

BARNSTABLE COUNTY ASSEMBLY OF DELEGATES
Report of the Standing Committee on Finance
Proposed Ordinance 17-02
February 1, 2017

Dear Mr. Speaker and Assembly Delegates:

This is a report on Proposed Ordinance 17-02. The proposed ordinance was submitted to the Assembly of Delegates by the Board of Regional Commissioners at the Assembly of Delegates regular meeting on January 18, 2017. A public hearing was scheduled and held by the Standing Committee on Finance on Wednesday, February 1, 2017 at 3:15 p.m. at the Assembly of Delegates Chamber Hall, First District Courthouse Route 6A, Barnstable, Massachusetts. The public hearing was duly advertised in the Cape Cod Times on January 25, 2017.

The purpose of the proposed ordinance is to appropriated \$100,000 from the Legal Reserve Fund as a supplemental appropriation for Barnstable County for the fiscal year ending June thirtieth, two thousand and seventeen. Said funds are to be expended for the ongoing legal costs related to the Fire Training Academy remediation. Said funds shall be derived from the Legal Reserve Fund for FY2017.

Committee members present: Chairman Ronald Bergstrom, Edward Lewis, Deborah McCutcheon, John Ohman and Patrick Princi.

Chairman Ronald Bergstrom opened the committee meeting for the purpose of conducting a public hearing on Proposed Ordinance 17-02.

John Ohman motioned, and it was seconded, to waive the reading of the public hearing notice. Motion carried 5-0-0.

There were no members of the public present to speak. Finance Director Mary McIsaac and County Administrator Jack Yunits were present to answer questions regarding the purpose of the proposed ordinance.

General Information:

- This legal fund had \$100,000 previously. However, there is only about \$4,000 remaining.
- There is special counsel being used for this purpose.
- These funds were used to cover an on-going law suit to defend the county.
- There is \$400,000 remaining in the reserve fund for this purpose prior to this appropriation request.
- The reserve could be replenished at the end of the fiscal year.
- The county is not covered for this type of law suit and damages under our insurance carrier.
- These funds are to be used for litigation directly related to the law suit filed against us by the Town of Barnstable. This is different from the class action suit the county is participating in. It will not cost the county any money if the class action case is lost.
- The County Administrator, County Counsel, and the Chair of the Commissioners have supervision and oversight of the Special Counsel. February 21, 2017 is the deadline to file counter claim.

There were no other comments. Chairman Ronald Bergstrom closed the public hearing at 3:35 p.m.

Edward Lewis motioned, and it was seconded, to recommend Proposed Ordinance 17-02 to the full Assembly. Motion carried. 5-0-0.

**John Ohman motioned, and it was seconded, to adjourn the meeting at 3:35 p.m.
Unanimous.**

Respectfully submitted:

Ronald Bergstrom, Chairman
Edward Lewis
Deborah McCutcheon
John Ohman
Partick Princi