Call to Order/Attendance:
Chairman BERGSTROM: Good afternoon. I’d like to call to order this meeting of the Charter Review Committee of the Cape Cod Regional Government, Assembly of Delegates. We will now -- we have a quorum with six of our members in attendance. Austin Knight is absent today.

Meeting Minutes 8/7/13 for Approval:
Chairman BERGSTROM: You should have received a copy of the Minutes of August 7th, 2013. Any additions or corrections to the Minutes? Hearing none.
Ms. MCAULIFFE: Move the Minutes of August 7.
Ms. TAYLOR: Second.
Chairman BERGSTROM: Okay. Moved and seconded. All those in favor, say “Aye.”
Ms. GRUNDMAN: I abstain.
Ms. CANEDY: I abstain too.
(Motion passed.)

New Business:
Discussion, consideration, decisions regarding specific governance options going forward

Chairman BERGSTROM: We now have a discussion regarding specific governance options going forward. As we left the last meeting, we had narrowed down our options. I think you probably have a copy of it in your packet. So I am going -- some of the members of the committee have submitted some comments, and I will leave it up to the committee if they have anything to say on this subject.
Ms. MCAULIFFE: Just perhaps for the members who weren’t here.
Chairman BERGSTROM: Yes.
Ms. MCAULIFFE: Just a quick summary of what we did last time.
Chairman BERGSTROM: Okay. Why don’t you do that.
Ms. MCAULIFFE: Well, it might be talked about in the minutes but I don’t print out the minutes because it’s a lot of pages, and I start to glaze reading them on the screen.
What we did was we decided that we were going -- narrowed down our options because it’s getting to be crunch times in terms of getting options out for a public hearing or getting it out to the towns.
So we considered several options that came before us, and the ones that we did approve were the -- to keep the existing County structure, which is the Number 1 option.
Number 2 was the Assembly of Delegates option, which expands the County Commissioners to five and keeps the Assembly of Delegates.
And then Option 3 was more of a Strong County Executive, elected or appointed, which we hadn’t decided, but sort of a strong figurehead representing the County.
And then districts based on population or voting precincts that would be 13 in number to sort of be as a policy-setting for the County Executive as an individual and then the Legislative policymaking
board would be the representatives from the districts.

And I’m not going to pretend to explain how the 13 came out but it was magic, and maybe we should do that again because there were several different numbers and this one just kind of fell out there as a very obvious one.

Ms. TAYLOR: I mean I think it was because you can’t divide up precincts. And some towns like Chatham are all of one precinct, oddly enough.

I’m not criticizing, but since you can’t do that, you can’t draw the boundaries wherever you like so you have to gather by precinct, and 15, for example, didn’t come out well. You didn’t get even districts. But we got the hint that 13 might work and we didn’t have it. So we were asking for anything that worked, I guess. So we were looking for more rather than less just on the idea that at least that way you’ve got a lot of fairly localized representation even if it wasn’t town by town.

So that’s – and then there is the Special Commission’s suggestion remember of the Strong Executive and the seven and five elected from regions and two at-large, but we didn’t really talk about it much last time and we weren’t that interested in it. We didn’t include it.

Ms. MCAULIFFE: Yeah, we actually either by consensus or actual vote on --

Chairman BERGSTROM: At this point since you’ve referenced the maps and the various divisions, I’m going to recognize the lawyer from the Commission, Jessica Wielgus. She has some further information. We may find that the preferred option, at least under Number 3 is not as easy as it looks. What have you got for us, Jessica?

MS. JESSICA WIELGUS: Thank you, Mr. Chair. For the record, Jessica Wielgus, Commission Counsel.

At the last meeting, we brought for – the committee had asked the Commission to come forward with some divisions on a map to show districts of different amounts.

And as Julia has just described, those do need to be based on the precincts that exist as they’ve been defined by the state.

And you’re looking at a set of maps that we’ve just produced for you. We were asked by your attorney, Mike Curran, to provide this first one to you. That is the actual outline of the precincts themselves and the number of inhabitants in each one.

So what had to happen when you’re drawing these lines is the Constitutional principle has to be that every precinct or every district, if you will, has to have an equally populated number. That’s the whole point of it. So you want it evenly distributed.

So there are just so many ways you can do that and still include or exclude a particular precinct from a line that you draw.

So we were asked to do different methods of doing that. So we started with the 15, and we brought the 15 to you last meeting. And the 15 didn’t work because there is a Constitutional requirement that the deviation from one district to the next can’t be more than 10 percent. So in addition to drawing the lines, we figured out the percentage deviation for the lines using the number that you asked.

So the first one you asked us for was 15. When we did 15, it came out to over 12 percent deviation. So the committee felt that that was not an acceptable number.

We had also done for you five. When we did five that came out to the less than 10 percent. That came out to 5.8 percent and that was an acceptable number, but the committee wanted to see what would happen in the larger amounts.

So we did a few different variations of that, and the ones that we came to with you last meeting were the five, which came out to the 5.8 percent; the 11, which came out to less than 4 percent. It was a very low number. And we were talking about possibly doing 13.
And our GIS Department when they did a rough of 13 thought that that one came to a very low number as well. But when they ran that one and you have that in your packets, the 13 came out to over 14 percent deviation. So the 13 didn’t work.

So what we did is in the idea of trying to see what different numbers would work, after we did 13, we also ran 12 and 14 to see what those would come out like. And the 12 came out to over 11.6 percent. And the 14 came out to 17 percent.

And let me point out to you what the issue is. When you’re drawing the lines, if you look at the precinct map, which is this first one, when you look at the Orleans precinct, which is the OP-1 on there, when GIS was drawing the lines, that either has to be included in the Outer Cape or included on the other side when you’re drawing the line. Until you get to the point of 11, it ends up creating either too large of a deviation by adding it to the Outer or not enough if you put it into the mainland area of the Cape. So that’s why the 11 came out to a lower number.

Ms. TAYLOR: Did you have 11 in this old package?

Ms. JESSICA WIELGUS: You have 11 in your original packet, and I can identify that one for you by color if you want. It’s on the Web and was distributed to you at the last meeting. But I believe that one was, I can tell you right now, 11 were outlined in red. It looks like this and I can give this to you if you don’t have it.

Ms. CANEDY: I have a question.

Ms. JESSICA WIELGUS: Yeah.

Ms. CANEDY: You said five worked.

Ms. JESSICA WIELGUS: Yes.

Ms. CANEDY: What if you had three representatives from each one of the five districts which would make a 15-member board; would that be possible?

Ms. JESSICA WIELGUS: You could consider that, and I’ll defer to your counsel in terms of making up the composition -- her question is whether or not you could have several members for each district and comprise that of 15 members?

Mr. CURRAN: Well, at least every district would have to be represented by one person or we’re going to have the one person/one vote rule apply. Could you have two member districts? You could have a district -- if all districts had two members that would be acceptable. You could do that.

Ms. CANEDY: Well, I was suggesting three because if each district had two, you’d have an even number of ten, which you don’t want to have on a board. You want to have an uneven number.

Mr. CURRAN: We touched on that last week. You can empower the presiding officer to have what’s called a casting vote. So either to make or break a tie and dissolve the impasse that way. The potential even tie vote by giving the --

Ms. CANEDY: I think its cleaner, just from personal experiences, I think it’s cleaner to have every vote be equal and, therefore, the chair would not necessarily have a powerful trump vote.

So if you had -- if 15 was a number that this panel liked last meeting, if you had three representatives from each of the five designated districts, it would be even and you would have a 15-member board.

Ms. JESSICA WIELGUS: The one issue that comes up with that is the one person/one vote principle. Usually, I mean that’s the clearest way -- clearest path to Constitutional compliance and that is achieved by that 11-district breakdown.

I think when you get into putting more than one member in a district, then you get into some of the same issues in terms of the Constitutionality in terms of what -- who’s represented by whom in the district. It’s not as clean, if you will, as clearly saying one person/one vote. And I think that’s what you were trying to achieve.
Ms. CANEDY: I’m not sure what that would be if you were talking about districts because the person would be running -- three people would be representing that district. They wouldn’t be representing Orleans Precinct 1 and Eastham Precinct 2. They would be supposedly in that one district.

MS. JESSICA WIELGUS: Right.

Mr. CURRAN: Prior to the time that the -- part of the time that the statute was enacted that is now in effect, it requires every town to divide into precincts. And the statute says, and apparently there’s an exception to it which Jessica has called to my attention I wasn’t aware of, the statute says no precinct can be larger than 4,000 inhabitants, which has always been a good workable number. But you have three precincts in Barnstable County that exceed that by a substantial amount and create the problems that you have.

But when the Legislature was faced with the same dilemma that you are because of uneven precincts that it was dealing with in the cities and towns, they did have double and triple member districts so that they would take 38,000 was the number to create a representative district. They would take three times that amount and elect three people from that district.

So I guess you could -- with that as precedent, you could do something like that if that’s what you’re referring to.

Ms. CANEDY: Well, you wouldn’t even -- you wouldn’t have to even worry about that because if you’re doing your -- if you’re saying that five districts would solve the problem of equal population per district, then if you have three people from each one of those districts.

Mr. CURRAN: Oh, I see.

Ms. CANEDY: I’m not sure why that would upset the --

Ms. TAYLOR: I just think it is cleaner, but I think I would prefer 11 to that. Because I’m sure you could get -- also I’m sure you could get someone to run or maybe two people or maybe even three people to run from a district.

I just think you start needing three people running from a district, it could be a little tricky.

Ms. CANEDY: So you’re saying you prefer the 11 districts.

Ms. TAYLOR: I would prefer the 11 to the 15 itself.

Chairman BERGSTROM: What is the deviation on the 11?

Ms. JESSICA WIELGUS: The 11 was 4 percent.

Chairman BERGSTROM: Really?

Ms. MCAULIFFE: That’s huge.

Ms. TAYLOR: It works.

Chairman BERGSTROM: You know I wondered if you had multiple -- see, I’m not a math major here, but if you had multiple members from the district that had a high deviation that that might enhance that deviation. In other words, increase it rather than --

MS. JESSICA WIELGUS: Yeah, there is some case law about multimember districts, and there have been instances where they’ve been deemed unconstitutional by virtue of multipliers and whether or not that person can break a tie vote, whether they can’t. There are so many different nuances that can come out from that.

Ms. CANEDY: I don’t understand. I don’t understand why if you have determined that there a five -- if you can divide it up into five districts and that would not violate Constitutionality because they’re below the deviation and they would be of equal population. Then if you have an equal number of representation from each one of those districts, how would that be volatile -- violation of a Constitution?

MS. JESSICA WIELGUS: I think the question is we don’t know exactly if it would because it depends upon on how those three would comprise the districts. Are you dividing each district into a
subset of three?

Ms. CANEDY: No.

Mr. CURRAN: Just three at-large.

MS. JESSICA WIELGUS: Three at-large?

Ms. CANEDY: Yeah.

MS. JESSICA WIELGUS: I mean that has potential, but, again, we looked at it with one member per each district in terms of breaking down the percentages and looking at the deviation. So we could go back and look at that.

