



# BARNSTABLE COUNTY COMMISSIONERS

SUPERIOR COURTHOUSE  
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HOME RULED CHARTERED  
IN 1989

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May 11, 2018

The Honorable E. Suzanne McAuliffe  
Speaker, Yarmouth Delegate  
Assembly of Delegates  
Harborview Conference Center  
Barnstable County Complex  
3195 Main Street, Route 6A  
Barnstable, MA 02630

## **Re: Ordinance 18-04**

Dear Speaker McAuliffe:

On May 2, 2018, during a regularly scheduled meeting of the Assembly of Delegates, the Assembly adopted Ordinance 18-04, establishing a job description for a full-time Clerk of the Assembly of Delegates. The Assembly subsequently presented it to the Board of Regional Commissioners, and an approved copy of the measure was filed in the Board's office on May 3, 2018.

On May 9, 2018, at a regular meeting of the Board of Regional Commissioners, the Board voted to disapprove Ordinance 18-04.

The Barnstable County Home Rule Charter requires that if the Board of Regional Commissioners disapproves of an ordinance after the Assembly has adopted it, the Board "[s]hall within ten days following the date the approved copy of the measure is filed in its office return the measure to the Assembly of Delegates with specific reasons for such disapproval, in writing, attached thereto." Barnstable County Home Rule Charter art. III, § 8

Please accept this letter as a fulfillment of the Charter's requirements as listed above.

The Commissioners engaged in a lengthy discussion on this matter. Susan Moran, Falmouth Delegate, as well as members of the County Staff also participated in the discussion. The consensus of the Board was that the action of placing a position within the Barnstable County Compensation and Classification Plan is the function of the County Administrator working with the Human Resources Director, and that function should not be circumvented by the placement of a position through an Ordinance.

Further, even if this function could be circumvented by such placement, the classification of this position as a MPI, when it clearly does not meet all the criteria of that ~~the~~ classification (i.e. it has no direct supervision over other employees or does not meet the management and policy making requirements) is not proper.

However, I should note that the Job Description for the position as presented in Ordinance 18-04, independent of its classification, drew little response or disagreement from the Board.

Finally, Ordinance 18-04 does not require immediate action by either the Assembly of Delegates or the Board of Regional Commissioners. The Board approved Ordinance 18-07, Adopting an Operating Budget for the Fiscal Year 2019, as amended by the Assembly to include a full-time Assembly Clerk's position. At least one Commissioner has expressed an interest in continuing discussion on this topic without the limitation of the ten (10) day timeframe for Board action set out in the County's Home Rule Charter.

The Board of Regional Commissioners looks forward to working with the Assembly of Delegates to reach a reasonable solution in this matter.

Respectfully,



Leo G. Cakounes, Chair  
Board of Regional Commissioners

**BARNSTABLE COUNTY**

**In the Year Two Thousand and Eighteen**

**Ordinance 18-04**

**The County Administrator in accordance with the county's Classification Plan and consistent with the Personnel Plan establish a job description for a Clerk of the Assembly of Delegates.**

*The CAPE COD REGIONAL GOVERNMENT, known as BARNSTABLE COUNTY, hereby ordains:*

The following job description be established for a full-time Clerk of the Assembly of Delegates and be incorporated into the county's Classification Plan.

<b>Title:</b> Assembly Clerk	<b>Classification:</b> Barnstable County
<b>Department:</b> Assembly of Delegates	<b>Grade:</b> MP1 / Full-Time
<b>Reports to:</b> Assembly Speaker	<b>FLSA Status:</b> Exempt
<b>Effective Date:</b>	<b>Union Status:</b> Non-represented

**Summary**

Responsible for routine to complex secretarial, administrative and legislative support functions, in providing assistance to the members of the Assembly of Delegates, and all other related work, as required.

**Supervision**

Works under the general supervision and direction of the Speaker of the Assembly of Delegates. Functions independently, referring problems to supervisor only when clarification or interpretation of policy or procedure is required. Performs a variety of responsible duties and functions, in accordance with the Charter for Barnstable County, requiring the exercise of initiative, independent judgment and a wide knowledge of County procedures and operations.

**Essential Functions**

*The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.*

Serves as initial point of contact for the Assembly of Delegates Office. Represents the County in a professional and courteous manner.

Serves as a resource person for the public and county departments by providing information on Assembly of Delegates procedures and approaches to solving problems.

Provides administrative support to the Assembly of Delegates in completion of tasks; including coordinating reports, general correspondence, gathering supporting documentation, and the organization and preparation necessary for Assembly of Delegates' meeting packets and all other related events.

