



BARNSTABLE COUNTY COMMISSIONERS

SUPERIOR COURTHOUSE
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HOME RULED CHARTERED
IN 1989

RONALD R. BEATY
Barnstable

LEO G. CAKOUNES
Harwich

MARY PAT FLYNN
Falmouth

Ms. Suzanne McAuliffe
Speaker, Assembly of Delegates

April 26, 2017

At the Regular Scheduled meeting of the County Commissioners on April 26, 2016 the subject of approval or rejection of Resolution 17-02 was taken up. See attached Agenda and reference item 6 (c)

The Motion was made, seconded, and after a brief discussion a vote was taken. The Motion passed resulting in the Rejection of the Resolution 17-02. The Motion is included herein.

Subsequently, included in the Motion was direction pursuant to the Barnstable County Home Rule Charter Section 3-8, to return Resolution 17-02 to the Assembly with reasons for rejection.

Resolution 17-02 is in direct conflict with the County Commissioners previous and current position on addressing the Sheriff Liability obligation.

The County Commissioners during a regularly scheduled meeting of February 1, 2017 did in fact act on this very matter. Minutes of this meeting are available, and I have included herein the motions made.

The County Commissioners position and vote during that meeting was not to pursue the filing of House Docket #4513 and instead join other Counties in their support the House Docket #60.

Furthermore, the Commissioners had prior knowledge that similar joint filings were being proposed and choose to keep our options open to join those efforts.

It should be further noted that during the meeting of April 26, 2017 the Commissioners did vote to support House Docket #792 which also joins with other Counties. A copy can be found in Agenda packet.

Please accept this Notice of Rejection and explanation pertaining to the return of Resolution 17-02 as the fulfillment of requirements within the Barnstable County Home Rule Charter Section 3-8.

Leo G. Cakounes

Chair, Barnstable County Commissioners

Commissioners meeting, February 1, 2017, Motions

5. General Business

a. House docket No. 60

Motion made by Commissioner Beaty to authorize the Chair to issue letters of support for Massachusetts House of Representatives Docket 60 and request our Cape Cod Legislation to join the efforts of other County Legislators in the passing of this Bill which in effect would allow the Counties to retain a larger percentage of the current Deeds Excise Tax receipts, , 2nd by Commissioner Cakounes, approved 2-0-0.

b. House Docket No. 4513

Motion made by Commissioner Cakounes to table this action until further information is compiled and possibly re-file at a later date, 2nd by Commissioner Cakounes, approved 2-0-0.

Commissioners Meeting, April 26, 2017, Motions

5. General Business

c. Ordinance 17-02

Motion made by Commissioner Beaty to reject Resolution 17-02, previously approved by the Assembly of Delegates on April 19,2017, furthermore as condition of section 3-8 of the County Charter, authorize the chair to draft a letter to the Assembly of Delegates outlining the reason for the Commissioners Rejection, the explanation shall include that this action is directly in opposition with the previous vote of the County Commissioners taken on Feb 1, 2017. At which time a vote of support of House Docket #60 and a vote not to pursue the House Bill #4513 was taken. Also, action to join the other Counties in joint filings and subsequent similar efforts. The Notice of Rejection and explanation shall be delivered to the Speaker of the Assembly no later than 5:00 p.m., April 27,2017, 2nd by Commissioner Cakounes, approved 2-0-0.