Ms. CANEDY: Would that be something --

Ms. TAYLOR: Well, I just don’t -- is 15 really a magic number when it’s not the 15 towns, I guess would be my question. To me, 11 -- I just think it’s cleaner to have one per district in case there’s a problem and it just is a little more confusing to people.

And 11, to me, seem like enough people to get a good cross-section of people. But it also, I think, would enhance if I look at the map with 11, it cuts across lines in many of the districts. And so you would be likely -- like Falmouth has you know one district that’s mostly Falmouth but not entirely. And then East Falmouth is somewhat involved with Mashpee. I like that chance for variety of people wanting to run so that it isn’t just okay I happen to have a lot of name recognition in my town, and so I’m kind of a shoe-in in my town. I like -- that’s kind of my position, which I like in a way when I’m actually running, but if I’m thinking theoretically what would -- and fairly.

I mean one of the problems with the County is lack of knowledge of it. That leads to lack of accountability. So anything we can do that would increase people running would be a way to increase --

Chairman BERGSTROM: Pay them more.

Ms. TAYLOR: I don’t think that’s it. I think you need more visibility.

Chairman BERGSTROM: Bill. Why don’t we let Bill get in here.

Mr. DOHERTY: Okay. First of all, it is not clear to me where the issue of Constitutionality is really -- it was really at risk because I think that the common denominator that Attorney Curran made in the beginning that the Legislature had passed on the present setup and essentially established it would be the so-called weighted vote that we have been dealing with. I haven’t seen anything that changes that.

Second, when you speak of case law, that case law was not done in Massachusetts. It was done in New York and I’d say under different jurisdictions and perhaps under a different -- let’s say a different Constitution law. I don’t know of any federal case that when you speak of case law, maybe you could point one out that I haven’t seen.

MS. JESSICA WIELGUS: Yeah. The cases that I outlined in my memo are all United States Supreme Court cases so they would apply in Massachusetts.

Mr. DOHERTY: Would they?

MS. JESSICA WIELGUS: Yeah.

Ms. TAYLOR: But Bill, my objection to the town based has nothing to do with Constitutionality. It’s only what I see as a fairness issue.

I understand that it’s technically fair. I just feel that some voters once their person is elected are effectively disenfranchised because their representative has such a small vote. I just think equal votes on a body are fairer.

Commissioner DOHERTY: Okay. Well, Julia, --

Ms. TAYLOR: It’s not a Constitution --

Commissioner DOHERTY: -- don’t misunderstand me. I’m not trying to argue the Constitutional point, but I think I’m sort of promoting or supporting the idea that there is a high emotional content involved in this.
Ms. TAYLOR: Right.
Commissioner DOHERTY: And the people not only have to feel as though they have a fair representation but it actually has to be supported by actual facts.
I think the idea that Ann brought up is an interesting one but not one that we’ve looked at.
And when you talk about getting people to run for things, I mean and something that’s mundane as my local Housing Authority, we’ve gone sometimes almost 18 months before we could get anybody to actually except an appointment or say a run for it.
So the idea that you would have people that are all waiting to run for an office -- I don’t believe that’s actually backed up by the facts because what are we offering? We’re offering something that right now, and I pointed this out in the note that I sent along, I’ve collected signatures many, many times, and each time and I’ve got high visibility in my town, a lot of people know me, same as you, County? What does County do?
So now we have two things going on right now. And I think this is a very important reason why I’m tending to take another look at leaving things the way they are.
The most difficult thing in marketing is to sell not only a concept but also to sell the change in the concept before people get the concept. Okay.
So we’re there right now. If we say that the concept is the County represents a service organization that’s funded by taxpayer money, that goes on no matter what kind of governance we have because that’s done by the people we hired to deliver those services.
So from that point of view, I don’t think as I’ve gotten more into this, it makes a hell of a lot of difference what the structure of County government is as much as that we all believe that it offers an opportunity for fair representation for anybody that gets elected to serve in it. So that’s why the district has some merit.
On the business of standard deviations, if what Paul Niedzwiecki had said a couple weeks ago that there will be a transfer of population to let’s say to concentrate in the larger towns, that immediately says that the business of setting up these districts would go in the direction of as your population starts to concentrate, you start to extend either the size, physical size of the precinct if you follow the state’s rules.
So if the state’s rules, as I understand it, are that you have to have a definite number within some limits, within a specifically defined geographic area, then we are setting up a situation in which we will be -- if Paul’s suggestion is accurate -- it all focused that most of the people live in Barnstable, Yarmouth and Sandwich and the rest of us are sort of out there.
Ms. MCAULIFFE: That’s what we have. That’s what we have right now.
Chairman BERGSTROM: Ann, did you want to comment? And then Linell.
Ms. CANEDY: Yes, I wanted to comment on that actually. That is a similar situation that the Barnstable Town Council faces every 10 years after a Census is that we are redistricted and the precinct lines are drawn. And it’s just sort of -- it’s a fact of the Cape that these demographics are going to shift. And just if your scenario is correct that people start moving towards the Canal and away from Provincetown, then those districts just get larger.
But I just wanted to point out that under Julia’s scenario, Barnstable would have three representatives, and one would be shared with Yarmouthport. But it seems to me that there was some concern about weighted votes and that would create a weighted vote.
Ms. TAYLOR: But what people, I think, in the past, now we’ll just go back --
Chairman BERGSTROM: Julia, before you -- why don’t we Linell get in first because she’s been waiting.
Ms. GRUNDMAN: So first I want to apologize for missing the last meeting. I actually got my
first vacation in six years. I’m not sorry I wasn’t here, but I will apologize for missing the meeting.

But it did give me a lot of time and space to study this, and I must say that it’s a fascinating proposition. I want to compliment Ron and the decision to talk about governance.

Some when we’re talking about governance and what I’ve heard in the conversation this far is we are looking to make a recommendation that will allow for a form of governance that will achieve what Bill wants us to achieve, which is an efficient and responsive County government.

And I think I am very leaning in this district direction because it does, even though you raise a good point, and about the power that Barnstable will still have because of the population, it does raise a way to break through that weighed vote. I, personally, have never liked the weighted vote.

I am, you know, I’m that last wave that’s come to Cape Cod, the wave that recognizes that we have the historic with the people here who have been here for 300 years and related to that. We have the people who’ve been here for 100. We have the people who have been here for 50. Most of the people on Cape Cod have only been here for 30. That’s the wave I’m in.

So the form of government, whether it’s County or town-wise, I’ve studied that’s been a rapidly changing form of government because of the rapid growth of the last 35 years.

When Bill talks about where our population is going to go and how that will affect -- it doesn’t really affect our decision and it’s really a crystal ball. Our decision is about what is the next -- the next -- what’s the right word -- the next way that we propose to do government for this rapidly changing environment of the last 30 years.

So the district to me seems like a very good solution, and I also think that the 11, the number 11 seems like a good solution. And, Ann, I’m going to have to just say I think the one person per district is the cleanest, and I think the one that will make the most sense to our citizens.

I do believe too, the thing that I’ve really gotten to think about because you know when I first came on here I was very much not willing to think or not supportive of giving up the town voices because I find that the town voices have to work together.

But the goal is regional government. And the more people I talk about to -- the more people I talk to in government at the state level wherever, wherever I pick up the phone and say, “Can I have 10 minutes?” That comes up over and over again. The hope that they have for this decision that we are going to make is that we focus on what will be the most effective, responsive and continuously positively evolving regional government.

Someone gave me quite a long lesson. It wasn’t the first time. John Ohman gave me this lesson about the Selectmen, the Board that was a Selectman from each town that eventually morphed into the Assembly of Delegates. That’s an important lesson because that was an evolution.

So I’m going to just say I like the districts. I think 11 is the number, and I support one person per district knowing that it will change potentially each time we have a Census.

Chairman BERGSTROM: Julia.

Ms. TAYLOR: I just wanted to talk on what she had said about three Barnstable people because that’s kind of important.

Chairman BERGSTROM: Go right ahead.

Ms. TAYLOR: And I think it’s a really significant issue. What people didn’t like was having one person from Barnstable have 22 percent of the vote, and that’s just a very strong thing to have in your group. And maybe some of them didn’t like having Falmouth having 15 percent of the vote.

But I think it is we can assume that those three Barnstable people even if one of them wasn’t a Yarmouthport person but appears there might be, they’re not going to necessarily always bond together and have the exact same position because they’re three different people.

So that I think that that really -- it’s just much fairer than one person having 22 percent of the
Chairman BERGSTROM: All right. Let me just interrupt here for a minute. This is where we are. We’ve identified three options.

The first two options are pretty much self-explanatory. The one that isn’t is this one which is now we’re trying to flush this out, so if somebody says, “What’s option 3?” we can give them some details. And it seems like we’re leaning in the direction of 11.

Julia has the biggest vote or the second biggest vote on the Assembly, and she doesn’t like the weighted vote. I have one of the smallest and I think it’s just fine.

For all the rhetoric about the weighted vote I’ve heard in the last several years, they’ve never convinced me for one second that there’s anything wrong with it but maybe that’s just me.

I mean it’s just because you have to understand when you talk about towns, you can’t have a conversation and say this town and then talk about weighted vote because the weighted vote and the town are totally separate entities. We’re not comprised of towns. We’re comprised of people.

All right. So say one -- say three towns can push an issue, you know can have the majority and say, yeah, they represent the majority of the people and that’s how the government works, at least that’s how it’s supposed to work.

Anyway, as far as people not being involved in County government, I mean I think we had three -- at least three contested elections for delegates, right, in the last election. I think we beat the Massachusetts House of Representatives. I doubt if they had a 20 percent contested race in either the House or the Senate so that’s not unusual.

What we’re doing with this option is we’re getting closer to the recommendations of the Special Commission, which if you remember they talked about seven. Now I always thought that the two at-large were -- the reason the two at-large were thrown in there -- there was a couple reasons -- but one of the reasons was, as Jessica said, five was easier to divide and what do you do with the extra two? You just throw them in there and know for good measure.

So if we -- if Option 3 put out a scenario of 11 and the Special Commission said seven, so the only other thing -- we almost split the difference.

But I mean I’m concerned, for instance, you say that the three Barnstable reps wouldn’t always vote together, but the fact is in our experience here, and we’ve made decisions that directly affect the financial well-being of individual towns, especially Barnstable. I mean -- and I have to think that if someone is a representative from the town of Barnstable, they’re going to vote in Barnstable’s interest in that sense.

So you can escape the issue of where a person comes from by just calling them a District Rep. That’s going to be avoidable. And I see in our map here with 11 that every town from Orleans up to Provincetown is going to be one district. So that would make it interesting.

But I’m not in favor of this at this point. I’m not ready say yes or no but I do believe that we should flush it out so that it’s a viable option. And I agree that if there’s only a 4 percent variation in the districts on 11 that that seems to be the best number. I’ll call it the, along with Ann, I’ll call it the Council. You know, this is how Barnstable Council is. Its districts with a strong Town Manager. And it’s worked.

