

Special Commission on County Governance

Wednesday, February 29, 2012

(This is the final meeting, so there is no member approval)

Co-chair Henri Rauschenbach convened the meeting at 6:35 p.m. in Superior Courthouse conference room 11/12. Minutes of the February 16 meeting of the Special Commission were approved with Special Commissioner Larry Cole's revision that the Regional Umbrella Services System (RUSS) aggregation of telecommunication services would reduce Provincetown's annual \$200,000 network cost to \$2,000.

County Commissioner Mary Pat Flynn thanked Co-chairs Rauschenbach and Rob O'Leary for accepting the challenge of chairing the Special Commission and for all their work on its behalf. She also extended thanks to all the Special Commissioners for their commitment and efforts, and to all who participated, including the press, adding that the County Commissioners look forward to receiving the Special Commission report and will be sure to put it to use.

Proxy voting for the meeting was noted as Special Commissioner Bud Dunham on behalf of Special Commissioner Charles Sumner, Special Commissioner Maggie Geist for Special Commissioner Margo Fenn, and Cape Cod Chamber of Commerce CEO Wendy Northcross for Special Commissioner Bill Zammer.

Reconsideration of Item #11, Health and Human Services Language

Special Commissioner Mark Forest suggested incorporating Special Commissioner Cheryl Bartlett's arguments for additional services.

Special Commissioner Sue Rohrbach called the MMA Consulting report an administrative report to the County Commissioners and recommended that the Department of Health and Environment, Cooperative Extension, and the Department of Human Services continue to collaborate, strengthen links between departments, and plan for greater efficiencies in the area of regional public health. She noted that this language would not necessarily favor combining the departments at this time.

Mr. Cole said that the MMA Consulting report also added Children's Cove and Elder Services for consideration, although they are not affiliated with the County.

Special Commissioner Mary LeClair repeated her objection that the Special Commission was not charged to recommend combining departments and that such considerations should be up to the new County officials.

Special Commissioner Marylou Petitt cited her 14 years with Assembly on its Human Services Committee and said she agreed with softer language, also because the departments in question were not involved in the discussion, although she thought integrating Children's Cove could be helpful.

Ms. Geist said that a reorganized County government needs to clarify distinctions for users, while Co-chair Rauschenbach felt that consolidation could be practical in an era of dwindling resources, and Special Commissioner Ron Bergstrom agreed that funding constraints should be considered.

Co-Chair Rauschenbach added that the interface with public health could be more effective, and Ms. Petitt said that integrating services and housing would be logical, while Mr. Cole felt it could be seen as too threatening.

Ms. Rohrbach called for integrating all public health concerns, while Special Commissioner Dorothy Savarese noted the top-down approach of the Special Commission discussion versus a bottom-up approach, and favored exploring how to improve coordination, especially since the affected parties were not involved in the discussion.

Special Commissioner Scott Ridley suggested convening a dialogue to explore increased effectiveness and efficiencies and possible integration.

Ms. Rohrbach repeated her recommendation that the Department of Health and Environment, Cooperative Extension, and the Department of Human Services continue to collaborate, strengthen links between departments, and plan for greater efficiencies in the area of regional public health, and the Special Commission voted to adopt it.

County Structure

Co-chair O'Leary led discussion of County structure, beginning with the question of whether to leave the current structure intact and preserve the status quo, which received no support.

Executive Branch

Consideration of the County Administrator position began with review of the draft submitted by Special Commissioner Bob Lawton. Special Commissioner Julie Taylor said that a single-person Executive branch requires a strong administrator, and there was general agreement with Special Commissioner Phyllis Day's suggestion that a treasurer should be included, as well.

Special Commissioner Ron Bergstrom said he supported a strong Executive and separate treasurer, while Mr. Lawton said the new administrator should hire the treasurer, or maybe have a veto option, as the chief administrative officer should decide, or else keep the status quo.

Special Commissioner Marylou Petitt said she agreed with Ms. Taylor, as the Executive is the face of the County, and the Executive is not an administrator. But Mr. Lawton noted that the Legislative body sets the policy.

Special Commissioner Sue Rohrbach said that Barnstable has an appointed Executive with a Legislative branch, while the County Executive will replace the County Commissioners.

Mr. Lawton explained that he was an Administrator, while Mr. Dunham is a Town Manager who appoints all department heads with approval of the Board of Selectmen, and Mr. Bergstrom noted that a County spokesman would have to have the support of a majority of legislators.

In reply to Co-chair O'Leary's question, Special Commissioners expressed no support for the concept of an elected County Executive, but preference for the title of Chief Executive Officer.

Discussion of the County Executive concluded with a unanimous vote for the draft under consideration, but with substitution of “Executive” for “Administrator.”

Lsgislative Branch

Referencing her draft, Ms. Taylor said there is confusion between the County Commissioners and the Cape Cod Commission’s Commissioners, and Co-chair O’Leary reminded that the Cape Cod Commission Act could be modified.

Rather than debating various names, Ms. Geist suggested leaving the wordsmithing to legal analysts.

Co-chair O’Leary said that merging the County Commissioners and Assembly of Delegates may be the goal – rather than elimination of the Assembly – for a new democratic, policy-making legislative body.

Mr. Bergstrom said he favored no at-large representatives, as towns could be combined so that each representative could represent approximately 20% of the County population.

Special Commissioner Alan McClennen said that town lines should be removed in County government, and Ms. Geist agreed, calling for finding a new way of representation.

Mr. Cole said that 2010 U.S. Census counts would suggest seven representatives, each representing approximately 31,000 population.

Based on her experience with the Barnstable Charter Commission, Ms. Rohrbach suggested five districts and four at-large representatives, so that everyone would vote for five candidates, a majority of the total.

