

BARNSTABLE COUNTY ASSEMBLY OF DELEGATES

In the Year Nineteen Hundred and Ninety-Five

Resolution 95-9

To declare that the property known as the "Sheriff's House" is under the jurisdiction of Barnstable County; establish that the future use will be to house women prisoners from the house of correction; and order that any change of use may only occur after authorization is received from the Assembly of Delegates.

WHEREAS, The Court has ordered that the population at the Barnstable County House of Correction be reduced within various time frames;

WHEREAS, The Court has mandated that by January 15, 1996 the total population in each component does not exceed certain caps as established by the Court;

WHEREAS, The "Sheriff's House" is owned by Barnstable County and under its jurisdiction, which is located within the County Complex in close proximity to the House of Correction, and is suitable to house the women prisoners;

WHEREAS, The County Sheriff has moved out of the premises known as the "Sheriff's House" and resides elsewhere but enjoyed, at the time of his election, rent-free accommodations;

WHEREAS, The Assembly of Delegates understands that negotiations are underway to compensate the Sheriff for this benefit of his elective office;

WHEREAS, The Board of County Commissioners, in accordance with Section 3-3 of the Barnstable County Home Rule Charter, shall supervise the care and custody of all county property, institutions and agencies; and

WHEREAS, In accordance with Article 2 of the Barnstable County Home Rule Charter, all legislative powers of the County are vested in the Assembly of Delegates.

NOW THEREFORE,

BE IT HEREBY RESOLVED that the Barnstable County Assembly of Delegates:

On behalf of Barnstable County Government, claims entitlement to establish the use for the now vacant property known as the "Sheriff's House";

Determines that the best use for the "Sheriff's House" at this time is to house the women prisoners from the Barnstable County House of Correction;

Authorizes the Board of County Commissioners to enter into an agreement with the Sheriff for a period of forty-eight months for use of the Sheriff's House as a women's restitution facility. Should the women's restitution facility vacate the premises then the jurisdiction of the facility reverts to the County;

Orders that any proposed change of use of the "Sheriff's House" take place only after authorization is received from the Assembly of Delegates; and

Notifies the Board of County Commissioners that any lease or conveyance of property owned by the County requires the adoption of an ordinance by the Assembly of Delegates.

The foregoing resolution was adopted by the Assembly of Delegates with Delegates representing 75.75% of the population of Barnstable County present and voting, 66.71% voting yes, 5.51% voting no, 3.53% voting present (employed by Sheriff's Department) at a meeting held November 20, 1995.

Attested by:



Roland J. Dupont, Speaker
Assembly of Delegates