And it’s good to have an example like that because the people come up with all sorts of objections saying “Oh, it’s not going to work. It’s crazy.” You can say, “Well, there it is. It works right over there.” Anyway, that’s my --

Ms. MCAULIFFE: I just wanted to make a comment on 11 versus 7 versus 5 versus what we have now. I think there’s a magic number that’s too high, but I think anything in government, the more hard-working minds you have at it, the better and the fairer the results.
I think three people can get very sort of comfortable and in sync and in step and perhaps you might not get -- and I’m not picking on the County Commissioners, I’m just starting with three, then you go to five. I think Boards of Selectmen, you know, you start to get some good variety.

I was on a Regional School Committee of seven that actually worked better than anything I’ve been on because you had -- it wasn’t an unmanageable number but you had seven different opinions, seven minds, seven experiences.

I think the reason I’m willing to go to 11 is I’m very sensitive to the fact that people like having or feeling that they have a voice or have a vote. And I think this would put the whole Outer Cape in one district, it would give them 1/11 of the vote and now they don’t even have 1 percent of the vote. It would give them maybe 9 percent of the vote. Now each of those towns doesn’t even have 1 percent in many cases.

So I think an argument could be made in terms of if you’re going to market this that, yes, it seems a little artificial and a little awkward, but each person is really going to have more of a voice in the smaller towns. And you’re not going to be at the whim or the -- at the -- you’re not going to be under one person from the largest town either liking an idea or not liking the idea.

See, the more people -- the more minds you have, even if it’s two or three people form that town, I think you’re going to get a better result.

Chairman BERGSTROM: Bill.

Mr. DOHERTY: Yes, if this were a 216,000 population city, this conversation would sort of go away. We have 400 square miles, 500 miles of coastline. We have 216,000 people. I’ve maintained for a long time that when we talk about services and what we deliver, we should think in terms of a medium-size city rather than a County as far as service delivery. And the idea of if, indeed, this were a city, we would be talking about councils and districts and this is, I think, this is the move that we’re going to.

Chairman BERGSTROM: Boston uses at-large. I don’t know if you follow their politics.

Mr. DOHERTY: I was born in the Boston City Hospital, so I would know that; wouldn’t I?

But the point that I’m making is we’re looking at today and here and now and the comparison of what we do as far as overall organization, I think should reflect the total number population because the longer we spend on -- and this is the argument I think for districts, the longer we’re put off because of the geographic size of the district, we keep getting away from the fact that if this is an issue of let’s say voter or one man/one vote, you have to put that aside and just stick with the population that’s occupied in the geographic areas involved.

And I don’t know about the Supreme Court thing, but I think the New York case say that over and over again, you can’t use a geographic area to identify a viable district. It has to be based upon population.

But having said that, see the other part is that I don’t believe that we need -- if we go to this 11, that’s the scenario you’re talking about 11, I don’t think we need the three County Commissioners.

I think we, in my scenario, and I think I suggested this that whoever is elected to be the speaker would become the Executive and he would hire somebody to run the outfit over there and that way you wouldn’t have the cumbersome part of having to go -- run everything by 11 people every time you wanted to get something done because you basically would’ve given the response -- not the responsibility but the authority to whoever you elected to be the, let’s say, the chair or the speaker, whatever you want to call them.

Ms. MCAULIFFE: I don’t think anyone’s proposing the districts or Executive. I think it’s more a policymaking Executive. So in other words you might not have a lot of the day-to-day. You would have someone doing the day-to-day and then you would just have perhaps twice a month meetings. You
can take on as little or as much as you want in terms of how you structure the day-to-day.

But I don’t envision that this district -- this 11-member group would have anywhere near the
day-to-day administrative powers that the current County Commissioners have.

Commissioner DOHERTY: And they don’t because we meet once a week, and since the Open
Meeting Law started, we put it down because we don’t do as much as we did in the first eight years that
I had this office.

There was a lot that we got done at our meetings. With the Open Meeting Law, we do much less
because we’re always looking over our shoulder about what we are rather than what we do.

Chairman BERGSTROM: Linell, did you have a comment?

Ms. GRUNDMAN: Yeah, I did. That was very interesting. It follows it nicely what Suzanne
said about people getting together and what the purp[ose]s is of that body.

I know I didn’t -- I wasn’t here but I did watch Paul Niedzwiecki’s comments, and, of course, I
was able to read them and they echo many of the comments that I’ve heard from people who’ve actually
had experience in the County government that one of the concerns about this decision is that it
eliminates some of the redundancy that is occurring in terms of the decision-making.

So that made me realize that one of the basic decisions we’re trying to make is I think everyone’s
in agreement about the Executive, whether it’s elected or appointed. I think I don’t have anybody -- in
fact, I’ve talked to town managers and I’ve been very blunt, “Tell me, do you think the County’s ready
for an Executive to run the County?” “Yes, we do.”

So I think everyone is in agreement about the Executive position. So then one of the decisions is
what body works with that Executive because that’s new. We don’t have an Executive. So we really
are -- this is where it’s somewhat different I think that the other two -- the prior Charter Review and
even the Special Commission. That question is very clear for this body, for this group. One of the
decisions that this recommendation will be is the design of that body that will be working with that
Executive.

We’ve come a long way at this table on that discussion, and I think that’s an important
consideration. To Suzanne’s point, I believe that, yes, more people bring a lot to the table, but you have
to have an organization that functions well in terms of making those decisions.

One of the reasons that the League of Women Voters and other people concerned about the
County government is that we obviously know they have big decisions coming with us.

So I said to somebody today, I hope we get to a place where this conversation can end, that the
recommendation we make then lets us go on to the work that’s in front of us.

So I’m very encouraged that we’re talking about this model, and I look at it differently. I am
concerned about the fact that we’ve gotten so much feedback from the Board of Selectmen not wanting
a change. I think that change comes from the fear that the new model will not be effective.

I believe that we’re making an awfully good case. We’re making a good discussion for a new
model that could be very effective. And I think for me the biggest consideration is what moves the
County forward.

I think, as I said, we’re in agreement about the Executive. Who works with that Executive as
part of an elected office, who is that body that work with that Executive and provides accountability that
only elected officials can.

Chairman BERGSTROM: Well, I think that’s an issue that we’ve talked about. Even the
Special Commission talked about elected or appointed authority as far as the Executive goes.

I believe that they should be appointed because, to be honest with you, there’s a clear delineation
you have an appointed official, they’re an Administrator, the elected officials are policymakers. If you
throw another elected official in there, it starts -- then you really have to go through the Charter and you
have to delineate each, who does what and who has what decision and so on. I mean you have to do that anyway but it would be a lot more complicated.

Ms. GRUNDMAN: I’m not in favor of it. I’m not in favor of an elected Executive just to be clear.

Chairman BERGSTROM: I think -- just to move this conversation along, I think that as far as this option goes, the option of districts, we seem to be coalescing around this 11 district. And I know that nobody wants to talk about politics. They only want to do the best, what they think is best. But you have to ask yourself, the towns have a buy-in. For instance, all this nonsense going around the Cape Cod Commission even the talk about what we’re doing. The Boards of Selectmen say they call me in -- they call in Teresa into Eastham, you know, and they say, “Hey, what’s going on?” because they have a direct voice.

Now that voice is going to somehow be disconnected. And there’s always talk about, oh, we’re going to pull out of Barnstable County, we’re going to pull out the hat come important by spoke out plan of the Commission, we’re going to pull out of this and pull out of that. I just feel that we have to take into account people’s buy-in to how --

Right now they see there are 15 towns and those towns comprise Barnstable County and there’s a member from each town and you go to them. Now we’re creating really a totally separate organization and will people buy into that?

Ms. TAYLOR: But, Ron, don’t you think the State Reps are very eager to talk to the Selectmen in the towns that the represent? Do you think that both the Falmouth or this way the person from East Falmouth and Mashpee, they’re going to show up in Falmouth just like Tommy Cahir lived in Bourne but he certainly was utterly reporting to the Selectmen, utterly -- I mean I’d call him even if he wasn’t my guy, you know because he did represent --

Ms. MCAULIFFE: Because ironically, the Cape Cod Commission that has a representative from each town with one vote from each town is, I think, the biggest controversial let’s get out of that agency. I mean in the last decade, I’ve only heard towns fussing about getting out of the Commission, not getting out of the County.

Ms. TAYLOR: Right.

Ms. MCAULIFFE: So if you have one town and one vote at the Commission and you still have dissatisfaction. I mean it’s kind of calmed down now but it used to be pretty rough.

Chairman BERGSTROM: Yes. Ann.

Commissioner DOHERTY: Yes, the point about --

Ms. CANEDY: Gees, raising your hand doesn’t count around here.

Chairman BERGSTROM: Why don’t we go down this way. We’ll start with Ann and then to Bill and then Linell and then we’ll start here again.

Ms. CANEDY: Okay. I just want to say when I suggested that 15, I was just throwing that out as a suggestion. I’m not linked to that at all, and I like the idea of 11 and throwing out the fact about the three Barnstable votes.

I also keep hearing that there are some people that don’t like the weighted vote and others that have no problem with it. But I think as Julia and Suzanne both said, this alleviates even that because it might be three Barnstable votes, but then there are eight other votes from other --

Ms. TAYLOR: Three different people you could lobby.

Ms. CANEDY: Yes, three different people you could lobby. And, smartly, you could elect somebody from Yarmouthport possibly.

Chairman BERGSTROM: You’re not going avoid having Barnstable have at least 20 percent of the say in it because they have 20 percent of the population no matter how you divide it. Now matter
what you do, there’s always going to have that same --

Ms. TAYLOR: Not one powerful voice.

Chairman BERGSTROM: They’re still going to have that 1/5 of the total vote.

Ms. CANEDY: And I do want to caution, when you talk in terms of the Executive and policy, what you’re sort of leaning towards is a Barnstable type of government here with a Council and a Strong Executive.

Chairman BERGSTROM: Hopefully it will work a little better.

Ms. CANEDY: You better hope. You better hope it works a lot better. What I would say if you’re talking about a non-elected Executive that you better make your Charter very, very clear and delineate those responsibilities because what I feel has happened in our case is that at times, and not so much now, but in the recent past, it was flipped in that the Executive was the policymaker and the Council was just doing the Executive’s business.

So you don’t want that to be the case. You want that Council or Board to be the policymaking board, and that the Executive carries out that policy and the day-to-day business. It doesn’t make a huge -- you have some huge County issues coming up and that one person who is not elected should not be the one making those decisions.

Chairman BERGSTROM: I’ll recognize Bill, but at some point we want to decide whether or not we have basically fleshed out this third option with the 11. Okay. Bill.

Mr. DOHERTY: I just want to add that Shirley Gomes in the Fourth Barnstable and then Sarah Peake, Fourth Barnstable always show up, always have offices -- always -- we know who they are.

With regard to the policy issue, I think it’s very clear that the main policy statement that’s made by the Commissioners is a budget. The budget is basically putting the money where you think it should be spent in the best interest. The budget goes through a process of approval at the Assembly right now.

I don’t see where that particular part has changed other than the Executive, that would be hired, would create the budget and the process that’s in place like any Legislative body would say we go for it or we don’t go for it. And at the end of that, that speech, those are the marching orders for the Executive. And I think that that -- other than just copying the one page out of the Constitution, which clearly calls out that responsibility because we’re basically -- you could never -- the elected body always has the responsibility. It can delegate authority and I think that that’s what the intent that I see in a district form of government.

