

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

Minutes SEPTEMBER 4, 2013

Call to Order / Attendance:

Chairman BERGSTROM: I'd like to call this meeting of the Cape Cod Regional Government Assembly of Delegates Charter Review Committee to order for Wednesday, September 4th, 2013.

I would take attendance. I think we have a quorum. We have everybody?

Meeting Minutes 8/28/13 for Approval:

Chairman BERGSTROM: We have everybody here so we have total quorum. You should have received a copy of the minutes of August 28th, 2013. Do we have any additions or corrections to the minutes? Hearing none.

Ms. MCAULIFFE: Move the minutes.

Chairman BERGSTROM: I need a second on that.

Ms. GRUNDMAN: Second.

Chairman BERGSTROM: Okay. Moved and seconded. All in favor say "Aye."

MR. AUSTIN KNIGHT: Mr. Chairman, I'm going to abstain from the vote.

New Business:

Chairman BERGSTROM: Under New Business, discussion regarding division of responsibility and authority on proposed governance structure.

I meant to send out to you those sections of the Charter which deal directly with powers of the Assembly and the powers of the Commission. I think you probably got the whole Charter. That wasn't my intention, so something got lost in the translation.

But I think you know if you went over the minutes, you know we've narrowed our options down to three. All of those three options contain the move toward a strong, well, either Executive or Administrator. I don't know what you would call it. We had a discussion about that yesterday in Eastham.

And now we have to decide what is that person going to do, what would be the assent of each one of our options. We -- what I'm trying to say is it's easy to make the big decisions. Now we have to go into the Charter. For instance, would an Executive have total power of hire and fire of everyone in the County as they do in some times? What would be the powers of the Legislative body? The powers of the Commissioners? So that's basically where I'm trying to go with this. Any comments?

Mr. BILL DOHERTY: Have we decided, you know, one of the things we talked about last week or the last time we met was that we were going to get some public input on the governance proposals that we've made, and, apparently the only comment I've heard here, other than getting a rise out of Leo, was the -- we have not really set any time when we'd do that.

And if we are going to do that, I'd like to propose that we use the technology which would allow for streaming and for interaction for people so that we wouldn't have to physically move the location let's say to other places on the Cape.

Because my past history of observation of the Charter Review process had been you

get about six at one place and three at another and maybe two at another. So the fact that we have the ability to let's say stream video, we could make the announcement that that was going happen and we could encourage public input from all over the Cape, all 15 towns by doing that.

But before we go on, are we decided that we have -- we're committed to the appointed Executive or pointed elected Executive and the 11 districts?

Chairman BERGSTROM: We haven't committed to anything. We've committed - - we've narrowed our options to the three that we discussed last week.

Mr. BILL DOHERTY: Okay.

Chairman BERGSTROM: One is the current situation. Secondly, is the Ordinance passed by the Assembly, which would change the Commissioners from 3 to 5 and have them elected by districts.

The third option is the 11 -- we're creating 11 districts for a single Legislative body. So that's pretty much what we're -- now that's the laundry list. We haven't taken a final vote on which option to submit to the Delegates.

But to answer your second question very timely because I brought this up before the Assembly, I thought we would have -- I was hoping we'd have a public hearing and invite the public to comment as early as the next Assembly meeting, which is on the 18th, but we're having the DCPC on fertilizer on the 18th and that could be quite contentious. So, I'm thinking of pushing it off to October 2.

And as far as where it would be, I thought we would be here, but I've had some comments from Austin and from others that think maybe we should get on the road. So, I'll just put that out to the committee members and ask for their input.

Yes, Austin.

Mr. KNIGHT: Mr. Chairman, first of all, my apologies to the committee. I had a personal incident where a good friend of mine was very, very ill, and I had to take care of that. So I apologize to the committee for that. But I certainly have been following and going through everything that you have.

The reason I brought up to you, Mr. Chairman, about the road tour we'll say is because that's something we've said since the very beginning. And it was very clear at a meeting that we had in our town which Truro was part of that I was very -- I was standing pretty strong still on that, and that's over a month and a half, two months ago.

So I still feel that now that we have some basics, and that's what was said initially that we wanted to come up with something and then be able to bring that out to the different areas, Upper Cape, Lower Cape, and of course we're here, and when we refer to the middle Cape or center Cape.

And I still feel very strong about that because I think with the process; I don't believe we'll have six people at the Lower Cape meeting. Certainly from the last meeting that I was present, there was far more than that and with a clear interest of wanting to go back there. So I still stand behind those thoughts and ask the fellow members to please consider this because this is their opportunity to talk to us and we need to do it.

Chairman BERGSTROM: Ann.

Ms. CANEDY: I'm going to second that. I think we did make a commitment of sorts at the beginning. I think we should go to the people rather than expect them to come up to us.

And I wonder if there's any appetite for adding maybe another option having gone back to my town and not really getting a real good reception on the 11 districts idea.

And I was talking to Ms. McAuliffe earlier, and the analogy that was given to me which I think is apt, in Barnstable we are always encouraged to consider it one town and to think in terms of one town.

But we also are very cognizant of the fact that our villages in Barnstable have specific identities and are very important to the -- and it's very important to keep those identities in mind when we're governing.

Same with the Cape. It's important to think regionally to think Cape-wide, but I think it's -- I'm feeling that the towns really feel their identities are very important and that they may get lost. Whether that's realistic for them to believe that or not, that's how I think they come -- how they come to this.

I'm wondering if we could consider leaving the Assembly as it is, going back to their Charter which gives them a lot of power that we were discussing earlier, I don't think they actually take -- they actually use.

Chairman BERGSTROM: No, we don't use all the powers we have. That's why I was hoping to have the delineated powers.

You know, let me, I had this discussion with Mrs. Rappaport as to when to go out to the public with this.

So, do we want -- my idea was to have a public comment period to us, to the Charter Review Committee, but at some point we're going to make a recommendation to the full Assembly. Once we make that recommendation, it makes more sense, and before they vote, it makes more sense to go out then because then if people have something to say, they like it or don't like it, they're going to be able to contact their own Assembly Delegate who's going to have the voting power.

In other words, we give them the recommendation as to what we want, then we can go out, the committee or -- the full Assembly won't do it, but the committee would go out and say this is why we made these recommendations. If you like it or you don't like it, contact your Delegate and they will have the final say on whether it's recommended to the Legislature.

Yes, Linell.

Ms. GRUNDMAN: That makes sense but I think another sensible approach could possibly be the following. That we make our recommendation to the Assembly to see if we can convince them.

What comes up for me in all of our conversations and I think I even said it at the beginning, it seemed like this was going to be very hard because we've got two very different opinions on the two side, the Executive side and the Legislative side. So how do we come up with something?

But the conversation that we've had at this table has evolved, and there is a very legitimate argument to be made for districts as it applies to the need to think and act regionally on our most important issues.

I understand what Ann is saying, and, believe me, I'm very aware since it was my Board of Selectmen that was the first one an Assembly member came and said, "They're trying to destroy us." And we've had a lot of feedback about the towns.

And I've actually changed my opinion about that, and this is definitely just looking

at the work, looking at the research and understanding my perspective is the County is evolving and it's young. But the regional work is the critical work and all the decisions that need to be approached regionally.

If there's a mechanism in the recommendations that we can make, to make that work more productive, that I think is what I'm hearing this group constantly be creative and thinking about what that mechanism is.

So I would say that we could do it either way. We could make the recommendation to the Assembly, have the conversation with them, do the presentation and get feedback from them, or go to the public and say, "Now tell your Assembly to vote for."

You know, I think there's something going on in Washington very much like that today.

Chairman BERGSTROM: Well, this could be -- and I'm running through this in my head because I'm going to have to schedule this. It's possible we could make a recommendation. We could go directly to the Assembly. They could have a discussion but not take a vote.

Ms. GRUNDMAN: Right.

Chairman BERGSTROM: And then in the interim, they could -- I want to know -- the public's going to want to intervene at the moment when they have the most influence. Yes.

Ms. MCAULIFFE: The discussion today at the Assembly meeting has left me convinced that I don't think the Assembly is going to approve a district proposal. I think that all the theoretical good things that we think are not going to be supported at the Assembly. I don't care how you're your argument is, my impression is that other than two or three of us, most people, just as Ann said, want their town's voices heard regardless of how good a district model might be.

I heard today -- I'm sitting there thinking why am I going to bring something that's not going to pass because the Assembly has to pass whatever we do.

Ms. GRUNDMAN: Right.

Ms. MCAULIFFE: And I don't think at this point there's really much appetite for listening to the district argument. And that's just where I'm coming from.

Chairman BERGSTROM: Well, I have to disagree with you there because --

Ms. MCAULIFFE: You think that it can be changed?

Chairman BERGSTROM: No. To bring up the old chevilette here, the weighted vote, not that I want to get into it, but as somebody once said, a wise man once said, "Three towns can swing a vote. Three or four towns can swing a vote."

