the Lower Cape that involved 8 towns. We had never had such an organization. I was the first hired person for that job. And in those 8 years, we accomplished tremendous action as a result of the regional approach of Lower Cape towns that could not have been done if it had been done town by town by town.

Some of the things that we accomplished were the establishment of the housing -- Homeless Prevention Council, Habitat for America came as a development of activities on the Lower Cape; the Community Development Partnership, the CDC; the Ellen Jones Dental Clinic in Harwich; the Flex Bus. All of these things came out of the efforts of the Lower Cape Community Coalition, working to bring all

of the towns together.

So that helped us to get funding because we had a regional approach. It made our identity much stronger than each individual voice would've done, and brought a spirit to the Lower Cape of identity.

I remember when I was hired, people said, "Well, we can't just call this the Lower Cape. We have to call it the Lower/Outer Cape Health and Human Services Community Coalition." So they were very sensitive to Lower and Outer and still are, and I think that's good.

But I think there has been, and George Bryant was a great speaker from Provincetown for regional approaches, and I think it's clearer than the previous speaker indicated, and I think it makes our voice more distinctive, more effective and avails ourselves of grants that other communities don't get. They just speak on their own.

When I was an Assembly member here, I was for many years the Chair of the Human Services Commission -- Committee. I proposed the very first housing Ordinance the Assembly had done. When we got that passed and got money, I had the Lower Cape communities united. We were the first ones to get the money. It wasn't town by town.

You look at the towns now and you see the percentages of the votes, it's much more effective to work as a region, and I am strongly in favor, as a member of the Charter Committee and the strong executive, surely we know that the changes in the world, in the community, in the global situation facing us demands change from every aspect we're seeing. Faith communities are changing; schools are changing; the world is changing. It's time for this government to change.

So I support the strong executive. I think the need for a one clear spokesperson who brings all of our issues together and speaks with one voice reflecting all of the work of the regions and the towns will make this a really government that acts -- not that reacts but proacts.

I think I find it difficult for people to look at what we have and say it's alright for the future. I've never seen such change going on as I see in the world today.

So I think it's important that we stress that. And I look today and yesterday at the Cape Cod Times, the headlines, "More Cape Children in Poverty." Do you know how that's circulating around town? That's our Barnstable County Human Services Department that has the study. And it was our Community Coalition that got the Barnstable County Human Services Department established.

We're having issues like that poverty issue that we can't deal with with a part-time Assembly that meets for those few hours and then maybe some of the members aren't together again, don't talk again until they come back the next two weeks.

So I think we need an Assembly that's focused, that represents the regions. And in that focus and in that region, you're going to have much stronger individual town voices heard.

I think they're not heard today. You don't say, "Oh, the Lower Cape feels this way" or it's because they aren't in a body.

Now I think you've got the challenge of the world. How do you do that? One person/one vote. How do you separate it? I'd love to see the Outer Cape, the Lower Cape, the Mid Cape and the Upper Cape. You still get -- you still don't get one person/ one vote. You've got almost all the Lower and Outer to take on one town which is Barnstable, population wise.

That's why the issue when Barnstable County was formed, I remember talking to my dear friend Ellen Jones who was a part of that formation process, and she said, "We argued and we worked day after day to try to get something besides the weighted vote, and we came back to that one vote/one person."

That's why the Special Charter Committee did say you should have an Advisory Board representing the Town Administrators from each of the 15 towns.

Now maybe there can be some sort of an Advisory Committee that concerns more than just that. I think you've got a challenge, and I think could you do it with Outer and Lower and Mid together against

Upper? I don't know, but I think a special large amount of work maybe with other people needs to be done on that. And you're always are going to come up with the issue of one person/one vote.

And I just want to add -- and I know I'm taking a while to stress how much I feel about the changes that are necessary. At my age, I don't begin to understand all, hardly any really, of the technological challenges that are facing us. I use the email and the Internet, that's about it.

But what I've seen and heard lately has been we are in the information age, which contrasts say to the industrial age. While we're dealing with little bits and pieces, this whole world around us is changing. And this information age is going to mean we all do things very differently. We are better organized. We are better focused. We act ahead of time. We use the technology, but, number one, we make sure that that technology benefits everybody, not just Silicon Valley. And that's what I think the poverty issue's going to be all about globally; inequality in a new technological age.