And as far as the -- okay. I continue to have a concern that the main value that County or regional government has is the delivery of services. And what we’re talking about here is setting a policy that comes up once a year.

Other states, New Hampshire for example, just meets once a year and Texas meets every couple years or something like that, and all the work gets done in committees. I remember Shirley Gomes telling me over and over again that even though she was only a minority in the Legislature, all the work gets done in the committees.

Perhaps one of the things that should be in the Charter as we look at this form of governance is that we do have a stronger committee organization.

When I was on the Assembly, it seemed that all the committees had some understanding of the responsibility and tried to apply let’s say their efforts to support the committee process. And you already have structure within the Assembly. You have a governance committee that could act as an executive committee. And I’m talking about if you go to a district. There are all avenues of that that I think could be successfully organized.

But, again, I think that my confidence in a district would be because we’re reducing the number of people that are actually showing up but we’re increasing the authority of each one of the people in
order to do that.

Ms. TAYLOR: Yes, that’s what I see too.

Ms. MCAULIFFE: Yes.

Ms. TAYLOR: I think that’s a very good -- more accountability and more responsibility.

Chairman BERGSTROM: Linell, did you want to --

Ms. GRUNDMAN: Sorry. I agree with that completely, but I think there’s really another important element to this. We’re creating a more efficient way to govern, and I think that that is a very strategic and important consideration.

We heard it in the statements from the Special Commission. We’ve heard it from Paul Niedzwiecki. We’ve heard it from the County Commissioners that what the County faces -- delivery of service can also be interpreted as changing. Delivery of service is not stagnant. We’re facing a wastewater issue that’s going to make delivery of service look like a piece of cake.

So, the delivery of service is an apt description of all of the role of government. Delivery of service must be sustainable. Since 2008, there’s no government in this country -- they have to face that. We know it has to be sustainable.

And coming out of six years as a Selectman, I know that not only in theory but I know that in practicality.

So the efficient form of government enables, I think, a confidence building which I think we’re ready for as a region in the County, because I think that it will boost the trust in the County for a better product in their delivery of governance, which relates to your delivery of service.

But I have to say with Ron, Ron said how do we -- we can’t discount what are we going to need for the buy-in? I have a really simple question that I know you can answer because I want that to be in the public record.

With our recommendation, what then would be the process to achieve the legal buy-in from the towns?

Chairman BERGSTROM: Well, the way it goes now is that -- I think we should look forward to another session where we have public comment probably the second session in September is my suggestion. But I’m just -- from the very beginning I’ve said this before I’ve been just following the process that’s laid out in the County Charter. We make recommendations to the Assembly. The Assembly holds a hearing. They, in turn, make recommendations to -- the in turn pass on in the form of a piece of legislation, a Home Rule petition, to the Legislature the changes that we recommend. Then there’s going to be an election.

So there’s plenty of chance for the public to comment and ultimately the public will make a decision as to what they want. I don’t think we should give them multiple choices though. I think it’s the end of the day we’re going to have to make a recommendation and say this is what we think.

I also think that we have -- see, one of the concerns I have of moving this process along is that should we decide on one of these scenarios, there’s a lot of homework that has to be done after that.

If you look at the powers of the Assembly that delineated in the current Charter, I mean they go on and on, creating departments, eliminating, borrowing, so on and so forth, those powers are going to have to be -- they’re going to have to be divided between an Executive and a Legislative Branch.

One of the -- I think the defects of the current system although I don’t really have a problem with the current system, but one of the effects is the Administrator pretty much runs the County. The Board of Commissioners sort of look in there and they have initiatives here and there. The Assembly basically is almost reactive, even though in the Charter we have all sorts of powers to do everything. But the way it’s set up, you become reactive. We get DCPCs and changes from the Commission and so on.

Very few people, with the exception possibly of Leo, actually file stuff. I tell people all the time
I said you want to make a change or you want to transfer money and you felt (Inaudible) -- file a bill or file an Ordinance but they don’t because it just, I mean, it just doesn’t seem to be the way business is done.

So if we created this structure under the third option, we would then, I think, have a more active Legislative body. In other words, they would be making policy decisions. They would be filing Ordinances. They would be shifting around funds. It would be creating departments or eliminating departments and those powers would have to be clearly delineated. For instance, in the Chatham Charter, the Town Manager sets the structure of County government within limits. He decides on how he wants it structured and he hires and fires. So anyway.

Ms. TAYLOR: Well I think -- just I hate to always bring up my extensive experience, but I originally ran for the Assembly after I served on the original Charter Commission with Mr. Curran and that was an ordeal but successful.

Chairman BERGSTROM: Did you sign the Declaration of Independence?
Ms. CANEDY: No offense.
Ms. TAYLOR: Anyway, I didn’t run for the Assembly.
Chairman BERGSTROM: Okay.
Ms. TAYLOR: But after I saw how Falmouth Delegate I felt was engaged in a turf war with the Commissioners and there was all this acrimony.
Chairman BERGSTROM: No?
Ms. TAYLOR: Between the Commissioners, much worse, much worse between the Commissioners and the Assembly members, I said well this is ridiculous. So I ran and made it my aim in life on the Assembly to try and smooth over some of those differences.

Ms. CANEDY: Did it work?
Ms. TAYLOR: It had its up and downs and we’re now in a down.
Mr. DOHERTY: I’ll always remember Rob O’Leary sending me the letter saying, “I don’t appreciate your comments and keep your mouth shut.”
Ms. TAYLOR: Yeah, but I just felt that I was always trying to do that, and we’re really in a down period now and that makes me more interested in this.

But one of the reasons for that is because there is that inherent duplication of power in a way, and so you’ve got the nit-pick -- there’s a power struggle and I think --
Ms. CANEDY: You’re setting up one too.
Ms. TAYLOR: And you’re going to now have a power struggle between the equal Delegates.
Sure, I understand that.

Ms. CANEDY: Under Executive.
Ms. TAYLOR: But they have the power presumably to hire and fire the Executive. That’s not the case with the --
Ms. CANEDY: Not from my experience.
Ms. TAYLOR: Anyway, I just think this is worth -- this could be a more efficient and more proactive settlement.
Chairman BERGSTROM: Well, before we decide on what option we want, I’m interested in saying are we ready to formalize this third option as saying that we’re looking at the 11 districts?
Commissioner DOHERTY: I think we should.
Chairman BERGSTROM: I think --
Ms. MCAULIFFE: Can I make a comment about that?
Chairman BERGSTROM: Yes.
Ms. MCAULIFFE: I think we can’t just say, okay, we’re going to do a Strong Executive and 11
because people are going to come in here and they’re not going to know any of the advantages or disadvantages and they’re not going to understand why we think that’s better. You wouldn’t go into Town Meeting and say, “I want $53 million to pay my high school” and not say anything.

Mr. DOHERTY: They do that.

Ms. MCAULIFFE: No. Not in Yarmouth you don’t. At any rate, so I think if we do the public - - let’s say we come up with this and we do the Public Hearing, we have a presentation or a little 10 minute this is what we’re proposing.

Ms. TAYLOR: And this is why.

Chairman BERGSTROM: Well, first you have to -- I’m trying to divide between --

Ms. MCAULIFFE: I know but I’m just saying --

Chairman BERGSTROM: -- what we’re ultimately proposing and what we’re going to include in this --

Ms. MCAULIFFE: The reason I’m saying this is if we just have a Public Hearing, we’re going to get what we’re getting now from the Selectmen. They have no idea what we’re talking about. They just know that what they have is comfortable and what they have they like, and it doesn’t really bother them what’s going on. It seems to be working fine so let’s not change it.

But I think an argument could be made --

Chairman BERGSTROM: Well that’s going to be one of the options. I mean right now that’s one of the options.

Ms. MCAULIFFE: But I’m just arguing I don’t think we wait to educate people. I think it needs to start now, and then if they shoot it down, fine, at least they’re informed.

Ms. CANEDY: As long as you get out ahead of it and not only tell them why we’re talking about this but talk about pros and cons as we see it.

Ms. GRUNDMAN: Two Ron’s point, I think what he wants and I think where I’m ready to do this, I move that we identify Option 3 as one County Executive, elected or appointed, and 11 districts. I agree that having said that. That’s my motion.

And before there’s a second, I want to say I agree with you, Suzanne. The education about this in terms of before a Public Hearing is going to be critical.

But that’s my motion. I agree that we identify Option 3 specifically as one County Executive and 11 districts.

Chairman BERGSTROM: All right. We’ve got a motion on the floor.

Ms. MCAULIFFE: Second.

Chairman BERGSTROM: Okay. Now you can talk to it.

Ms. TAYLOR: Can I ask a question? Is there anyone who wants that Executive to be elected Cape-wide?

Chairman BERGSTROM: I don’t. No, that’s a good question.

Ms. GRUNDMAN: That’s a very good question. I will accept a friendly amendment to change to appointed?

Chairman BERGSTROM: Well you would make the amendment so you can --

Ms. MCAULIFFE: I’ll withdraw the second and you can rephrase your --

Ms. GRUNDMAN: I will rephrase my question that we identify Option 3 as an Executive Branch that consists of a County-appointed Executive and 11 Districts.

Chairman BERGSTROM: I need a second.

Ms. MCAULIFFE: Second.

Chairman BERGSTROM: Okay. Now you can say whatever you want.

Ms. CANEDY: I think you should keep the option elected or appointed until we have a chance
to further talk about that with the public. There are advantages and disadvantages from personal experience.

Chairman BERGSTROM: But I think you’re going to be in the minority. I’m going to take a vote on this as it was presented; okay? All those in favor, say, “Aye.” “Opposed?”

Ms. CANEDY: Opposed.

(Motion passes.)

Chairman BERGSTROM: So it passes, what do we have, 5 to 1. Ultimately, somebody else is going to make the decision so don’t worry about it.

Ms. CANEDY: And I just want the record to reflect -- that it’s only on the appointed or elected. Otherwise, I agree.

Chairman BERGSTROM: All right. So now we have solidified the three options.

Mr. DOHERTY: Do you realize how much progress we’ve made compared to the last time?

Ms. GRUNDMAN: Yes.

Commissioner DOHERTY: I mean I have sat through many Charter Review Committees, this is like light speed.

Ms. MCAULIFFE: We have a task-oriented chair and a task-oriented group. We want this to be done.

Mr. DOHERTY: All right.

Chairman BERGSTROM: Well, I said when we created this; I told the Assembly of Delegates that we wouldn’t leave the table without having advanced the ball a little bit some way. And it’s too easy to say, well, you know, we’ll talk about it next week. I think we’ve come a long way, identified three options, now it’s clear what those three options are. So, somebody who doesn’t understand and looks at it, they know what we’re talking about.

The next thing that we have to discuss I guess is I don’t know what we’re going to call these people but we can call them --

Ms. TAYLOR: I’d call them The Assembly.

Ms. MCAULIFFE: Or how about Commissioners? I mean I have no problem. It really is Commissioners but just --

Ms. TAYLOR: But we have the Cape Cod Commission.

Ms. CANEDY: Councilors.

Ms. MCAULIFFE: Councilors.