Certainly Julia has an open mind on the district representation. You do. Right there that's 25 percent. Pat Princi is not, as far as I know, the Delegate from Barnstable has not come down one way or another. He controls 21 percent.

Ms. MCAULIFFE: We don't have Sandwich.

Ms. TAYLOR: There is -- I spoke to Mr. Princi when I was thinking do I want to go to these meetings? And he said he would be heavily influenced by the recommendation of the Charter Committee. But if I had to take a bet, I would go along with Suzanne but.

Chairman BERGSTROM: I am speaking to the Barnstable County -- the Barnstable Town Council on the 12th, and I think Pat may be there. I don't know if he is scheduled, so we'll get a sense of where they are. And, obviously, they're in full support.

Yes, Linell.

Ms. GRUNDMAN: Well, given what I've just heard, I think that it's even more important that we think about making our recommendation to the Assembly because it seems if we go out and we do make an argument with the people, I'm not sure that they can have the influence on the Assembly.

In some respects, it doesn't really matter. Either way, we're going to make a recommendation and it's going to be discussed and the public hearing will be the opportunity.

It does seem to me that the Assembly of Delegates if we were to present and make a recommendation to the Assembly that that could be a -- they could hold a public hearing at that time.

Chairman BERGSTROM: The question is do we, as a committee, want to have the public in before we make that recommendation. That's the question.

MR. AUSTIN KNIGHT: Mr. Chairman.

Chairman BERGSTROM: Yes.

MR. AUSTIN KNIGHT: I'm going back to the very beginning of the process when I asked about this, and I still think it's very important to have a clear conversation with the public.

I do understand the Assembly's part in this. I understand there's an Assembly vote that's coming.

However, our committee and reading what's been done and watching what's been done and then part of the process, I think it was our mission was initially to come up with something and bring it forward. And I think part of the process start at the beginning where we said that we would open -- we'd have some hearings for some conversations out in the two areas, and I still think that's still so important.

We may not sway one Assembly person one way or the other, but the conversations that I heard at our meeting were very mixed. It wasn't all one or all the other. And I think it's important in the process to have that conversation, and that's where I'm coming from.

I'm not saying the couple recommendations we send to the Assembly and they say no. You know that may happen, but I think the process is open it up to the public who has wanted to have part of this conversation.

And I understand that we're in the middle of the Cape here. But in the middle of the summer, it took me two hours and twenty minutes to get from Provincetown to Hyannis. That's the reality of the Cape in the summer. And to ask people to come here to this meeting sometimes is not only are they working, it's impossible. And I think we have an obligation to those members in the different communities to have this conversation with them, and that's why I'm in favor of going, you know, up Cape, Lower Cape, and we're already here in the middle. So I think it's important.

Chairman BERGSTROM: Bill.

Mr. BILL DOHERTY: A classic marketing problem is to identify where -- what people want to buy and identify what they would accept as a personal benefit.

The idea of a Public Hearing process, I believe, is to hear from people based upon what their sense of public benefit is versus what their sense of -- what the fears are. It always seems to me that the process that says I want to see a plan before we do anything means you invest a lot in making a plan that never goes anyplace.

The whole idea of having public input is, as Austin has suggested, is that at least we would get a sense of what concerns are. Not just of a body that might be legitimately suspected of serving its own interest for maintaining its continuation, but to say we measure what we hear from the Assembly, from the Commissioners based upon what we hear from the public.

Now we've heard from members of the public that have, let's say, special standing based upon -- based upon visibility, League of Women Voters. We heard from the Special Commission that was put together. We've heard from -- I think we've even heard from the newspapers from time to time as to what they think. I think The Patriot has something that - it basically said this was a good opportunity to look at things.

Now, when we're proposing these things, and I think all of us have a personal -- let's say a personal bias with regard to what we think would be useful, and then the stuff that I wrote up with regard to an opinion. The first question that always comes up is, "Why are you doing anything at all?" Okay. That's the first question that needs to be addressed. And part of the answer to that question is are we seeing a tangible benefit based upon any suggestions of change.

But having said that, what are the challenges that we're concerned with as we go forward because if we could identify some sense not of a nebulous, you know, the world is changing, there are a lot of things that are happening, but just a sense of some tangible reason, some tangible thing that we can see on the horizon that we could address based upon a change that would support that. That, to me, would be a motivation that we could present to the public and say, "Well, these are the things that we want to make change.

As we have been going forward and we've had this conversation and I've been at a lot of these Charter Review meetings and we've made a lot more progress in this one than we have in the past. Where at the point where we're looking at what I'd call reasonable alternatives, and a reasonable alternative is the status quo, a reasonable alternative is if you don't want what we have now, the alternative would be to have a legislative body that essentially, and in my model, the speaker of that body would be the Executive and would have the oversight of the appointed Executive that would manage the services.

And it all comes down to one thing to me. It's what we do, not what we are because the value of County government of the services that we provide to the constituents in the community, the value of County government is the support that we give for the legitimate needs within the community whether that be presented to us through let's say the elected representatives of the towns or through a direct citizen petition. We have an opportunity to respond to that.

If we lose sight of that, then we're having this other argument about, well, I think I ought to have sort of an Ermine robe and a crown to wear so everybody knows that I'm in charge here.

Chairman BERGSTROM: Bill, I agree with you that the first thing we'd have to explain to the public regardless of what we recommend is why are we changing the status quo. And there are various people that have come up with reasons, efficiency and so forth. But there have been two basic reasons. One is that the Assembly of Delegates is a bunch of chowderheads. The other is that the County Commissioners are the Three Stooges. So we'll dismiss that.

The common thread that runs through all the arguments, at least the one thing that

comes out all the time is the weighted vote. That has been a common cry for people who want to change the system.

And to be honest with you, I mean I listened to the Assembly today that have gone to several towns and I've gone to Chatham, I've been out to Eastham, and we've heard from Wellfleet.

And the towns that have the smallest weighted vote are the ones that indicated to us that they want to keep the current system. And Julia, who represents the second-largest vote, has said that her town has an open mind to change into districts. So it's almost the opposite of what you expect.

So the weighted vote is something we're going to have to address, you know, depending on what option we have.

But another thing that I'd like to say is that I'm a big believer in putting something on the table. Let's say you're a state legislator and you want to do something about homelessness or you want to do something about education, you don't just get in front of the well of the Senate and say, "Hey, what do you guys think about this? You know, do you have any ideas on home--" you file a Bill. You put it in writing and you throw it right on the floor of the House and you say, "This is what I'm proposing."

And I think this committee is not charged with taking a sense of the public. We're not going to go back to the Assembly and say, "Well, you know, we think the people in Chatham think this and --." We're charged with coming up with an option that we think is the best, and then we throw it before the public.

And then, as a member of this committee, I'm not responsive to the people of Chatham; I'm responsive to the full Assembly. But when we present it to the Assembly, I then take the role as now I'm responsible to the people of Chatham. Now they're going to tell me what they think.

So, I mean, I've gone through this debate for years and years and years with people who say, "We want to be in on the" --you know, "How come the public's not in on the creation of this document." You know, by the time you create some of this it will be too late because you've made up your mind. And other people will say, you know, "How can I be in on the creation of the document? How can I say anything because I don't know where you guys are going."

Mr. DOHERTY: You said something very important. You said, "The best choice and a choice."

Okay. If you were to take a consensus or a vote from the Charter Review Committee, not what we think would pass the Assembly but what we think is the best choice, --

Chairman BERGSTROM: Right.

Mr. BILL DOHERTY: I think that that is a worthwhile objective for us to do because many times the first time that I'd say the best idea is presented is not the time when it would get acceptance. It takes time to, let's say, to move it into what I'd call a state of public consciousness to get people to understand what the intention is behind it.

And then eventually, eventually the best choice that serves the best interest and the greater good is the one that gets accepted.

But if our charge is to make a recommendation on what we think is the best choice, I think that's a great idea, and I think that that's one of the things that I think we call all

work on.

Chairman BERGSTROM: Putting aside the fact that where are we going to go with this, I'm not against going to -- Should we make a recommendation or a series of recommendations and then go to the public, or should this committee have a public input, then make a recommendation, and then have a series -- In other words, I'm looking to get a timeframe here.

Yes, Austin.

Mr. KNIGHT: Mr. Chairman, what we said at the beginning when we started this conversation about possibly going out to the public or my intention of going there is we would bring them something.

Chairman BERGSTROM: Okay. Yes.

Mr. KNIGHT: And that's what we said because at the time we were too open and too vague and too many things.

So now we're at a point now where we're starting to gather the information, we're starting to bring it more to a point. So I do believe that part of that conversation is to bring possibly a recommendation so we can have -- people will tell you what they think. People will tell you if the options no good that you're bringing to them, and they'll come up in their conversations of what they think it should go.