Government is going to have to deal with it. County government is going to have to deal with it. If County government is effective and efficient at all, I think you've got a major challenge facing you. I don't envy you, but I think it's exciting to know that you can make government work better if you aren't bound into your own unique identity but that you incorporate that identity in a regional way that benefits everybody.

And with poverty issues facing us here on the Cape, and with environmental issues facing us, with the global issues that impact everybody, if we don't change, I think we will not be effective in the future.

So, I appreciate your challenge. I appreciate your wanting to move on this.

For all of you who are interested in this issue of information age, can I recommend a book, which I have just finished reading, George Packard; it's called "*The Unwinding: An Inner History of the New America.*" And he really analyzes what that global economy is going to do not just to the big world at large, but to each of us.

There was a condensation of his book in the May 27 issue of the *New Yorker Magazine* and you could read some of it there. That's the May 27th.

Again, I thank you. I would like to end with a comment that Lucy Brown made in -- Lucy made in Charlie Brown. She put her hand up, as she so frequently does ready to hit somebody, and she said, you know, look at my hand. Separately these fingers can't do much at all, but you put them into a fist and you got something really going for you. And I think that's what regional government could do.

Thank you.

Vice Chair MCAULIFFE: Thank you, very much. Is there anyone else? Yes, sir.

Mr. GEORGE BRYANT: My name is George Bryant. I'm a native of Provincetown, and I served on the Assembly for 22 years.

Prior to that, I was on the Charter Commission. And prior to that, I was on the Barnstable County Government Review Committee which was set up by the three Commissioners at the time, and it started in March of 1982.

And both groups came up with very similar suggestions for a Charter. And I think it's functioned quite well the way it's set up now. There are a few changes that could be made but not substantial ones.

Prior to that, starting in 1976, when I was the Chair of the Provincetown Board of Selectmen, I served on the Financial Advisory Board, which used to look over the Commissioners' budget and approve or reject it, and then it was sent to Boston. In other words, there was no local complete approval of the budget. And that was, of course, much more limited then than it is now. I know the functions that exist now, many of them didn't exist before.

That's what the Charter brought us. So, please don't make any changes that are going to affect the services that are regional and important on the Cape.

They talk about how the Lower Cape -- the Outer Cape. That word didn't even exist 20 years ago.

It's cooked up by the real estate agents to make the end of the Cape sound wonderful and raise the prices and, of course, they did.

There's a Lower Cape; there's a Mid Cape, and there's an Upper Cape, as far as I'm concerned.

The term "Assembly of Delegates" was coined during the Charter Commission, of course. And I think the better phrase could be used, "The Barnstable County Councilors" would make more sense. Assembly of Delegates sounds as though it's a group that's getting together to do a specific task in a short period of time and then resign.

Most people don't know what the Assembly is anyway. They'll ask you and they're confused about it, and it is a confusing term in Massachusetts. It didn't exist before. In some states, they have Assemblies but not here.

I think that it would make more sense to people if they knew that it was a council. In general, I agree with the idea of having a strong Administrator. We had an Administrator for a while and it didn't work out for a variety of reasons. The last one came from New York, and we found out later that the people in this office there said if you'd asked about us about him, we would have told you everything.

So, we have a very strong need to have every town represented, and I agree tremendously with Cheryl and that idea of packaging the towns into 8 on the Outer Cape and a few up here, it just doesn't work.

In an article in the Cape Cod Times by a member of the League of Women Voters, she suggested that eight towns could have one representative, just like they have a state representative. The state representative spends, as far as I know, most of her time doing that, and she makes \$60,000 a year. Are you willing to pay that sort of money to get somebody to represent 8 towns? It doesn't make any sense. It's much better to have it the way it is and have representation from each town so that if an issue comes up, it can be discussed a couple of times a month as it presently is.

So, thank you, very much. I appreciate your efforts in this. I know that it's not going to be easy, but the Cape really deserves a good job.

Thank you.

Vice Chair MCAULIFFE: Thank you, Mr. Bryant.

Is there anyone else who would like to make a public comment?

Mr. Niedzwiecki.

