

**CAPE COD REGIONAL GOVERNMENT
ASSEMBLY OF DELEGATES
CHARTER REVIEW COMMITTEE**

Minutes for JULY 17, 2013

Call to Order/Attendance:

Chair BERGSTROM: I'll call this meeting of the Charter Review Committee to order, Wednesday, July 17. We have in attendance a quorum. We have five in attendance. I guess Ann Canedy cannot be here and Austin Knight cannot be here.

Meeting Minutes 6/19/13 for Approval:

Chair BERGSTROM: You should have received a copy of the minutes of 6/19. Seems like a long time ago, but are there any questions about the minutes or changes or anything?

Ms. MCAULIFFE: So moved.

Ms. GRUNDMAN: Second.

Chair BERGSTROM: Okay. Moved and seconded to approve. All those in favor? "Aye". "Opposed"? Okay.

Continued Discussions on Governance Models:

Chair BERGSTROM: For the agenda items, I placed the continued discussion regarding governance issues, and I thought that we might list the alternatives that have already been brought up to the committee. Obviously, one of the alternatives is the current set up.

Okay. Another alternative is a -- I have a problem with another alternative because alternative means -- the alternative is an Ordinance passed by the Assembly which envisions five County Commissioners elected by districts.

Another alternative that we've discussed is the recommendations of the Special Committee on County Governance which envisions a single seven-member body, five elected by districts and two at-large.

And another that was brought up before the Commission on County Governance, I think we briefly touched on it, and I think Mike brought it up, Mike Curran, our attorney, brought it up in somewhat is to have a single County Czar, either elected or appointed, preferably elected to be -- to run the County and underneath them have a Legislative body. Could be the Assembly --

Ms. TAYLOR: That's underneath.

Chair BERGSTROM: Well, supervising, setting policies.

Ms. TAYLOR: Check and balance.

Chair BERGSTROM: So, I mean, is that square with what you guys have understood so far? Anybody got anything to add to that?

Ms. TAYLOR: I would add that I think probably everyone agrees we want a

Legislative branch of this. And I think the issue then is that a branch that represents towns or is it a branch that represents regions and citizens.

So that would be an issue to me that we still need to resolve because that was the original issue at the time of the original Charter, which was heavily debated, and --

Chair BERGSTROM: Yes.

Ms. GRUNDMAN: Did we leave out -- I think we may have left out what the three County Commissioners wrote to recommend which is no Assembly and merging --

Ms. MCAULIFFE: That's the third option.

Ms. GRUNDMAN: Oh, that's consistent with the Special Commission recommendation.

Chair BERGSTROM: Yes.

Ms. GRUNDMAN: So, to be clear, so the Special Commission recommendation and the recommendation of the Commissioners made prior to us beginning this work are the same?

Chair BERGSTROM: Coincidentally, yes.

Ms. GRUNDMAN: Okay. I want to be clear about that because I think to your point Julia actually both those recommendations do not include a Legislative branch. So they include -

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Ms. TAYLOR: Yes, they do. They are --

Ms. GRUNDMAN: Do they? What would that be?

Ms. TAYLOR: That would be whatever that group of people are.

Ms. GRUNDMAN: With an Executive on top?

Ms. TAYLOR: There would be some Executive.

Ms. GRUNDMAN: So the Legislature would be the council.

Ms. TAYLOR: Right.

Ms. GRUNDMAN: If the Executive wasn't there.

Ms. TAYLOR: Yes. So I think that the council concept usually implies an employed manager.

Ms. GRUNDMAN: Okay.

Ms. TAYLOR: Whereas, you could have some other kind of counsel that I suggested, I guess, that would be fairly large, you know, 11, 12, could be any size really and an elected Executive, one elected Executive.

Chair BERGSTROM: So let me just bring up a couple of issues that I thought of. In regards to the Special Commission's recommendations, and this was endorsed by the Commissioners, and Julia was on that committee also --

Commissioner DOHERTY: I have to take exception to the fact that the recommend - there was no vote to endorse the recommendations of the Special Commission.

There was no endorsement on the part of the County Commissioners of the Special Commission's recommendations. There was discussion of it, and there was a Resolution that gave a version of one opinion about governance, and that opinion about governance was suggesting the merger of the Executive and the Assembly into one Legislative body with not more than seven, I think, seven members.

Chair BERGSTROM: So let's take this -- if we flush that out because that number's been put on the table.

I thought about this, and I was even the one who did the initial math and tried to

separate the Cape into five districts, and it wasn't that difficult.

As I said before, you know everything from Provincetown to Brewster, which is basically Sarah Peake's District could be one; Dennis/Yarmouth could be one; Barnstable would stand alone as being one; Mashpee/Falmouth would be one; and Sandwich and Bourne would be one.

They would all make up about 20% I think. The poor sister would be Yarmouth/Dennis which would probably be 18 something and maybe Barnstable would have 21, but that's the closest you could come.

But then the recommendations went on to suggest two more people elected at-large, and we had some discussion about that, and I know that Bill -- I've run for County Commissioner and Bill has too and it's not a lot of fun. And you tend to get a regional vote regardless as you can see in most of the results.

Plus, you're also opening up the possibility that one town could have -- right now, no town can have two Commissioners. That would be very difficult I think in a seven-member board because, you know, that would eliminate a lot of people from running. They've already have -- so it becomes I'm wondering how feasible that combination of a regional body and an at-large body is if you flush it out.

Ms. TAYLOR: Do any of us want a new -- if we change what we have now, would we want something that had at-large representative that ran Cape-wide; does anyone support that concept if we made a change?

Chair BERGSTROM: Yes. What do you think, Linell?

Ms. GRUNDMAN: Well, this is what our third or fourth meeting, so I'm still processing this. But I do think that, no, I don't think I support that concept.

I think that there's value in talking about -- sorry I didn't have it on -- value in talking about some district-type elections as opposed -- let's just talk about the Commissioners.

What I see value in is the possibility of expanding the Commission to five, which I believe is the Assembly -- the Commissioners, the County Commissioners to five, which I believe if I get it straight is the Assembly's recommendation. I know it's the Assembly's recommendation.

Chair BERGSTROM: Yes.

Ms. GRUNDMAN: And in that case having those five people elected by district, I think there is value in that both from the governance perspective in terms of organizing how we govern.

I think there's value in that, particular value in that in terms of some of the sub-issues that are regionally directed.

And as somebody who is one of the majority of the Cape, having only been here since 1990, I think there's value in that in redefining who we are as districts or groups because while I do not want to diminish the value of the towns in any way, I believe that it is time to look seriously at who we are demographically because there's value in each part of that. There's value in the institutional memory of the Cape Codders and the people who have been here forever, their grandparents and all of that, that memory; that love.

And the way to think about this the clearest is that if this generation that I'm a part of or many of us here are a part of have destroyed our water in one generation.

As governance, we must make sure that we are not dismissing the people who protected that water for 300 years. That's a simple way to kind of look at it. How important it is

that we have a diverse and well-represented demographics in our government.

So that's where the district piece really appeals to me, and I'm not going to go any further than that.

I have one question. I think in different scenarios, it's differently defined, but are we talking about a district where it would be a nonpartisan run for that representation as a County Commissioner; is that the --

Ms. TAYLOR: We haven't got there.

Ms. GRUNDMAN: We haven't got there yet. Okay. That's fine too.

Chair BERGSTROM: Bill.

Ms. GRUNDMAN: I'm trying to keep it straight.

Commissioner DOHERTY: You may have heard me say this over the period of the last 10 years that we have to protect what we have and make wise choices for what we need.

Now, as far as the concept goes, I think that running across the Cape without having support of the party is impossible. So if it's a question of partisan versus nonpartisan, nonpartisan has to stay in a district.

As far as looking at the Cape from a point of view of demographics, and I'm only speaking for myself, I believe that there are three separate divisions, one is what I would call a rural part of Cape Cod, which is the Lower Cape and the Lower Outer Cape, there's the urban part of Cape Cod, which I think makes up the Barnstable, Dennis, Yarmouth. And then there's a suburban part of Cape Cod which is the Upper Cape.

One of the things that we've noted and I think Paul Niedzwiecki was in here talking about that is that the growth that's anticipated is in the place where there is substantial population now, which is in the Upper Cape. So, one of the things that we have to think of as we look at this whole thing of governance is are we supporting what we are going to need in the future based upon the model that we're looking at.

And I believe that a model that looks at what I'd call an even distribution that is based upon districts as far as -- if we're just talking about the five model, 15 Assembly members, I think that that's essential to making that work.

Because you're not encouraging people to run on a County-wide basis because it takes a lot of money and it takes a lot of organization to do it. And God knows I know about that. I was blessed with the fact that I was unopposed the last time. If you just talk to the folks that have run through the last cycle, you know, Pat and Sheila and the kid from Barnstable, I guess, they can tell you that -- and you know yourself. Nobody knows who you are in Falmouth if you come from Chatham the first time out.

Mr. CURRAN: I had sent some notes out. I think you all -- Janice passed these out. It summarizes the four or five major ways in which County Legislative bodies are organized. I think it makes sense to look at this to see what can be done in some of the arguments that are set out on this sheet.

