**Dukes County Commissioners**

**Minutes**

**Wednesday, April 3, 2019**

**4:00pm**

Dukes County Administration Building

9 Airport Road, Edgartown, MA

**Dukes County Commissioners Present:** Tristan Israel—Acting Chair, \*Keith Chatinover, John Cahill (John C.), Leon Brathwaite and Christine Todd

\*Participated via video conference

**Other County Officials Present:** Martina Thornton—Dukes County Manager, Chuck Cotnoir – Dukes County Emergency Manager, Paulo DeOliveira – Register of Deeds, Ann Metcalf – Dukes County Treasurer, Art Smadbeck—County Advisory Board, Melinda Loberg—County Advisory Board,

**Others Present:** Joanie Ames—MVTV, Rich Saltzberg—MV Times, Landry Harlan – Vineyard Gazette, R. Bob Rosenbaum—Chair of MV Airport Commission, Peter Wharton – MV Airport Commissioner, Richard Knabel –MV Airport Commission, Forrest Fuller—Candidate for Assistant Director of Emergency Management, Frank Serretti—Powers & Sullivan Associates

**Tristan (filling in as Chair) called the meeting to order at 4:00pm**

**Minutes:**

**Christine/John C. made a motion to approve the DCC Minutes from 2-6-19. So voted. Christine, Yes. John C., Yes. Leon, Yes. Tristan, yes. Keith, Yes. Motion carries.**

**Christine/John C. made a motion to approve the DCC Minutes from 3-6-19. So voted. Christine, Yes. John C., Yes. Leon, Yes. Tristan, yes. Keith, Yes. Motion carries.**

**FY2018 Audit – Powers & Sullivan:**

Frank Serretti from Powers & Sullivan gave a presentation on the FY2018 Fiscal Audit (see file). He said that the overall results are that they were able issue a clean unmodified opinion of the financial statements which is the best result that can be received. The full presentation can be viewed on the MVTV website. Copy of the full audit report can be obtained at the County Offices, the Basic Financial Statement Report is posted on county website.

**Airport Authorization for $300,000 Revenue Anticipation Note (RAN):**

Bob Rosenbaum (Chair of MVAC) spoke to the DCC. He said the Airport is in a much better fiscal position than they were in February. The Runway rehabilitation project is on schedule. Years ago there was an incident where firefighting foam had to be deployed on the runway. As part of the current runway rehab project, Mass DEP required the soil to be tested for the presence of Polyfluoroalkyl Substances (PFAS). Fortunately, the test came back negative and the airport could proceed with disposing of the soil in the normal manner. He also said that they are down to four finalists in the search for a new Airport Director. They are also in the process of looking for a senior financial person to work as Comptroller on the recommendation from the outside consultant that was hired to review the Airports financial processes. Bob said that although cash flow is a little better, it is still very tight. The Airport Commission feels that it is important that they have a reserve of $150,000 to cover any unanticipated expenses over the next couple months. They looked into a Revenue Anticipation Note (RAN) but do not qualify. They looked at getting a line of credit from a bank but also do not qualify as a municipal entity. The two remaining options are to borrow a line of credit from the County or to use funds from their one of their grant accounts. Currently, the runway grant account has $5.6 Million in cash. Bob said, it would be a short-term loan that would be able to be repaid in July when cash flow increases due to the summer season. Bob also mentioned that the Airport would not be in this position if the County authorization for a $1.27 Million bond hadn’t gotten hung up in the State legislature. He also said that the Airport is in this position due to the fact that they have expended $250,000 so far on the PFAS well contamination issue.