Mr. PAUL NIEDZWIECKI: Thank you. I think you do have your hands full, but it's a huge opportunity because I think the challenges that are facing the Cape are tremendous as we look forward, and they call for more efficient effective ways to respond and better use of information.

I am here today to offer any assistance that you might need if you have a request for information from the Commission. The Cape Cod Commission Act plugs into the County Charter, so any manipulations to the Charter potentially affect the Acts. So we do want to keep an eye on that.

And I would just say that the Cape Cod Commission is about the same age as the Assembly, and we have every 10 years revisited the Commission. The last time that we did as a Blue Ribbon Committee, it gave us a very full and detailed report. There was a matrix made up. And when I took over as Executive Director, a lot of progress had been made, but we made sure every one of those boxes was filled in and those issues were addressed. And it's not always easy to sort of consider criticism, but it has always, I think, made the Commission a better organization.

And it would be my intent to ask the Commissioners in 2015 to do that again. I think the Cape Cod Commission should revisit -- it's a regional planning agency. It's supposed to have a 20-year view, but I think every 10 years is actually a really good time to revisit what we do and see how we're doing. So, I think that that's important.

I really want to try to stay focused on the connection between the Commission and the County

Charter. I'm glad to see Bill Doherty is on the Committee, so as a County Commissioner, I know that he's familiar with the Commission and represents our interest.

And I see Austin Knight, our Provincetown representative on the Cape Cod Commission on the Committee. So I feel confident that we won't miss anything as it relates to the Commission.

But to the extent that any of those issues become detailed in nature and you require any information from us, please don't hesitate to call and let us know, and, in fact, we'll be at every meeting, so you can just sort of point us out in the crowd.

The other thing that I would -- I don't know how much of you envy this task, but I think there's going to be a lot of math involved. So I would focus on that.

Even with some of the discussion earlier about wastewater economic policy starting out, you know, my interest is that there has to be in the County -- if there's only one thing from the Commission's interest -- perspective, there has to be a democratically elected County Legislature that counter-balances Ordinances and actions begun in the Cape Cod Commission by town appointees. And the Commission and the Assembly act in a very quasi bicameral way that I think is very effective.

But the town representation -- one town/one vote on the Cape Cod Commission, the Commission initiates a lot of the legislative activity. And when it comes to the Assembly, the Assembly can vote up or down on many of these things but can't change the components of it.

So to have individuals represented on a regional basis I think is important, and it's been the source of some of my comments about the fraction of representation method that we currently use.

So I would just focus on that because from my perspective, if you look at DCPCs, for example, those are incredibly powerful tools, Districts of Critical Planning Concern. They are generated by towns for the most part. All in the history of the Commission except one generated by towns.

DCPC's affect people. They don't affect towns. So, if you are an individual that lives in the town of Barnstable and a DCPC has impacted your rights or your interests as a potential abutter and you go to your legislative representative, it's different than if the same thing happened in Truro.

So it's not just your representation at the voting -- the polling place or the voter box when you go in. It's your representation of the day-to-day operation of the legislative body that's important.

So, that's really where I think a lot of the focus needs to be to the extent that it involves any comments from the Commission as we move forward.

And we do have our written comments. The one thing that I have learned is that it's better to put things in writing because when I hear things that someone said that someone else had thought I said that someone said, they are rarely even close to correct. And I'm shocked at how many times they're 180 degrees out of position. So that is of some concern.

But I think these big issues are going to come. They are wastewater. They are economic policy. They're more frequent, more severe storms and our response to them.

But if that policy is started at the Cape Cod Commission, for example, in the form of a DCPC or other planning is that it takes 9 votes to get out of the Cape Cod Commission. And not many things leave the Cape Cod Commission with nine votes.

So there is a lot of municipal representation on that Commission. It is an incredibly professional, thoughtful, and deliberative body.

And when that comes to, those policy and issues come to the Assembly now, it would only take four votes on the Assembly right now, and none of them are Lower or Outer Cape, are not necessary in order to make that happen under the existing system.

And I would caution how you sort of approach that from looking towards the future. If you look 10 years into the future, you don't know where the population is going to change. But if you look at the real estate held and controlled by the National Seashore, it is much more likely the population increases,

although we have seen a decrease in the last 10 years that representational population increases will happen on the Upper Cape.