The simple nomination and election at-large is a simple method, but one that someone touched on the cost. You have a district as big as the Cape, if people are running at-large; it's going to be frightfully expensive to run campaigns on that basis all running at-large.

A district system with small districts -- my own personal opinion really is alternative three on this sheet which is a mix of at-large and single-member districts.

And you had the 15 -- I think I touched on this a week ago. You have the 15 seats now using the alternative three, mixed at-large and single-member district system; you'd have

eight districts and seven at-large.

Right now, every voter gets one shot. No matter what town you live in, you have one vote that you can give for 15 candidates. Your influence as an individual is miniscule. The voters really have very little control presently over the makeup of the Assembly because you can only vote for the rep from your town. The other fourteen, they can be totally dissimilar from you.

So that system of a mixed at-large and districts, relatively small districts, eight, I think I looked at some numbers one time that would be about 28,000 population I believe for each district, slightly smaller than your State Representative districts.

But every voter then would get the vote for eight people, eight of the 15 members. You'd vote for the seven members at-large plus the representative from your district.

So I think that gives every voter an opportunity to have some input and influence over the council by selecting candidates that follow into certain patterns, individual voters, collectively, can have a much greater influence over the government than they have at the present time.

I noted that some of the conversation you were having up there were the Executive and the Legislative mixing or separating. A simple example to use and it can make your own judgment as to how effective, the town of Barnstable, City of Barnstable, has a Council which is both the Executive and the Legislative branch.

The Council makes the policy. The Council hires the manager. And I think that it probably doesn't always run as smoothly as it does in some of the towns where the system is different in that --

Commissioner DOHERTY: Mr. Curran, in the town of Barnstable -- City of Barnstable, they're very clear that Tom Lynch and before him John Klimm was the Executive and that the town Council is only a Legislative branch.

Mr. CURRAN: No. The Council sets policy.

Mr. DOHERTY: Yes, they do, but as far as the Executive, they hire --

Mr. CURRAN: They hire an Administrator. A policy -- the difference between an Executive and an Administrator is an Executive makes policy. An Administrator carries out the policy determined by somebody else to the satisfaction of the person who sets or makes that policy.

In towns I think on the Cape, a good example, probably Yarmouth is one of them, has a Board of Selectmen that makes policy. It hires an Administrator, a Town Manager, who then conducts that policy. The Legislative branch has nothing to do with the policy. The policy and the supervision of the Administrator is by the Executive branch.

Chair BERGSTROM: Yeah, you know, Mike, one of the things -- I know we've discussed this before, and I understand where you're coming from, but as a voter, there's 160 State Representatives and I only get to vote for one of them.

So my representation in the State Legislature is pretty miniscule too. I mean that's how it works.

Mr. CURRAN: If you're going to go and put through one Congressman too and there are 480 of those in this. But you don't have to be that way if you can do it on the local basis and have greater participation.

Ms. TAYLOR: I agree with Bill. If we did that, those Cape-wide people would have to be partisan, and I think it's too big a burden. So I'm not as interested in that.

I would rather go with single member districts as opposed to at-large and single-member so.

Chair BERGSTROM: Let me ask a question. For instance, the way I broke it down - I broke it down to try to figure out how to get five. I took the population of the Cape. We know what the percentages are because we, as Delegates, have a certain percentage so you can add the towns up.

Ms. TAYLOR: Yes.

Chair BERGSTROM: So I thought to myself, well, what about -- all right, suppose you had an election in a district Falmouth/Mashpee. I mean if they were nonpartisan, you'd always get -- I would think that the person from Falmouth would always have an advantage to have a bigger population than Mashpee.

On the other hand if they were partisan, what would be a more powerful factor? A party affiliation or where they come from? If you had a district, let's say, Dennis and Yarmouth and you elected a -- somebody from Yarmouth, Dennis would lead. I mean some -- there could be some unhappy marriages in those districts. That's what I'm trying to say here.

Mr. DOHERTY: I want to point out that, as an observation, since I've run across the County, is that certain towns turn out the votes. Provincetown, for example, consistently turns out more voters than the three towns that are further up Cape and it's to their credit. So they are participating.

So between Mashpee and Falmouth, I think it would depend upon how many people turned out in either Mashpee or Falmouth.

Chair BERGSTROM: But I'm looking at -- I'm looking at it not in a theoretical standpoint. I'm looking from a practical political standpoint in trying to present something if, indeed, we're going to present changes to the voters, something that they're going to accept.

Ms. TAYLOR: Well, is there some -- I mean what we have now is not a terrible system. So I think we should think in terms of if we wanted to make a change to the Legislative branch, what would be the changes we would want to make and what would be the improvement that would come from that change.

I would say that we could keep a largish Legislative branch, 11, 13, 15. It would be okay with me. I don't think the size of the Legislative branch is bad.

I think that individual voters would have more fair representation if it were from districts rather than from towns because once you cast your vote for Truro, scrap, you're done. You have no say any longer. Whereas, Falmouth voters continue to have an influence because of the bigger vote.

Mr. CURRAN: They can also have a system of nomination by districts and election at-large. For example, the city of Newton has -- half of its Aldermen are elected -- the vote is citywide, but Aldermen from Ward 6, you must be a resident of Ward 6 to be -- but you're voted on by the whole city.

Ms. TAYLOR: But I just think the County is so much bigger than a city that I wouldn't want to go at-large.

Mr. CURRAN: Well, the analogy is I think the same. You have the people -- it's very difficult to run at-large and very expensive, but if it's a relatively small district, you can at least be identified within that district and only people from that district can run.

The advantages are supposedly that if someone votes only to the interest of the district he or she represents, they won't be reelected because the voters or district area-wide.

Ms. TAYLOR: We just haven't had a problem with that in this government. We haven't had towns voting only for their town. But, so I'm not objecting to the town representation because of the misuse of it as anti-regional. I'm objecting to it because some voters are virtually disenfranchised after they've cast their vote because their rep has no power.

So I would prefer a representation by district, but I'd be happy to have it be a largish number. It doesn't have to be five, it doesn't have to be seven, and it could be a lot. It could be 11 or 13.

So, to me, the advantage and this is the only advantage I really see is that every citizen's vote would end up equal because their representative would be equal with every other district representative. They would have an equal vote.

So even though I'd be giving up my little power, I would support that, and that's why I'd support it. I wouldn't -- I don't object to the town method, but I don't think it's as fair as districts.

Mr. DOHERTY: The concern or the support for -- were you --

Ms. GRUNDMAN: Yes, I was.

Chair BERGSTROM: Linell, why don't you go because she had been waiting.

Ms. GRUNDMAN: Because I think this is fascinating because it is the weighted vote that got me interested in the initial County review just looking at it from an academic standpoint that, you're right, the weighed vote inherently does not give power to the smaller towns.

What I think is really key going forward and looking at governance for the County is a fear of factor not for -- for me, it's maybe a little bit different than you, the reason.

For me, it's the reason that to do the work that the County needs to do to get ready for what you're talking about, to be prepared for the future, to sustain what we have, to clean up our water, we have to bring people -- it's consensus-building. That needs to be -- that can be accomplished in how we choose to set up the governance.

So these battles that I think are natural, you know, it's fascinating to look back at what the implications of rapid growth have done to Cape Cod because it hasn't been that long. We're talking about a period of history with less than 40 years. We're talking about most of our towns only having part-time Selectmen less than 25 years.

This is a phenomenal, you know, somebody should write a book about us. Has anybody thought of that? Maybe we could support the County on that.

I really think you're onto something here, Julia. I think one of our tasks here is to look at what is the fairest, what is the most productive, what is most efficient form of government we can recommend going forward that can solve some of the problems or correct some of the mistakes of the past and look at bringing a governance organization that is better representative -- are that the people feel better represented in is what it amounts to.

Ms. TAYLOR: Yes.

Ms. GRUNDMAN: There's a trust factor there too that will be key to all the work that we need to do to your point.

Ms. TAYLOR: And I think if you did have districts that were -- but a lot of them like 15, you'd still have a moderate amount of town focus. It's not that a person running on the Lower Cape would have to be covering five towns, you know, they'd only have to do a few. And the Falmouth person could be partly Falmouth and part -- just like we have State Reps that we have two State Reps that are Falmouth Reps but they also represent Nantucket and Mashpee.

Chair BERGSTROM: Let me jump in on this. Two things I have to say about this having run for these offices and so on is that, the first thing is is that one of the comments that's often made is that people don't pay attention or care what we're doing. They don't know what the Assembly does; all right?

And as I told the Chatham Board of Selectmen last night when I addressed them on this issue that used to bother me. I used to say, "Well how come they don't know it?" And then after a while I realized that before I got involved in local politics, I had no clue either. And there was a very good reason because I had a life. I had a job. I had things I had to do. You know, I had to pay attention to making a living. I didn't have the time to pay attention to the Cape Light Compact and all the things that we pay attention to.

So the voters shouldn't feel guilty that they don't understand this. The way they get around that is that they elect the people that they trust from their community to say, "I am going to send you to the County and you're going to take care of that for me." All right. And it's so much easier to do that if it's somebody from your community.

