



### OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General  
One Ashburton Place  
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

#### Your Contact Information:

First Name: Ronald Last Name: Beaty

Address: 245 Parker Road

City: West Barnstable State: MA Zip Code: 02668

Phone Number: 5086852921 Ext. \_\_\_\_\_

Email: ronbeaty@gmail.com

Organization or Media Affiliation (if any): \_\_\_\_\_

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

Individual       Organization       Media

#### Public Body that is the subject of this complaint:

City/Town       County       Regional/District       State

Name of Public Body (including city/town, county or region, if applicable): BARNSTABLE COUNTY ASSEMBLY OF DELEGATES, 3195 Main St. PO Box 427, Barnstable, MA 02630, Phone: 508-375-6761, aofd@barnstablecounty.org

Specific person(s), if any, you allege committed the violation: Speaker Suzanne McAuliffe, Deputy Speaker Deborah McCutcheon, & Delegates Susan Moran, Ronald Bergstrom, Edward McManus

Date of alleged violation: Sept. 6, 2017

**Description of alleged violation:**

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

Relative to their 4:00 PM, Wednesday, 09/06/2017, the BARNSTABLE COUNTY ASSEMBLY OF DELEGATES violated the Open Meeting Law (M.G.L. c. 30A, sec. 18-25; & Attorney General's Regulations-Open Meetings 040 CMR 29.00). During the above-noted meeting, the OML violation took place because the public body discussed and deliberated at length upon a topic that was reasonably anticipated, but was not listed on the meeting notice and agenda. The topic pertained to a proposed County Code of Ethics (It should be noted that the topic in question was also previously discussed at meetings earlier in the year).

The aforementioned OML violation is clearly illustrated by the 09/06/2017 Assembly of Delegates meeting video relative to the pertinent discussions and deliberations conducted by Speaker Suzanne McAuliffe, Deputy Speaker Deborah McCutcheon, as well as Delegates Susan Moran, Ronald Bergstrom, and Edward McManus.

Moreover, these same said discussions/deliberations are also exhibited by the Draft Meeting Minutes/Unapproved Meeting Minutes of the same date. For more specificity, the following references are provided: (Deputy Speaker McCutcheon) Page 14, Line 10 thru Page 15, Line 1; (Ms. Moran) Page 18, Line 42 thru Page 19, Line 13; (Speaker McAuliffe) Page 19, Line 38 thru Page 20, Line 10; (Deputy Speaker McCutcheon) Page 20, Line 23 thru Page 21, Line 13; (Mr. Bergstrom) Page 21, Line 33 thru Page 21, Line 36; as well as (Mr. McManus) Page 21, Line 43 thru Page 22, Line 9.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

In a timely fashion, the public body should take appropriate remedial action to properly address the OML violation, and to make sure it does not happen again. All members of the Assembly of Delegates who are the subject of this Complaint must also undergo verifiable Open Meeting Law training within 60 days of this process being settled, or an official determination being made by the Attorney General's Office, whichever takes place first.

**Review, sign, and submit your complaint**

**I. Disclosure of Your Complaint.**

**Public Record.** Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

**Publication to Website.** As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

**II. Consulting With a Private Attorney.**

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

**III. Submit Your Complaint to the Public Body.**

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us).

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: \_\_\_\_\_

Date: 09-12-2017

File by Public Body	File by AGO
Date Received by Public Body	Date Received by AGO