But I think one of the things we said initially is we were going to come together, we're going to do a lot of this work, and I'm going to bring them what we've come up with. And that conversation wasn't to bring to the Assembly first. The conversation was to bring to the public first and that's still where I'm leaning.

Chairman BERGSTROM: Ann.

Ms. CANEDY: I think your analogy was interesting. You said you wouldn't go to the Legislature and say, "Here is a Bill; what do you think?"

And I think that is analogous to this group bringing the finished product to the Assembly of Delegates saying, "What do you think?"

What I'm suggesting is what I do when, and others, when they're presenting an Ordinance to the Town Council for passage and that is I've already gone to my constituents. I've already said to them, "I'm thinking about doing this; what do you think? What's your input?"

And I've already had the pros and cons ironed out by my constituents before. I get to the point where I'm like, "Here's the Bill; what do you think?"

So I still am with Austin. I think we have enough to go out and have a conversation with the public.

Chairman BERGSTROM: So do you mind doing that as early as let's say the 2nd of October?

Ms. CANEDY: That's fine with me.

Chairman BERGSTROM: In other words, we have another meeting on the 18th, then another meeting on the 2nd of October that we could invite the public in to give comment.

It may be -- we don't know the fate of the DCPC that's looming over us that's coming down. It may be quite contentious so we may have to push the meeting back to 6 o'clock, but we could do that.

As a matter of fact, Pat Princi suggested we have a later meeting for the public

because most people work. So unless I hear otherwise, we're going to have a meeting -- we can't have the public meeting -- a public input on the 18th because it will be a very contentious meeting about the DCPC. But we will do it on the 2nd of October, which I think is our first scheduled meeting.

Ms. CANEDY: So, you're not going to do a road show?

Chairman BERGSTROM: Well, we could do a road show, but the thing is is that do we -- I still haven't answered that question. Do we want to do the road show before we make our recommendation? Do we want to make a recommendation that we're going to go to the Assembly and then have the road show?

Julia, help me out here.

Ms. TAYLOR: All right. I think it's our obligation to come up with preferably one proposal, but if we don't agree maybe two. We at the moment have three. I think that's too much information. I think we need to narrow it down to either two or one.

Then we go to the public with our -- and I think we have to make a PowerPoint presentation, which I'm happy to present because I'm a teacher, but we need to have the arguments. We need to have the three or four strongest arguments in favor of whatever we're presenting.

Then people have a chance to come up with their objections or their support or their tweaking or whatever.

Then we go back to the drawing board and decide whether we want to have that be our -- whether we want to have another public input or whether we want that to be our final recommendation.

But I don't see going -- I mean I'm not optimistic about anything, any change passing the Assembly whatsoever, but, on the other hand, we're committed to the process and that would include going to the public with something in writing before we take a vote to go to the Assembly.

Chairman BERGSTROM: All right. So what I'm saying is that if we make that decision on the 18th, make a decision to narrow down those options, we're ready to go to the public.

Austin's suggesting we go to the various towns. We go Falmouth, and we'll go to Provincetown, and we'll go to Mid-Cape. So I'm prepared to do that, but it's going to mean that we're going to have to take some time out of our schedules to do that. Because if we schedule it every two weeks, we'll be there until December.

Ms. TAYLOR: Well, I'd prefer to go to maybe Orleans.

MR. AUSTIN KNIGHT: Or wherever --

Ms. TAYLOR: Mashpee.

MR. AUSTIN KNIGHT: Right.

Ms. TAYLOR: I'm willing to go.

Chairman BERGSTROM: Well, perhaps we could do it in conjunction with the Selectmen's meeting. We could go and schedule the Board of Selectmen in Orleans and then the Board of Selectmen in Yarmouth, and the Board of Selectmen in Sandwich.

Ms. TAYLOR: No.

Mr. BILL DOHERTY: You're not going to do that.

Ms. TAYLOR: Not going to do that.

Chairman BERGSTROM: You know, I'm in charge of the logistics here. That's

why I'm trying to make this plea. You can make suggestions all you want but it's going to have to actually be done.

Ms. GRUNDMAN: Well, I think we talked about Lower Cape, Mid-Cape, and Upper Cape. We could extend it to four but I think the way that we get people is to do the outline of when these are going to occur. After we've gotten our presentation ready, that can be documented and put online. And then we find the locations.

I know that Upper Cape we could probably schedule it at the Sandwich Town Hall. I think three locations would be enough but we could go for more.

Chairman BERGSTROM: All right. I'm going to bring up something now just to that Mike brought up. Poor Mike is sitting there quietly listening to this mess, which is we have -- let's say the third option we have a map of 11; right? All our concern was that we get equal districts. We didn't concern ourselves with those districts are.

In other words, so the people who are going to be on the receiving end of that are going to say, "Wait a minute. I'm with these guys, this jibones over here. I don't want to be --. I'm in Yarmouth. I don't want to be with these Dennis people." Or they're going to say, "I'm in Sandwich, I don't want to be --."

So there may be some objections to the actual physical makeup of the districts.

Ms. TAYLOR: Well then we would deal with that later.

Chairman BERGSTROM: And we don't know, and I don't know if Jessica knows, but we don't know how much flexibility is built into that. Can you take a district -- can you take a precinct here and then add one there and basically gerrymander with them to make it more accessible. You can do that but that means we have to do it.

Ms. TAYLOR: We don't have to do it in advance.

Ms. MCAULIFFE: Because Dennis right now has four reps.

Chairman BERGSTROM: Ann.

Ms. CANEDY: I think you're bringing up a good reason why it might be best not to come to these different areas with a recommendation but our menu of choices. And I think we'll have a freer discussion if people have options to talk about. You might get an idea of where people are falling.

If you narrow your scope, you're going to get people saying, "I don't like that." Or "I do like that." But you're not going to get the nuances of input that I think we're looking for.

Chairman BERGSTROM: Well I mean it would mean that -- the first two options are pretty self-explanatory. The third option if we were to go let's say have a meeting in let's say Barnstable, we would have to have a map of those districts and we'd have to show people you're in Number 5, and Number 5 consists of Barnstable Village and part of Yarmouth and so on and so forth, and present to them exactly. So I'm saying this is a lot of work, so I'm going to have to figure out who's going to do this work because I'm not capable of doing it and we've already asked the Commission to do it.

But I'm not objecting to any of this. I'm just anticipating what it's going to take to have these meetings and to present to the people in a logical way in a way they can understand exactly where they're going with the various options that we present.

Yes, Bill.

Mr. BILL DOHERTY: When I was in high school and belonged to the debating society, we would be assigned a topic that says, "You will not present and defend a

particular position.”

Chairman BERGSTROM: Should the United States break away from Great Britain?

Mr. DOHERTY: In this case, should Barnstable County reorganize into the following we basically could present what I'd call a very pro-stand for each one of the options as to what it meant.

And then from that point of view, the public could say you're full of crap or you're not or we believe or that makes a lot of sense or it doesn't.

If we just go and we make a presentation on what I'd call the so-called objective part of it, we're not including some of the deliberations that we've had that support particular positions.

Ms. TAYLOR: Well, we have to do that. We have to make the pros and cons.

Mr. DOHERTY: Yes. So what I'm suggesting is that perhaps two of us, I don't know if we'd self-select, would say one would take a pro on one position and one would take an opposite and we'd have -- I'm suggesting we have some sort of a public debate on the pros and cons and then have the public judge as to what makes the most sense. Because at the end of the day, that's what we're asking to do.

And in recent times, you know, I'm facing an issue, the flooding -- I live in a flood zone and I have people saying they don't want to change the street because it's going to change a country lane. But every time it rains, I get storm water in the driveway and there are puddles and West Nile and all the rest of it.

So the emotional content that opposes what is a rational solution to a real problem has not been presented yet because there has been no plan suggested.

We have positions. We have three things that we've talked about.

Chairman BERGSTROM: And don't forget now, the ultimate decision on any change in the County governance is got to be done by the voters. So they're going to have many opportunities between now and November, if we do propose some changes between now and November '14, to discuss this.

Mr. DOHERTY: November 14 of what year?

Ms. MCAULIFFE: November '14.

Chairman BERGSTROM: November of '14.

Mr. BILL DOHERTY: November of '14. Okay. Not November 14, okay.

Chairman BERGSTROM: So that's one thing. And the other is that I think that we're looking at it -- I've always thought that people like us who are working on the inside look at things totally different than the people who are on the outside.

The people on the outside, the first questions they're going to ask are, "Well I'm not going to vote for my Assembly of Delegate from Yarmouth. Where am I? What district? What is my district? Who's it comprised of?" And so that's going to be important.

And I believe -- I still believe that we should present what we think is the best model for County government and then sell it regardless. And rather to anticipate that well we think this is good but maybe people won't buy it.

I mean when we present to the Assembly the best model that we think for County government, our work is done. We've done what we can do.