In other words, most of us, I would think, most of the people who ran for the Assembly of Delegates didn't do so on the basis of saying, "Well, here's the issues and we're going to discuss the Fire Training Academy." They stood up in front of the people who they new for one reason or another and said, "This is who I am. This is my experience. This is my philosophy, and I'm going to go to the County and I'm going to take care of it."

If you go away from the town model and you go into districts that are kind of amorphous, you're going to lose that. You wonder how much -- and sure enough you can run on a basis of saying, "Well here are the issues before the County and so on and so forth."

But the biannual election, there's a lot going on. The Governor's running. All the House of Representatives are running. So I think the whole idea of electing someone from your community who you know or at least know a little bit about because he's run within your town is the easier way for the voters to connect to that person.

Now another thing is that this weighted vote thing seems to be hanging over there like Banquo's ghost and jumping up all the time. It's true that the smaller towns have less influence. But think about it this way. Let's say there's 20 people who are mad because somebody's going to put in an affordable housing project in their neighborhood; all right? Well, if they live in Barnstable, you can just say, "Well, look, tough luck, that's what we're going to do."

But if you live in Truro, you can't do that because those 20 people are a significant part of your voting block.

So even though you may live in a town that has relatively little influence, your influence over electing that person and guiding them is much greater. That's how -- that's why -

Ms. TAYLOR: Of course, and they can't do anything.

Ms. GRUNDMAN: Can't do it.

Ms. TAYLOR: And also, we do have to make a little bit of a move, Ron, towards we're a regional government. We have to have a teeny little push to some sort of regionalization here that is involved in elections. I think it would be better. Is it the end of the world if we don't make a change? Of course not. But I don't see -- I think we should seriously consider whether we want to have regionally elected Legislators.

Mr. DOHERTY: Although there's the caveat that if you go on the basis of districts that have equal numbers of representation, as the population shifts, you might have to change

districts.

Having said that, the important part of the district philosophy is that every vote is the same as every other vote and one of the issues becomes -- right now, three towns represent almost 47%, you know, Barnstable, Falmouth and Yarmouth are almost 47% of the total population on the Cape. And one other town would be, if the Assembly voted that way, would be the decision as to what would happen.

One of the complaints that I heard when I was sitting on the Cape Cod Commission was that decisions were being made for the town of Barnstable by people that were on the Lower Cape and vice versa, that there was that lack of control because the Cape Cod Commission, of course, is one man/one vote.

Ms. TAYLOR: Not one town.

Mr. DOHERTY: One town/one vote is equal, but it has the -- and that's what the Cape Cod Commission Act intends is that it has the check of the Assembly being able to vote up or down on the DCPCs and that's very important.

Now, the concern I think that I have heard from the Commissioners is the how do you maintain an equal weight of every vote being equal to every other vote as far as representations. And I think that that's --

Ms. TAYLOR: Every sense says you change the districts.

Commissioner DOHERTY: Well, that can be done. That's a flexible thing, and that's what we did in the Congress, that's why we lost a district.

But that's I guess that the overriding concern of the Commissioners is that we have to carefully examine that and we cannot dismiss that out of hand. That's why we're having this kind of discussion here.

Having five additional -- let's say going from 3 to 5 Commissioners has a problem to me.

Ms. TAYLOR: Let's not talk about that.

Commissioner DOHERTY: Okay.

Ms. TAYLOR: Let's talk about the Legislature first.

Mr. DOHERTY: I think the sense of the Commissioners is that there should be a Legislative body. The next question is what does that Legislative body comprise of.

Ms. TAYLOR: Right.

Mr. DOHERTY: A personal problem for me is that I'm more concerned about the fact that we get elected to do something rather than be elected to be something. That's a significant difference between those two things I think is at the core of any discussion that we have.

Because the operating part of the County, the thing that we -- that the Assembly passes a budget to support represents the present policy and deliver services. That's the essential part of what I'd call the importance of County government.

This part as far as who runs it, if you listened to Lance when I was serving with Lance both in the Assembly and as a County Commissioner, he thought there should only be one Executive period and that person should run everything.

Ms. TAYLOR: Lance; I remember that.

Commissioner DOHERTY: Yes, you remember that; right?

Chair BERGSTROM: I discussed this with -- see, I look at things -- if we look at things conceptually, you can say -- we can conceptualize what we think would be the best and

most efficient form of government.

But you have to understand that ultimately the decision is going to be in the hands of the voters. And so that really weighs heavily on my mind.

And when I addressed the Board of Selectmen last night, I know the Board, I know that at least two of them are, I don't want to call them anti-government, but they're suspicious of more powerful government. They tend to vote to try to limit government rather than to expand it.

So I tried to explain to them and I think -- is that Cape Cod, yes, is a regional government. Right now, every town has a voice. There's a lot of anti-Cape Cod Commission sentiment out there, for instance. There's a lot of anti-wastewater sentiment out there. These are two big issues. If you ask the people what the County is dealing with, you know, you talk about County government and you talk about the Cape Cod Commission, and we've all heard the anti saying, "Oh, you know, there's this big group that's going to take over the government." I think that if we go forward with these changes, we have to do so in a way that will assure people that they have a voice, that we're not creating a separate power center. So the buy-in for the individual towns or the individual voters is very important because you know who your representative is, you know who your Town Council is or your Board of Selectmen is.

Now we have this thing called County Government or Regional Government, it's sort of touchy-feely, you know, our towns get together. We do things that we can do more efficiently and more cost-effectively than we can as individual towns.

And I know what Julia's saying, well, we've got to become a true regional government, and, you know, conceptually yes, but politically is that viable?

I can hear the voices on the other side. And I can hear them right now in my head. Of course, I head voices a lot.

Ms. TAYLOR: That's why we didn't do it 25 years ago.

Ms. MCAULIFFE: And this is what the drumbeats are right now too. Towns, particularly small towns are saying we don't want to lose our voice because even if it's only a fraction of a percentage point of a weight, they still feel like there's a voice and that they have a seat at the table.

You don't necessarily hear that about the Cape Cod Commission but you hear that from small towns. And I think Austin really represented that from Provincetown.

If you want to be efficient, then just have a mayor. That's the ultimate in efficiency. And I think that the mistake that government or people in charge make is they always want to do things in perhaps the best and most efficient way. But that's not necessarily the way that everybody wants it done.

And this goes to your point about the political process and what people would support. Perhaps three to five people running the County really is the best, most efficient way to go but will the population --

Ms. TAYLOR: You're talking about a Legislature.

Ms. MCAULIFFE: I'm talking about everything. I'm talking about anything. If you want to consolidate --

Chair BERGSTROM: I called it a hermaphrodite version, and Rob got a laugh out of that.

Ms. MCAULIFFE: If you want to consolidate to something that's very efficient, you know, whether it's an 11 member, one board or it's a five member, one board, or its 5 and 15.

Any consolidation will, yes, enhance the work and make the work easier and more efficient, but it may not sell politically because people will feel that they are going to have a seat at the table.

So whatever we do may not necessarily want the altruistic, most efficient thing to do is but it's something that we need to do for a regional government to be able to sell it to the voters and make them feel like they have a voice.

Ms. TAYLOR: Then what is wrong with keeping the Assembly as it is?

Ms. MCAULIFFE: That's what I'm coming to.

Ms. TAYLOR: All right.

Ms. GRUNDMAN: And I would just say -- add to that to build on what Suzanne said, I think that's a really good point to make. And I would just term it a little bit differently. Are we ready to make the radical change without doing more harm than good? The efficiency that we think we're creating if the organization be a business or an institution or -- if decisions are made thinking that you're creating efficiency but you haven't grown to the point where you really have that cohesiveness as an entity, then the efficiency may not materialize.

The other thing is that I think we aren't going to get into this here, but I look at this a lot. What does the County actually have regulatory authority over? Very little when it comes to the town. The Cape Cod Commission has regulatory authority. But a lot of it -- anything the County does, it's going to be a radical change in terms of statutory Legislative regulatory changes, that's all going to have to go through town government anyway.

Which goes to Ron's point. That to create that efficiency and not at the same time increase your trust worthiness with the towns and make them feel like they're being listened to brought along. That could set us back.

So I think it's important to consider the theory, and this had been a good discussion, the theory of we need more efficiency to become a better regional government. But what does that mean actually?

Ms. TAYLOR: No, not more efficient to have 15 districts as opposed to 15 towns.

Ms. GRUNDMAN: Right. But what does that mean? Like, look at wastewater as an example. So, we talk about the decisions we make with wastewater, but there are only certain decisions that can even be made at the County level --

Ms. TAYLOR: It should be none.

Ms. GRUNDMAN: That's my point. The regulatory authority is the funding authority, the bonding, that's all in the towns.

Chair BERGSTROM: The biggest authority is --

Ms. GRUNDMAN: So the trust issue I think is really, really important.

Chair BERGSTROM: The biggest actual authority that we have, I mean without going back to the towns, is the changes in the region. We have to approve changes in the Regional Policy Plan, and we have to approve the creation of Districts of Planning Concern because that's something that we can do on our own authority that the towns really have no say about.

Ms. MCAULIFFE: Yes.

Ms. GRUNDMAN: Exactly.

Chair BERGSTROM: So they have to come to us. You know, Saul Eason (phonetic), when he defected over here, and people said you must come here for American -- he actually said that he thought the most efficient form of government was a dictatorship.

