**Dukes County Commissioners**

Minutes

**Thursday, March 22, 2018**

**4:00 p.m.**

Dukes County Administration Building

9 Airport Road, Edgartown, MA

**Dukes County Commissioners (DCC):** John Alley – Chair, Gretchen Tucker Underwood – Vice Chair,

Tristan Israel, Bob Zeltzer, Leon Brathwaite, Christine Todd and \*\* David Holway,

\*\*Attended via telephone

**County Staff Present:** Martina Thornton – County Manager, Connie Andrade - Administrative Assistant to County Manager, Noreen Mavro Flanders – County Treasurer, Ann Metcalf – Asst. County Treasurer, Chuck Cotnoir – Dukes County Emergency Manager, Paulo DeOliveira – Register of Deeds and JoAnn Murphy – Dukes County Veteran’s Agent, Joseph Sollitto – County Clerk, Bob Rosenbaum – Vice Chair MV Airport Commission, Ann Richart – MV Airport Manager, Rich Michelson – MV Airport Commission

**Others:**  Joanie Ames – MVTV, Geoffrey Wheeler – Candidate for Airport Commission, Landy Hanan – MV Gazette

**John called the DCC meeting to order at 4:00PM.**

**Airport Commission Appointments:**

John said the DCC voted 4-2 on February 7, 2018 not to allow any applicant that applied past the deadline of January 26, 2018. In order to recall the vote, someone from the prevailing side of the vote would need to ask to reconsider the vote. A discussion was held. Leon said he would like to ask the DCC to reconsider that vote and to re-advertise the Airport Commission positions based on Mr. Stanley’s letter to the Editor (see file). Martina said the advertising that was done was consistent with previous years.

**Leon/John made a motion to reconsider the vote as amended of February 7, 2018 and to re-advertise the Airport Commissioner positions in a large ad in both newspapers and to advertise for two weeks with a three week deadline for applications, and on the County website to display in a conspicuous ad. So voted. Gretchen yes, Leon yes, Bob yes, David yes, John yes, Christine yes and Tristan no. Motion carries.**

\*David left the meeting at 4:20pm

Bob said the County received two communications from Walter Vail. One he showed interest in being appointed to the Airport Commission and one to withdraw his name. John said everyone must either apply or reapply, even the ones that want to be reappointed. Martina said the date for advertising will be April 5th advertising with a deadline of April 27th to apply. The appointments will be made on the first Wednesday, May 2nd, 2018.

**Correspondence:**

Tristan read a letter from Nicholas Catt regarding the increase in water and wastewater costs from the Airport (see file). A discussion was held. Bob Zeltzer said he would like the Airport to respond to this letter.

Tristan read Ted Stanley’s letter to the editor see file) regarding the Airport Commission appointments.

**Minutes:**

**Leon/Christine made a motion to approve the Dukes County Commission minutes of February 7, 2018 as presented. So voted. All in favor. Motion carries.**

**Christine/Bob made a motion to approve the Dukes County Commissioners minutes of February 22, 2018 as presented. So voted. Christine yes, Bob yes, Gretchen yes, Leon yes and John abstains.**

**2018 Appointments:**

**Dukes County Health Council:**

Tristan read the list of new appointees and re-appointments (see file). The DCC agreed to vote all in one motion.

* Dukes County Health Council: Eleanor Beth, Paddy Moore, Myra Stark, Michael Joyce, Patsy McCornack, Cindy Doyle, Sheila Shapiro, Dan Pesch, Robert Laskowski, Karen Gear, Judy Jones, Melanie Parrish, James Ferriter, Jr., Julie Fay, Leslie Clapp, Joyce Stiles Tucker, Megan Rose, Vani Cortez, Marie Zadah and Irene Bright-Dunn.

**Tristan/Christine made a motion to appoint above mentioned individuals to the Dukes County Health Council with a two year term. So voted. All in favor. Motion carries.**

**Leon/Tristan made a motion to appoint Christine Todd to the Dukes County Health Council for a two year term. So voted. All in favor. Motion carries.**

**Clerk to the Dukes County Commissioners:**

**John/Bob made a motion to appoint Joseph Sollitto as Clerk to the Dukes County Commissioners for a three year term. So voted. All in favor. Motion carries.**

**Cape Light Compact:**

**Tristan/Leon made a motion to appoint Robert Hannaman as the Dukes County Representative on the Cape Light Compact Board. So voted. All in favor. Motion carries.**

**Airport Update:**

Ann Richart (Ann R.) gave the DCC an update on the Airport. She said it takes a lot of money to maintain the Airport. She said typically an airport leases land and charge fair market value to help pay for the airport expenses. Ann R. also said the Airport cannot give discounted rates for water and wastewater. In order to renew the Airport Wastewater permit with DEP the airport needs to upgrade the wastewater facility. She would like DCC to support the airport applying for a low interest loan from the state for 20 years at 2% interest to repair and maintain the wastewater plant. A portion of the loan will be forgiven although Ann R. does not know how much will be forgiven. Ann R. told the DCC that the Airport is anticipating a $12 million dollar grant from the FAA to upgrade the main runway in August 2018. She also said she would like the County to get used to debt financing as that’s how most small airports are run in the country. A discussion was held. John asked Ann R. to send the DCC an email regarding the borrowing request with more information. Noreen gave the DCC a brief history of the airport finances. Tristan said he would like to see the airports ability to repay debt ratio. Ann R. reviewed the Capital Improvements spreadsheet she gave to the DCC (see file).