Ms. CANEDY: Like Barnstable.

Commissioner DOHERTY: Supervisors. You could call them Supervisors. You could call them -- there are many, many names, Delegates, Representatives.

Chairman BERGSTROM: Councilors.

Commissioner DOHERTY: Councilors.

Ms. GRUNDMAN: Supervisors I think --

Commissioner DOHERTY: As a matter of fact, we might leave that for the Public Hearing.

Ms. MCAULIFFE: Oh that’s a good thing. Name the Rep.

Ms. TAYLOR: That would be Representatives.

Ms. GRUNDMAN: I’m not sure about that.

Ms. MCAULIFFE: They’ll call them hobos or something.

Mr. DOHERTY: A rose by any other name would smell as sweet.

Ms. MCAULIFFE: Could I bring up -- since we’re going -- is there Other Business?

Chairman BERGSTROM: Well, I mean, we’re still on the same -- everything’s encompassing what we’re talking about. So go ahead unless you’re going to talk about, I don’t know --
Ms. MCAULIFFE: No, what I want to bring up is there’s been a lot of rhetoric about talking about trying to put language into the Charter about getting out of the Cape Cod Commission.

My personal opinion is it is -- that is a task unto itself, and I think the Charter Review -- the language changes we’re going to have to make if we decide to do any governance changes, and then anything else that we’re going to do is enough on my plate right now.

So I just would be more comfortable just saying that the Charter -- that the County -- the Cape Cod Commission is not going to be necessarily a task that we’ll be able to get to this time. My personal thought.

Chairman BERGSTROM: Well, they’re setup like -- we have not power really to alter what they do.

Ms. MCAULIFFE: Okay. Good.

Chairman BERGSTROM: But let me just stop for a minute and ask Jessica. Presuming that we change the form of County governance that will affect the language in the Cape Cod Commission Act that requires that they go in front of the Legislative body, I’m just wondering if we called ourselves 11 Delegates, would that be enough or would we really have to go and change everything?

MS. JESSICA WIELGUS: It seems like whatever reference you’re making to the existing Legislative body you would transfer over to the new Legislative body.

Chairman BERGSTROM: Okay.

Ms. MCAULIFFE: Right.

MS. JESSICA WIELGUS: That’s my understanding.

Chairman BERGSTROM: So they would simply alter them like -- you think they would just simply alter the language in both of the statutes? I mean I don’t know. I just don’t want to throw anything in front of them that’s --

Mr. CURRAN: No. In the charge that I was given in the material from the County Commissioners, I was essentially told hands off the Cape Cod Commission Act.

The only thing to do is to interface properly the new terminology with the --

Chairman BERGSTROM: That’s what I’m looking for.

Mr. CURRAN: And I’ve only met with Jessica and Paul to assure them that that was my charge and we weren’t going to interfere with the Cape Cod Commission at this time; is that correct?

MS. JESSICA WIELGUS: Yes.

Chairman BERGSTROM: I’m just thinking is we don’t -- if we create this Legislative body that we will not have to go into the Commission Act to change it. We’ll just have to change --

MS. JESSICA WIELGUS: The references in the Charter itself as to how they refer to the Assembly here on out would now refer to this new body.

Chairman BERGSTROM: Okay.

Ms. TAYLOR: And speaking for myself, I do consider that the Cape Cod Commission is the most important agency of the County, frankly. And the two most important duties of any Legislative body for the County are one, to pass a budget, and two, to act on Cape Cod Commission Ordinances. So I just don’t think we even want to -- that’s --

Chairman BERGSTROM: Bill, I agree. I said that I agree that we’re not in charge of the Cape Cod Commission, but I want to make sure that we don’t do anything that’s going to create a legal barrier.

Ms. TAYLOR: That’s easy. That’s up to Michael.

Mr. DOHERTY: That’s the part that we’re talking about.

Chairman BERGSTROM: Yes.

Commissioner DOHERTY: When we had gone through what I’d call a more aggressive
behavior on the part of a particular town that one of our members is a part of. At that time, we discovered -- there were two of you.

Ms. MCAULIFFE: Yes, we were bad too.

Commissioner DOHERTY: We discovered that you can -- there is a mechanism to get out of the Cape Cod Commission and it’s clear if somebody wants to pursue it, they can do it, and it doesn’t have anything to do with the County.

Ms. TAYLOR: Right.

Ms. MCAULIFFE: It requires town meeting votes. It requires petitioning of the Legislature. Yes, Yarmouth spent several years dancing that dance.

Commissioner DOHERTY: So we already know what the process is. We don’t have to address it anymore.

Chairman BERGSTROM: Linell.

Ms. GRUNDMAN: I just want to quickly say that I agree completely with Suzanne. And I find all this reactionary public discourse on this subject just part of summer because it’s unfortunate. But I wanted say that again, and I say this to people all the time, the Commission has been around not that long, so I am just completely shocked that we’re seeing references to the report of 2006. What year are we in? It’s nearly 2014.

So I’m grateful that you bring this up, Suzanne, because I say we ignore it. I also am grateful that we’re doing the governance decision because we do need to get into the Charter and do the housekeeping. So this is the --

Chairman BERGSTROM: Let me bring up something since we seem to be getting beyond the - - we’re getting into the powers of the Legislature now. And one of the things I brought up -- it’s a particular quirk of mine but -- is that Barnstable County is divided into a lot of little feverings.

I mean there’s the Wastewater Authority which has appointed people from 15 towns. There’s the Cape Cod Commission that’s 15 towns. There are 15 -- I don’t even know how the mosquito control is, but I mean there are a lot of things that have -- the Cape Light Compact and CVEC and so on. There are a lot of things that are done under the umbrella of Barnstable County that have separate authorities spread out all over the place.

And I would like to see some of that authority grow back into the elected officials. Because when I was a Selectman, I dealt with zoning. I dealt with police.

Ms. MCAULIFFE: Dogs.

Chairman BERGSTROM: You can chew gum and walk at the same time and people like to have -- the more direct authority the people have to their elected official and that elected official’s somehow responsible for how the County -- the better off you are.

Bill.

Mr. DOHERTY: Indeed, the Economic Development Committee --

Chairman BERGSTROM: That’s another one.

Commissioner DOHERTY: I’m just mentioning the reason why that was formed. The Cape Cod Commission mentions Economic Development 16 times. They have an Economic Development Officer, but the money from the license plate, I guess greed was rampant, and everybody wanted a piece of this.

So in order to keep visibility of the Economic Development activity within the County, that’s how the Economic Development Committee started.

The Wastewater Collaborative, for example, one might argue that the Cape Cod Commission has an ongoing responsibility and has, indeed, -- I know that when I talked to them about this, there were several different times when they had proposed different kinds of activities, but there didn’t seem to be
any progress on it.

So then you have this -- if you’re saying that this ad hoc activity that doesn’t take into account the availability of a, let’s see, of a process organization that already exists that we should go back to that and we can agree.

Chairman BERGSTROM: Well, see, the reason that this is -- the reason the towns went from previous three Selectmen sitting there doing everything to the current model of the Home Rule Charters is because they recognized that ultimately it’s better to have professionals doing the work, but the decision power still lays with the elected officials.

Commissioner DOHERTY: Yes.

Chairman BERGSTROM: So you have a lot of these boards that -- and I know the same thing happened with the Wastewater Collaborative -- Bill and I were on the committee that ultimately made the recommendation on that -- they have 15 members but most of the grunt work is done by people because they have some expertise.

So halfway through their existence, there came a push to try to move it more toward -- more toward the people who were staff, you know, doing most of the work and make a lot of decisions and they’re putting it on to the reps. But the reps were appointed people and there was a hard time getting them.

I’d rather have a professional staff than have people on the Commission doing this work and coming to us and saying, “Look, this is what we have to do. Are you for it or against it?” You know, and then I have a responsibility to go back to the people in my district, which I’m District 11 or whatever it is --

Ms. TAYLOR: Let’s not refer to it as “Your District.”

Chairman BERGSTROM: Okay. And then say, “Look, this is what I’ve done. Do you like it or not?” So I think it’s a clearer -- if you start putting layers of appointed and officials in there, it starts getting -- the lines of authority and responsibility start getting blurred.

Ms. GRUNDMAN: I think that -- I am the Vice Chair of the Cape Cod Water Protection Collaborative and have served for three years and even though not Selectmen, the board kept me there. And what I see dysfunctional where that group is concerned and I would not disagree with what’s being said here, but I want to point out that again there’s an evolution here.

The reason these groups are still -- have a tendency to operate in a vacuum or are not connected to let’s block -- let’s think about a government that wants them connected to it. Those are relationships. And there’s a lack of communication, so some of this is obsolete. Some of this is still very important. As somebody with a professional government background in the federal government and the Foreign Service and the Army who just came off the Board of Selectmen, I can tell you there is a complete, for the most part, lack of respect from a lot of professional staff towards the grunts like us who take on this work voluntarily. And that is very, very dangerous.

Because Suzanne hit the nail on the head, everything in government, and it’s failing miserably everywhere, has to be about critical thinking and problem solving.

I was fortunate enough to work the profession DOD right out of college, largest governmental structure and the largest business in the world. There was some accountability there.

The political never affected the day-to-day operation. Granted, it had a common mission so that made it pretty easy no matter what you were doing. I was a civilian.

But that doesn’t exist at the municipal level, and it doesn’t exist at the County level. So everything we get to do -- everything we attempt to do is about how well we take in to what Ron just said, the buy-in factor of the officials that are going to vote moving that forward and our Legislative bodies of town hall or town meeting.
So it is critically important that we have a movement towards more efficient governments, but it is also critically important that we develop working groups that actually want to work together.

Chairman BERGSTROM: Yes. Suzanne.

Ms. MCAULIFFE: Your point about when towns went from one form of Selectmen to another in the Home Rule Charter that came into be, Yarmouth intentionally consolidated everything, and you don’t elect anybody in that town, even Selectmen. You no longer elect Water Commissioners. You don’t elect Town Clerks.

Chairman BERGSTROM: Tree warden.

Ms. MCAULIFFE: You don’t elect anybody. Everything was nobody. You don’t elect anybody anymore. We used to be all fecunds and everybody had their little area. Accountability was sort of like the -- and Bob Lawton in his wisdom consolidated everything under him in terms of the Administration and the Selectmen so that when you have a problem, you come in into the meeting, you look at them and you say, “This is the problem. What are you going to do about it?” And then it was responded to. You might not like an answer but at least there was accountability.

And I think the language of the Charter can bring a lot of these sorts of independent groups out there into one cohesive working government. And I think that’s one of the things that’s going to sell -- that’s going to sell this.

Chairman BERGSTROM: That’s what I was looking at.

Ms. MCAULIFFE: It’s more efficient. We’ll have all these groups out there working together accountable. So when you walk in and you say the Water Collaborative’s driving me crazy or CLC isn’t doing its job, or CLC is wonderful, whatever it is, it will be accountable.

Chairman BERGSTROM: Well, I’d just like to -- right now we’ve identified these three options. We flushed them out so we know where we’re going.