Ms. MCAULIFFE: It's true. It is. It is.

Chair BERGSTROM: And he said you didn't have to worry about the people.

Ms. MCAULIFFE: Right.

Commissioner DOHERTY: No, no, you have to worry about the people in the dictatorship for one simple reason. You have to maintain your dictatorship, and in order to do that --

Ms. MCAULIFFE: But you get stuff done.

Ms. TAYLOR: I don't consider --

Mr. DOHERTY: But the whole idea of a democracy or representative democracy that we have is that people have -- they may not feel as though they're participating but they have the opportunity based upon the amount of interest they're willing to put into what's going on.

Ms. TAYLOR: A Legislative body is not meant -- their mandate is not efficiency.

Ms. GRUNDMAN: Right.

Ms. MCAULIFFE: That's right.

Ms. TAYLOR: Their mandate is representation.

Ms. GRUNDMAN: Exactly.

Ms. TAYLOR: So, I'm just going to say that what we have now is not a very fair representation. It doesn't matter to me because I have the big vote. What can I tell you?

But I have to say that assuming that the people couldn't face the change of giving up the town, I think that's possibly selling people a little short and I think we did that 25 years ago. We didn't have the nerve to debunk it. Okay. Well, so we don't have the nerve again. Fine. Let's not waste a lot of time talking about it if we don't have the nerve.

Let's just say we're going to keep it at what we have for the Assembly. Now let's move to the Executive. I don't really see --

Ms. GRUNDMAN: I need to ask --

Ms. TAYLOR: It's not a question of efficiency though.

Ms. GRUNDMAN: I need to ask you guys' questions. Just fill me in on this because I think your points are well taken. But why not do away with the weighted vote as a way to creating a --

Ms. TAYLOR: You can't do that because you have to have --

Ms. GRUNDMAN: Well, that's why I'm just asking.

Ms. TAYLOR: But that's not -- you can have districts that are equal or you can have the weighted vote. You really can't do it a different way.

Ms. MCAULIFFE: And you know this may be worth exploring because if you do have something like 15 districts, you're going to have --

Ms. TAYLOR: Most of the towns.

Ms. MCAULIFFE: -- most of the towns, and yes you may have two or three of the smaller towns together but maybe they would settle for that for a whole vote.

Ms. TAYLOR: Vote, yes.

Ms. MCAULIFFE: That might be worth looking at.

Ms. TAYLOR: I think that we should at least look at how it would divide up and see who'd be where and see if that looked like something that people could live with.

Ms. MCAULIFFE: And I think boards are waiting for what you started out with, a list. Okay. These are 3, 4, 5 options. Weigh in. What do you think?

Ms. TAYLOR: If no one of this group wants a small Legislature, if we prefer a lot of

representation so that we're talking 11, 13, 15 --

Ms. MCAULIFFE: Right.

Ms. TAYLOR: -- then let's have the options be the present option, which is not terrible. It's worked perfectly okay. And then let's try to draw up what a 15-member equal district would look like, and maybe what an 11-member equal district would look like.

Chair BERGSTROM: The issue is that you can only divide the Cape by precincts.

Ms. TAYLOR: I understand that.

Chair BERGSTROM: In other words, you're not going to have a different ballot for every street.

Ms. TAYLOR: You're going to have precincts. We know that.

Chair BERGSTROM: There are logistic issues that are involved in dividing up the Cape into 10, 9, 15, 14.

Ms. TAYLOR: Of course. But can't we at least look at that?

Chair BERGSTROM: You know --

Ms. TAYLOR: I mean I don't think we have to but --

Commissioner DOHERTY: I figured that's what our charge is is we need to look at that.

Ms. TAYLOR: We have to at least consider that unless everyone absolutely, and I don't say this critically, doesn't have the nerve to fight the change because it's a big pain to try to educate people and it's a big pain to fight the knee-jerk we want our town represented.

And I'm not against that. But if we're going to examine anything that would be the one thing we might want to consider.

Commissioner DOHERTY: Okay. If, indeed, we go down that path, I think it's an either/or. Why do we need a separately elected Executive if we --

Ms. TAYLOR: Well, we haven't -- let's get to that later. We know we need a Legislature.

Mr. DOHERTY: But I think that from what I've heard from the Commissioners, they're interested in merging or let's say or getting rid of the Executive because we are hiring an Executive.

Ms. TAYLOR: Okay. Well maybe we decide to do that.

Mr. DOHERTY: I believe in Norfolk County, the Commissioners essentially appoint a manager to run things.

Ms. TAYLOR: We might get to that.

Chair BERGSTROM: Well that's the option I didn't mention.

Ms. TAYLOR: Let's see what we want for a Legislature.

Chair BERGSTROM: Which is the Barnstable town option, which is 15 people.

Ms. TAYLOR: Right.

Chair BERGSTROM: At first I thought well 15 people are a lot.

Ms. MCAULIFFE: And an Administrator.

Chair BERGSTROM: And an Administrator.

Ms. MCAULIFFE: Yes.

Ms. TAYLOR: Yes. Okay. But couldn't we at least look and see whether we would want to go with 15 or 11 or 13 districts?

Ms. GRUNDMAN: I would say yes, but I think that maybe the first question is do we have two separate bodies that exist in that leadership or do we merge? Because I think that's

Bill's point, and I'm not saying --

Ms. TAYLOR: But nobody here in this group has wanted to go to a very small Legislature as far as I can tell because they want towns to feel -- they want some local connection.

Ms. GRUNDMAN: Yes, my point is maybe we should just get that off the table because I'm not disagreeing with you. I'm just saying in terms of moving forward, like I like what you're doing try to get us to kind of organize our thoughts and come together where we have consensus.

But I think it's a bit backwards. If the Commissioners have sent us a Resolution, and if I'm not mistaken, the Special Commission's suggestion was the merger thing, maybe that's where we should decide. I'm ready to probably weigh in on that, and I'm not saying that that's right or wrong, I don't have to have my way but maybe that is a better thing to make a first decision about rather than the size of the Legislator because if we --

Ms. TAYLOR: I think the size of the Legislature matters as to whether you would need -- yes. I mean --

Ms. GRUNDMAN: Well, that's kind of backwards but I see your point.

Ms. TAYLOR: Because I think if you knew you wanted a fairly large Legislature because you want this close to home representation, where it's actually voted by the town or by people who live near each other at least, small.

Then once that was decided, it would be clearer whether you wanted those people to choose an Executive or whether you wanted the voters at-large to choose a leader, or whether you wanted this idea of three -- I can't even imagine why we'd want five, but, you know, do you want multiple leaders?

Ms. GRUNDMAN: I'm very confused by that only because if we merge as has been suggested both by the Special Commission and the Commissioners, the Legislative branch and the Commissioners into one, and then the issue is not how we elect the next leader.

Ms. TAYLOR: Well, yes, it would be are you electing a leader or are you appointing a leader?

Ms. GRUNDMAN: My point is the size of -- if we decide we want this Legislature 11, let's just use an arbitrary number, and then we get to the point where we finally decide well we're really going to merge them, why would we have had that discussion about the size of the Legislature?

Ms. TAYLOR: Because really the size of the Legislatures isn't, in my view, really related to whether it does this Executive work as well.

Ms. GRUNDMAN: Okay.

Ms. TAYLOR: It's really related to what Ron is saying. How close to the bone of the towns and the districts -- how much like the towns and how involved and intimate and friendly do you know your rep, which is the big group?

Ms. GRUNDMAN: Yes.

Ms. MCAULIFFE: And I think that's the issue with County government. People don't have a connection to County Commissioners. They have a connection, unless you live in their town, they have a connection to their Assembly of Delegate.

Ms. GRUNDMAN: No, they don't.

But I just want to add one thing though, and I may be completely off base, but our feelings about experience of government here and how we have run and all that stuff, there are

also -- that's all very important, but we're looking at a government structure.

So the relationship that we have about our Commissioners in my mind and, of course, I don't have all the history you guys have is related to how well the government will perform.

So the relationship, the size of how many Commissioners we have, how many Legislators we have if we, indeed, have those two separate bodies, one acting as a check and balance. That's, I think, what I'm hearing from people is more key to them.

The strategies about who's going to vote for who and that is not, I think, as key as -- I mean not to diminish anything we've talked about here.

Ms. TAYLOR: I'm not --

Ms. GRUNDMAN: But I think it's very important that we understand that we're making a recommendation because, you know, the reality is, for me, I look at this that you've got one body that wants one thing, another body that's not too keen about it.

So our recommendation and you had the third group now you're trying to talk about this, I think what's been lost in translation for all these efforts has been here's an opportunity to either tweak the existing government that's now been in place maybe 25 years or leave it the same and wait and do this again in five years.

So I don't want to ever lose cite of that, that it's also about what -- it's not the organizational piece. It's about how does it look and how does it operate?

Chair BERGSTROM: And what happened is one of the recommendations came out of the Special Commission, this also came out of the MMA Report --

Ms. MCAULIFFE: Yes.

Chair BERGSTROM: -- the MMA Report which the County authorized was to have a stronger Administrator. This parallels what we've gone through in our individual towns over the last 25 years with Charter reform and with --

So, basically, you hire an Administrator. He does the hiring and firing. He supervises the various departments, and he answers to policy decisions and so on to an elected board.

