

**Special Commission on County Governance**  
**Wednesday, October 5, 2011, 6:30 PM**  
**(Approved 10/26/11)**

The meeting was called to order at 6:35 by the co-chairs, Rob O'Leary and Henri Rauschenbach in the chamber of the Assembly of Delegates. A copy of the agenda is attached as well as a list of members attending.

Speakers were asked to present their opinions/views of Barnstable County Government, past and present:

**Julia Taylor**, speaking as a **Delegate to the Assembly**, discussed the establishment of the Assembly, including the need for checks and balances in the county and the role of the County Commissioners as the executive branch. She said there were Charter Commission discussions relative to creating the Cape Cod Commission, including the need for elected oversight over the CCC and the need to have say in the product of the CCC. When the selectmen moved from full to part-time boards, they had stopped attending the County Financial Advisory Board meetings and they needed to be replaced to maintain the check and balance condition. The Assembly does not want the CCC to be autonomous, but whether there needs to be an Assembly remains to be seen. CLP and CVEC are a good example of nice ideas but the problem is that the county is involved financially but the power the county has over these entities is questionable. If there is a future wastewater spinoff without any controls, where is the accountability and checks and balances?

**Bill Doherty**, spoke as **Chair of the County Commissioners**. He said that regional government was affirmed by the voters and the Barnstable County Home Rule Charter provides for a dedicated revenue stream. He also spoke of the creation of the CCC with its own dedicated revenue stream. Those two revenue streams provided approximately \$5 million this year. Fourteen regional services exist under the County. The Registry of Deeds brings in \$7-9 million a year. The Cape Cod Commission is necessary to control development; it also promotes consistency and regional planning. The **benefits** the County services provide are that they save money for towns and for citizens. The CLC delivered \$65 million in benefits to citizens, although the county subsidized it during the first ten years. Should it stay in the County or should it be separate? The Resource Development Office assists towns with grant applications and assistance. The Health Department investigates, performs studies. The septic betterment program was done legislatively. There is dialogue between the towns and regional government. Town managers are more eager to participate than selectmen. Towns have **concerns** that their locally provided services might suffer if they deliver these programs to regional government.

**Bill D.** stated the **challenges** are **money**: they need a dedicated revenue stream; **support services** are needed and wanted; **citizen participation** is needed. **Public awareness** needs to be raised...who knows about the services and benefits provided? What have we done to highlight awareness? Should there be a TV/cable show to highlight the county? All meetings are accessible. We need to get behind **wastewater** quality regionally. Could **transportation** improvements and the RTA possibly move



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under the county? **Regional land use planning** remains a challenge; What about **public safety** and **CMED**?

**Sheila Lyons**, speaking not as a county commissioner, but for herself, stated the #1 big issue is **wastewater**. The CCC is also charged with economic development.

**Delegate Julie Taylor** found the comments interesting. Towns want oversight; twenty-two years have passed; but what can the County do? What structure do we need? The Open Meeting Law poses problems that have to be hashed out...e.g. inability to move quickly to solve problems/address issues. A board of five would make it easier. There is a bias against the weighted vote...it is not good that four towns can build something that has to be good for the entire region. There are big **structural challenges**. How does the county position itself? How do we handle problems that are too big for the towns but not big enough for the state? We are lucky to have a county government.

**Commissioner & Select-person** (Falmouth) **Mary Pat Flynn** stated the outcome of this effort should result in a stronger county government with sustainable revenue, a county executive that can make decisions; those decisions can have regional impact. Functions in the county need to be useful, for citizens and towns.

**Florence Seldin** spoke as a **Select-person** (Chatham) and said her perspective is broader as she is a selectman, but was a member of the CCC and president of the League of Women Voters. She said we suffer from parochialism. We need to look at the Preamble of the Charter. We need to look at the mission. Is it the right mission? How well have we followed it? The Preamble states: ...provide extensive services to regions.. The Charter gives unique powers to the County to deal with regional problems. Chatham has received extensive services. There is a list of services provided to towns. The Commissioners used to go over the list with the towns. What did each of these services save us? CCC - traffic counts, overview of wastewater, financial review of Chatham Wastewater Management Plan saved the town money, negotiating the SEMASS contract through the CCC was helpful; CLC & CVEC have contracted for solar panels at the landfill and the town stands to make money on this. Chatham has used the county dredge extensively, they have made use of Americorp through the County, which is a great service. Most of the residents of Chatham would be hard pressed to know about these county programs; they don't know they are county services. The County Pension Board keeps the Town informed. Could Chatham provide these services as a town? What would it cost us v. what we are saving? People wonder why we need this additional layer of government; we **need more and frequent and better communication** for the county...**need more updates**. The County does provide extensive services, but what are the regional services? As for **housing**, each town goes it alone with some CCC help. As for **environmental issues**, Chatham worked thirteen on wastewater. We talk about **regionalization**, but towns are doing this on their own, wastewater is a major regional issue.

