

Janice O'Connell

From: Bill Doherty
Sent: Thursday, May 30, 2013 8:29 AM
To: Janice O'Connell
Subject: Questions and Concerns for Charter review

Questions and Concerns for Charter review

1. Much of the conversation on the reduction and/or elimination of numbers of the representatives has referred to an interpretation of the validity of the weighted vote as being constitutionally viable. One man one vote requires population not demographics as a basis of establishing representation. But does the use of the weighted vote meet the criteria as presently used in Barnstable County?
2. Of those charter revisions or establishing that I have looked at have at bottom the purpose of consolidating the structure of government for facilitating the delivery of services and reducing redundancy and waste. That appears to oriented towards internal (staff levels, department responsibilities and policy implementation) rather than reduction of elected representation. On that basis should a charter review consider the "business"? This relates to the ability to Initiate services that might or might not be a direct service and may indeed use the county to establish it without "owning" it. The latter policy in my opinion recognizes the sovereignty of the separate communities that would be members. Two examples one of direct the CCC with an appointed board and under the oversight of the County for fiscal and action approval tHrough the DCPC process and indirect the CLC and CVEC also with an appointed board but established by act of legislation which makes them independent of the county governance but continues to receive administrative support from the county. The resistance of the communities has always involved an unwillingness to cede authority for action. The CLC has recognized that but in my opinion the AofD has wanted to reverse this because they have not accepted the basis on which the CLC was founded.
3. Can the Charter Review process consider establishing a base line for regional services that looks to consolidate Administrative Burden and retains Policy implementation at the level of application? Retain local control reduce Administrative costs by centralization! I can show how that has worked at the Harwich and Chatham Housing Authority.

Sent from my iPad

Janice O'Connell

From: Bill Doherty
Sent: Thursday, May 30, 2013 10:18 AM
To: Janice O'Connell
Subject: More Questions for Charter review:

More Questions for Charter review:

4. Since we are moving towards a strong executive should we revisit the requirement for residency? In the present situation with the county commissioners having a larger role in administration (until the recent delegation of authority to the Administrator) the need of more visibility for the person responsible for the day to day management was reduced. Now with the move to a strong executive my opinion that the we would benefit from having the chief employer a stakeholder and affected by his decisions as a resident is one that would make him/her more sensitive to consequences.

Sent from my iPad

Janice O'Connell

From: Bill Doherty
Sent: Saturday, June 01, 2013 7:37 AM
To: Janice O'Connell
Subject: More questions

More questions

5. In preparation for reviewing the relationships between the county and committees that are under the direct control and those that have other kinds of connections I believe that there is benefit in examine the documents that established them. This would include the Cape Cod Commission, Cape Light Compact, Cape & Vineyard Electric Cooperative, Barnstable County Emergency Planning Committee, the Advisory boards for the Economic Development, the County Co-op, Water Quality, Medical Reserves, AmeriCorps , and perhaps the charge to the Special Committee whose report is being used as a beginning of the public comment process. I think that from a point of view of debate that intends to differentiate the facts from the impressions based on comparison with unrelated experience in other sectors whose basis is not pertinent.

Sent from my iPad

Janice O'Connell

From: Ed DeWitt <edewitt@apcc.org>
Sent: Tuesday, June 04, 2013 10:36 AM
To: Janice O'Connell
Subject: Charter Review Committee
Attachments: BRT Comments Regional Govt final draft.pdf; BRT Comments Options.pdf

Ms. O'Connell:

In 2011 the Cape Cod Business Roundtable submitted the attached comments to the Special Commission on County Government. The comments were reviewed by a committee of the whole and were determined to be as relevant as they were in 2011. The Business Roundtable offers the attached documents for consideration by the Charter Review Committee. The second document was submitted in early 2012 and also remains relevant regarding organizational options.

Ed DeWitt

Statement of the Cape Cod Business Round Table
Before the
Barnstable County Special Commission On County Governance
November 30, 2011

The Cape Cod Business Roundtable (BRT) believes that the Special Commission on County Governance has a unique opportunity as well as the responsibility to build our regional governance into a model of competence, efficiency and innovation.

