

**BARNSTABLE COUNTY ASSEMBLY OF DELEGATES**  
**Report and Minutes of the Standing Committee on Finance**  
**Proposed Ordinance 14-03**  
**November 5, 2014**

Dear Mr. Speaker and Assembly Delegates:

This is a report on Proposed Ordinance 14-03. The proposed ordinance was submitted to the Assembly of Delegates by Sandwich Delegate James Killion at the Assembly of Delegates regular meeting on September 3, 2014. A public hearing was scheduled and held by the Standing Committee on Finance on Wednesday, September 17, 2014 at 3:15 p.m. A second public hearing was scheduled and held by the Standing Committee on Finance on Wednesday, November 5, 2014 at 2:30 p.m. and was duly advertised in the Cape Cod Times on October 29, 2014.

The purpose of the proposed ordinance was to transfer to the County's operating budget for Fiscal Year 2015, as enacted in Ordinance No. 14-02, by making a transfer from Shared Costs & Debt Service – Miscellaneous & Contingency – Contractual Legal Services (\$10,000) to the Assembly of Delegates Contractual Legal Services for the Fiscal Year two-thousand and fifteen.

Committee members present: Chair John Ohman, Leo Cakounes, and James Killion.

Chairman John Ohman opened the committee meeting for the purpose of conducting a public hearing. James Killion motioned, and was seconded, to waive the reading of the public hearing notice. However, Chairman Ohman read the public hearing notice for Proposed Ordinance 14-03 for clarification purposes.

Chairman John Ohman asked James Killion to explain the purpose and status of Proposed Ordinance 14-03. James Killion explained that at the first public hearing held on September 17, 2014 there were concerns voiced regarding the structure, language, and purpose of the proposed ordinance as originally submitted. At the public hearing and Committee meeting held on September 17, 2014 James Killion asked to have the Proposed Ordinance tabled. Subsequently, the Clerk re-worked the structure and language and at the request of James Killion it was brought back to the table for consideration by the Finance Committee.

The purpose of the proposed ordinance was set aside funds for questions to Special Counsel from the Assembly. It does not represent an authority to spend the funds. He also indicated the amount being set aside would be sufficient for the intended purpose.

Chairman Ohman opened the public hearing for comments. There were no comments from the public. **John Ohman motioned, and was seconded, to close the public hearing.**  
**Motion passed 3-0-0.**

**James Killion motioned, and was seconded, to amend the language of Proposed Ordinance 14-03 to read “The sum set forth in section one, for the several purposes set forth therein and subject to the conditions set forth in sections four through twelve of Barnstable County Ordinance 14-02, are hereby transferred from the County appropriated Legal Services account (Budget 0019102-5235) to the designated budget group as transferred appropriations for Barnstable County for the fiscal year ending June thirtieth, two thousand and fifteen”. In addition, the reason specified under the sub-program section of the Proposed Ordinance will state “Legal Services – Special Counsel for matters relating to the separation of powers pursuant to the County Charter”.**

Chairman John Ohman was satisfied with the specific purpose of the proposed ordinance as stated in the amended version but felt the proposed ordinance itself was not necessary. Leo Cakounes agreed that it may not be necessary but this procedure follows a more serious approach. The money is not being spent but just set aside.

**Leo Cakounes motioned, and was seconded, to forward the amended Proposed Ordinance to the full Assembly.**

**Motion passed 2-1-0. John Ohman voted “no”.**

There were no other comments.

Respectfully submitted:

John Ohman, Chairman  
Leo Cakounes  
James Killion