Then it's up to -- Julia and I have a double role. Now we've got to decide what's acceptable to the people voting for us. But as far as this committee's concerned, I'm ready

to vote for what I think is the best interest of Barnstable County regardless if they vote or not. I mean I've brought up politics before and everybody said, "No, don't go there. Let's just do what's right."

So I agree with Julia. Maybe we can narrow it down at the next meeting and vote up or down on the options that we present. And then we're going to have to do some work. I mean I started this meeting with the idea that we would flesh out the relationship between the components, so I'm hoping that Mike can help us on that because he has the Charter.

I was just looking -- I mean all of our towns have gone through this change. I mean Chatham went through the change. They went from three guys sitting in a room making all the decision to a Town Manager. And when they did that, they had to change the Charter to reflect what the Executive does as far as hiring and firing, as far as the personnel decisions, as far as contracts and so on and so forth. Its minutia compared to the big issues but it has to be done because people are going to ask these questions.

Ms. TAYLOR: Yes, well back to what Bill said. I do think there has to be some explanation of why would you make a change? If it's not broken, don't fix it. And I've been doing this a long time, and I don't consider it broken.

But here's what I do think are the most serious problems that could be fixed by a Charter change. Maybe it could be fixed.

One, a Strong Executive. So why would that be better? We think we have ample evidence of why that could be better in the towns experience with a professional person running the government instead of three elected people doing a lot of executive stuff part time.

So I think we can make that case. And I think the duties could be spelled out and why it is better to have a professional person.

The problem with the Assembly with the weighted vote, which is that it puts too much power in the hands of one or two or three people who are not equal with the other people. It's legal this way, but if we're going to have a County that's going to take on possibly some more serious issues, then I, for one, will not be comfortable thinking that one person -- one person from Barnstable or one person from Falmouth has this much power.

Could it happen that two or three different people could get elected that possibly came from Barnstable? Yes, but they'd have to appeal to some other people outside of Barnstable and it wouldn't put all the power in one person's hands.

So that is what the first thing that I consider broken if he went forward with some more important votes.

The second is that if I wanted buy-in from people who live on the Outer Cape, I would want -- if I lived on the Outer Cape, I would want my elected Delegate to have as much power as any other person. I wouldn't want them to have 2 percent or 1 percent or 3 percent. I would want to have them have equality. So I don't want so much power in the hands of one person from Falmouth and one person from Barnstable. I don't mind Falmouth having in general a lot of power, but I don't want it to be one person.

And I want my small towns' representative to have equality with every other person on whatever the legislative body is.

So those are the two reasons that if you want to take on, you know, if you want to muddle along as we are, I don't see that we're in terrible danger. But if we think that we might want something a little bit more active, more involved, then I think those inequities of

the Assembly need to be addressed, and I think the efficiency of a true Executive needs to be pushed.

So this is my reasoning and this is what I would present if I were going to make that case. I could do it a great deal.

Now others might disagree and not consider those important, but I think from what Bill said are there issues that may do need dealing with, but those are the ones that I see from my experience here.

Chairman BERGSTROM: The one thing -- I was in with the discussions on the Special Commission on County governance. To be honest with you, I didn't very much sympathize with their solution.

Ms. TAYLOR: No. I didn't either.

Chairman BERGSTROM: But the one issue that does stick in my mind it has to go with what Julia says is that the one thing that's come out of all the recommendations from the MMA Report to the Special Commission Report to the things we're discussing now is that the idea of a Strong Executive to carry all for Barnstable County government.

And once you do that -- once you transfer that person some power, it would come from the Commissioners. In other words, what the Commissioners are doing now, they would do.

So now you basically have taken away some of the powers of the Commissioners. So now what do they do? They're not going to encroach on our -- they could. I mean we could give up some of our powers to them.

So there is a little bit of an awkwardness in this troika of an Executive, a policymaking board, and then Legislative board.

So, I mean we on the Assembly don't even exercise half the powers. I mean we have total budgetary authority. We can take money from here and put it there. We don't do these things because, believe it or not, everybody seems to have gotten along over the years, you know.

But because of the way it's set up, we sort of -- the Administrator differs to the Commissioners because he really hasn't got a lot of the authority, and the Assembly first to the Commissioners because they basically engender all this stuff. In other words, they're the ones that bring the things to us and say we want to do -- I wish the Assembly took part in that but it isn't realistic.

So if there was a single Legislative body, yes, that would be an advantage that they would take the ball on policymaking issues. They would be the ones that -- similar to a town government or Barnstable County -- Barnstable town, the Executive would come to them and say we've got an issue here. I think this is what you can do. Here's what it's going to cost. And the Legislative body would make a decision.

I still have a problem with the perception. I know Julia talks about if a member of the Outer Cape -- you would want your Delegate to have the same vote as everybody else. Towns are very insular. I mean basically they like their Harwich guy, their Chatham guy. I know we said we weren't going to talk about politics. We're only going to bring up what we thought was best. But you have to be warned that it's going to meet with some resistance.

Ms. TAYLOR: Well we know that.

Chairman BERGSTROM: Suzanne.

Ms. MCAULIFFE: But just an example that you raised at the Assembly. If you had a consortium or a district of Provincetown to Chatham, you have 5 or 6 different wastewater --

Ms. CANEDY: Issues.

Ms. MCAULIFFE: -- not only the issues but for scenarios in those towns. So how would one representative vote when Provincetown and Chatham are sort of done with it and Eastham is just beginning.

And the Delegate from Dennis said to me, "The way we have it drawn now, there would be four representatives covering Dennis." Not to say that we couldn't split that up, but there still may be three. I'm just --

Ms. TAYLOR: Well, who are they representing? Are they representing people or are they representing towns?

Ms. MCAULIFFE: Right. And, unfortunately, that's the way the Assembly thinks. I think they think that there is -- that it's people in their towns and it's very -- I've had a number of Assembly of Delegates say to me, "I don't care that I don't have any vote. I don't care that it's all in the hands of 2, 3, 4 people. I just want a voice."

Ms. TAYLOR: They don't care because they have the job and they can speak. So I'm saying I would care if I lived, and I think that just as Sarah Peake has to make sure that she can, as best she can, represent the whole area of the Cape. So would someone from -- who's dealing with regional government. That's the whole point of the County. That person would have to figure out how you deal with regional government.

Just as someone who represented Falmouth and Mashpee like our State Rep. Viera. You know, they're not exactly the same but he's figured out they have some issues in common with the state.

Chairman BERGSTROM: Let Bill get in here.

Mr. DOHERTY: You're forgetting something very important. You brought up an environmental issue. The environmental issues are the province of what I'd call the planning and regulatory agency that represents Barnstable County, the Cape Cod Commission.

Nothing in what we're doing would get rid of the Cape Cod Commission representative, who is a direct representative of the town and has an equal vote with everybody else on the Cape Cod Commission.

The check and balance is that whatever the Cape Cod Commission proposes, as you will be facing with the fertilizer issue, will come before the Assembly for, let's say, determination.

So I think that the voice, the voice that we're talking about is one of policy and the check and balance rather than the direct representation of a specific issue which would be the province of, you know, when we mentioned wastewater management that would be that.

Now one of the interesting things about human service issues is that the housing consortium which is at the Cape Cod Commission now was only put there because they had administrator overhead to be able to support it.

And one of the things that the Commission is looking at is to bring that back under the human service committee because it's not logical for an environmental and planning agency to have a human service part. So there is some effort internally of looking at where things belong.

But getting back to the environmental issue, the towns have not lost their voice in this. As a matter of fact, they have a strong voice in the formulation of a solution to be implemented at the Cape Cod Commission than they would in the Assembly.

When the fertilizer issue comes before the Assembly, you'll have the fact that the only time when the people of Cape Cod could be represented would be by the Assembly sitting in the room because up until now in the hearings that I went to, you didn't have the people that are causing most of the problems there. You had the people who actually know what they're doing and know how to manage the environment. And we had no business trying to, let's say, interfere with what they're doing.

What we do need to do as a County government is to offer some solutions that affect the cause of the problem which is what I think the Assembly is in a position to do.

So if the plan is proposed by the Cape Cod Commission and the Assembly then makes a judgment as to whether or not that's a reasonable plan to represent the interest of the public. Nothing changes if we go from what we have now to a district because that same check would be there for what's being proposed by a regulatory or a planning agency.

Chairman BERGSTROM: Well just to comment on something that Julia said that came to my mind is that you know you make the analogy saying what's wrong with the district. For instance, Representative Peake is the district representative, and she works for the benefit of the towns.

But it's very true; I mean one of the things that these representatives do is they submit Home Rule petitions to the Legislature. They don't even look -- I mean they look at them but they say if the town of Chatham wants to do something that -- for instance, they want to get out from underneath the conservation easement to use the land for something else, they have to file a Home Rule petition. It goes up to the State House and she'll file it.

So they do deal directly town by town. And the interest -- they recognize that the interest of Chatham as there's an issue with Eastham. They also supply money for us. I mean Chapter 70, Chapter 90 funds. The first thing that people in the town do is they don't say, "Oh, you've got to pass this Bill that gives X number of dollars. They go right to the cherry sheet and say, "My town got this; my town got that."