And even though at first I was very skeptical about the changes in the governance structure, it does bring up the question -- right now we have three County Commissioners, which have acted like an Executive body for years. And they've made many direct decisions on personnel, subcontracts, so on and so forth.

Now we're going to put -- and even they agreed that they're going to put that more onto a more powerful Executive.

Ms. TAYLOR: Administrator.

Chair BERGSTROM: Administrator. So now they have the Administrator doing the grunt work of day-to-day policy. Meanwhile, we have us, the Legislature, which is basically looking on fiscal decisions and so on.

So, it's sort of -- so what do the Commissioners do? I mean that's really what it amounts to.

Commissioner DOHERTY: That's a good point. What the Commissioners do is they present a budget. The budget represents the application of policy by deciding where the money that we have available from the taxpayers should be put.

Chair BERGSTROM: Yes.

Commissioner DOHERTY: And that's presented -- and that's where -- that's presented to the Assembly who either supports it or doesn't.

Ms. TAYLOR: And we could have a single Executive that did that, or we could have a five-member Executive or we could have three ...anything's available.

Commissioner DOHERTY: If you went to Sullivan County, New York, which was advertising within the last couple of months for an Executive that would be hired by the 11 members of whatever they call themselves, Commissioners or whatever, to run the County to present the budget, say to have it run by. Then in terms of organizationally, that makes a lot of sense.

Ms. TAYLOR: Yes. That's why I wanted to put off the -- I don't really -- I understand why the Commissioners and maybe even some Assembly members might have said well we'll talk about merging not abolishing because it sounds nicer. But I honestly -- I think -- I just think we don't need to mince words here. And I think -- although I served on the Special Commission, as did Ron, the discussion of governance wasn't even one night.

Chair BERGSTROM: No, it wasn't.

Ms. GRUNDMAN: Wow.

Ms. TAYLOR: And it was preordained before the discussion.

Mr. DOHERTY: It was like a letter from Wendy Northcross as to how it was supposed to work.

Ms. TAYLOR: I mean it was completely not relevant to -- it was from a point of view of well they -- it was from the point of view that the Assembly is a detriment.

Ms. MCAULIFFE: And annoyance.

Ms. TAYLOR: And an annoyance. And then so let's just get rid of them. That was about how much thought went into that, okay, because we were there. And this is the reality.

There's lots of things in the Special Commission Report that I thought was great but this was not. And Ron and I tried to say, look, you know, you really --

Mr. DOHERTY: It was understandable to me if you have something that's driven by what I call a commercial part of our community, it would be you must reduce the amount of layers.

Ms. MCAULIFFE: Yes, yes.

Ms. TAYLOR: So that was just very -- it's just not worth our taking time discussing it. We have lots of other possible alternative discussion, but their recommendation I really don't think this needs to be taken very seriously because it simply was never discussed. It might be an okay recommendation but it was not one that was, literally, it was not discussed. It was just presented and voted.

Chair BERGSTROM: Let me try to -- just before you get -- its 6:30 and we've been meeting for an hour and we've discussed this for two meetings now, and just to move this ahead.

Ms. GRUNDMAN: Yes.

Chair BERGSTROM: I'd like to say that I sent a letter to I think it was to the other Assembly of Delegates and so on, and I quoted Jefferson when he said, "That governments long established among men should not be changed for light or transient reasons."

And I've come to this discussion -- remember now, we formed this committee because other outside forces from the Assembly were pushing us toward changing. And in order to change, we had to do it through the Assembly according to the existing Charter. Now there's other ways but that's what's written in the Charter. So I said, okay, I'll give you the facility to do this.

Now I think that I would have to be convinced first that there's some great gain to be

had by changing what we have. That being said, I've looked at the structure that is now and, you know, you can say well if it fails, you know, the weighted vote is going to be an issue. I tend to think that the reason that the Massachusetts insists on a weighted vote is because they feel it's the fairest system. That's why they do it.

Ms. TAYLOR: But districts can be fair.

Chair BERGSTROM: All right. So, that being said, is that the one thing that I do think needs to be changed is I think the Commissioners should -- if we have the -- if I support the existing system, I would have to have -- support a broader County Commissioner, five instead of three. I've been on a lot of committees; three is too few, nine is too many, five -- So, I'm leaning personally toward and just coincidentally there would be recommendation of the Assembly of Delegates that voted on which is to simply keep the existing system but change the Commissioners, but nothing is written in stone.

Ms. MCAULIFFE: That could be an option but, you know, another option is look at the districts. The districts may really tighten up the government and then you won't need County Commissioners.

Ms. TAYLOR: Yes, that's what I --

Ms. MCAULIFFE: It will be like Barnstable. You'll have a strong Executive and a Council. And you have a strong Executive and your Commissioners.

Chair BERGSTROM: I can see -- is it practical? I mean if somebody drew up a map and showed it to me --

Ms. MCAULIFFE: It works in Barnstable.

Chair BERGSTROM: Yes, well --

Ms. MCAULIFFE: But that's what we need to look at.

Ms. TAYLOR: That's what we need to look at.

Commissioner DOHERTY: And, indeed, in principle, I think that's what the Commissioners are supporting.

Ms. TAYLOR: And I would be very opposed to five Commissioners because I think it --

Chair BERGSTROM: I pushed for nine.

Ms. TAYLOR: No, no, no, no. I'm talking --

Chair BERGSTROM: It got shot dead.

Ms. MCAULIFFE: On top of the Assembly?

Ms. TAYLOR: On top of the Assembly? No.

Chair BERGSTROM: Oh no, no. I pushed for -- when I realized the direction it was taking --

Ms. TAYLOR: I don't want it combined. I want a Legislative group.

Ms. GRUNDMAN: Two separate entities.

Ms. TAYLOR: And then I want some sort of strong Executive, and five, to me, is the opposite of a strong Executive. I think it diffuses responsibility. I think it diffuses power. I understand why we have it in the towns because there is no Legislature in the towns except twice a year.

Commissioner DOHERTY: Town meeting.

Ms. GRUNDMAN: Town meeting.

Ms. TAYLOR: Yes, I mean, obviously, we know that but it's not available and it shouldn't be. So that's a very different model and shouldn't be the model for this if we're going

to keep this wider twice a month or more Assembly.

Chair BERGSTROM: I discussed this I think with Mike. I'm not sure maybe it was with someone else, but I think I discussed with Mike Curran is that if, indeed, we went to that model with either an elected or appointed Administrator or Executive, you've got to realize that right now our Administrator, Mark Zielinski is basically, I won't call him functionary, but basically he does a job. He's not the face of the County.

Ms. MCAULIFFE: Right.

Chair BERGSTROM: Bill is the face of the County. Sheila's the face of the County.

Ms. TAYLOR: Yes.

Chair BERGSTROM: But if you go to the system that we're proposing now, you're going to have someone who's going to be the face of Barnstable County.

Ms. TAYLOR: That's right. And I would rather have that and they shouldn't be staying in their office, and they should be out working full-time.

Chair BERGSTROM: It means they're going to need a significant other to actually do --

Ms. TAYLOR: Well, that would be Mark.

Ms. GRUNDMAN: Yes.

Ms. MCAULIFFE: Yes.

Ms. TAYLOR: Mark is not a Paul. We need a Paul and it could be someone more like John Klimm or someone more like --

Ms. MCAULIFFE: Paul Niedzwiecki.

Ms. TAYLOR: -- Paul Niedzwiecki. Someone more like --

Chair BERGSTROM: You're going to get politicians from other branches. You're going to get an Eric Turkington; you're going to get a Rob O'Leary, someone like that.

Ms. TAYLOR: Right. Fine. That's what we need if we wish the County to actually be recognizable.

Chair BERGSTROM: An elected or appointed.

Ms. TAYLOR: And either way and I see what -- I agree with Mr. Curran --

Ms. GRUNDMAN: I have an opinion about that.

Ms. TAYLOR: Well I have opinions but I mean there are advantages and disadvantages for each. But either way, I would want that person to be very active, prominent, out there full-time, and I would want them to have the burden of responsibility. I wouldn't want to divide it as it is now among three part-time Commissioners. I don't think three part-time Commissioners or five part-time Commissioners is a model for, if anything, modern and efficient and responsive because it's too diffuse.

So I'm willing to have a big Legislature that still operates pretty much the way this does as a check and balance, as voted on certain important things, like the budget, certain important things like the Regional Policy Plan, but I want somebody out there coming up with the policies and out there promoting them and being a face for the government.

Chair BERGSTROM: Linell.

Mr. DOHERTY: And I think personally hiring somebody will guarantee that rather than electing somebody.

Ms. TAYLOR: Well, that I'm willing to debate, and I was not interested in the three or the five. I'm really opposed to that.

Ms. GRUNDMAN: I would just say that you've got a lot of really great information that we don't have to draw upon, but I actually learned this from my husband who is part of the generation of people trained to do government because you realize it is the only profession there was no formal training for up until about 50 years ago when the graduate courses began.

And if you look at how that has impacted government in New England is the place where it's impacted it the most because it is because of those professionals coming out that the trend started to move away from full-time elected officials to part-time officials particularly in Town Meeting form of government and full-time Administrators.