**\*\*Leon recused himself from the DCC meeting at 5:21PM due to the fact that he is a financial beneficiary of the remediation efforts by the Airport related to the PFAS contamination in the surrounding neighborhoods. Due to this fact the DCC lost a physical quorum and could not vote on the proposal by the Airport.**

Martina said she is unsure of whether the DCC has the ability to allow the Airport to use grant funds for purposes other than specified by the grant funds. Art Smadbeck (Chair of the CAB) said that it would be cleaner for the Airport to ask the County for a $150,000 line of credit and then they wouldn’t have to deal with the issue of potentially using funds that they are not supposed to be using. Martina said that they have previously discussed this option and the County Treasurer would be able to authorize it given that there is a memorandum of understanding (MoU) in place that stipulates the circumstances of expenditures, who is authorizing the borrowing of the money and when will the County recoup the funds. Melinda Loberg (CAB member) expressed that the CAB should be involved in the discussion and should take a vote. Art agreed with Melinda saying that it does involve a reallocation of funds in the County budget as well an encumbering County funds. Bob returned to his presentation and said that the other reason that the Airport is in the cash flow situation is that they had eight parcels in the business park that they were waiting to issue RFPs pending release from the FAA. Due to the government shutdown that took place over January and February, those releases have become backlogged and now the Airport is in deficit of around $200,000 in projected revenue. Bob also said that they put in a claim with their insurance agent to cover the cost of the PFAS contamination but the insurance agency has rejected it based on the fact that the incident began before their coverage period under the policy. He noted that the Airport’s attorneys are looking into joining class action lawsuits against the PFAS manufacturers as another way to recoup funds, but this would be a much longer-term option.

A discussion by the DCC was held. Martina asked Bob when they can expect to see an amended FY19 Airport Budget and a Proposed FY2020 Budget so that they can present it to the CAB for approval? Bob said that they would have FY2020 ready in May, but in terms of Amended FY19 it would be at the end of the fiscal year because he doesn’t think it makes sense to revise it in May and then revise it again in June. Martina pointed out that the DCC only has two more meetings left in the fiscal year to get the budgets approved. Tristan said that in terms of the request of the airport, a vote would have to take place at another meeting, but the group concurred that the County line of credit of $150,000 was a better option. Martina will work on drafting the MoU to be reviewed at the next meeting. Bob asked that she also do due diligence on the grant fund option as a backup in case the CAB does not approve the $150,000 line of credit from the County.

**\*\*Leon came back into the room at 5:39PM (once the discussion to PFAS contamination had ended)**

The DCC agreed to meet again as a joint meeting of DCC & CAB to review and vote on the Airport request next Wednesday, April 10th at 3PM.

**County Personnel Bylaws - Amendment:**

Martina presented two amendments to the Personnel Bylaws recommended by the Personnel Board (see file). One amendment is to add section 10.3, subsection E which states that “At the 5,10 and 20 anniversary date, employee will receive an extra 40 hours (5 Days) of vacation time. Part-time employees will receive this benefit prorated based on average number of hours worked per week.” The other proposed amendment, in section 10.a and 10.b is to fix an error in the vacation accrual rate calculations within each subsection. There was a zero missing after the decimal point.

**Christine/John C. made a motion to approve the proposed Personnel Bylaw changes. So voted. Tristan, yes. Christine, yes. John C., yes. Leon, No. Keith, yes. Motion carries.**

**Communications Committee – Update:**

John C. said that the Communication Committee plans to have a draft Communications Plan ready for review for the May meeting. The plan will include things like: A mission statement, elevator pitch, critical documents that explain county functions and a social media plan.

**Substance Use Disorder (SUD) Prevention – Update:**

Christine gave an update on the efforts of the SUD Prevention Coalition. She said that for two weeks in March, seventeen people participated in the Recovery Coach training program that was paid for by the County. It was a very successful event. For the first time in the training history, all people attended the first and second day of training. Two of the attendees became trained to be trainers moving forward, so we will not have to outsource the training moving forward. She also wanted to let everyone know that the AIDS Alliance will be offering a free Narcan training at the high school sometime next month. Martina also wanted to let everyone know that the AIDS Support Group of Cape Cod is looking to hire a part-time harm reduction specialist. Christine said that this position is taking a new approach in the field. Instead of waiting for people to seek out services, this is a “boots to the ground” position with the person in the field distributing fentanyl test strips, etc. Tristan asked if there could be a presentation to the DCC at some point about the recovery coach training program. Christine thought this was a good idea.