The BRT was formed in 1996 following the contentious debate between economic and environmental interests over creation of the Cape Cod Commission and other issues. The BRT is a group of business, environmental and government leaders who meet regularly to address issues of significance to the economic vitality and environmental health of Cape Cod. Recognizing that the Cape's environment is our economy, the BRT has striven to promote the common interests of business. Our precious and limited natural resources are at the core of our diverse business community.

For nearly three years the BRT has engaged in a review of regional government here and across the nation. The BRT retained the services of a consultant to specifically identify the good, better and best of regional governments. The specific recommendations included herein are based in large part on that analysis.

One hundred years ago it was not uncommon for a person to spend their entire lifetime in the town where they were born. In the 21st Century, the people of Barnstable County are infinitely more mobile and routinely cross our 17th Century era boundaries, often several times per day. Gone are the days when local businesses operate only in one town, or one village. Government provides the means and infrastructure that allows us to safely crisscross the region both actually and virtually in speeds unimaginable to our forefathers and mothers. Government provides the means and infrastructure that allow responsible business development, growth and prosperity. A government that conserves resources and maximizes efficiencies is in everyone's best interest.

The BRT does not support bigger or more expansive government. It seeks a more functional government with efficient service delivery, which recognizes that many municipal challenges are shared and can be resolved once instead of 15 times or in 15 different ways. The BRT unanimously endorses the following structure for the Cape's regional government:

1. Strong County Executive – A single professional trained and experienced in overseeing a complex governmental organization. The County Executive would be responsible for overall planning, capital planning, financial operation, day to day operations of regional government including contracting, procurement and personnel hiring/firing including a chief financial officer and general counsel. Because of the need to bring new ideas and fresh perspective, the County Executive would be limited to serving as County Executive for a maximum of 10 years.

2. Representative Body – A single representative entity serving as the legislative and oversight body for regional government. Between five and nine members to be elected for four-year terms. Three to six members to be elected by districts of equal population size and two to four members elected from the county at large. The district and at-large representatives would be elected two years apart so that the entire representative body is not elected at the same time.

3. Financial Advisory Committee – Comprised of the Cape’s 15 town managers and town administrators, the Financial Advisory Committee would review the regional government’s financial planning and operations. This Committee would also be the link for joining towns in cooperative regional government joint and collective ventures/innovations.

Some regional functions have historically been limited or isolated by the state legislature in an era of mistrust, specifically for Massachusetts’ old style county government. It is hardly a coincidence that the Lieutenant Governor reported to this Special Commission that counties had been specifically and purposely omitted from the state’s latest initiative to encourage regional cooperation. Barnstable County should be praised for avoiding the pitfalls that led to the disestablishment of county government in most of the state. The Commonwealth’s approach toward counties must be reexamined in terms of how best to serve the regional needs of the citizens of Barnstable County. Most regional services should fall under a solitary regional government unless there is a compelling reason to exclude a particular agency or operation. An alphabet soup of independent regional agencies is contrary to conserving resources and maximizing efficiencies.

There needs to be a transition plan that respects and utilizes the existing functionality of our current form of county government. The initial representative body should be comprised of county delegates and county commissioners. This group should recruit and hire the first County Executive.

Bold action is overdue. Our hope is that this Special Commission avoids the complacent notion that county government is doing okay and instead recognizes how much more effective an efficient and strong regional government can be going forward. Our hope is that the Special Commission sees this as an opportunity to excel. Thank you for the opportunity to comment.

Elliott Carr
Former Bank President

Bob Churchill
Owner, Buyer/Broker
Of Cape Cod, Churchill Assoc.

