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To: Barnstable County Assembly of Delegates

Date: February 20, 2019

From: The Barnstable County Human Rights Commission via Alan Milsted, Chair and Brian O'Malley, BCHRC Liaison

Re: Proposed New Ordinance 19-02: replacing Ordinances 05-18 (as amended) and 15-06.

Since Leo Cakounes, previous Chair of the Board of County Commissioners, established a Workshop in July 2018, to initiate consideration of possible changes to the Ordinances governing BCHRC, The Barnstable County Human Rights Commission (BCHRC) has held extensive discussions about the Human Rights Commission's role, organization and functioning.

Most recently, representatives of BCHRC have met with County Administrator Jack Yunits, and developed a proposed Ordinance to establish a new County body called the Barnstable County Human Rights Advisory Board, which would supersede the existing 9-member BCHRC and its associated Town Representation Council (comprising representatives of the 15 Towns in the County and the Mashpee Wampanoag Tribe). An initial draft of a new Ordinance was approved by the Board of County Commissioners on January 23, 2019.

At this time we are submitting this same proposed new Ordinance to the Assembly of Delegates with the following minor amendments voted for unanimously at our last Human Rights Commission meeting on February 4, 2019

Proposed New Ordinance 19-02 unanimously approved with the following proposed changes:

#### Section 1

No change is proposed, but the Assembly may wish to consider reviewing its policy, as stated in the Ordinance.

#### Section 2

- Paragraph 1. Unchanged except adding "Members" after Human Rights Advisory Board in order to be consistent with the deletion of the word "Commissioners".
- (A) Paragraph 1. Unchanged except for adding a definition of the regional representation as (East Cape Cod - towns east of the Town of Barnstable; West Cape Cod - towns west of the Town of Barnstable; and Mid Cape Cod – The Town of Barnstable) and deleting "present appointees may be given preference" (to be added in later).
- (A) Paragraph 2. Unchanged except deleting "education, with youth services, healthcare, religious or other fields" and add "in the context of Barnstable County" following "fields routinely and customarily associated with human rights."

- Delete "one of these six nominees may be nominated by the Mashpee Wampanoag Council".
- Add: The other six members shall be selected, in a similar way to current BCHRC Commissioners, by a joint panel of members of the County Health and Human Services Advisory Committee and BCHRC/HRAB, interviewing applicants and making recommendations to the Board of County Commissioners.

Section 2 (B) Add: Existing BCHRC and members of the Town Representational Council, shall be given preference in initial appointments to the BCHRAB.

Process Note: Because the new arrangements disband the Town Representational Council, BCHRC recommend that the consultation process on the new Ordinance should explicitly include towns (who currently appoint Town representatives) and the Mashpee Wampanoag Tribal Council.

In order to secure community confidence in the new Board, we believe it is also important to engage with agencies, groups and individuals across the broadest spectrum of human rights interests and expertise. We are mindful, however, of the need to balance that engagement with as expeditious a decision-making process as possible.

BCHRC would like the Assembly of Delegates and the Regional Commissioners to discuss and approve the following two procedural policies for the operation of the new body. However, we do not want this discussion to delay the approval of the above-described new Ordinance 19-02 as approved and amended above.

1. Extend County policy for remote participation to the BCHRAB; and
2. Consider a mechanism for replacing Members who, in the view of the Board, have failed to attend (three) successive meetings, without reasonable cause.

Last but not least, at our last meeting the BCHRC voted unanimously that, following the approval of Ordinance 19-02 that the County proceed as soon as possible with the hiring of a new Coordinator.

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