**County Treasurer – Elected to Appointed:**

The subcommittee to review the issue of whether the County Teasurer position should be changed to an appointed position (from an elected position) has recommended that the position be changed to an appointed one. Tristan said that if it were approved by the DCC, it would then go to Town meeting in Spring of 2020, and then if approved there, it would be on the ballot in Spring of 2020. Tristan is recommending that it gets added to the agenda for the May meeting to discuss with all members of the DCC. Christine would like to encourage everyone to be educated about the pros and cons of this proposed change before coming to the discussion. Tristan also said this issue could be taken up by a Charter Commission process which would include elected members from the community. He said if we go down that road, he recommends taking up other issues as well.

**Emergency Management:**

Chuck handed out a document (see file) that gives an overview of Dukes Count Emergency Management. He said that his role is to make sure the County can operate after a serious disaster and he does it through the creation of various action plans such as the Continuity of Operations plan and the Continuity of Government Plan. He said that although County emergency management operates autonomously from the Towns, over the years he has integrated County emergency management into the Towns through several volunteer services, especially helping the Town’s BOH. Chuck introduced the Board to Forest Fuller, who Chuck has been mentoring for the past six months. He recommends appointing him to the position of Assistant Emergency Management Director. The Board was in support of this idea but questioned whether he would receive a stipend for the position. Forest said he would take it on as a volunteer position.

**Leon/Christine made a motion to create the position of Assistant Emergency Management Director, as a 1-year appointed position. So voted. Tristan, yes. Christine, yes. John C., yes. Leon, yes. Keith, yes. Motion carries.**

**Leon/Christine made a motion to appoint Forest Fuller to the position of Assistant Emergency Management Director for a 1-year term. So voted. Tristan, yes. Christine, yes. John C., yes. Leon, yes. Keith, yes. Motion carries.**

**Manager’s Report:**

* **29 Breakdown Lane Lease:** Martina said the lease was signed on April 1st with Island Health Care to run the public health collaborative.
* **Beaches:** Beach grass has been planted on State Beach and fencing has been repaired. Thanks to Friends of Sengekontacket for their volunteer efforts.
* **Phone System:** County Administration building is updating to a new phone system in the next couple of months.
* **Courthouse:** Martina said she has gotten a price from a plumber to install water fountains at the courthouse. Thank-you to the Vineyard Conservation Society for their donation of the fountains.
* **Compensation & Classification Study:** Martina said she will be issuing an RFP soon for the study. We have only budgeted $5,000 for the study, but she believes the proposals will come in higher.
* **Town Meetings:** The County has eight warrant articles going to the Towns. 4 of the meetings will happen on the same night. The Commissioners discussed a coverage plan so that someone from the County would be available at each meeting to speak on behalf of the programs should questions come up.

**Manager’s Contract:**

Martina handed out copies of the Contract to be signed by the DCC Chair (see file).

**Christine/John C. made a motion to approve the contract as written. So voted.** **Tristan, yes. Christine, yes. John C., yes. Leon, yes. Keith, yes. Motion carries.**

**Christine/John C. made a motion to adjourn the DCC meeting. Tristan, yes. Christine, yes. John C., yes. Leon, yes. Keith, yes. Motion carries.**

**The DCC meeting was adjourned at 6:31pm.**

**Certified by:**

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T. George Davis, Clerk of Courts

**Documents presented at the meeting and part of the official record:**

* Agenda
* Minutes 2-6-19 and 3-6-19
* Proposed Amendments to the County Personnel Bylaws
* SUD Prevention write-up for Town Meetings
* Dukes County Emergency Management Overview
* Employment Agreement for Martina Thornton
* Powers & Sullivan FY2018 Audit (3 booklets)