So to the extent that it only takes four big towns to move something in the Assembly now, within a fairly short period of time, it could be fewer.

So, these are the kind of math that I think you need to consider when you take up your deliberations. But, most importantly, because they are up to you, and we have a very aggressive agenda in front of us, and we'll be bringing this agenda forward to the Assembly soon.

So it doesn't necessarily matter to me as long as there's been thoughtful consideration, and as long as the comments that the Commission forwards to you or that I make are put in the context of us, I think we all want the same thing, and we're just looking for the best way to do that.

So, with that, I will close, and we do have written comments. Some of those comments generated by outside counsel relating to certain specific interactions between the Charter and the Commission Act.

I thank you for your time, and I look forward to your work. Thank you.

Vice Chair MCAULIFFE: Thank you, very much. Is there anyone else who would like to give public comment at this time? Yes.

Mr. ALEX MORASH: Just to make sure, this is the Charter Review Committee; correct?

Vice Chair MCAULIFFE: Yes.

Mr. ALEX MORASH: Okay. I am in the right place.

Thank you, Chairwoman of the Committee and to the members for having us for public comment today. I think it's very important for people to come and talk about issues.

My name's Alex Morash. I'm a resident of Yarmouth, and actually used to serve on the Democratic State Committee for Cape Cod. So, what motivated me to come here tonight is I talk to a lot of people from every town on Cape Cod. When I was hearing about different proposals being made to your committee, I said, "Oh, well, I have a little bit to say on some of the proposals given to us."

So, while I did say I was from a large town, I do believe that every town needs to have representation in the Assembly of Delegates.

To lose these voices would reduce the County's ability to draft policies that work for all residents and it would take away from representation from each town discouraging local participation in County government.

Now, especially, if you're from a small town or even a large town, it's very easy to get to know your Assembly of Delegates member, learn who they are, and be able to make a decision on that.

Arguments have been presented to your committee. I know that would say that for a more efficient government with fewer voices and an executive that is not directly responsible to voters, this would not lead to more efficient government. It would lead to less accountable government.

Barnstable County is a large government entity. To have an unelected bureaucrat function as the primary executive would have decisions made that affect tens of thousands of residents with giving them little voice in the matter. It would take years to remove an executive they didn't like. Whereas in our current County policy, every four years if you don't like a particular member of the County Commission, you can just elect someone else.

And especially at a time when we're thinking of looking at bigger issues than we ever have before, like regional water and sewage, which is a very important issue, voters need to have as much representation as possible in this matter.

And then in these entire recommendations I've seen so far is just taking away different information for voters and even to the point of having your head elected County Commissioners be nonpartisan. I'm very against that idea because something that voters use when making decisions is looking at what party affiliation they have. Many voters, once you start getting to the lower ballot areas have to fall back on

those partisan ideas. Because while no candidate agrees with any party to 100 percent, you're able to make certain rational base choices on that. One party tends to believe in, you know, pull yourselves up, and the other party believes that government should be assisting the poor. And that's really important for votes to be able to look at.

So that's why I wanted to come tonight to give you my thoughts on that. Thank you for your time.

Other Comments and Communications

Vice Chair MCAULIFFE: Thank you, very much.

Anyone else have comment at this time?

All right. Thank you, very much. Thank you for coming. It's been very helpful to us to have the wide variety of opinions and views. And it's interesting that you really have covered all the bases, I think, in just a few people.

We've heard almost a representative from most of the views that we've heard already. We are not going to be discussing the specifics in terms of governance, I think, and your comments at this time.

We do have, as I mentioned at the beginning, a huge packet of information. I'm just going to briefly kind of run through that just so that people understand what it is that we have received and that we're going to be going through. I'm not going to read it. I'm just going to tell you what's in it.

And I think once we've had a chance to look at this and digest this, and we have, I know, tentatively scheduled a talk on governance today. And once I go through this, I'll ask the Committee what their pleasure is, but I do want people to know that we are taking in a lot of information at this point.

So, I just wanted to let you know something that wasn't in the packet but was handed out most recently are comments from our Special Counsel, Mr. Mike Curran, who has given us a, I guess, letters or a letter or comments on his thoughts and a link for us to check. So this is input from a gentleman who has been hired to help us with all the legal wording and also legal issues with looking at the Charter.