When we started these meetings, we said we have to get by the governance section. Now I don’t think we’re ready to make a specific recommendation between the three about taking more public comment, but so now we’re moving on to a lot of other stuff that’s there like for instance how is this branch going to work? In other words, we can -- putting aside the governance section of it, how we’re going to structure the governance, how else can we improve the service? Can we improve them by consolidating some of these branches by bring things in?

Ms. TAYLOR: I don’t disagree with Suzanne at all, except I don’t think we in the Charter can bring them in because they are operating under Intermunicipal Agreements that we have zero -- that’s been the whole problem. We’ve had this kind of weird situation where our employees are working for them.

Ms. MCAULIFFE: But that’s we can fix in the Charter.

Ms. TAYLOR: We can fix that, but we can’t dissolve those Intermunicipal Agreements and force them into a relationship with us. We could, however, offer them some sort of relationship and that could be worth exploring.

And since the Selectmen probably don’t like having Eric Bibler on their case any more than I do, they might be open to giving up some of this.

But, it’s not something we can force. We can only offer.

Chairman BERGSTROM: Yes. Linell.

Ms. GRUNDMAN: I think that it’s very important and I’ve been discovering this after my long vacation that when you’re in a group you talk about what you can control. We can’t control the Selectmen.

But I think that there is also a very good possibility that if there was an evolution form of government that would create a more efficient way to deal with these relationships because right now,
and let’s take some of the stuff that’s come before you. You’ve got people asking the Assembly to fight the County Commissioners and the Cape Cod Commission. It’s a set up for this constant infighting.

So just say that we did evolve to this more efficient form of government with an Executive and a strong working Legislative managerial, supervising body.

I think that you could have the kind of conversations that would lead to the efficiencies you’re all talking about, which would clearly make a healthier government. Because what destroys the trust that people have for the County, not this, it’s all the rest of it.

It’s all the fights that are out there and the fact that we, unfortunately, live in a community where people can have anonymous email groups and act like they’re really giving information when it’s just gossip. This would never happen in a more sophisticated community. Nobody would pay attention to them.

Chairman BERGSTROM: It’s putting aside -- see, I didn’t mean to get on to the CLC and CVEC thing. I was just thinking about things like the Wastewater Collaborative.

Ms. MCAULIFFE: Right.

Chairman BERGSTROM: For instance, the Economic Development Council is a branch of County government but I mean we have nothing to say about that.

Ms. MCAULIFFE: We have no connection with them.

Chairman BERGSTROM: Yes, so who -- this discussion came up at a Special Committee is that if you’re a County Commissioner or you’re a Delegate or something and something comes up in the auspices of Barnstable County, you can’t just go out there and say, well, God only knows what they’re doing, you know.

Ms. CANEDY: Right.

Chairman BERGSTROM: You have to define the relationship between the central County government and the Executive authority and the Legislative authority, the policymaking, and the various branches of County government. So some kind of relationship now.

Years ago, everybody was part -- I mean the Registry of Deeds was part of the County and the Probate and so on and so forth, we’ve sloughed those off. But still these organizations out there that have separate governing boards and separate appointing but they’re part of Barnstable County and --

Ms. TAYLOR: There are problems.

Chairman BERGSTROM: It’s not as integrated as I would like to see.

Ms. GRUNDMAN: It’s not integrated.

Commissioner DOHERTY: Well, you noticed I very carefully avoided CLC and CVEC.

Chairman BERGSTROM: Well, I tried to, Bill, but it didn’t work. Yes. Go ahead.

Ms. MCAULIFFE: Your point about the 11 districts being just sort of a variation of what came out of the Special Commission and also what’s been supported by the League of Women Voters, I wouldn’t be surprised if the people who wanted or have been lobbying for that might not support a district wide thing because what they’re looking for or just what we’re talking about, some consolidation, some accountability, some efficiency, some lack of the political, the conflict, the personal, the gossip, let’s just be professional about it.

So there may be more support for this then once people realize that it really is combining what we have now into one leaner, meaner machine.

Mr. DOHERTY: Leaner but not meaner.

Chairman BERGSTROM: Well, you know, what’s the question here? 216 --

Ms. MCAULIFFE: 25 million.

Chairman BERGSTROM: 216,000 people but our budget is not that much more different than a (Inaudible) town budget.
Ms. TAYLOR: Teeny town.
Ms. MCAULIFFE: Your town. My town is a lot more than 25 million.

Chairman BERGSTROM: Well, I’m looking at -- yes, well, maybe Chatham’s a little more than that. I’m saying we’re hiring an Executive here. He’s going to responsible for our County, and he’s going to have a lot of -- you know, I’m wondering if that would be an issue but maybe it won’t be because the budget -- I mean it’s a big area but the budget is like a city.

Mr. DOHERTY: And we have no governance. The difference between the Counties and the rest of the world here is that in the rest of the world, the County runs the DPW, the schools, the public safety, and all the other stuff.

Chairman BERGSTROM: That may be the future of Barnstable County too, Bill.
Commissioner DOHERTY: Yes, I know.
Ms. MCAULIFFE: I mean you save money.

Chairman BERGSTROM: Well, regionalization is one of the reasons why we’re here today.
Ms. MCAULIFFE: And the reasons we still exist.
Ms. TAYLOR: And we have to set that example with districts rather than town based legislation. I just feel that that’s important.

But, you know, I’ve gotten along with the old way, but I feel we have to make a pitch for this. And I think we should ask the League of Women Voters, since they’re with us today, to send us their review. I don’t have a copy of their County government plan which exists.

Chairman BERGSTROM: I was going to suggest that --
Ms. TAYLOR: In fact, we each need a nice copy of that. Send it to Janice.

Chairman BERGSTROM: I was going to suggest that they send -- in preparation for a public meeting where we engage the public in discussion, we send out some letters to maybe Boards of Selectmen, League of Women Voters saying that we are narrowing down the options for a change of the County government. We’ve narrowed it down to several options.

And before we go any further, it will be an opportunity for people to comment on this. So.

Ms. TAYLOR: Can I raise one other issue?
Chairman BERGSTROM: Raise all the issues.
Ms. TAYLOR: All right. Do we have in this group any support for the Assembly of Delegates Resolution of five Commissioners and 15-town based?
Ms. CANEDY: No.
Ms. MCAULIFFE: To me, that’s just the same as what we have now.
Ms. TAYLOR: But worse to me.

Chairman BERGSTROM: Well, I’m not ready to bail out on this. So I’m going to hold my fire on that because just because if we maintain -- one of the big options is to simply stay with the status quo.

Ms. MCAULIFFE: Right.
Chairman BERGSTROM: I think that -- I honestly think that five people work better than three for various reasons. But anyway, go ahead. That’s still on the table.

Ms. MCAULIFFE: Yes, it is.
Ms. GRUNDMAN: I would just say that I would like it to stay still on the table because I think that the Public Hearing process is an important piece.

I think what we’ve got is some promise for, you know, the consolidation, I like that word, the going with a more efficiency, but at the same time, bearing in mind there may not be the political will for that. We can’t just throw it out. Not yet.

Chairman BERGSTROM: Well another problem is is that the Assembly voted on that. So when we do a recommendation to the Assembly, I convinced them not to go in that direction.
Ms. MCAULIFFE: Right.
Ms. GRUNDMAN: Right.
Ms. TAYLOR: But if we make a recommendation, we don’t have to recommend that just because they voted it.
Chairman BERGSTROM: No, we don’t have to recommend.
Ms. GRUNDMAN: No, of course not.
Ms. MCAULIFFE: We considered it.
Ms. TAYLOR: And we understand -- I understand very clearly why some people think the more the merrier, obviously, but I just think it’s the wrong direction to go.
Chairman BERGSTROM: So let me just -- I think we’ve accomplished a lot. We’ve narrowed down options. We fleshed out the option of the districts.
So now we have some more time left. We could talk about future meetings and so on and going out to the public and not do anything else, but in this time that we have left, where should we move? What direction should we move now having come up with this?
Commissioner DOHERTY: Okay. Before we go onto that, we talked about sending letters out.
Chairman BERGSTROM: Yes.
Commissioner DOHERTY: I think we ought to make -- we ought to be clear as to what we’re asking for and whether or not we’re going to get that as we go through this Public Hearing process.
Who’s going to write the letters to the Selectmen, for example?
Chairman BERGSTROM: Bill, Janice and I are going to write it.
Ms. MCAULIFFE: Yes.
Mr. DOHERTY: Okay. So you’ll take care of that.
Chairman BERGSTROM: Basically what I was going to say is this. In our discussions of potential changes in County government, we have identified three potential options going forward.
Mr. DOHERTY: All right. So you’ll take care of that. That’s all I have to hear.
Chairman BERGSTROM: Yes. And we’ll explain these options.
Mr. DOHERTY: I get all of that. I just want to make sure that somebody was actually going to do it.
Ms. TAYLOR: I did present these three options to my Selectmen on Monday night. There was no -- nobody -- several questions were asked and no Selectmen said, “Oh, we have to have our Delegate from Falmouth.” Nobody played that card which has been --
Mr. DOHERTY: That’s very interesting.
Ms. TAYLOR: -- which is interesting. Now as I pointed out, since Falmouth’s big and we’re not going to suffer no matter what, you know, blah, blah, blah, but nobody brought that up. That wasn’t an issue. And I was expecting someone to say that but they didn’t.
Chairman BERGSTROM: Well, I gave a presentation just in the progress to the Chatham Board of Selectmen about a month ago, and I just ran on for about 20 minutes. At the end, they just looked at me with a dazed expression on their face.
Ms. MCAULIFFE: Right. It’s like you take care of it. It’s your County. Don’t bother us.
Chairman BERGSTROM: So I don’t think your situation is unique. I mean I think they’re going to have to see where we’re going.
Ms. TAYLOR: No, but they had questions. They did make comments. That just wasn’t that automatic, oh, we want our own person. That wasn’t one of them.
Chairman BERGSTROM: Well, I’m just saying that having delineated or delineated options on governance, we still have got some work to do. The premise was we would decide the governance
issues first.

Ms. MCAULIFFE: Yes.

Chairman BERGSTROM: Now we’re not going to decide the sense of taking one and running with it, but we pretty much narrowed that down. Now we’ll go out to the public.

Ms. MCAULIFFE: Do we want to bring in a wish list to our next meeting before the Public Hearing with things like I know we have issues at the Assembly about overlap of County employees doing non- --

Chairman BERGSTROM: Yes, well I think we need --

Ms. MCAULIFFE: Recall term limits.

Chairman BERGSTROM: Just small things like, for instance, it wasn’t clear in the current Charter that we needed a separate Treasurer from the Administrator. So we went back and forth. For a while there was a separate Treasurer. Then they went and they combined the position. Now the Commissioners have been going back to the original idea.

So I think that should be written in the Charter. I mean it was written in the Charter that we had a Treasurer and a --

Ms. MCAULIFFE: Right.

Chairman BERGSTROM: So language like that has to be cleaned up. I think that under -- as I’ve said this before, under the law of the Commonwealth of Massachusetts as far as I know, the Treasurer in the town has certain responsibilities directly to the state.

Ms. MCAULIFFE: Right.