So they are actually operating town by town and dealing with town by town issues. And people are identifying what when they say, "What are you doing? What are you, Representative Peake or Representative Hunt, doing for me?" Sure, they may be social issues and things like that.

But from a purely local standpoint, which is what the County goes, they deal with it town by town as to what benefit they're getting. So there is a --you know, it's hard to make that analogy to say that she's a district rep.

Mr. BILL DOHERTY: Excuse me. How soon you forget. Remember the money that we were in the hole at the RTA?

Chairman BERGSTROM: Yes.

Mr. BILL DOHERTY: Okay. That was not brought up by the towns. That was brought up by the people that we represented. And it was her that actually went to the Legislature, and then the outcome is you form that caucus, you know, when you got to the RTA stuff.

But she was representing the interest of all of the people on the Cape, not -- because none of the towns -- they were not directly involved in that at all.

So I think that's a direct example of looking at constituent interest and let's say responding to it in a way that has a -- is continuing in a sustainable way.

Chairman BERGSTROM: All right. Before I go to Linell, I just want to remind everybody we should decide what we want to accomplish at this meeting, how we want to move the ball forward so that we can then move on to other. You know, do you think it's unrealistic, for instance, if we make a final decision on the 18th on what recommendations we're going to make, that's all we had. But if we want to narrow it down on the 18th. We're ready to go to the public. Are we going to turn around and go to the public right away on the second or do we want to schedule budget hearings. I mean do we want to have another meeting on the 2nd? I'm just trying to schedule -- I want to move this forward a little bit and make a decision.

Ms. GRUNDMAN: I can make a comment that actually supports what you're trying to do. But I want to very much support what Julia spoke to. I think that she's completely right on in saying that we need to come with one or two. I think I would prefer one but it could be two. And then have our points for why this is a good idea.

I think the one is a stronger position. I think we should be prepared to do one just based on all the conversations we've had.

I wanted to say that what was most impressive about what Julia had said and it's something that's made me change my mind about the districts. I kind of came into this thinking it will never happen because the towns are so entrenched. But the districts do provide equality to the Legislators.

And what we've been talking about is really about creating a form of government where the Executive branch and the Legislative branch is not only more efficient but that it also instills the trust of all of our Cape residents because we are evolving and moving forward to those services that you keep talking about, Bill.

We know there are big things on the horizon, and efficiency is clearly one of the reasons that we should be considering is there a better way.

The redundancy of having towns represented or some people look at it as a redundancy that we have 15 reps. We have the town representative on the Assembly. We have the towns' representative on the Cape Cod Commission. And I wasn't here but I read Paul's comments about that kind of efficiency.

I think that what -- I feel we've done a very good job and I don't want to see us backtrack from that, is I think we've really had a good discussion about what type of government would best suit the County right now. What kind of recommendation can we get behind that?

I think one recommendation on the 18th is not unreasonable considering the discussion that we've had thus far. And I think that the public hearing on October 2 would not be unreasonable.

Chairman BERGSTROM: All right. The issue here is though -- I don't think we're going to come out of this with a unanimous vote. So we could go to the public with a four to three vote, which is fine because whatever the unanimous vote is is the vote that's going to go to the Assembly of Delegates.

But whatever the majority vote is going to go to the Assembly of Delegates. But do we want -- so I mean I'm just looking at the logistics of this. I'm not against going to the 2nd, but then we're back to the original question. Do we have a meeting here and invite the

public or do we then schedule a series of meetings which would have to be within a short time frame. In other words, Monday, Tuesday, Wednesday or within -- three within two weeks or so because you can't use the schedule you're using now. We have to make separate -- I'm not against that. My schedule's flexible. I'm just making the committee members aware that that's what we would have to do. And like I say, I'm not -- I'll go to Bourne. I'll go to Provincetown as long as it can be done, the logistics can be set up and we can have a recording of the meeting.

Ms. GRUNDMAN: Well if 2 are scheduled in October already, the 2nd and the 16th, if we wanted to add a third one on the 23rd, we could get three.

Chairman BERGSTROM: See, we've got to be here. In other words, Julia and I --

Ms. GRUNDMAN: I know.

Chairman BERGSTROM: So we have to be in this room on the 2nd.

Ms. TAYLOR: Then we could go somewhere.

Chairman BERGSTROM: We could go somewhere but it would have to be --

Ms. GRUNDMAN: In other words, you don't want to do them on Wednesdays.

Chairman BERGSTROM: It would have to be a 7 o'clock meeting then.

Ms. GRUNDMAN: Right.

Ms. TAYLOR: I think it's not unreasonable to have a 7 o'clock meeting. I may have to be spending the night at Austin's house but, you know --

Chairman BERGSTROM: All right. Well I could have Janice -- between myself and Janice and maybe cooperation of some of the members, you know, and especially Austin and Linell, we could contact our towns and see if we could get the space. Ideally it would be a meeting space at Town Hall. It doesn't necessarily have to be in the town of Sandwich. See, because you guys are here.

So I'm thinking that would be good. We could do it -- the Outer Cape could be Orleans which is probably more centrally located. I could talk to the people up there, and we could go and we could do that if that sounds reasonable.

Ms. GRUNDMAN: So would the 2nd be our Mid-Cape Public Hearing? Could we do that, do you think?

Chairman BERGSTROM: It doesn't necessarily have to be. I mean let's say we could wrap this up no later than -- even a contentious meeting at the Assembly wraps up -- I could wrap it up probably by 6:30. I say it; knock on wood, who knows. There might be 500 people here on that DCPC.

MR. AUSTIN KNIGHT: Right.

Chairman BERGSTROM: But hoping that doesn't happen, we could wrap up our meeting by 6:30 p.m. and be almost anywhere at 7 o'clock.

Ms. TAYLOR: I don't think we should do it on the DCPC day?

Ms. GRUNDMAN: Is that the 2nd?

Ms. TAYLOR: No, that's the 18th.

Chairman BERGSTROM: We don't know. We don't know. We are going to be presenting with the DCPC a public hearing next Wednesday. But then I suggested --

Ms. TAYLOR: You're thinking of changing it.

Chairman BERGSTROM: Well, no. I was ready to take a vote on the 18th but Suzanne spoke up and said, "DCPC; what DCPC? Where have I been for the last two months? I

have no idea this is coming down. I'm going to need at least a couple of meetings to figure this out."

Ms. MCAULIFFE: That's not what I said.

Mr. BILL DOHERTY: It might be an opportunity, since we have an attorney for the Cape Cod Commission, and as to what the days -- what the days are involved. I believe that there's a 60 day limit.

Chairman BERGSTROM: I had that discussion with her. So if you wanted -- it's 45 days from the submission?

Ms. JESSICA WIELGUS: Yes.

Chairman BERGSTROM: It was submitted on the 29th. So October 2. In other words, if the Assembly refuses to vote on it and said we just got this on the 18th, we're not going to be able to vote on it, and then could we continue to the 2nd.

Now if everyone has basically you know exhausted their comments, it could be a quick meeting on the 2nd. In other words, we could actually -- we don't have to take public comment. No organization has to take public comment. We could limit the public comment period to the public hearing and to the Assembly meeting on the 18th.

Ms. TAYLOR: Good idea.

Chairman BERGSTROM: And then have an internal discussion on the 2nd, which means it would wrap up sooner. But Julia still --

Ms. TAYLOR: No, no, that sounds reasonable.

Chairman BERGSTROM: That sounds reasonable. So let's assume that we could schedule -- because I'm interested in getting this done. So let's assume we can have a meeting --

Ms. TAYLOR: And are you thinking of driving from here at 6:30 to say Orleans or?

Chairman BERGSTROM: Orleans would be convenient for me. I don't know how long it takes from here. Falmouth is like -- I can't get to Falmouth from anywhere on the Cape.

Ms. TAYLOR: I know. I can't either. Okay. But do we -- you understand if we didn't go to Provincetown; could we go somewhere in the Lower Cape?

Chairman BERGSTROM: Sandwich is right over there. That's another option too.

Ms. GRUNDMAN: Do you want me to see if I can get Sandwich for the 2nd?

Chairman BERGSTROM: Yes.

Ms. GRUNDMAN: I can do that.

Chairman BERGSTROM: Why don't we -- I will have Janice and myself and with the help from you guys that we'll try to get venues.

MR. AUSTIN KNIGHT: I think the Mid Cape is technically here and this is where we've always been.

Chairman BERGSTROM: Right.

MR. AUSTIN KNIGHT: So the only areas we really need to look at are somewhere in Lower Cape and some -- we never promised the people that it would be in Provincetown. Though, I must admit it would be very convenient. But we just said Lower Cape and so we can work the logistics out of where Lower needs to be in order to make it the best for everyone.

Ms. CANEDY: And dates.