The drawback to that is accountability because there is accountability in elected office. The research that I've done just primarily in my own town, the other drawback to that is to your point, the diffusing of response because if you've got part-time people, their response level never had to get to the level of full-time Selectmen which were roaming Town Hall only 23 years ago in Sandwich.

So that's something I think that we should consider in this discussion. I agree with Julia, it's not necessarily something that we need to debate obviously tonight. I would only just say that I still think that our lawyer -- Mr. Curran, I don't know you that well, so your name has escaped me and I apologize.

Ms. TAYLOR: Michael.

Ms. GRUNDMAN: Michael, thank you.

It's very nice to know you. I heard all the wonderful things about you. I think it's really important that we're very clear. I'm not in total agreement with you, Julia. I think that you have to be very clear. If you have an elected -- what that Executive looks like, looks like or how that -- you certainly can't have a hired Executive as the entire Executive branch.

I think there is value in an Executive Branch to discuss policy and value in the Legislative. So I think we need to be very careful when we discuss both of those that we know what we're talking about if we're going to design a new kind of Executive branch that may -- if we eliminate the Commissioners or if that's the ultimate recommendation.

But I think it's very, very important that we don't confuse the people out here because talk about education. We have to be very clear about what it is we come up with. And an Executive branch is very different than having an Executive in a combined or merged, whatever word you want to use so you have people that understand that.

Ms. TAYLOR: Well, the only place we have multiple Executive branch people is in town government in Massachusetts. Every other government that I'm familiar with has a single Executive.

Ms. GRUNDMAN: Exactly.

Ms. TAYLOR: So I can't even imagine why we'd want to be using this 350-year-old concept.

Ms. MCAULIFFE: And I think that's because 25 years ago they couldn't step away from the full-time Selectmen who, frankly, were in over their heads.

Ms. TAYLOR: Yes.

Ms. MCAULIFFE: And today, no, I'm just talking about procurement laws or municipal laws or everything that the Town Administrators and County people need to know, the volunteers just don't know and they don't do as good a job as a hired professional does.

And that's why we went to --

Ms. TAYLOR: And I don't think the \$14,000 a year person can either.

Ms. MCAULIFFE: No. That's why

Ms. TAYLOR: I certainly couldn't if I were.

Ms. MCAULIFFE: -- that's why you count on your hired Executive. Every town on the Cape has a hired Executive or hired Administrator who carries out -- who does all the work.

Ms. TAYLOR: Yes.

Ms. MCAULIFFE: Now the policies are set by Selectmen and this excludes Barnstable, but the work, the actual work and the know how and the knowledge and the expertise and the professionalism is in the hired gun.

Ms. TAYLOR: And if you have Mayor of Boston, he doesn't do the heavy lifting of his work. He's the face of it.

Ms. MCAULIFFE: He's the face.

Ms. TAYLOR: Then he has the other people that he hires. So, as I say, I haven't made up my mind at all, but I am totally opposed to the Commissioner and Selectmen model because I think its 350 years old and it's only in Massachusetts, and I just don't think it's the right future.

Chair BERGSTROM: All right. Let me go in on that because this is something I thought of early on when this discussion came up. Now you've got to realize that all our powers come from the Legislature, our Charters and so on.

But the Legislature in Massachusetts eliminated a lot of Counties over the last 30 years because of various reasons but they left Cape Cod alone.

Now, we've moved among ourselves to call ourselves the Cape Cod Regional Government, but Bill is listed as a County Commissioner when he runs.

Ms. MCAULIFFE: Yes.

Chair BERGSTROM: I mean the state understands --

Ms. MCAULIFFE: We're County employees.

Chair BERGSTROM: Right, County employees. The State understands Counties. Now we're making a move to go beyond the traditional County structure, and we're going to send that up to Beacon Hill. And they're going to look at that again, because now there's something, you know, the County's pre-existed the Legislature. They've been around forever. But each time we make a change and say, "Well, we're not going to have Commissioners any more. We're going to have this Czar and we're going to have a Legislative body."

Ms. TAYLOR: No, we're not. We would never call it a Czar.

Chair BERGSTROM: Or whatever we call it.

Ms. MCAULIFFE: Administrator.

Ms. TAYLOR: Or an Executive.

Mr. CURRAN: County Executive.

Chair BERGSTROM: It's no longer something that's been tolerated for 300 years. Now it is an official different form of government.

Ms. MCAULIFFE: Well then we'll call everybody else Commissioners. They'll understand that.

Ms. TAYLOR: Yes.

Chair BERGSTROM: I just figured that there may be some resistance.

Ms. GRUNDMAN: I agree.

Ms. TAYLOR: I'm sure there could be, but we really have nothing to lose. What we have now is not a disaster. Is a \$25 million budget. We've got quite a lot of people picking over

it. We don't have any corruption. We don't have anything terrible happening.

Now, could it be better? Maybe, maybe not. We really don't know. But we just -- I don't think we have to -- I don't think there's any point in worrying about whether it would even get passed. If it didn't, we're not in the disastrous situation.

Commissioner DOHERTY: But the people that need to be asked about this are not in this room. They are out there. The citizenship on Cape Cod is dual. It is in the town and it is a member of the County.

When we run for office, we're running, even in the towns, you're running to ask the citizens of the County to elect you as the representative to the County.

Ms. TAYLOR: Right. And if they don't want a change, they won't get a change. Fine. I don't think we have to second guess that because we're not in a crisis now.

I mean I think Paul Niedzwiecki at times and Sheila Lyons certainly has acted at times --

Chair BERGSTROM: Not to mention any names.

Ms. TAYLOR: -- not to mention any names that there was a crisis of governance, and I just don't think that's true.

Chair BERGSTROM: I think that --

Ms. TAYLOR: But I think it's worthwhile our saying this might be an improvement. We don't have to say it's a magic bullet. We don't have to say anything.

Commissioner DOHERTY: I think that's exactly the soft approach that we should be using.

Ms. TAYLOR: Yes. Is this fairer?

Ms. GRUNDMAN: I agree.

Ms. TAYLOR: Here's why we think this might be fairer. Is this still retaining the good things of blah, blah, blah, blah? Yes, we think it is. And is it a nod to the future this because we think it will be cost-effective and will blah.

Chair BERGSTROM: I think that I suggested people vote --

Ms. TAYLOR: But I don't think we need to worry whether it will pass.

Chair BERGSTROM: Well.

Ms. TAYLOR: Because if it doesn't, it doesn't.

Chair BERGSTROM: But I think you should go in and look at the Charter right now, and every time I look at it, I see something that I didn't see before. But look under the powers of the Assembly, and you'd be amazed. The problem with the Assembly is not that it hasn't, you know, it doesn't have enough authority, it's just that we haven't exercised a small percentage of the authority.

And, unfortunately, when you do that sometimes you get kind of ignored. Well, they're not causing any trouble so what good are they? And there's a few times we have caused trouble, it's led to some resentment.

And I think the idea of going to 15 districts if you wanted or 13 districts and having an Executive is tempting, I mean, it basically, once again, comes to the weighted vote. Everybody doesn't like the weighted vote.

Ms. TAYLOR: I love it.

Chair BERGSTROM: I think it's a fair --

Ms. GRUNDMAN: Because you've got the weight.

Ms. TAYLOR: I've got the weight. It's not fair.

Chair BERGSTROM: Bill and I were on the RTA, and the RTA is set up exactly the same except the people are appointed. It's a weighted vote. If you come from Barnstable, you have a high vote. If you come from Provincetown, you don't. So this is not unique to us.

Ms. TAYLOR: No, no.

Commissioner DOHERTY: However, using the RTA let's say as a comparison, the people who sit on the committees and who persist in moving things forward are the ones that move the agenda. The same way when I was on the Assembly. The people that worked on the committees, the people that moved the -- that did the work of the committees and presented that in what I'd call both a thoughtful and complete manner are the ones that move the agenda and the Assembly.

Chair BERGSTROM: I agree with you. When he sat here, we had two people. We had Tom Lynch who represented Barnstable, and we had Fred Schilpp. And Fred was very proactive and he had the smallest vote and he pushed issues and he brought things up. Tom was very good and he had a lot of authority and he weighed in on things but he didn't necessarily -- I think because of his big vote, he didn't necessarily push issues. He would usually put things on the floor.

And so it really depends on who wants to do the heavy lifting. And I haven't seen it. I'm with Julia. I have not seen the weighted vote as a big -- it hasn't been a big presence in the room. I mean I'm the one who counts the votes so I know. And often times the big votes have not carried the day.

Ms. TAYLOR: That's just because, frankly, I didn't play that game that I could have played. And I did it for very specific reasons, but it will happen.

Ms. MCAULIFFE: And this is why I'm going to consider the district, the large -- Having spent a lot of time on boards where there are seven-member boards, five-member boards, I prefer a one person, one vote.

Ms. TAYLOR: Of course.

Ms. MCAULIFFE: Because if you sit at the Assembly and you think as you're trying to make a decision, you know, a whole bunch of smaller towns want something, and then one town can totally upend that.

Ms. TAYLOR: It just isn't right.

Ms. MCAULIFFE: There are a lot of times I've put more thought into well if I throw my 11 percent or whatever it is, is that going to make or break the vote?