Chairman BERGSTROM: I mean the Town Managers just can’t tell them whatever to do. They have the responsibilities, and I think that should be clear that the Treasurer in Barnstable Connie has to submit all those --

Ms. TAYLOR: We submit our whole budget to the state.

Chairman BERGSTROM: Yes, the budget is an issue.

Ms. CANEDY: I don’t know that we have to put that in a Charter.

Chairman BERGSTROM: There’s also --

Ms. MCAULIFFE: No, I think he’s just saying that when you appoint a Treasurer that creates a relationship that wouldn’t be there if you didn’t have a Treasurer. All right.

Chairman BERGSTROM: And also the other thing is is that a lot of -- in the current -- remember, we’re amending the current Charter which has a lot of language in there that’s been thrown in about timeframes for submission of budgets and so on and so forth.

And I think we started with the premise, at least from my understanding that we weren’t going to put in the Charter that could be dealt with simply through other means.

Ms. MCAULIFFE: Like a policy, Administrative --

Chairman BERGSTROM: What is the other document?

Ms. TAYLOR: Administrative Code.

Chairman BERGSTROM: Administrative Code, right. So that we’re -- the Charter of the town of Chatham is like five pages.

Ms. MCAULIFFE: That’s great.

Commissioner DOHERTY: It shouldn’t be any longer than that.

Chairman BERGSTROM: Yes, it shouldn’t be any longer than that. So --

Ms. MCAULIFFE: So do you want to take the Charter and start going?

Chairman BERGSTROM: No, I don’t. Mike.

Ms. MCAULIFFE: Okay. So what we should do then is come up with our things that we think specifically to be looked at.
Chairman BERGSTROM: Yes. Well, I mean we need just to simply say, you know, let’s clean it up.

Ms. MCAULIFFE: Yes.
Ms. TAYLOR: Do we have any thoughts about change, if we were going to go to representative districts, would we want a different -- would we want them to be partisan instead of nonpartisan.

Mr. DOHERTY: Nonpartisan.
Ms. GRUNDMAN: Nonpartisan.
Ms. CANEDY: No, nonpartisan.
Ms. TAYLOR: Okay. I agree but does everyone agree? Okay. So --
Ms. MCAULIFFE: And we have staggered terms for the first whatever, you know, some one year, some two years, some three year because you don’t want everybody turning over at the same time.

Chairman BERGSTROM: I don’t know if you can do that -- could do that.
Ms. TAYLOR: Well we do that now.
Chairman BERGSTROM: Because they’re elected -- they’re elected.
Mr. CURRAN: Providing that if you have three people getting elected -- the 11 members you’re talking about, you can provide that the person receiving the highest number -- they’re all going to be essentially equal districts; right?

Chairman BERGSTROM: Right.
Mr. CURRAN: So that the three candidates receiving the highest number of votes get three year terms, the next group gets two year --
Chairman BERGSTROM: The thing is we’re elected. We’re elected at the state elections.
Ms. TAYLOR: Yeah, we’re -- do we want to stay --
Mr. CURRAN: It’s going to be the same ballot. The ballot will determine that that’s how you select --

Chairman BERGSTROM: Yeah, but how can you have someone have a three-year term because let’s say they’re elected --
Mr. CURRAN: Oh, I’m sorry. I used the wrong example; I’m sorry, four years, a four-year term. Okay. I was just using the example --
Ms. MCAULIFFE: Two or four-year terms.
Mr. CURRAN: -- of how you take a section. One-third of them would get a four-year term, one-third of them would get a two-year term, and the balance would get the one-year term. So we’ve got to get the four years in there, but that’s how you break it up into fours, not one-thirds.
Ms. MCAULIFFE: You have to have four; right
Chairman BERGSTROM: It’s one thing if you have three people that have staggered terms, but I don’t see why it’s necessary to have staggered terms.
Ms. TAYLOR: I don’t think you need staggered terms because we don’t in the Assembly now. We get elected every two years.
Ms. MCAULIFFE: So there’s no -- the only issue with that is, which I’ve run into with Barnstable Town Council, we tried to work with them is nothing gets done for six months leading up to the election because everybody’s up for reelection.

Ms. CANEDY: Yes.
Ms. MCAULIFFE: And with the Assembly, there was some stuff that went on because we had to put it off until after the election because everybody was up for reelection.

Mr. CURRAN: If you had a four-year term, you could have half the people elected the first time for two terms, the other people get the four-year term, and then they’d just renew every to -- half the Council would come up every two years at the state election.
Ms. TAYLOR: That if we were going with a four-year term instead of a two-year term for long-term.

Ms. MCAULIFFE: Right.

Chairman BERGSTROM: Linell.

Ms. GRUNDMAN: I don’t agree with staggered terms, but I could buy into something like that. And the reason I don’t agree with staggered terms is coming off of the Board of Selectmen for six years where every single year that dynamic changed.

So I think the Assembly, and you hear from the Assembly, all your Assembly members are very, very fond of each other and find that they work together well and that’s because they get a chance to know they’re going to be there for two years together.

So I think I’d buy into what you’re saying, but I definitely don’t like the staggered term thing.

Ms. MCAULIFFE: You have a four-year term now?

Ms. CANEDY: I have a four-year -- right now I’m a two-year term but it’s because of redistricting, but our terms are four years.

Ms. TAYLOR: Four years.

Ms. CANEDY: And I also think that term limits in municipal government’s a good thing. And I like the staggered idea because for the very same sort of what she was talking about, I like the dynamic changing.

We have a whole new group now. It’s a different energy. It breaks up blocks, it breaks up some, you know, it creates new energy, and I like that we’re always changing and we have different views coming and going.

Ms. MCAULIFFE: What about recall? I think you could sell a four-year term if you had a recall provision. I’m used to recall because I’ve had it in every elected office I’ve had, so it never bothered me.

Ms. CANEDY: Well, we had an, I think, an abuse of the recall process in Barnstable twice.
And, you know, I think if you have a recall provision, it should be very specific as to criminal malfeasance, very severe kind and not be an --

Ms. TAYLOR: An idea.
Ms. CANEDY: -- and not be a way to vote somebody out of office before their term is up.
Ms. MCAULIFFE: Yes. Okay.
Chairman BERGSTROM: Yes, I agree with that.

Mr. CURRAN: I’ve worked with many towns that have put recall into the Charter. I’m always reminded of one of the first Charter Commissions I worked with out in Blackstone Valley. A woman who was elected to the Charter Commission ran pretty much on the principle of being sure that there was a recall provision in the Charter. And she was elected chairperson of the committee -- the Charter Commission. So they did put that provision in the Charter that there would be a recall. And she had done such a good job running the Charter Commission that she then ran for Selectmen and was elected to the Office of Selectmen. And she had the distinct honor and privilege of being the first person to be recalled under the provision that she insisted be in the Charter.

Chairman BERGSTROM: I think there can be provisions in the Charter that if you’re convicted of a felony or some corruption or something is fine, but the problem with the recall is that I’ve always been taught that our government was set up as a republic, that you were elected to -- you were elected to use your judgment and to make decisions based on not on what the people want, but you went in there and you said this is what’s best and not best.

And then at the end of your term, you’d go back and if they liked what you did, they did. But too often in California and other places like that it’s been used simply because the people want direct rep -- in other words, if you don’t do what they want, they’re going to recall you, and that’s not how the systems supposed to be set up. That my opinion.

Ms. GRUNDMAN: I agree.
Ms. CANEDY: I agree.
Chairman BERGSTROM: Janice, yes.

Clerk O’CONNELL: I just wanted to caution the committee and all the energy that it has that on the agenda we’ve created a pretty specific agenda item talking about the governance issues and going forward with those specific items. And I know there are other items that you do want to discuss with regards to recall and other pieces that you want to bring forward, but you may want to put those on another agenda.

Ms. MCAULIFFE: We’re just putting this all under how we’re going to frame these districts.
Chairman BERGSTROM: I mean if the committee is satisfied that we’ve done enough and simply fleshing out the options, the three governance options, then I’m happy. But I want to make sure this process moves forward. And if there are other things that we have to look at and discuss, you know, we’ll probably go home tonight and say, “Gees, you know, this is going to cause this problem and….”

Ms. TAYLOR: Well, I think the issue of how long the term would be for these districts; is it four?

Chairman BERGSTROM: Yes.
Ms. TAYLOR: And I don’t know that we -- I don’t know that we have a final thought on it, but I think we should think some more about -- not necessarily today, but talk some more about two year versus four-year.

I think it’s good to be on the state ballot. I don’t think we should go to municipal-type or different times. I think it should definitely be on the state ballot every two years. So either it’s the four-year term or the two-year term.

And I think if you did go to the four year, I would want to phase in with the two and the four and
then move to -- yes, I think that would be good.

Ms. MCAULIFFE: You like nonpartisan?

Ms. TAYLOR: I prefer nonpartisan. If this is going to -- and I prefer low pay. It could be more than $1,000, but I --

Chairman BERGSTROM: Well, we don’t get paid. We actually just get compensated for expenses.

Ms. TAYLOR: Okay. Whatever it is.

Ms. MCAULIFFE: Well, why don’t we see when we flesh out what the responsibilities are. I mean my pay as a Selectmen, I had to pay to be a Selectman.

Ms. CANEDY: Me too.

Ms. MCAULIFFE: So, I think that, you know, not that I needed a lot of money, you do it for different reasons, but people have to understand that it costs money to do public service sometimes.

So maybe after we look at what the responsibilities will be and the meeting structure and all that, then maybe we can say whether it’s going to be 1,500 or 3,000 or whatever.

Chairman BERGSTROM: Yes.

Ms. TAYLOR: Okay.

Mr. DOHERTY: And don’t overlook the fact that the benefits that are provided now to the Assembly of Delegates are very important because if you’re putting in your time to serve, that’s keeping you away from perhaps a more lucrative opportunity to earn money that would pay for your medical insurance. And I think when I supported the idea of the Assembly getting benefits, it was for that reason.

Ms. MCAULIFFE: Yeah, I think that that draws good people. I don’t think you are going to be ever able to offer salaries that will (Inaudible). But I think benefits will be a draw for people who might not otherwise have the time or would take the time.

Mr. DOHERTY: Yes.

Chairman BERGSTROM: Well, again, I mean that’s an --

Ms. MCAULIFFE: This is all just part of this governance.

Chairman BERGSTROM: Right. The benefits issue is a big issue because some people come up to me in Stop & Shop and say, “Oh, why do the Selectmen get (Inaudible).” Get some retired guy; he’ll do it for nothing, like anybody (Inaudible) off the street.

Ms. MCAULIFFE: And then what will you get?

Chairman BERGSTROM: Yeah, but I mean they’ve made changes in the state law and I’m not sure I’m aware of what they were because a lot of people were grandfathered, but the benefits package that’s provided to the Assembly, not everybody takes it --

Ms. MCAULIFFE: Right.

Chairman BERGSTROM: -- is more expensive than if you paid people. Let’s say you paid the Assembly of Delegates $5,000 a year and didn’t give them benefits, you’d actually save money.

Ms. TAYLOR: Yes, of course.

Ms. MCAULIFFE: Right.