**Bud Dunham** spoke as a **Town Manager/Administrator** (Sandwich). There is a lot of buzz about **regionalization**. The Cape Managers Group has a list of what we



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cooperate on. State folks come to meetings and are shocked at how much cooperation there is. As for size, the Commissioners form committees, but the Assembly has 15 people. It is hard to focus. The County does great things. They are helpful in areas where towns have to back down because of lack of funds and/or personnel. We get assistance from the CCC. Sandwich has only one professional planner. **Energy** issues are hard to address. As for CLC/CVEC, they are taking the heat now, but they do save the towns money, e.g., their solar program. The County organization response to Hurricane Irene was great, better than the state response. Our chiefs talk to each other. As money gets tighter and overrides get tougher, the County will be helpful. **Water** crosses town lines and we need to work together on that issue. Tight budgets will move us towards regionalization. As for **structural thoughts**, we can streamline and do better; but I can't tell you what the exact role of the Assembly is. There were many years when Sandwich was not represented.

### QUESTIONS from Members

**Larry Cole:** A principal fact is that **health care costs** are out of control. Is there a role at the County level for health care?

**Vicky Lowell:** What about **integration** of the Assembly and the CCC? It is hard to figure out how they would mesh. There was a lot of tension over how much authority the Assembly had over the CCC. In the original vision, the Assembly was to bring new ideas to the County, but no, we have the turf taken by local governments. The county went to places where there were no turf issues. **Wastewater** is a big issue; there is not much turf there. And the dredge; there was no town offering that. We need a **revenue** stream.

**Ron Bergstrom:** The County is totally separate from the towns; it is called the Cape Cod Regional Government. We don't have a high profile because we get along. We act collaboratively; we use the dispute resolution in the Charter. Disputes get resolved. When they show, they hit the papers. We are victims of our own success. We have gotten rid of elected officials like tree wardens and planning. How much can we rely on elected officials? The executive and legislative branches have to be elected.

**Rob O'Leary:** There are general questions about **finances**. The carrot and stick approach made things work. There are revenue questions for the towns and County. What are the trends? Are we healthy? What does the future look like? Should we look at new revenue sources? **Bill Doherty:** Mark has sent a report outlining this question. We were \$333 in the black this year. We are hopeful forecasts will be met. We rely heavily on the Registry of Deeds. We need better communication. The Assembly finance person is Mark. So far, we are on line this year. The towns are assessed \$2.6 million for the County and \$2.8 million for the CCC.

**Julie Taylor:** There is little disagreement over the **budget**. It is only \$24 million. We need carrots as incentives to towns. There were only two budget fights: should we spend reserves and should we set aside \$100,000 for regional services? There could be radical disagreements in how we spend the money.



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**Rob O’Leary** noted that the Registry **revenue** is determined by vote of the Assembly and asked if that is at the maximum amount. **Julie Taylor** responded “No”. **Sheila Lyons** thinks the ceiling has 2% more to go. This could generate a lot of revenue, **Julie** said. **Rob** responded that once the CCC generated more revenue than they spent. **Bill Doherty** said the County does not contribute to the CCC. **Bud Dunham** added that there is an assessment on the cherry sheet for the County inside Proposition 2 1/2. The CCC comes in on a recap sheet and the towns can raise money outside Proposition 2 1/2. **Ron Bergstrom** noted that the County, like the state, estimates revenues, but towns know pretty much how much revenue they will have. It is difficult for the County to estimate. **Bill D.** noted that when the County had a surplus, they supported human services, then when the County ran out of money, they struggled to keep it up. That led to a stronger Human Services Advisory Committee.

**QUESTIONS from the public**

**Peter Kenney, Yarmouth**, thanked the County for “getting out of the way in Yarmouth.” He has concerns and hopes for the CCC. On a good day the CCC is superb: it can bring resources to the town. The bad side is it can delay a project for five years and the project collapses. Peter told the group that a Commonwealth is a corporate body that tells the state how it is going to be. Towns should tell the County what they want to get done. They have to be realistic. Wastewater must never be used as a zoning tool. APCC stopped Yarmouth from sewerage 20 years ago saying it would encourage growth. People should be aware of the history of the APCC and LWV. People don’t elect people to APCC or LWV. In 1992-3, the CCC refused to apply to the federal government for infrastructure funds; we can hold money from the Clean Water Act. He wants to move forward. How have we gotten to where we are now? Peter said he supported the CCC until he saw what it became. People are not against regionalization; they just don’t want more government. The CLC energy efficiency program is superb. As for CVEC, he doesn’t understand 1-%.

**Deborah McCutchien (Truro Assembly of Delegates)** cautioned the Commission not to throw the baby out with the bath water, that is to say, don’t throw out representative government.

**Preston Ribnick, Wellfleet**, said he came to observe but now wanted to speak. County government is a stealth government. He didn’t know who they were, but he knows now. The wind energy issue has caused this. He can’t believe what has happened in his life. In the last seven to eight months, his rights have been eliminated. He wouldn’t have believed it possible and can’t understand why a citizen can’t go to the county and be treated with respect. There is something wrong with Barnstable County. He knows about the CLC and CVEC, but can’t get any information about them because Mr. Doherty would not recognize him to speak. He has sent letter after letter, question after question and no one responds. Why won’t these agencies respond? He needs answers.

**Peter Robbins:** Towns are dealing with it on their own. What services could be **RFP’d**?



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**James Rogers:** Follow the money trail from CLC to CVEC.

**Co-Chair O'Leary** ended discussion at 8:25 PM explaining that the Commission is trying to limit meetings to two hours. The group agreed the next meeting date would be **Wednesday, October 26th** at a time and place to be announced. Co-chair Rauschenbach reminded us he will be unable to attend as he will be in China. There may be meetings places other than in the County complex.

Respectfully Submitted,

Patricia Eldridge  
Clerk ProTem