We have in our possession a Resolution from the County Commissioners that they passed May 15 on their recommendations for the, specifically, for the Charter Review.

We also have the scope of services for Mr. Curran because there was a specific and lengthy scope of services that the County Commissioners were interested in him performing, and we all need to be aware of that so we can work together with that.

There are also comments from Ann Canedy.

Ms. CANEDY: Yep. Can I say something?

Vice Chair MCAULIFFE: Yes, you may.

Ms. CANEDY: Those are my comments as of now, beginning the process.

Vice Chair MCAULIFFE: Right.

Ms. CANEDY: And I do believe and hope that they will evolve. So they're just gut reactions right off the top.

Vice Chair MCAULIFFE: Yep, that's fine. And this is all a work in progress.

We also have a copy of the Resolution that the Assembly of Delegates has made on 13-01, which is a discussion of an Executive branch and Legislative branch. These will all, by the way, be scanned in and available I believe tomorrow?

Clerk O'CONNELL: I hope so.

Vice Chair MCAULIFFE: Hope so tomorrow. So these should all be available to the public. They are in our possession just as of this meeting.

There are comments from Bill Doherty that are questions and concerns for Charter Review with -- I think there's four or five -- his thoughts because he couldn't be here.

And then from Mr. Beaty, we have a lot of information in terms of the Charter Review Committee.

We have the Plymouth County Home Rule Charter. We have the Plymouth County Charter Commission information.

We have testimony regarding a recall election provision. We have several faxes from Mr. Beaty as well with articles referencing this Committee. I'm just going to briefly just let you know we also have the actual House Bill 556 and House Bill 590 to consider relative to what we are considering. And that may be recall, the recall position.

More Cape Cod Times copy. Comments from the Cape Cod Times as well. Open Meeting Law material; certification. And I will comment now. Every member of this Committee is required by law within two weeks of the start of their business on this Committee, which was last Wednesday when we officially started, is required to be updated or current on the Open Meeting Law so there's a little online -- I don't mean to diminish it -- there is about a 45-minute online test that you take, and you have to pass that test, and then you get a certification. So we all have that as required by law.

And we have the Assembly of Delegates, which I mentioned, that was faxed in as well.

A piece titled, "What Form of County Government is Right for Us" from Mr. Beaty. I believe all the faxes are from Mr. Beaty. An Open Meeting Law complaint. And also from Mr. Ed DeWitt, from the Cape Cod Business Roundtable, comments that were made in 2011.

And also an email from Jim Pierce that came through Linell Grundman from Sandwich. And these are comments from Mr. Pierce for us to consider as well.

Since we haven't had time to read these, we really can't tell you what's in them or comment on them, but this is all something that we will be considering. We will be reading, and then as well as the comments tonight as we go forward.

We decided at our last meeting to tackle governance as a topic early on, and that's one of the reasons why I think a lot of people are coming in with more governance discussion than all the other important things in the Charter.

And because one of the things that we talked about was as you go forward, the Charter may need to reflect the governance. So, if you don't decide that first, you may be doing a lot of busy work on the Charter that then gets undone when you decide what your governance is.

You know, we may discover as we go along that that's the cart before the horse and we might want to do something else, but we are a very free-flowing open public committee, and we encourage attendance at our meetings. We've decided to meet on Wednesdays in conjunction with the Assembly meetings at this point. So, on the days that the Assembly meets, afterwards this Committee will be meeting so that people have a general idea of what our schedules are. They will also be posted on the County website.

I just wanted to make sure that everybody knew what we were considering. I'm not sure people feel prepared to have a discussion at this point. We did talk about trying to have a discussion if we had time left. It's my opinion that there's a lot of information that we haven't had a chance to read. But I would be happy to hear from the committee.

Yes, Mr. Knight.

MR. AUSTIN KNIGHT: Thank you, Madam Chairman. I don't think we prepared totally to have that discussion this evening in my opinion.

However, I think what we need to have a discussion on is taking this process out into the Upper and Lower Cape as well as right here.

I have received an email earlier from Selectmen in Provincetown asking about the process. I received it from our representative to the Assembly member. And I think out of fairness to a lot of towns that it would probably be appropriate to have a couple other open meetings.