MR. AUSTIN KNIGHT: Yes.

Chairman BERGSTROM: Well, we could have three consecutive meetings even if we do it on three consecutive Wednesdays. I think we'd have one on an off-Assembly day.

Ms. GRUNDMAN: I am going to be out of town on the 9th, but you go ahead without me.

Chairman BERGSTROM: Oh we lose a body.

Ms. CANEDY: Let's not do Sandwich on the 9th.

Ms. GRUNDMAN: I'm going to try for the 2nd for Sandwich.

Chairman BERGSTROM: All right. So we'll --

Ms. MCAULIFFE: Maybe Provincetown on the 9th because it's a bigger -- or not Provincetown --

Chairman BERGSTROM: Orleans.

Ms. MCAULIFFE: Orleans because that's a bigger drive.

MR. AUSTIN KNIGHT: Lower Cape.

Ms. MCAULIFFE: So Lower Cape and then the 16th would be here.

Ms. GRUNDMAN: Perfect. Sounds good.

Chairman BERGSTROM: So that would be good. So we'll go with that.

Clerk O'CONNELL: Can you review that again, restate that?

Chairman BERGSTROM: It sounds like we're going toward having a hearing in Sandwich if we can arrange it.

Clerk O'CONNELL: On the 2nd?

Chairman BERGSTROM: After the meeting. After our meeting.

Clerk O'CONNELL: So it would be like 7 o'clock.

Ms. GRUNDMAN: 7 o'clock.

Chairman BERGSTROM: Let's say 7.

Clerk O'CONNELL: Well, what's going to happen is you're really going to have to establish a definitive time if you want to get this in Sandwich. And then I have a whole bunch of questions because it's not just us physically running out of here, getting in a car, and getting there.

You've got to get there. What set up are we going to need? Are we going to use camera equipment, stenographer? It takes time for these people time to gather stuff and get there. A half hour is not a lot of time.

Chairman BERGSTROM: Janice, we can throw ourselves at the mercy of these towns, which have the capability of filming these things or streaming them, even if we have to throw in a few bucks.

Clerk O'CONNELL: That's just around the corner. Those rooms might be already committed to.

Ms. GRUNDMAN: I know we don't have any meetings on Wednesday nights. That's really good. Wednesday night is School Committee and that's not at Town Hall. And we have our cameras -- we have cameras on the premises. So that's easy.

Chairman BERGSTROM: Now you know why I brought up logistics because somebody's going to have to do it.

Ms. GRUNDMAN: How about I copy you on the email that I send to the Town Manager?

Ms. O'CONNELL: Unless I don't understand, but your camera is going to have the

ability to broadcast strictly to -- is it just Sandwich?

Ms. GRUNDMAN: I think the way that it works we do send our DVDs to the Mid Cape for -- I mean I think it can go there. It's supposed to be a Cape-wide, but I'm not sure if that's in place yet. But does this go live? Is this live right now?

Ms. O'CONNELL: This is, yes.

Ms. GRUNDMAN: What I can do -- why don't you let me copy you on the email that I send and I will include all the people that are involved in that logistics for that space.

Ms. O'CONNELL: I guess if they can live stream it then --

Ms. GRUNDMAN: Yes. They can definitely live stream it via Web. They definitely can do that.

Chairman BERGSTROM: I've got a question for you, Jessica.

Clerk O'CONNELL: So that's that date.

Chairman BERGSTROM: If we were to gerrymander these districts, my presumption that if we took a district -- we could take a district from a precinct from one district as long as we replaced it with a precinct.

Ms. CANEDY: It's population.

Chairman BERGSTROM: In other words, you can't take one from over here and -

Ms. CANEDY: It's population.

Chairman BERGSTROM: In other words, let's say you had precinct 11 and precinct 12, well if I took one and put -- rather District 11 and District 12, if I took a precinct from District 11 and gave it to 12, I could balance it out by taking one from 12 and giving it to 11.

Mr. BILL DOHERTY: You also you have to remember you have to look at the issue of social justice and equity with regard to income levels within these districts you're talking about. You do not want to create what I would call either a rich or poor ghetto.

Chairman BERGSTROM: Let's find out if we can do it first.

MS. JESSICA WIELGUS: In an area you can move the lines based on the precincts. The difficulty or the challenge that you have and that our GIS department had in bringing something to you is that when you shift the lines, you have to make sure that the compliment for each district that you make up comes out to that same deviation that ends up being below the amount.

Chairman BERGSTROM: So do the precincts vary by that much?

MS. JESSICA WIELGUS: Some of them do a bit. But it's its own little science drawing these lines.

Chairman BERGSTROM: Yes, I know.

MS. JESSICA WIELGUS: But that's not to say -- we brought them to you for illustrative purposes only, and they're not firm lines. And I think there are people out there who make a lifetime career out of drawing these lines and doing the science.

Chairman BERGSTROM: I'm trying to avoid taking that off the table.

MS. JESSICA WIELGUS: Yes, no, and I think that's a good point to bring out so that people don't look at the map and say, "Why here" and then --

Ms. TAYLOR: Yes, I think you have to say this is just to show that it can be divided this way.

Ms. JESSICA WIELGUS: That's right. Yes.

Ms. TAYLOR: We are not endorsing this map --

Ms. JESSICA WIELGUS: Not the way it is.

Ms. TAYLOR: If we got enough support in general for having districts, which is unlikely but possible, then we would take up the task of making sure that they were the best possible districts. That's not what this is meant to be. This is just to show that it could be.

Chairman BERGSTROM: Well, I agree with you, Julia, but the fact is in my experience people are going to want to know. They're going to say, "Well, I can support this but I don't want to be in --"

Ms. TAYLOR: But we're not asking them to vote on it. We are asking for their idea about are they willing to give up town boundaries.

Chairman BERGSTROM: Well we're asking the Assembly to vote on it.

Ms. TAYLOR: Well I understand that but we don't have -- we haven't gotten to the Assembly. We haven't even gotten out to the public for comments. But I don't think we're in a position to redraw the map at this time.

Chairman BERGSTROM: I agree with you to give people broad concepts. But we're going to go out to the public and we're going to have to ask them what they think. And it's my experience these Public Hearings people are going to want to know details. They're going to say, "Well, that sounds good but what about this and what about that." And you can only say, "Well, that will be decided at a later time. That will be decided at a later time so many times."

When people say, "Well, wait a minute, what are you asking me now for because you don't know what you're doing." So I would like to have some certainty to what we're proposing when we ask people for comment. Otherwise, they can fill it full of holes; do you know what I mean? The death of a thousand cuts.

Mr. DOHERTY: I think you're in a position to say you could show the map that we already have. You could say that we're proposing to set up in districts. We could say that it could be useful to understand that the districts that we're proposing represent the best information that we have as to how it would set up.

Chairman BERGSTROM: Yes.

Mr. BILL DOHERTY: And I don't think that the final solution if we decide that we're voting for districts, the final solution might, indeed, reflect very closely what that rough draft would look like.

Chairman BERGSTROM: All right. Now let me throw this at you since we're cruising along here.

Julia suggested we narrow it down -- our options to two. I can't imagine that we're going to go out without having the option of leaving things the way they are.

Mr. KNIGHT: Well it's three options technically.

Chairman BERGSTROM: Yes, it's three options. I mean basically -- I can't say that we're going to go out and say to people, "Well, one of our options is not the status quo" because that's --

So, and we've also spent an inordinate amount of time discussing these new districts and we empowered the Commission. Thanks for their hard work they put in. So I can't imagine we're not going to go with that. Whether we support it or not is not a question. It's going to be on the table, present it to the public, and we've done a lot of work on it.

Ms. TAYLOR: No, no. If we don't support it, there's no reason to bring it out to

the public. I mean there is no reason for us to put forth anything that we're not in favor of.

Chairman BERGSTROM: Well I'm anticipating if we're not -- I'm trying to narrow your recommendations down to two. Now --

Ms. TAYLOR: Well, I'm not saying two.

Chairman BERGSTROM: The middle recommendation which is a recommendation to the Assembly passed which is to change the status quo and would change the County Commissioners to five.

I mean if I don't focus on that, the Assembly's going to throw me out the window because that's what --

You should think next week when we meet or two weeks from now if we really want to come up with a proposal or two proposals where we're going to go with this because we're going to have to make some decisions here.

Austin.

Mr. KNIGHT: First of all, I don't think one does us any justice and I'll tell you why. Whenever I've gone to Town Meeting with one point when there is a chance for multiple points, it always gets thrown back at me because they said, "How come we don't have any other options." It's about options sometimes.

Ms. TAYLOR: Yes, but we have the existing option. That sort of goes without saying.

MR. AUSTIN KNIGHT: Well, I understand the existing --

Ms. TAYLOR: It's just a question -- yes.

MR. AUSTIN KNIGHT: But what I'm saying is I don't think -- at this point we've come to this point where we have multiple options at this point. We don't have 8 or 9 anymore. We have pretty much brought this list down to a workable number in conversation.