Special Commissioner Terry Duenas felt that running a Countywide at-large campaign would be challenging, but said cable TV could help to facilitate it, and Ms. Day said such a campaign would cost \$150,000, far in excess of compensation for the office.

Mr. Bergstrom pointed out that Assembly Delegates receive County health insurance benefits which are particularly important to some.

Ms. Taylor thought that at-large representatives might likely be from the largest towns of Barnstable or Falmouth, and Ms. Northcross noted that the Barnstable Town Council has no at-large seats, adding that just an “at-large viewpoint” is needed.

Still, Co-chair O’Leary felt that at-large representatives add value, although he was torn over the choice, and Ms. Rohrbach agreed that she was also torn over the issue, but thought at-large representatives would have more power, in representing the whole Cape.

Co-chair O’Leary said in his experience with both offices, the County office is not visible and he found service as State Senator easier.

Ms. Savarese found Ms. Rohrbach’s perception of power differential a concern, asking if all at-large seats should be considered.

Mr. Dunham felt that Barnstable’s precinct representatives are self-interested, while Ms. Taylor said that issue has never been evident in the Assembly.

Mr. Bergstrom thought the at-large term could be longer, and wondered if seven or nine members should be considered, while Ms. Geist called nine too many and wondered if people will want to run for at-large seats, although a longer term could help to balance the extra cost and effort involved.

Ms. Pettitt suggested reducing the legislative body from 15 now to seven, adding that at-large representation would help promote the regional perspective.

Co-Chair O'Leary's call for a vote on a nine-member legislative body received just two votes from Ms. Taylor and Mr. Bergstrom, while merging the Assembly of Delegates and County Commissioners into a seven-member legislative body, with five district representatives and two at-large representatives was accepted.

Partisan Affiliation

Regarding partisan affiliation, Ms. Taylor preferred nonpartisan candidates, and Mr. Lawton noted that nonpartisan campaigns work now in towns, and he cautioned that a change in the winning political party could mean a change in the appointed County Executive.

Still, Mr. Berghstrom said, a partisan label provides information for voters who may not know the candidates, and Co-chair O'Leary added that, with no primary election, there could be multiple names on the ballot.

Special Commissioner Mimi McConnell felt that nonpartisan elections would help avoid polarization and conflict, and Ms. Pettitt also favored nonpartisan candidates, adding that public information from the County could help with promotion, and the discussion concluded with acceptance of the nonpartisan option.

Terms

Four-year terms with staggered nonpartisan elections were preferred.

Compensation

Regarding compensation, Ms. Savarese hoped a broad spectrum of candidates would be attracted, and Mr. Dunham noted the visibility of the current County Commissioners from their frequent travels throughout the County in their work on its behalf.

Mr. Bergstrom reported a budget of \$100,000 for Assembly Delegates, with benefits, while Co-chair O'Leary suggested individual compensation of \$15,000-\$20,000 with no benefits, and Ms. Taylor said that State law determines the benefits voted by the County Commissioners. County Commissioner Mary Pat Flynn explained any compensated elected official must have benefits per Chapter 32B of Mass. General Laws, and Co-chair Rauschenbach added that some candidates need the benefits, while others might refuse them.

Mr. Cole suggested allowing purchase of benefits from salary, and Ms. Savarese favored recommending a salary range, while deferring the benefit question for later consideration.

Co-chair Rauschenbach's suggestion of a salary range of \$15,000-\$25,000, with consideration of benefits to affect the amount, was accepted.

Town Advisory Board

In speaking of the knowledge and experience that Town Managers represent, Ms. Taylor called them the best of the Special Commissioners.

Special Commissioner Mark Forest felt that no Town budget-oversight role was necessary, although Town advice would be valuable, and Ms. Geist reminded that towns contribute only 10% of the County budget.

Co-chair O'Leary said that County services are largely delivered to towns, with some to individuals, so town administrators should advise, sharing their recommendations perhaps quarterly.

Ms. Savarese cautioned against duplicating the current status quo in the new bicameral government, calling for facilitating cooperation and coordination and efficiencies.

Mr. Lawton agreed that town administrators are busy with their own budgets and also meet regularly now, with the County Administrator also participating.

Ms. Petitt felt that regular meetings could encourage towns' support of County programs, and Ms. Rohrbach thought they could help the towns feel more comfortable with changes, while Mr. Bergstrom said that added advisers complicate the decision-making of elected officials.

Mr. Cole said that current meetings of towns and County should continue but not to advise an elected body, and Ms. Savarese called for a continued robust dialogue between town managers and the County to promote efficiency as the objective.

County Commissioner Flynn said that County Commissioners now participate regularly in monthly meetings of the Cape Selectmen's and Town Councilors' Association, and Mr. Dunham felt that quarterly meetings were adequate.

To Co-chair Rauschenbach's call for a vote, Special Commissioners voted unanimously to recommend quarterly meetings of municipal and County representatives.

Special Commission Report

The Co-chairs said they would draft the Special Commission report and present it to the County Commissioners, and Mr. Bergstrom asked for consideration of the County Charter process for any proposed changes. Co-chair O'Leary said that a bill filed by Sen. Wolf could also be considered as an alternative to the County Charter process.

Ms. Petitt called for an Office of Public Information as critical to the successful implementation of the Special Commission's recommendations, perhaps with the help of a task force, although she noted that issue had not been discussed and considered.

Co-Chair Rauschenbach invited her to submit any comments in writing for inclusion in the Co-chairs' narrative, and he said the Special Commission's work had been worthwhile and well worth the time invested. Co-chair O'Leary echoed that sentiment, thanking the Special Commissioners for their participation and contributions and calling the series of Special Commission meetings a great experience.

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Marilyn Fifield

Minutes Clerk