I'm not one that -- I go to a lot of meetings, but I think out of the fairness of the process and the

fairness to the whole thing, especially it's coming in this season, it gets very challenging for people to come to the center. So we may have to bring this conversation to both ends of the Cape also. And that's my suggestion that we do something, come up with a time where we can do it as a group, and so we can really get out into the communities a little more because this is changing. This may change. I'm not saying it's a definite change. I'm saying the conversation is changing, and we want to get as much perspective as we can from those who are going to be involved and what the changes may be.

So, I don't know whether to make a motion or not, but at least, given you liberty -- I talked to the Chairman this morning about this concern I have. Then I was informed he wasn't going to be here, but he thought it was a good idea, and I'm just passing it on to the other members of the Committee. I think that it's something we have to do.

Vice Chair MCAULIFFE: Were you thinking of having meetings at the opening informational gathering meetings right now, having one scheduled initially at the beginning or having this one as a start, and then a Committee meeting once or twice and then scheduling one of our meetings at the Upper Cape and then another meeting at the Lower Cape and allowing public comment at those meetings, or were you wanting to have the opening public comment hearing up front? What was your thought?

MR. AUSTIN KNIGHT: I'm at liberty to listen to what other members have to say. I think that we have to bring everyone into the conversation. How best we do that is going to be determined, and I'm certainly willing to listen to some of the other Committee members.

I mean I have my feelings but I wanted -- I brought up the idea and want to hear what people have to say.

Vice Chair MCAULIFFE: Yes, Ann.

Ms. CANEDY: I think if we're going to tackle form of governance first, then I'm hearing a lot about the smaller towns not having their voice heard. I don't hear that really from the people that represent those smaller towns.

So, I would be interested in going out into Provincetown/Truro/Wellfleet area to see if that's really the feeling that they feel that they don't have a voice on the Assembly as it exists now.

Mr. KNIGHT: Madam Chair, if I may?

Vice Chair MCAULIFFE: Yes.

MR. AUSTIN KNIGHT: I think what the conversation is is it's not so much what's happening now; it's what might happen in the future. People want to be brought into that process.

I'm not saying there's not representation from each of the towns on the Assembly. I'm not saying that they don't get back to their towns with the reports. I know ours does, but I don't know what other towns do.

But I think in the process of as we're starting to do things, there is a larger conversation, and that's not just for the Assembly members, but with the general public itself.

Vice Chair MCAULIFFE: Just, okay, Ann had a follow-up.

Ms. CANEDY: Yes. I guess I didn't really articulate that I guess very well.

What I meant was it seems that one of the bigger issues is the future of the Assembly of Delegates and how that should be configured and whether it should exist. And I think that that's a good reason to go out to the other towns to see how the other regions, the other smaller towns, perhaps, feel about it.

Vice Chair MCAULIFFE: Linell.

Ms. GRUNDMAN: I agree with you, Austin. And I think that governance, in general, that we've taken this turn that that this is how we're leading the conversation.

We could easily go to your point, I think sooner rather than later. It would be to get to the opposite ends of the Cape and make it amenable for people to come and speak to us.

I want to remind the group that there have been really two recent Charter reviews. We're all aware

of that. But I think it was only two -- Austin, you were on the Assembly -- well, 2008 when the County Charter -- the official Charter Review, then it was the Commission came into play so it may have been 2009.

So what has struck me is that we have two bodies that have come together to discuss and to study and to comment on what the Charter should look like in that first review was kind of kicked back, and in a constructive way for a broader discussion in the Commission that was formed.

So there's a lot of already, I would say, people very aware that the County is looking to create a different approach perhaps, amend the Charter. Both the governance piece is the biggest piece.

So I think we could easily, just on that topic alone of governance, open it up to the public comment or whatever we're calling this, not a Public Hearing but coming/going on the road, as Paul likes to say when he's doing outreach.

I know that the Sandwich Town Hall -- I could probably get that for us at the Upper Cape, and I think we should do it sooner rather than later because I think a lot of people are very interested in what we're doing, interested in having (Inaudible), and it is -- people are looking to this group to settle what didn't get settled in the previous two groups.

Vice Chair MCAULIFFE: Yes, Julia.