Chairman BERGSTROM: Well, let me ask you this, Austin. I mean I'm considering the status quo is an option but really what we're saying is if you want to change things, there are these two options.

MR. AUSTIN KNIGHT: Right.

Ms. MCAULIFFE: Two options.

MR. AUSTIN KNIGHT: Right.

Chairman BERGSTROM: Okay. That makes sense.

Mr. KNIGHT: But I'm just saying I'm not for one option. I think the two options and then whatever leaving alone is technically the third.

Chairman BERGSTROM: Ann, you are quiet too.

Ms. CANEDY: I think at this point, I think the people want to tell us what they want, rather than what we think they should take. So.

Mr. KNIGHT: And this is all about conversation and really having more clear conversation. So when we go to the Assembly, we've done our part.

They're going to do what they need to do and what they want to do. Some of them have already made up their minds without any further discussion.

Well, I know I'm being kind. I'm being kind. But what I'm saying is it's out responsibility. We're looking at County government. Are there any changes we want to make? We've come up with some solutions that possibly could work.

It's up to us, as was said, down here to give our points of why we think this is a

good idea. They're going to do what they want to do, but it's up to us to give the options.

Ms. CANEDY: And the points on each of them.

Chairman BERGSTROM: All right. The thing I'm worried about is that this is a Charter Review Committee. I mean basically we are changing the Charter. Changing the Charter is not just simply saying well we're going to have X number of Delegates and X numbers of Commissioners.

You really have to go through the whole document to do that. That's why we have Mike up here, presumably he's going to do that or at least help us.

So at some point we're going to have to do that. And, you know, there's going to be some decisions made of the powers of these various bodies back and forth.

MR. AUSTIN KNIGHT: But this is the most controversial.

Ms. TAYLOR: But, Ron, we don't -- this isn't a mandated Charter Review at this moment.

MR. AUSTIN KNIGHT: Right.

Ms. TAYLOR: And as far as I'm concerned, no Charter Review requires every detail of the Charter being discussed. So I think we can decide what we think the scope of this Charter review is.

Chairman BERGSTROM: Well, the issue I have is that so much is written -- I've talked about this -- so much is written into our Charter. It's kind of ballooned out to a lot of extraneous BS.

So, for instance, there's the delineation of the powers of the Assembly, delineation of the powers of the Commissioners. Now everyone seems to agree that we're going to have a Stronger Executive. That Executive is going to assume some powers. That has to be written into the Charter.

Ms. TAYLOR: Of course.

Chairman BERGSTROM: And someone's going to have to do that.

Ms. TAYLOR: Right. Right. But it doesn't have to be the final.

Chairman BERGSTROM: And it's going to be him because he's knows what he's doing and I don't.

Ms. TAYLOR: Right. But it doesn't have to be for this October X meeting.

Chairman BERGSTROM: Yes. And also the reference to the Commission which was brought up again today and we explained this. But as Cheryl brought up saying, "Well what about -- isn't their reference to the Commission to the Assembly?" And I know that Jessica said, "We'll simply change the language."

MS. JESSICA WIELGUS: The language, yes.

Chairman BERGSTROM: But that pops up too.

Ms. CANEDY: Not thinking that we have to do this by October 2, but maybe you could tell us, assign us the responsibility of thinking about and jotting down our ideas on specific points.

You mentioned Delegates' powers. We've mentioned recall before. We've mentioned whether the Cape Cod Commission should be discussed. Maybe we should, each one of us, give you a list of our thoughts on specific topics.

Chairman BERGSTROM: Okay. Here's a topic -- one on the top of my list is if we were to change the government to a single Legislative body, in the various towns that I'm aware of, they have -- the Administrator has different powers.

In Chatham, for instance, the Administrator hires everybody except maybe the attorney. In some towns, Falmouth, for instance, I think the Selectmen have final say on the police chief and fire chief.

So we're going to have to decide from the personnel standpoint what this -- does this Administrator have complete control over staff hiring and firing or does the Assembly or whatever you want to call it, the Legislative body have a veto power, which we have the veto power in Chatham. For instance, we could say no, but we can't actually propose anything.

Or do you want to leave it up that certain positions, for instance, would have to go forward -- have to go before the full Legislative body. It's just a minor point. I mean you could do it either way but that has to be decided. That has to be decided.

So, you might give some thought to that as to how much power you want this Legislative body, if you take option three.

And even now, even if you accept the status quo, you're still going to have a strong Administrator, and we're still going to have to give that person extra power. So, you know, we have the power of the person that doesn't affect us so much. But the status quo would affect his group because they have hiring powers now they might not have.

Mr. DOHERTY: Right now, the Commissioners are the Executive. The whole point of having an Executive -- a single Executive is essentially putting somebody as a present set up with the three Commissioners.

We voluntarily delegated authority to the Administrator in order for him -- or in order for that person to operate as more as an Executive.

So we've made some limitations, set some standards for review like \$25,000; we would review it. And we've had a chance to take a look and see how that works. So far it is working. For many years, the Commissioners would sign off on every single hire.

Chairman BERGSTROM: Yes.

Mr. BILL DOHERTY: Now I had maintained -- why do you hire say a manager to run something and say that we're the ones that signoff on all the personnel hires.

I think it's quite clear that if we had an employee that screwed up or that was engaging in egregious behavior, if the guy or the woman that we had running the thing chose to ignore it, then we could get rid of the person that we hired, which is the manager saying if you're not going to get rid of, say, someone that's bringing harm to the County, then we have some ability to let's say exercise some authority over that.

Chairman BERGSTROM: Do you think that could be taken care of by the Manual of Governance? Because I'm trying to think of the language described in the powers of the Administrator right now, and, of course, I've got it here.

Mr. DOHERTY: In the Constitution of the United States, it does not say what a specific employee does or manager does. It does say that the president is the Executive. It does say that the Congress is the Legislative branch and has the power of the purse.

Chairman BERGSTROM: So even if we, what I'm saying, even if we accept the status quo, you're in the process of hiring the status quo as far as the governance structure goes. You're in the process of hiring an Administrator, everyone presumes that Administrator is going to have stronger powers than they have now; does that require a Charter? That's what we're looking at.

Ms. MCAULIFFE: That's or approval from someone other than just the

Commissioners delegating responsibilities.

Mr. BILL DOHERTY: Well, again, the Assembly --

Chairman BERGSTROM: Well if you read through the Charter --

Mr. DOHERTY: The Assembly passed an Ordinance that essentially required the Commissioners to hire an Executive.

Chairman BERGSTROM: Yes. What I'm saying is that if the current -- the current Charter is taking on a lot of little things here and there. If the current Charter has language in it that says that the Commissioners do all the hiring and firing, then that has to be changed. That's all I'm saying. And that requires some Charter changes.

Mr. DOHERTY: Again, that's something that can be delegated from the present Executive to let's say to -- why was -- think about the intent that you had when the Assembly passed the requirement that we hire an Executive because up until then although - - and it had existed for many years, and was -- and by the way, it was installed by the person on the Special Commission who thought it wasn't a good idea anymore, Rob O'Leary, okay, that we have someone who is designated to be an Executive rather than an Administrator.

The designation of an Administrator has a very narrow application. The definition of an Executive has a very narrow application and has a greater amount of say authority that goes with that office

Chairman BERGSTROM: I'll tell you why we did that, Bill. It was a problem that you guys had structurally and we had is that you -- you, not you, but the Commissioners were in the habit of signing a lot of things at the end of a meeting. All right. The bills and loans and so on.

But since there are three of them there and they're doing it in a meeting, it presumes that they have voted to do it but they weren't voting to do it. They would basically was a routine, you know, request and \$10,000.00 here and \$5,000.00 there. So they ran to that.

So at that point, it didn't seem to make much sense to have a debate and a vote on a laundry list of minor items that had to be done, but you really have to do that if you're in formal session and you make a decision.

Mr. BILL DOHERTY: Those signatures were done with the support -- the support, and, of course, the attorney couldn't approve it, but essentially those were questions that had been asked early on the attorney said that we could do that. So that's why we did it.

Chairman BERGSTROM: Yes.

Mr. BILL DOHERTY: Now in the process of time, and the Assembly has voted to change that, it's been changed. So now, under the -- before we hire the Executive, we were in the process of interviewing. And by the way, one of the things that have been proposed is that the public interview for the candidates for this job that the public would be invited to hear it. And, certainly, that invitation through you to the Assembly would be invited to come and let's say and observe what's going on.

Chairman BERGSTROM: So before we go -- before this meeting deteriorates -- I was up at 4:30 this morning, so the meeting may deteriorate rapidly if it hasn't already. Where are we going with this?

We've decided that we're going to have another meeting and we're going to finalize our decisions, so it seems like we're ready to go forward to the public with what we have. And we're also going to look to go out to public hearings, if you want to call them that.