Chair BERGSTROM: But you've got to realize, let's take the towns by my way from Chatham out to Provincetown. Right now they have very limited vote. Truro has .9 and I have 3. Eastham might have 1.5 and you say, we'll, gee, they don't have the votes. But if you went to district, they still wouldn't have the votes.

Ms. MCAULIFFE: Yes, they would.

Ms. TAYLOR: Yes, they would. Whoever represented the district has one vote.

Ms. MCAULIFFE: Because every district has one vote.

Chair BERGSTROM: Right.

Ms. MCAULIFFE: Then you have a whole vote, not 3 percent of a vote.

Ms. TAYLOR: No, I mean --

Chair BERGSTROM: Okay. I'm giving up on this. You guys obviously don't -- people don't like the weighted vote and I --

Ms. TAYLOR: Well, as I said, I like it fine, and I don't think it's a disaster. I don't

think it's ruined the Cape, blah, blah, blah. But if we were going to make a change, I think we'd have to consider the fairness issue and the --

Chair BERGSTROM: Well, why don't we then look at -- I haven't got a precinct map but I'm sure I can get one.

Ms. TAYLOR: We need to look at how it would do, yeah.

Ms. MCAULIFFE: I think that's the next discussion.

Chair BERGSTROM: By the next meeting, I'll try to have available to us all the precincts that exist on the Cape in the 15 towns. They are supposedly close to population.

Ms. TAYLOR: Close enough. That's close enough.

Ms. MCAULIFFE: Right.

Chair BERGSTROM: So then we'll divide them up.

Ms. MCAULIFFE: Yes, we'll just take a look at it, and we might get going on it and doing it and just say well this makes no sense. It's illogical. Let's not go down this path. But it might be well, you know what, it's --

Ms. TAYLOR: Eleven works perfectly.

Ms. MCAULIFFE: Yes.

Chair BERGSTROM: But before we go any further, I also have on the agenda -- you notice the various towns -- I understand that Wellfleet has met.

Ms. MCAULIFFE: Yarmouth met. Dennis, Provincetown last night, Chatham I addressed, Eastham, and Truro have met on this issue. I don't know -- Chatham did take a formal vote.

Ms. MCAULIFFE: Yarmouth wants to hear what we want to come up with. They want options and then they want to --

Ms. TAYLOR: We need to give them the options.

Ms. MCAULIFFE: They want something to weigh in.

Ms. TAYLOR: And what we ought to say is here are the advantages of the present system.

Ms. GRUNDMAN: Yes.

Chair BERGSTROM: Right.

Ms. TAYLOR: And here's the advantages we see of a new system, and this is the new system that we are recommending, if we are.

And then, you know, I just think --

Chair BERGSTROM: So you don't think we should solicit input before we make that decision?

Ms. TAYLOR: I think --

Ms. GRUNDMAN: It's already coming.

Mr. CURRAN: If people make their minds up, then they might not be as receptive to what you come up with if you --

Ms. MCAULIFFE: Yes, you know, actually, Yarmouth said, "It's your thing. Bring us something."

Ms. TAYLOR: We have to -- that's not to say we aren't going to have Public Hearings, but I think Public Hearings benefit from paper work.

Ms. MCAULIFFE: Yes, I agree.

Ms. GRUNDMAN: I agree.

Ms. TAYLOR: You need to have the advantages and disadvantages of the present

system, and here are the disadvantages and advantages of what we are tentatively thinking of.

Chair BERGSTROM: Well --

Ms. GRUNDMAN: Ron, can I say something.

You know what's happening now -- this had been a great discussion because essentially what's happening in the towns now, and it started with Sandwich because the Assembly member came, is that they're debating the simplicity of it's what the Commissioners want versus what the Assembly of Delegates --

Ms. TAYLOR: And that's not correct.

Ms. GRUNDMAN: And that's not correct, so breaking through that and not going back to the towns until we have some options, I agree with Julia. I think that's where we need to go.

Chair BERGSTROM: Well, here's the issue I'm looking at right now.

Ms. GRUNDMAN: I think that's where we need to go.

Chair BERGSTROM: I mean time is limited. For instance, we won't have another meeting until August, although we could have a meeting every Wednesday if you guys can make it.

Ms. GRUNDMAN: No thanks.

Chair BERGSTROM: But the issue is, as Suzanne brought up I think at the last meeting or meeting before, we were discussing this governance issue right now because everything else flows from it. Sooner or later we're going to have to come up with a decision.

Ms. MCAULIFFE: Right.

Chair BERGSTROM: Now there are seven of us and there are like seven options. So how do we get from -- how do we get there?

Ms. TAYLOR: But look at here's the options because I think that there -- it would be -- I think we all agree that if there's going to be -- well, let's just say we know the Assembly in general thinks that a large town-by-town, 15 is good, and I don't disagree but I'd like to --

Chair BERGSTROM: Many of them of the Boards of Selectmen.

Ms. TAYLOR: Yeah, we know in general that they prefer that because why wouldn't they? They don't know anything else.

Ms. MCAULIFFE: You feel like you have a closer connection.

Ms. TAYLOR: So let's look at whether we after examining whether its possible to have districts whether -- and I bet if we look at the precinct it would be more obvious what the numbers should be.

Chair BERGSTROM: We're still talking about a single Legislative body and an Executive.

Ms. TAYLOR: We are.

Ms. GRUNDMAN: At this point.

Ms. MCAULIFFE: Yes.

Ms. TAYLOR: Well, we haven't decided whether we wanted it to be a Town Council of 15 and something in addition.

Ms. MCAULIFFE: Right.

Ms. TAYLOR: Or whether we want a separate Legislative body and a separate Executive.

Ms. MCAULIFFE: Right.

Ms. TAYLOR: Executive, either several people or --

Chair BERGSTROM: Well, you talk about, in other words, right now we have the Commissioners, we have the Assembly, and we have an Executive so to speak --

Ms. TAYLOR: No, no, no. We have an Administrator.

Chair BERGSTROM: But we're looking at an Executive in some form.

Ms. TAYLOR: Not yet we aren't, but we will have some sort of --

Ms. MCAULIFFE: Some sort of Legislature.

Ms. TAYLOR: Let's start with the Legislature, and then do we once we've sort of got a nice looking Legislature, who do we want? Do we want that Legislature to be meeting every week and doing a lot of policy?

Ms. MCAULIFFE: Right.

Ms. TAYLOR: Or do we want it to be more like the present Assembly in terms of what it does?

Mr. DOHERTY: Or even less.

Ms. TAYLOR: Or less, or even less.

Chair BERGSTROM: Hard to believe we could do less.

Ms. MCAULIFFE: Like four times a year.

Ms. TAYLOR: Yes, okay. So do we want it to take on more policy making or not?

All right. So that's what we need to be thinking about, but let's first see what it would look like representational, close to home, all the good things we want, let's see whether we could get that with a single district.

Ms. MCAULIFFE: Right.

Chair BERGSTROM: Well, I'm not against proposing this so the thing is at some point --

Ms. MCAULIFFE: Let's just look at it at the next meeting. That gives us a task.

Ms. TAYLOR: And let's think about do we want our Legislative body, because everyone agrees we want one; right?

Mr. DOHERTY: Oh yes.

Ms. TAYLOR: Okay. Then, if we're going to have one, do we want it to be stronger in its policy making duties in which case it might appoint an Executive type person or do we not want that and we want some other --

Ms. MCAULIFFE: Checks and balances type person.

Ms. TAYLOR: Do we want it more of a checks and balance system?

Ms. MCAULIFFE: The way it is now.

Ms. TAYLOR: Like it is now. Okay. Those are kind of the two main ways we could go.

Chair BERGSTROM: Well, yes, that's an issue, and I agree that if we're going to go in that direction, there's two issues are whether it should be elected or appointed, whether it should be partisan or nonpartisan.

I stood up in front of 25 people and I said the same thing that Bill just said. I said if you're running for office and nobody knows who you are or what you're doing --

Ms. TAYLOR: I agree.

Chair BERGSTROM: And only 60%, if you're lucky, vote for President. If I'm a Republican and somebody else is a Republican, I know at least something about them. If I'm a Democrat, I know something about them. Partisanship has a bad name, but without it no one's paying attention --

Ms. TAYLOR: That's why it would have to be partisan if it's going to be Cape wide.

Ms. MCAULIFFE: To be elected.

Chair BERGSTROM: I'm not saying that the Legislative body has to be but if its Cape wide, it has to be partisan.

Mr. DOHERTY: Right now, the Legislative body is not and I would hope that it would stay that way.

Ms. TAYLOR: I would prefer it stay that way. But I'm open to if we have an elected Cape-wide official, I think it has to be partisan. And if we --

Mr. DOHERTY: So the question in terms of design as far as recommendation would be the elected versus appointed Executive whether it be multi or a single, and the Legislative body as to what our opinion would be as to be the ideal size of a new Legislative construct.

Ms. TAYLOR: And whether it's going to be more involved in policy or similar to its now kind of check and balance policy.

Chair BERGSTROM: And if we get -- I should have done this a long time ago, but if we get the precinct maps and we start -- we understand how the population is divided now, we could then look at what the alternatives are. Maybe some alternative -- maybe we can't divide it into nine.