Posts meeting notices, prepares correspondence, reports, and other materials requested by the Assembly of Delegates.

Distributes information and other important notices to towns and other agencies as required.

Prepares Assembly of Delegates' purchase order requisitions; processes invoices through the MUNIS System, reconciles accounts and maintains office inventory.

Prepares the Assembly budget with assistance from the Speaker and Finance Chairperson, completes and processes various forms and reimbursements.

Maintains file system and records retention system for the Assembly of Delegates.

Provides notice of all meetings of the Assembly of Delegates to its members, keeps a journal and other records of all its proceedings and performs such other duties as may from time to time be assigned to the office by a County charter, by ordinance, or by other vote of the Assembly of Delegates.

Manages legislative functions required for the operation of the Assembly of Delegates. In coordination with the County Counsel drafts legislation on behalf of the Assembly of Delegates and assures that proposed laws associated with the County have appropriate content and form and do not conflict with existing laws.

Engages in communication with County, State and local officials, County Counsel, the media, and others on behalf of the Speaker and the Assembly of Delegates. Serves as Assembly Liaison to State Ethics Commission.

Provides the appropriate information to be posted on the Assembly of Delegates website.

Assists the Speaker in preparing the Assembly's Calendar of Business and coordinates appearances before the Assembly.

Coordinates Assembly committee meetings and provides technical assistance within the committee meetings of the Assembly.

Assists the chairs of the Standing Committees with assignments and schedules meetings with department heads and others.

Preparation of all Assembly of Delegates meeting notices and committee minutes.

Prepares and distributes reports associated with Assembly activities.

Assists Assembly Delegates in the research and preparation of resolutions and ordinances.

Handles confidential and legal correspondence requiring high level of discretion and judgment.

Performs similar or related work as required or directed by the Speaker.

Works efficiently to avoid delays and confusion in the adoption of ordinances and other Assembly actions, as well as County certified documents that have legal and financial implications.

## **Recommended Minimum Qualifications**

### **Education and Experience:**

Bachelors' Degree required, Masters' Degree preferred, in public or business administration, communication or related field and three to five years of experience in municipal or public administration, paralegal work or equivalent combination of education and experience.

**Knowledge:** Office management practices and procedures; MA General Laws pertaining to county operations. General knowledge of legal processes, government operations and finance. Knowledge of legislative process and procedures. Knowledge of a range of government issues, such as public finance and Robert's Rules of Order.

**Ability:** Plan, organize, analyze problems, prepare reports and formulate recommendations; establish and maintain effective working relationships with a variety of public officials, vendors and the general public; manage multiple assignments and meet deadlines; Ability to communicate effectively, both orally and in writing; make presentations and maintain accurate and detailed records; and to work independently with limited supervision.

**Skill:** Analytical, organizational, writing, interpersonal/collaborative communication, presentation, resourcefulness and discretion. Computer skills that encompass effective use of word processing, spreadsheet, project management, county and state software applications. Skilled in the use of standard office equipment, email and internet browser software.

### **Job Environment**

Most work is performed under typical office conditions. Occasional evening work is required. Work load is generally stable but increases to reflect specific projects and cyclical work demands at different times of the year.

Makes contact with the public in person, by telephone, and electronically. Contacts include County department heads and staff, town officials, Assembly of Delegates, County Commissioners, County Counsel, other government agencies, and many private parties related to problem solving and inquiries for information.

### **Physical Requirements**

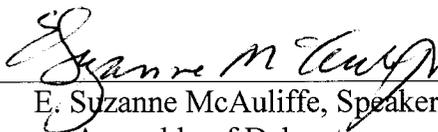
*The physical demands described are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.*

Minimal physical effort required to perform office duties; required to sit, talk and listen more than two-thirds of the time; may occasionally have to lift 30 pounds, such as file boxes. Position requires the ability to operate general office equipment and to view computer screens for an extended period of time.

*This job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.*

*Equal Opportunity/Americans with Disabilities Act Employer*

Adopted by the Assembly of Delegates on May 2, 2018

  
\_\_\_\_\_  
E. Suzanne McAuliffe, Speaker  
Assembly of Delegates

Approved by the Board of County Commissioners \_\_\_\_\_ (date), at \_\_\_\_\_ (time).

\_\_\_\_\_  
Leo Cakounes  
Chairman

\_\_\_\_\_  
Ronald Beaty  
Vice Chairman

\_\_\_\_\_  
Mary Pat Flynn  
Commissioner