Ms. TAYLOR: Yeah, I think its fine to have as much input as we can possibly get, but I think most citizens make their best judgments if they have some sort of structure to look at. And I'm a big believer in having things written down, and then you can look at something written down, and then you can talk about what the pluses and minuses are of each of those things.

So we could go around to every town and have public comment for the rest of the summer, but I would prefer that we do some work on what are the rational options and what are the pluses and minuses from our point of view of those, and then write that up, not that this is the answer, but these are the options. Let's not talk about things that aren't really an option. We can weed that, you know, kind of come up with some. And then get some publicity for that, and then with the rational and the pluses and minuses of each -- there's no perfect system, we know that.

So, we need to discuss that because that's why we're kind of in charge of trying to come up with something. Then let's have comments on that. That would be my suggestion.

Vice Chair MCAULIFFE: Yes, Linell.

Ms. GRUNDMAN: I like that a lot, particularly if we're talking about writing down almost an outline of options for public discussion. I think that's an excellent idea, Julia.

Ms. TAYLOR: Yeah. No, my whole problem is, as I said last week, I'm not going to be here for the rest of June and I'm not coming back to the country until the 4th of July.

I'm happy, since I love to write up comments, you know, I'm a teacher; I'm happy to submit -- I'm happy to have everybody be discussing this in my absence. I'm not saying that at all. And I'm happy to write up my version of what I see as the options and have that just be on the table.

But I think we have to do some work first and so that we can have the most intelligent conversation out in the neighborhoods.

Vice Chair MCAULIFFE: Ann.

Ms. CANEDY: I agree with that, and I think as soon as -- I think that's probably our next meeting is to formulate those options and talk about the pluses.

Ms. TAYLOR: Yes. So, I'll write mine up. I'll send it in. You can discuss it. You can have your lists, and you've come up with some that you've already written down.

But I think that the whole issue of who -- we all want representative government. So the big question is who is being represented and how to best represent.

Now, if the main issue is to represent town governments, then that's one thing. If the aim is to

represent individual citizens, that might be something else.

So I think we really need to be very, very careful in our (Inaudible). There's no question that in the original Charter our motive for having the system that we've set up with the Assembly, I don't think anybody would argue, was that we didn't think that the town's elected officials, such as the Selectmen, would tolerate them not being the main focus, towns being the main focus. And we didn't want to have that be a negative influence. Because they had been operating, not just -- there was no Assembly, but there were Selectmen who were operating as the budget voters.

So, to take that power away, and that's bad enough maybe, we didn't have the nerve to say no, it's not a town. It's some sort of representation.

So I think we really have to think about that.

Vice Chair MCAULIFFE: I think that's a good point. I think, in my town in particular, too, I think that the Selectmen or the government sort of counts on the County to work with them and help them so that they feel or want or need some sort of relationship or connection to County government.

Ms. TAYLOR: Right. There's no question that is vital.

Vice Chair MCAULIFFE: And so that's a good discussion to have. So who is it that we are serving.

Ms. TAYLOR: Yeah. And maybe there's a variety of ways of serving and different elected officials are serving different groups, but we really have to really work on that and think it through.

Vice Chair MCAULIFFE: So, Julia, I happen to like your idea too. Are you -- would you be comfortable with that, Austin?

MR. AUSTIN KNIGHT: Oh, I am. I just want to make sure that we have --

Ms. TAYLOR: I agree with you it's not fair at all.

MR. AUSTIN KNIGHT: -- we have to go through to other areas also.

Ms. TAYLOR: Yes.

MR. AUSTIN KNIGHT: We're just not centralized.

Vice Chair MCAULIFFE: So, if we have a meeting or two, what it takes to kind of come up with something that we can, perhaps some options, and some decisions and then schedule a meeting to kind of vet those ideas or continue to discuss those ideas at one end of the Cape and then the other end of the Cape. And then that way -- and allow for comment then that will include people.

Ms. TAYLOR: And we don't have to have made a decision.

Vice Chair MCAULIFFE: No. We just had --

Ms. TAYLOR: But we ought to be very familiar among ourselves about the vocabulary that we're using and what we see as the advantages and the disadvantages of all these things.

Vice Chair MCAULIFFE: Right. But I also like your idea that if you have something that --

Ms. TAYLOR: It's on the paper.