Chairman BERGSTROM: You would save money, and a lot of people do go into public service because they get those benefits, and I don’t begrudge that for a minute. Anybody who has -- considering how expensive it is, anybody who has access to subsidized healthcare, I wish them luck.

But it’s an issue. I mean you have to get good people and you have to give them a reason to serve.

And as far as the partisan thing goes, you know, I always felt that if you ran on a party ticket and somebody ran into the booth one day and he came down to your name, you know, and say after he voted
for the President and the Governor and everything, and see “Delegate” what is this? You know, it’s like Bergstrom, you know, somebody said, he’s a Republican or he’s a Democrat. At least they know something about you. I mean, I lean on that. But if you put in nonpartisan, I mean I’m not going to object to it, but we’re nonpartisan now so.

I mean the Commissioners are not nonpartisan.

Ms. MCAULIFFE: No. Yes, you are partisan.

Mr. DOHERTY: We are partisan.

Ms. MCAULIFFE: So what would be your preference?

Commissioner DOHERTY: My preference if you run in a district would be to be nonpartisan. If you run across the County then you do need that party affiliation and support because even if they hate you, if you’re a Republican, they will support you because you’re a Republican. Same with the Democrats. Obviously, it’s worse with the Democrats.

Chairman BERGSTROM: I agree. The 11 is probably not an issue.

Ms. TAYLOR: I don’t think it’s needed in the 11. So, it’s really a question of do we think it would enhance efficient and regional government.

Chairman BERGSTROM: Linell.

Ms. GRUNDMAN: I just have a slightly different take on the partisan/nonpartisan.

I don’t disagree with what’s being said, but I do think that it is more honest if a person -- if people know what party a person belongs to, if that person is going to look through the ideological lens to do the critical thinking and problem solving because I think that’s -- in my own town that’s been a problem.

That if we’re not -- if it were sheep -- what is it? Wolves in sheep’s clothing, that’s not fair to the citizens. I understand in principle that it might be a better principle to have nonpartisan. I would like to think that all policy boards are nonpartisan as they interact with each other but we know that’s not true.

So I do find it slightly hypocritical to have the nonpartisan label, even at the municipal level these days to be honest.

Commissioner DOHERTY: Okay. I have to speak to that --

Chairman BERGSTROM: You don’t have to, Bill.

Commissioner DOHERTY: Nobody would let’s say disembowel a party that they belong to. And anybody that ran would certainly be identified by the people that he was going out to get support as to what his or her party affiliation was.

The nonpartisan piece is just so you don’t have to go through both the primary and the general election.

Chairman BERGSTROM: So you could have the general election you could have (Inaudible). Yes, Ann.

Ms. CANEDY: Well everybody probably knows what party I’m in, but I registered unenrolled, and I want to give my constituents and my fellow Councilmen the message that I am nonpartisan, and that’s why I’m unenrolled.

And I feel very strongly everybody has their ideological sense and their philosophies that are behind everything they do and say. But I feel very strongly that there’s nothing Republican or Democratic about a pothole, about wastewater issues, about --

On this level, I think it’s we’re serving the people, and we are doing the best we can with the tools that we have. And I really feel very strongly that it should be a nonpartisan position.

Chairman BERGSTROM: Now taking a page out of Janice’s book, it’s ten to six and where do we seem to be –
Next Meeting:

Ms. TAYLOR: Let’s make a schedule.
Chairman BERGSTROM: Yeah, let’s make the schedule. I’d like to have a meeting next week on Wednesday. I don’t want to have the Public Hearing on Wednesday because it’s only a week’s notice. I’d rather have it on the 17th which is three weeks from now.
Ms. O’CONNELL: I think it’s the 18th.
Chairman BERGSTROM: It’s the 18th. I keep saying 17th. I don’t -- 18th. So the 18th we’ll open for public comments.
What I’m going to do is I’m going to go home and I’m going to take a look at the Charter, probably not tonight, and I’m going to look at the delineation responsibilities of the Executive Branch, the responsibilities of the Legislative Branch. If anything jumps out, because ultimately we’re going to have to -- I mean even now, even under the current system, we are now hiring a Strong Administrator. So we’re going to have to look at that to see if there’s any, you know what recommendations we have as far as delineations and responsibility between Executive and Legislative Branch. And I think that would probably be enough for next meeting.
Ms. MCAULIFFE: Yes.
Mr. DOHERTY: What time would that be next Wednesday?
Chairman BERGSTROM: Well, do we have --
Clerk O’CONNELL: I think you can do it at 5:30 on September 4.
Chairman BERGSTROM: I think we can do it at 5:30. We don’t have a big agenda coming up Wednesday. I should know because I just sent the agenda and there’s nothing on it.
Clerk O’CONNELL: I think that will be okay at 5:30.
Chairman BERGSTROM: Yes.
Clerk O’CONNELL: And then for 9/18 --
Chairman BERGSTROM: That’s going to be tough because we have the -- we may have the DCPC on fertilizer.
Clerk O’CONNELL: Right. The Assembly may be voting on that and it could generate some --
Chairman BERGSTROM: It could and, you know, we could pass it in a minute and we could not. But we won’t know until tomorrow; right?
MS. JESSICA WIELGUS: Right.
Ms. CANEDY: Mr. Chair, could you repeat our homework assignment? You said --
Chairman BERGSTROM: Oh, I’m not giving you an assignment. I’m just saying that I think we should -- if we -- we should look at what responsibilities the Executive should have and what responsibilities the Legislature should have.
Ms. CANEDY: Okay.
Chairman BERGSTROM: Bill, are we any closer to getting an interim right now, the RFP?
Mr. DOHERTY: As a matter of fact, it’s interesting you bring that up. They were interviewing three candidates today and one of them didn’t show up.
Chairman BERGSTROM: Who are they?
Mr. DOHERTY: This is the Screening Committee of Maggie Downey and Mary Pat Flynn.
Chairman BERGSTROM: Oh, okay. All right. Well --
Mr. DOHERTY: I’m being very careful that when the Commissioners interview, they will interview with a body and in a public.
Chairman BERGSTROM: So you have three Commissioners that are going to make a decision,
they have a two members screening committee? I’m not being critical but --

Mr. DOHERTY: No, no. Maggie Downey is --
Chairman BERGSTROM: She’s the personnel director.
Commissioner DOHERTY: Yeah. She is the Human Resources person of Barnstable County.
Chairman BERGSTROM: Okay.
Commissioner DOHERTY: And in support of Pat’s doing this, she was retired from the Human Resources Department in the town of Plymouth. And certainly I’m convinced that she would be in the best position to do this screening.

Ms. MCAULIFFE: Well accept that it’s only for a year and that’s why I can accept that. But I think if you were hiring an Administrator, you’d get a committee to screen it.
Chairman BERGSTROM: Normally the screening committee is not comprised of the people who make the ultimate vote. Plus, the screening committee shouldn’t -- why am I saying -- the screening committee shouldn’t be comprised of people who are actually going to serve under the person they’re hiring.

Ms. MCAULIFFE: Right. There should be a committee. Yes.
Mr. DOHERTY: This is journalism. I’m just reporting.
Ms. MCAULIFFE: I know but it’s only for a year, so it’s an interim.
Chairman BERGSTROM: Anyway, well, so, do we -- so we will have another meeting at 5:30 on the 4th.

Ms. GRUNDMAN: Could I just ask one quick question?
Chairman BERGSTROM: Sure.
Ms. GRUNDMAN: So what would be the bulk of our -- or what do you see as the agenda for that meeting next week?
Ms. TAYLOR: Not next week.
Chairman BERGSTROM: Next week.
Ms. MCAULIFFE: Yes, it’s the 4th.
Ms. TAYLOR: Yes.
Chairman BERGSTROM: Well, I just anticipate that as I go over the Charter, I go over the powers of the Assembly, I go over the power of the Commissioners, I go over the power of the Executive that it’s going to become clear that we’re going to have to make -- that we’re going to have to inform the public on what these people are going to be doing; do you know what I mean?
Ms. MCAULIFFE: Right.
Chairman BERGSTROM: I mean I just -- maybe it would be just as simple as saying, okay, we’re going to change the Legislative Branch and have a Strong Executive, but I’m weary that that’s not going to be -- I mean Mike can do a lot of the work and do this, but I think there’s going to have to be some decision based -- how much authority does the Executive have? Do they have total authority over hiring and firing? In various town Charters, the Selectmen have veto power or in some towns, like Falmouth, they hire directly. Don’t they hire police and fire?
Ms. MCAULIFFE: They used to but I think they changed it.
Chairman BERGSTROM: Yeah, I’m not surprised.
Ms. TAYLOR: I certainly don’t think the Legislature should be hiring.
Ms. MCAULIFFE: Other than a Town Council.
Chairman BERGSTROM: Oh, so they’re going to hire the Executive -- the Executive Branch will do all the hiring.
Ms. TAYLOR: I would think so.
Chairman BERGSTROM: All the organizing.
Mr. CURRAN: You’re hiring him to run the place.
Ms. TAYLOR: Yes, he’s got to do that.
Commissioner DOHERTY: Or she’s going to do that.
Ms. CANEDY: But I think the Legislature should have a veto.
Chairman BERGSTROM: Yes, I agree with that. Linell.
Ms. GRUNDMAN: Well, so, I hear what you’re saying. We should take a look at the current Charter and kind of see where we are there and where we envision it may need to go if we do a new, brand new model or even clean up what’s in the current Charter.
Just like Sandwich is kind of weird, like we have -- we don’t do hiring but we have to approve the candidate. And the Selectmen always participate in the last round or at least one in that interview kind of thing.
So we’re kind of taking -- we’re just looking at what’s in the Charter and seeing what we might need to improve upon or change?
Ms. TAYLOR: Yes.
Ms. MCAULIFFE: Yes.
Ms. GRUNDMAN: Sounds good.
Ms. TAYLOR: And also I think we could review the League of Women Voters recommendations of why they like this general plan and see whether we agree with those.
Chairman BERGSTROM: Well, you know the Special Committee on County Governance had 14 recommendations.
Ms. GRUNDMAN: Right.
Ms. TAYLOR: Yeah, but they were not to do with -- there was no real discussion of why you wanted -- those are different from the governance.
Chairman BERGSTROM: Right. But governance was one of them.
Ms. TAYLOR: We can get back to those, but the governance never gave any explanation of why they were proposing what they were proposing. It just never got discussed.
Mr. DOHERTY: There are a lot of vague illusions in the agency.
Ms. TAYLOR: Right, but that was it.
Commissioner DOHERTY: Yes.
Ms. TAYLOR: So I would assume the League of Women Voters, which I once saw but don’t remember, but I’m sure it’s better than anything else.
Chairman BERGSTROM: So why don’t you just say that we’ll talk about the division of responsibility and authority between Executive and Legislative branches in a revised governance structure.
Ms. MCAULIFFE: Okay. Good. Move to adjourn.
Ms. GRUNDMAN: Second.
Ms. CANEDY: Second.
Chairman BERGSTROM: All those in favor, say “Aye.” “Opposed?”
Whereupon, it was moved, seconded, and voted to adjourn the Charter Review Committee Meeting at 5:55 p.m.

Respectfully submitted by:

Janice O’Connell, Clerk
Assembly of Delegates