Ms. MCAULIFFE: So are we not going to meet then on the 18th?

MR. AUSTIN KNIGHT: I don't think it's necessary.

Chairman BERGSTROM: You don't think it's necessary?

MR. AUSTIN KNIGHT: No.

Chairman BERGSTROM: Well, I tell you the truth. It would be probably more of a convenience because that could be quite a bear of a meeting on the DCPC, the fertilizer DCPC. So let's not meet on the 18th.

Meanwhile, we may have to do some housekeeping, other little issues.

Clerk O'CONNELL: Can I ask again on the dates that you're proposing in October to meet? I heard October 2.

MR. AUSTIN KNIGHT: 9th and 16th.

Clerk O'CONNELL: And the 9th would be where?

MR. AUSTIN KNIGHT: Lower Cape.

Ms. MCAULIFFE: Sandwich.

MR. AUSTIN KNIGHT: Lower Cape.

Ms. MCAULIFFE: Orleans.

Chairman BERGSTROM: This is speculative, but we can try for Orleans.

MR. AUSTIN KNIGHT: We haven't identified the exact town yet. It's just Lower Cape has been the location.

Clerk O'CONNELL: And the 16th would be --

Ms. MCAULIFFE: Would be here.

Clerk O'CONNELL: -- at here.

MR. AUSTIN KNIGHT: Yes.

Clerk O'CONNELL: So on the 18th you're proposing not to have a meeting of the Charter Review Committee on the 18th.

So the two options that you have and status quo --

Ms. MCAULIFFE: Right.

Clerk O'CONNELL: -- is that what you're going to put forward on October 2?

Chairman BERGSTROM: Yes.

MR. AUSTIN KNIGHT: Yes. On all three dates.

Chairman BERGSTROM: Okay. So that gives us almost a month to let people know, send -- we don't even have to specify the locations. We could say that the Charter Review Committee of the Assembly of Delegates intends to hold a series of public comment periods in the three -- so the people will know that they'll have a chance to catch up if they haven't already on what we've done. So --

Clerk O'CONNELL: Well I'd like to try to arrange meeting space at these locations sooner versus than later.

Chairman BERGSTROM: If you think that's realistic. I'm just saying -- I don't want to wait until the last minute and say, "Oh, we just got this" the last day of the month and you sent it out. But if you feel it's realistic to get that -- get those meeting dates and places within a reasonable amount of time then --

Mr. KNIGHT: Mr. Chairman, I would presume by the end of next week hopefully we'd have those locations.

Chairman BERGSTROM: Okay.

MR. AUSTIN KNIGHT: You know, that would be my hope.

Chairman BERGSTROM: I want to make sure that the public is given enough

notice.

MR. AUSTIN KNIGHT: Right.

Chairman BERGSTROM: Ann.

Ms. CANEDY: And meanwhile you want us to envision those three scenarios and how it would work?

Chairman BERGSTROM: Right.

Ms. CANEDY: The first being leave it as it is, but we want to encourage the strengthening of the Assembly through actually utilizing the power they already have in the Charter if you use that option.

Chairman BERGSTROM: You know it would be nice if we had a list of the three options and then advantages and disadvantages.

Ms. CANEDY: Right.

Chairman BERGSTROM: You know, advantages and disadvantages, advantages and disadvantages. But I mean --

Clerk O'CONNELL: So I guess my question is how do you do that and coordinate that when you're not having a meeting because you can't be conversing via email and talking about what you should include that or this and not that so that's a bit of a problem.

Chairman BERGSTROM: Well, what you can do is we could get together, you and I, or we could -- I could write something up and we can actually vote on it at the first meeting. We could submit it and vote on it at the first meeting.

Ms. CANEDY: Could we just submit it to Janice with our comment?

Chairman BERGSTROM: You could submit anything but what I'm looking at is just simply a simple paper saying these are the three -- these are the -- if you do not -- if you do not -- if you want to change the system that's in place now, here are two options and the advantages and disadvantages of Option 1 and advantages and disadvantages of Option 2 without editorializing too broadly. But just to flesh it out a little more so the people will have something in front of them and they know --

Ms. TAYLOR: The paper I submitted last meeting does do that to some extent.

Chairman BERGSTROM: Okay.

Ms. TAYLOR: I'd be happy to try to expand on that and make it a little more -- that was for delivery. I didn't do it in sort of bullet point because I was speaking to the Selectmen and I wanted to --

Chairman BERGSTROM: We could officially approve that at the beginning of the first public session.

Ms. CANEDY: I read what Julia said, and I agree with most of that. But I think there's more that can be said.

Ms. TAYLOR: Well, I do too.

Ms. CANEDY: I would suggest --

Ms. TAYLOR: I'd be happy to write it up if people want to send me their comments.

Chairman BERGSTROM: Okay.

Ms. CANEDY: Then I think that might be deliberative.

Ms. TAYLOR: Then I'll write it up and then I'll send it out.

Chairman BERGSTROM: Now if you send it --

Ms. TAYLOR: But we won't discuss it.

Chairman BERGSTROM: Ann's right.

Ms. CANEDY: I think it's best to go to Janice.

MR. AUSTIN KNIGHT: Mr. Chairman, I'm wondering --

Ms. TAYLOR: Well, that's what I meant. I'd send it to Janice.

Clerk O'CONNELL: You all have comments. You send them to Julia. Julia compiles them. You come back October 2 and if there's something you like or don't like about it, you're going to get hung up with that. And meanwhile, the presentation is waiting to go on. And if you do make changes, then whatever she's prepared for handouts isn't going to reflect now on whatever additions or deletions you've made.

Ms. TAYLOR: I don't disagree.

Chairman BERGSTROM: Well how about if I do it this way. We could have an individual member speak to the advantages of one of the -- in other words I can stand up and say -- but that would take some time too. But if you want --

Ms. TAYLOR: I think we need members -- I think we need us to speak on these things.

Mr. KNIGHT: Because the 18th is a very busy day, we'll say, we'll leave it at that; can we do the 25th or something, like the following Wednesday. Is that possible? As a group because you know you're going to start running into real situations if you start emailing comments to a paper because then all of a sudden it's going to start tying into an Open Meeting Law issue and we can't do that.

Chairman BERGSTROM: See I recognize this but the issue here is we're telling people we're having a public meeting. We have to send them some information on what we're doing. How do we do that without making a meeting.

Next Meeting:

Ms. CANEDY: I suggest that we do what Julia did and put it down in writing, send it to Janice, have a short 20-minute/ half-an-hour/45-minute meeting after your DCPC just for the single purpose of culling that list or creating that list.

Chairman BERGSTROM: Okay.

Ms. CANEDY: That's it. Single item agenda.

Chairman BERGSTROM: All right. Well, --

Ms. TAYLOR: On the 18th

Ms. GRUNDMAN: On the 18th, I agree.

Chairman BERGSTROM: Okay. Then that would solve our problem.

Ms. MCAULIFFE: Even if it starts later than it does.

Chairman BERGSTROM: That would solve our problems. All right. So we'll presume that we're going to do that.

Clerk O'CONNELL: Because then I think everyone will know each others' opinions and ideas. It will all be included, get narrowed down, and then you've got one piece that you've all weighed in on that would go forward because then you all are in agreement.

Ms. TAYLOR: Since I -- yes. And I'm not capable of not editing other people's work due to my teaching background, so it might as well be that Janice and I write it if you will send the comments.

Chairman BERGSTROM: Yes.

Ms. TAYLOR: And don't, therefore, you don't have to be too fancy with your points. They can really be just bullet points and --

Chairman BERGSTROM: Well I'm not going to try -- in other words, I'm not going to send in my take on whether or not this is a good or bad idea.

Ms. TAYLOR: No, no, you're just putting down your pros and cons.

Chairman BERGSTROM: Just objectively saying this is the advantages of a --

Ms. MCAULIFFE: Goods and bads.

Chairman BERGSTROM: -- district, this is the advantages of towns --

Clerk O'CONNELL: The pros and cons.

Chairman BERGSTROM: The pros and cons.

Clerk O'CONNELL: So you all are going to send that to me.

Ms. TAYLOR: Then I will talk with Janice.

Chairman BERGSTROM: They don't have to send it to you, but they can if they want to.

Ms. CANEDY: I think it should be sent to Janice to avoid the Open Meeting Law.

Chairman BERGSTROM: No, what I mean is you don't send comments like that.

Ms. TAYLOR: That's okay.

Ms. CANEDY: Yes.

Chairman BERGSTROM: So are we done here?

Ms. GRUNDMAN: I think so.

Ms. MCAULIFFE: Yes. Move to adjourn.

Ms. MCAULIFFE: Second.

Chairman BERGSTROM: All in favor say "Aye.

Whereupon, it was moved, seconded, and voted to adjourn the Charter Review Committee Meeting at 6:55 p.m.

Respectfully submitted by:

Janice O'Connell, Clerk
Assembly of Delegates