Vice Chair MCAULIFFE: -- that's already -- you can react better to something rather than just everyone kind of reacting to, you know, what possibly could be.

MR. AUSTIN KNIGHT: I think what's happening now, Madam Chair, is the reaction is about a report.

Ms. CANEDY: Yes.

Ms. TAYLOR: We have that.

MR. AUSTIN KNIGHT: Right. And I'm just saying that the reaction -- the reaction, a lot of it is about a report. And there has been no real clear conversation after that, and what we're trying to do now is get that conversation and come up with some possible solutions, and bring it all out, weed it out as such, and then bring something more to the different areas. Yeah, I'm not opposed to that at all.

Ms. TAYLOR: And, in fact, having served on the Special Commission, that didn't come up until the end and it was not fleshed out and discussed as fully as I would've thought would have been

desirable.

Vice Chair MCAULIFFE: So, for us, right now, it's one of the things we're looking at. When I read through the packet that's one of the reasons I did is that, you know, the Commissioner's support that they report and this is the Special Commission's Report. The League of Women Voters also has support of that concept. But we also have the Assembly of Delegates. We also have some individual comments, and I know that there are some other people who have other ideas.

So, we'll put them all in front of us, and I think have a discussion. I think it would be also appropriate to have Bill Doherty and Ron Bergstrom with us when we have that discussion.

Even though Julia won't be with us, she will give us her thoughts in writing. But I think that that would be sort of a broader representation of our group.

Yes, Ann.

Ms. CANEDY: I also think the use of vocabulary is good, and I probably have fallen into the trap myself, but people, as you said, are reacting to a report, and they're reacting in terms of picturing -- either they're using words like "elimination," you know, "dissolution," you know, "Mayor of Barnstable County," that kind of stuff, and I think that we have to possible reconstruction or not of the current method of government.

And, as Julia said, we're looking for the same end result; better representation or good representation of the people in Barnstable County.

Ms. TAYLOR: I want to read the model County Charter that we related to now.

Vice Chair MCAULIFFE: Right. Right. We have a lot of information. I know Bill Doherty has some information too if we wanted to expand our horizons and look at governance in other counties as well.

So, I think we all have some prep work to do, yes.

So, I think what we would do then is not go into a specific discussion tonight. The future topics specifically will be governance issues and then not just exclusively what's in front of us. Obviously, if other people have other ideas or more comments come in, we will consider those for our next meeting.

Our next meeting, I believe, is tentatively on -- my yellow dot says June 19.

Clerk O'CONNELL: That's right.

Vice Chair MCAULIFFE: Okay. That will be the next Assembly meeting, so the next meeting will be after the Assembly meeting on June 19.

And the time may change. It may be 5 or 5:30 depending on the length of the Assembly agenda. So, for people who are interested, just make sure that you double check to find out the time because that will really depend on the Assembly meetings.

Is that satisfactory? Did anyone else have anything else they want brought up?

MR. AUSTIN KNIGHT: I'll just mention that's my birthday, so I can't think of a better way to celebrate.

Vice Chair MCAULIFFE: We'll decide the County Governance for Austin's birthday. Yes.

Ms. JARI RAPPAPORT: Is it still public comment? Could I just make one suggestion?

Vice Chair MCAULIFFE: Yes. Would you just go to the microphone so everybody can hear?
Thank you.

Public Comment

Ms. JARI RAPPAPORT: As I listened to everybody, it made me think that one of the first things to be done is not perhaps decide exactly on specific structures, but what you want that particular legislative branch to do; are the powers in the town now what you expect of them? If there were to be a smaller group, would they have other powers if you don't have a Board of Commissioners?

But I just think it's time to look through what you want the representative body to do, and if it's the same as now but it might be different somehow.

Vice Chair MCAULIFFE: Yes. Thank you.

So, we will be meeting June 19, 2013. And I'll take a motion to adjourn.

Mr. KNIGHT: So moved.

Ms. CANEDY: Second.

Vice Chair MCAULIFFE: Is there a second? Okay. All in favor?

Vice Chair MCAULIFFE: Thank you, everyone.

Whereupon, it was moved, seconded, and voted to adjourn the Charter Review Committee meeting at 6:10 p.m.

Respectfully submitted by:

Janice O'Connell, Clerk
Assembly of Delegates