

submitted to
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To: Members of Assembly of Delegates
Re: Further Revision to County Charter: Something we can all support?
Date: April 20, 2016
From: Deborah McCutcheon, Delegate from Truro

Basic Outline: This is a revision of the submission bearing the legend "Revision 3 - page XX of XX" in the lower right corner. This language replaces the referenced sections below. The major thrust of this revision is to eliminate the "super majority" vote, and to create an Executive Committee, from the standing committees, with substantial revisions (i) in how standing committee membership is selected and (ii) requires that each standing committee elects its chair. This revision also includes a requirement that delegates attend Assembly meetings and committee meetings, or be treated as if resigned. The "salary" and benefit participation presently in place remains the same.

This revision retains the original proposition that the Assembly and Commissioners essentially merge into a single legislative body with oversight and managerial responsibilities (formerly exercised by Commissioners). The "super majority" at page 12, Section 2 - 5 (b) is deleted, the weighted vote is retained. The revision calls for fifteen delegates, one from each town in Barnstable County as before.

New Structure in Revision 4. The Speaker and Deputy Speaker duties are changed, so that the speaker no longer names the standing committee membership or the chairs of the standing committees. The Speaker and Deputy Speaker will be elected by the members of the Assembly from among their number. Each Assembly member will have an equal vote on the administrative matters handled by the Assembly (i.e. membership in committees, whether to refer a matter for investigation, how the meetings are run, restructuring of the calendar of business, etc.) Members must be present to vote (see: attendance policy, below).

New Standing Committee: The Executive and Finance Committee will exercise supervisory authority as to operation of County, including County Administrator (CEO) and County Treasurer (CFO). Assembly will set policy by Ordinance and Resolution, adopt the budget, restructure operations and similar managerial (board of directors) functions. Finance/Executive Committee would be composed of the Speaker, Deputy, and chairs of the five Standing Committees: Natural Resources, Economic Affairs, Public Services, Health and Human Services and Telecommunications and Energy.¹

New Organization of Standing Committees: Each member of the Assembly will be required to sign up for two committees as a member and one committee as an alternate. The membership of each Committee will be decided according to who signed up, if too many signed up, then membership is determined by seniority, less senior assembly

¹ If this proposal passes, it would be preferable to re-examine the jurisdiction of each standing committee and divide the departments, functions more appropriately, If the jurisdiction of each committee is not described in Charter, just the name of the committee, then would be able to change some specifics without seeking special legislation.

members would get "bumped" from committee of their choice and assigned to an alternate position or an open position on another committee as necessary. If a member does not sign up for Committees within time provided then Speaker (or Deputy) will assign as needed but not so as to "bump" someone else from the Committee.

Selection of Committee Chairs and Composition of Executive and Finance

Committee: Each committee, once constituted, will elect its own chair. Each member of the committee, including the two alternates, will have an equal vote as to who is chair. Chairs of the standing committees will also be members of the Finance/Executive Committee. In committees each member has a vote (not "weighted"). When a member is absent and an alternate sits, then the alternate sits for the entire meeting and has a vote like any other member.

New Charter Provision Re: Attendance: Each Member of the Assembly is required to attend all Assembly meetings, and all meetings of any subcommittee of which that assembly member is a member. Absence from more than two Assembly meetings in a row, requires notice to the Member's community by way of notice to the board of selectmen and in the local newspaper. Absence from more than four Assembly meetings in a row is presumptively a resignation from the Assembly. The presumption can be overcome by clear and convincing evidence that all of the absences were unavoidable and that the assembly member has taken measures to ensure that the situation will not recur. In the event of recurrence within three years, then the member is terminated from the Assembly and replaced. Absence from more than four Committee meetings in a row raises the presumption of resignation, overcome in same way. Each individual from any community who pulls nomination papers for the Assembly shall be notified of this policy.

Absence from more than four, non-consecutive, Assembly meetings in a twelve month period shall be presumptively a resignation, as shall absence from more than six, non-consecutive, standing committee meetings in a twelve month period.

The purpose of this summary is to simplify the material from Revision 3 being changed in Revision 4. The entire Revision 4 will be available at the May 4 meeting.

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