Eugene R. Curry
Attorney

Larry Cole
Former Harwich Selectman

Ed DeWitt
Executive Director
Association to Preserve
Cape Cod

Kevin Howard
Executive Director
Arts Foundation of Cape Cod

Maggie Geist
Former Executive Director
Association to Preserve
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Allen Larson
Attorney

Alan McClennen, Jr.
Planning and Development
Consultant

Mark Robinson
Executive Director
Compact of Cape Cod
Conservation Trusts

Rick Presbrey
CEO,
Housing Assistance Corp.

Kathy Schatzberg
President, Cape Cod
Community College

Douglas Storrs
Senior VP
Mashpee Commons LP

Dan Wolf
President, Cape Air
Nantucket Airlines

Statement of the Cape Cod Business Round Table
Before the
Barnstable County Special Commission on County Governance
January 11, 2012

As the Special Commission on County Governance begins the analysis of regional government and crafts recommendations on the future of regional government, the Business Round Table believes that it is critical that this Commission recognize that this is the ideal, likely the best, and perhaps the only opportunity to achieve excellence in Cape-wide government. Excellence must be the goal. The discussion should not be what is working or how to make it work. The discussion should be on the best design and vision for today and the future. Just like our founding fathers did, the Special Commission must focus on the architecture of regional government and not the how the individual components should work, e.g. should mosquito control be part of public health. There are three basic options for the form of regional government:

1. A strong central core with a strong executive and an optimally sized elected branch. All regional functions would be included under the executive.
2. No central core with an assortment of independent entities, acting under independent executives, through independent budgets with narrow, well defined responsibilities.
3. The status quo which is a hybrid of the two other options, i.e. diverse executive and legislative authority, some core functions and some independent entities.

The Business Roundtable ardently believes that excellent, efficient, responsive and lowest cost government can only result from the first option. The other options fail on multiple levels. The second and third options are inefficient, duplicative and not responsive to the regional needs.

Janice O'Connell

From: Jim Pierce <hawkeyejw@aol.com>
Sent: Wednesday, June 05, 2013 8:11 AM
To: Janice O'Connell
Cc: grundmans@comcast.net
Subject: County Government Charter Testimony

I am forwarding this to you per advice from Linell Grundman.

-----Original Message-----

From: Linell Grundman <grundmans@comcast.net>
To: Jim Pierce <hawkeyejw@aol.com>
Sent: Wed, Jun 5, 2013 5:03 am
Subject: Re: County Government

Jim your formal testimony needs to go to the clerk of the Assembly. I of course will take your comments to heart. Very busy today but will be speaking with you soon. Thanks so much for your thoughts.

Linell

On Jun 5, 2013, at 7:57 AM, Jim Pierce wrote:

I'd been giving some thought to the topic. Patrick Cassidy called me out of the blue and I shared an idea with him. That idea got into his story.

It would be a simple way, perhaps, to preserve the voice of the smaller towns east of Dennis without the complexity of proportional voting.

The population of Barnstable is about 45,000. The combined population of Brewster, Harwich, Chatham, Orleans, Eastham, Wellfleet, Truro, and Provincetown is 47,000. For Falmouth plus Mashpee the population is 45,000. Dennis plus Yarmouth is 38,000. Sandwich and Bourne have a combined population of 42,000. So, if a delegate were to be elected at large from each of those units, you'd end up with a five person assembly to act as the legislative body. The three commissioners could remain in place as the executive. Maybe it would be wise to build in a super majority rule, four votes to pass anything, into the assembly.

There is also a simple variant. Brewster and Harwich have a combined population of 22,000. Chatham through Provincetown have 25,000. Elect one member at large from each of those units. Elect two at large in Barnstable. Elect one from each of the other six towns. That makes a ten member legislative body with Falmouth a little under-represented while Mashpee and Dennis are a bit over-represented on a one person one vote basis. To avoid ties on votes you could build in a 60% of those present and voting rule. If all ten show up, it takes 6. Only 9 show up, 60% is 5.4, it still takes 6. If 8 are present, 60% is 4.8, it takes 5. With 7 there, 60% is 4.2, it still takes 5. A quorum should probably be 7 so that you never have less than half of the delegates passing anything.