

Statement of
The League of Women Voters of the Cape Cod Area
To
The Charter Review Committee
June 5, 2013

With the passage of more than 20 years since the formation of the Regional Government of Cape Cod, and its first charter, It's quite clear to the League of Women Voters of the Cape Cod Area of the need to provide a more effective and efficient governance to meet the needs of the next 20 years. The League applauds the current effort. 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 all suggestions brought before the group and who will not be limited to previously held positions.

This initial hearing is a welcome 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 worked actively for our initial Home Rule charter and continued to observe and comment thereafter. Since 2008 our interest has intensified as we observed limits to the ability of regional government to carry out its promise to truly meet regional needs. Following our hosting of three public Forums and the comprehensive work of the Special Commission on County Governance, the League took on a study of the county government structure and reached consensus on some aspects of structural change. These include:

- 1- A single strong county administrator or executive.
- 2- A smaller legislative body to be elected on some regional basis.

The rationale for these two positions is as follows:

Re 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 county government. Furthermore, accountability becomes firmly located and understood by all.

Such strong leadership and vision is essential in carrying out the executive's administrative 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 of rapidly evolving technology in our everyday life.

Re the smaller legislative branch: The League believes that a smaller legislative branch elected regionally would foster more recognition of the interdependence of our 15 towns and resulting need for regional solutions as appropriate. A regional representative/legislator would necessarily focus on helping residents of their towns 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 issues faced, than now currently possible with meetings held for an hour or so, twice a month.

Critics of a smaller regionally elected legislature have argued that towns would lose their voice. We disagree in that meetings would continue to offer any resident an opportunity to address the meeting. Further, currently a town has its voice through its Assembly delegate, but the smaller towns have very little power in terms of the vote. It takes the voting power of eight outer/lower Cape towns to equal the approximate voting power of the single town of Barnstable. A regional legislator would have the interest of his/her constituents in mind and considerable more voting power. Any method of districting would assure 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 offered this evening.

Jari Rapaport, Co-Chair, County Governance Committee

Good Afternoon:

I know that everyone is familiar with the basic elements of the existing county government as being a modification of the basic 'American plan' of government consisting of an elected executive branch, balanced by an elected legislative branch.

The executive branch is charged with the day to day administration of the business of the government whether the president, the governor, the mayor, or, as in Massachusetts towns, a multiple member, board of selectmen, and, in addition, to develop and implement 'policies' to give direction and guidance to governmental matters and functions.

The legislative branch, as the elected representatives of the voters, is charged with serving as a 'check and balance' on the executive branch by implementing policy as expressed in the budget of the government and by the adoption of laws (by-laws and ordinances) which further define and develop the powers, duties and responsibilities of the government.

Frequent elections allow the voters to change the focus and emphasis of government, at all levels, by electing officers who offer the policies and programs they believe best suited to the governments needs at that point in time, based on the statements and 'promises' made during election cycles.

This we are all familiar with.

I understand one of the proposals which will be made to the charter commission is that it abolish the distinction between legislative and executive and elect a single body which would have both legislative and executive responsibilities.

At the least this change would eliminate the 'checks and balances' of two separate and distinct agencies which exist in the current scheme.

A somewhat parallel arrangement does exist in some American cities under the, so-called, council manager form of government. Under these plans the voters choose an elected legislative branch which in turn hires a City Manager to conduct the business affairs of the city and the delivery of municipal services. The town of Barnstable follows this model.

The 'code of ethics' of the International Association of City Managers prohibits Managers from proposing policies which it deems to be the sole province of elected officers. On the other hand it encourages Managers to work with councilors in developing policies.

The model County Charter, last published by the National Civic League in 1990, is arranged similar to a municipal council manager charter.

Here is a link to the Model County Charter

<http://www.allamericacityaward.com/wp-content/uploads/2011/09/Model-County-Charter-1990.pdf>

mike curran



- Charter appears to be detailed, specific and functional on paper. Who says it is not working? Who initiated this Review and why?
- In practice, are the Commissioners acting as the Legislative Branch? Is there proper oversight by the Legislative Branch?
- While there are many regional issues that should be addressed, the autonomy, uniqueness, special interests and priorities of the Towns should be respected.
- The Preamble is clear: The people of the County seek to “gain for ourselves, all of the rights, powers, etc ..which are to be derived from a regional government; said government to “provide extensive services” ...”regional government directly responsible to the people of Barnstable County”. Language throughout the Charter indicates “encouragement, incentives, support”
- The present form of government appears to be “close to the people”
- The Special Commission Report seems to suggest more layers of government, control, mandates, the words “push for” for example is much stronger than “encourage”
- “Streamline” could also be construed as centralizing power
- Issue: Restructuring of County government?
 - County government should and could be more efficient
 - County government should be close to the people
 - Towns should remain autonomous and able to make self determinations
 - County should “provide extensive services”
 - Assembly of Delegates (legislative) provides a checks and balances to County Commissioners (Executive) and should not be “abolished/collapsed/merged”
- Cape Cod Mosquito Control should be under the County – not State
- Cape Light Compact and CVEC roles, duties and responsibilities should be clarified. \$24 million dollar expenditure is of concern
- Terms of Commissioners and Delegates should be the same and staggered
- Commissioners and Delegates should be ‘nonpartisan”
- Duties and responsibilities of Human Resources should be reviewed. This should not be a cash cow for nonprofits unless (perhaps) the service is demonstrably “regional” in nature and practice
- Duties and responsibilities of Workforce Development should be reviewed.
- No employee or elected official of the County should be on any Commission, Committee, Board of Directors of any organization in which Barnstable County is the fiscal agent.
- No employee or elected official of any Town should be on any Commission, Committee, Board of Directors of any County organization. Representation should be by appointment by Selectmen or Town Council of representative Town and should be derived from qualified members of the community.
- 5 elected nonpartisan County Commissioners (change the name – confusion with Cape Cod Commission) – elected from Districts

- Issue: Weighted vote?

- Issue: Recall?
- Establishment of a Municipal Government Advisory Board – Recommendation of Special Commission.
- Require County Administrator to live on Cape
- Should County Administrator be elected?
- If appointed, should appointment be ratified by Assembly?
- Can the Assembly by a vote of no confidence remove the County Administrator?
- Issue: Cape Cod Commission – checks and balances?
- Copies of budget should be submitted to each Town (regardless of request) Section 5-5 Action on Proposed Budget. Towns should be required to submit comments on the budget through the Town Council or Board of Selectmen
- Regional assessments?
- Citizen Initiative Measures- 3 % /no more than 25% of signatures from any one municipality
 - Supplementary petitions require 1% /no more than 25% from one municipality ?
 - Should these 2 conform?
 - Section 7-2e: Is requirement of “full text of proposed ordinance be printed and distributed to each resident” too onerous?

Ann Canedy
Committee Member At Large