Ms. TAYLOR: Maybe 11 works, maybe 13, maybe 15.

Ms. MCAULIFFE: Maybe we could somehow get them ahead of time.

Ms. GRUNDMAN: And do a little doodling on our own.

Ms. TAYLOR: Janice, are you going to be doing notes and minutes of this?

Clerk O'CONNELL: Well, we have a stenographer.

Ms. TAYLOR: Oh, we have a stenographer, okay.

Clerk O'CONNELL: She's taking all the verbatim --

Ms. TAYLOR: Okay. Instead of us -- when you get that transcript, will you summarize these issues that we're going to be next thinking of?

Clerk O'CONNELL: Sure. In other words, what you want to plan on doing for the next meeting?

Ms. TAYLOR: Yes. Which would be how big the Legislature should be, and could it be district based?

Secondly, do we want it to be similar to what it is now in terms of whether it does mostly as a check and balance and the budget and the Regional Policy Plan or do we want it to be more powerful and get into policy maybe, in which it would be more like a council.

Chair BERGSTROM: Well, we can use the delineation and responsibilities of the current Legislative branches as a template.

Ms. TAYLOR: Yes.

Chair BERGSTROM: Now, Mike, you've been kind of quiet over there.

Ms. TAYLOR: We're just shouting and shouting --

Chair BERGSTROM: What do you think about all this? Is it from a legal standpoint, are we doing anything that's going to violate the Massachusetts Constitution?

Mr. CURRAN: No, no, no. I think you're, as I understand it now, you're contemplating a Legislative body. It was essentially the same size as presently, 15 districts. If that doesn't work, maybe play around and maybe 11 would be better or 13.

Chair BERGSTROM: Yes.

Ms. TAYLOR: Yes.

Mr. CURRAN: But having the districts crossing town lines so that you begin to get more of a regional thinking on the part of --

Ms. TAYLOR: Yes, they're small enough --

Mr. CURRAN: That's small enough.

Ms. TAYLOR: -- that you could campaign and know people.

Mr. CURRAN: Yes, just quickly, I think it would be like 18,000 population would be -- my arithmetic here quickly.

Chair BERGSTROM: Now I know we have a representation from the Cape Cod Commission here, and I should mention that their Legislation sets up references to the Assembly as basically passing on a lot of stuff. So what ever we do, you've got to keep in mind that's going to require changes.

Ms. TAYLOR: Oh no, we might just call it the Assembly anyway.

Ms. MCAULIFFE: Right.

Chair BERGSTROM: If we had seven, what would we call them? Would we call them the Seven Dwarfs?

Ms. MCAULIFFE: No. That's not --

Ms. TAYLOR: Yes, we don't need to worry about that yet. But I know Michael will take care of all those little problems for us.

Ms. MCAULIFFE: He's the legal --

Ms. TAYLOR: But I want the people who aren't here tonight to be thinking along the lines that we're thinking.

Ms. TAYLOR: Not to agree but just to -- just these are the issues that need thought...

Mr. DOHERTY: There's one last thing that I think is important to remember. We do not have governing authority in regional government. We have governance. And that's an important distinction.

Ms. GRUNDMAN: Right.

Commissioner DOHERTY: In terms of changing opinions about authority.

Ms. MCAULIFFE: Right.

Commissioner DOHERTY: Because the perception might be the part of constituents that we have that governing authority --

Ms. TAYLOR: We don't.

Commissioner DOHERTY: -- but we don't have --

Ms. MCAULIFFE: And isn't that the big fear? Any time the County comes out with a program whether it's the Water Collaborative --

Ms. TAYLOR: It's a takeover.

Ms. MCAULIFFE: Yes. You're exerting authority.

Ms. TAYLOR: We don't have that authority.

Chair BERGSTROM: Well, --

Commissioner DOHERTY: But the emphasis has to be that it would take a significant act of the Legislature to go against the policy that has been in place for 30 years of reducing or eliminating counties to say that we're going for governing authority.

Ms. MCAULIFFE: Yes.

Commissioner DOHERTY: We are trying to maintain, in my opinion, a strong model for service delivery under a governance model.

Ms. TAYLOR: Yes.

Chair BERGSTROM: All right. Well, I'm hoping that maybe by the next -- we will distribute whatever information I can manage to come up with to the various members before our next meeting. And I'm hoping that we can come to some kind of a consensus.

I don't think -- I told the Board -- the Board of Selectmen asked me yesterday, "When are you going to vote on these things?" And I said, "Well, we're going to take it issue by issue and we're going to get a sense of the committee where we want to go."

I said, "But my feeling was we're not really going to vote on the package until all the discussion is complete."

Ms. TAYLOR: Until we've had the hearings.

Ms. MCAULIFFE: Right.

Ms. TAYLOR: But we might have some preferences --

Chair BERGSTROM: Right.

Ms. TAYLOR: -- that we think are worth possibilities for change. Here is a decent system that we have. We really don't need to trash what we have, but might there be some changes that we'd want to consider that, of course, we'd want to have public hearing on that.

Mr. CURRAN: Tentative and preliminary.

Ms. TAYLOR: Or ten.

Chair BERGSTROM: Now, who were the crazy people that invented the current system? Oh, that's right.

Ms. TAYLOR: It was one of us.

Ms. MCAULIFFE: See, they do exist.

Next Meeting:

Chair BERGSTROM: Well, anyway, let's not start rambling. If we feel we've accomplished everything we can right now --

Ms. MCAULIFFE: I think so.

Clerk O'CONNELL: Mr. Chair.

Chair BERGSTROM: Yes.

Clerk O'CONNELL: I just want to bring something to your attention.

Chair BERGSTROM: Sure.

Clerk O'CONNELL: The next time the Assembly meets, which I'm presuming is when you're going to meet next --

Chair BERGSTROM: Yes.

Clerk O'CONNELL: -- will be Wednesday, August 7.

Ms. TAYLOR: Yes.

Clerk O'CONNELL: I'm going to presume that the committee will not meet on Wednesday, August 21.

Chair BERGSTROM: Well that's an issue.

Clerk O'CONNELL: Because that's the beach meeting.

Ms. MCAULIFFE: So maybe at our next meeting we can come up with an alternative date.

Ms. TAYLOR: Come up with another meeting.

Ms. MCAULIFFE: Now anyone available before or later in the day then?

Clerk O'CONNELL: I can't answer that for --

Ms. MCAULIFFE: Well, the next meeting we should set --

Clerk O'CONNELL: -- when your group may or may not be available.

Chair BERGSTROM: When is the next Assembly meeting?

Clerk O'CONNELL: It's the 7th of August, but I want to make sure that I --

Chair BERGSTROM: Well, we don't necessarily have to meet on an Assembly day.

Clerk O'CONNELL: Right. But I want to make sure that I give sufficient notice to either the videographer, the stenographer if you're planning on having a meeting in addition.

Ms. TAYLOR: I think we should definitely meet the 7th.

Chair BERGSTROM: Definitely meet the 7th.

Ms. TAYLOR: Then we'll pick another date.

Clerk O'CONNELL: Absolutely.

Ms. TAYLOR: And maybe it will be the 14th.

Chair BERGSTROM: I was hoping that we could get -- in other words, we want to go through a public process here, and I feel that we have to get -- if we are to make these changes, we have to get them to the committee -- the Legislature's going to look at it by no later than mid November.

Ms. TAYLOR: I understand. We're moving along.

Ms. MCAULIFFE: But if we could get some ideas and get them out for the meeting in September.

Mr. CURRAN: I know you had said that once before, Ron. I don't understand the November date.

Chair BERGSTROM: Because I talked to Sarah and maybe there's some wiggle room in here, but she says that -- that somehow the Legislature goes away after a certain day or date.

Mr. CURRAN: It's in July they go away. They take the summer off pretty much now that the budget's done. They get back in the fall.

Chair BERGSTROM: Well, I'll check that again.

Mr. CURRAN: Normally, in a Legislative election or year the Legislature elected -- Bills are due in November. All the Bills that are going to be heard for the next two years, anything that comes in after December is really a late filed Bill. So this is a -- it's a late-filed Bill whether it's filed now, in November, or in January.

So I don't understand why.

Ms. MCAULIFFE: So we have another year then.

Chair BERGSTROM: Well, no.

Ms. TAYLOR: No.

Chair BERGSTROM: No, no, no.

Mr. CURRAN: No, but you want to get it in and heard in January, you know, but there's no -- I don't think -- they're not going to do anything to Christmas, month of December.

Ms. MCAULIFFE: It helps us to have a deadline.

Ms. TAYLOR: Well, we're just trying to -- we don't want to be --

Chair BERGSTROM: I'll get a written confirmation from the Chairman of the Municipalities Committee on what would be too her convenience.

Mr. CURRAN: Yeah, I would think you've got January --

Ms. GRUNDMAN: Is the meeting adjourned, Mr. Chairman?

Chair BERGSTROM: Yes. Move to Adjourn.

Ms. MCAULIFFE: Second.

Whereupon, it was moved, seconded and voted to adjourn the Charter Review Committee meeting concluded at 7:00 p.m.

Respectfully submitted by:

Janice O’Connell, Clerk
Assembly of Delegates