**Legislation for Airport Borrowing – Treasurer Memo:**

Noreen reviewed the memo she gave to the DCC. She is asking the DCC to approve the legislation be filed that was drafted by bond counsel (see file). She said a loan has been identified for approx. $2 million from the Clean Water Trust, but because it is long term debt and there is no specific statute authorizing the County to borrow; the County has to apply for special legislation. The legislation is to give the County permission to borrow should everything go well with Clean Water Trust or to borrow someplace else if it doesn’t. She said she will review it further with the DCC to actually approve the debt once the legislation is passed.

**Tristan/Bob made a motion to approve the legislation be filed. So voted. All in favor. Motion carries.**

**House Bill 4000 Relative to Deeds Excise Receipts:**

John read the proposed legislation into record (see file). A discussion was held. Paulo said there is a bill in the House to modify Mass General Law Chapter 65D ss11 and it will affect the County. If this bill passes the County would be allowed to keep an additional 20% of the revenue from Deeds Excise (see file). There is also a bill in legislation from Norfolk County to increase the recording fees. Tristan asked Martina to talk to Dylan Fernandez and ask him to support this bill.

**Leon/Tristan made a motion to support House Bill 4000. So voted. All in favor. Motion carries.**

**FY2018 Budget Amendments:**

Martina reviewed the proposed FY18 Budget amendments based on the auditor’s recommendation with the DCC (see file). A discussion was held. Noreen said a recent audit identified an issue under Fund 630- MV Senior Services Building for debt service and the income from the towns; the auditors would like to see it in the General Fund 010 Department 630. FY2018 needs to be amended and will have zero affect because the income is the same amount as the expense. Martina said that line for Department 630 is $50,214.00 and needs to be amended to $249,414.00 in both revenue and expense lines. The second amendment Noreen is requesting shows the funding for the courthouse window project that was partially paid for by the town’s Community Preservation Committee (CPC). The money was originally paid from Fund 304 but the County received reimbursement from the State that went into the general fund. So the monies will need to be moved from the general fund into CPC to refund the towns for $52,458.00.

**Leon/Christine made a motion to approve the FY2018 Budget Amendments as presented. So voted. All in favor. Motion carries.**

Martina received a proposal to install the lift at the Courthouse and the estimate was $58,256.00, so the budget is $18,256.00 short to complete this project. She would like additional funding needed moved into the FY18 Capital Improvement Budget for FY2018 out of the Unreserved Funds Balance.

**Leon/Tristan made a motion to approve the transfer of $18,256.00 from Unreserved Funds to the Capital Improvement budget line for the lift. So voted. All in favor. Motion carries.**

**Termination of Memorandum of Understanding (MOU) between the County and the Sheriff’s Department:**

Tristan read the termination of agreement from the Sheriff’s Department and the County into record (see file). A discussion was held. Martina said she talked to the County Counsel and emailed his findings to the DCC. She also asked the Sheriff for a proposal for the bike and beach patrol but has not received a response. The County’s net deficit will be approx. $165,000 plus expenses for hiring a beach patrol. Martina said the only way to balance the budget is not to put any money into OPEB for FY2019. Tristan said there are other options for running the communication center that the Towns and County should research. Christine said the County had asked the Sheriff for more supporting documentation but the Sheriff has not supplied any. The DCC agreed that they should have a joint meeting with the County Advisory Board because in the end this will impact the towns as well. Martina said she would like the DCC to vote to establish a stabilization fund as part of the FY2018 budget.

**Christine/Tristan made a motion to approve the FY2019 budget amendments as presented to reflect the loss of revenue from the Sheriff’s Memorandum of Understanding. So voted. Christine yes, Gretchen yes, Bob yes, Tristan yes, John yes, and Leon abstains. Motion carries.**

**Tristan/Christine made a motion to create a stabilization fund as part of FY2018 budget and move $200,000 from Unreserved Fund Balance into it. So voted. Christine yes, Gretchen yes, Bob yes, Tristan yes, John yes, and Leon abstains. Motion carries.**

**Manager’s Report:**

* **County Sponsored Warrant Articles Submitted to the Towns –** Martina said there are five articles the County has submitted for social service programs. Oak Bluffs did not invite the County to their FinCom meetings and have lumped all the programs into one social services article and decreased the amount requested leaving a $23k shortfall, leaving it up to the Oak Bluffs Selectmen to decide how much they will fund for each program.
* **Beach Task Force:** There will be no driving permitted on the Sengekontacket side of State Beach this summer other than people actively shell fishing.

**Christine/Tristan made a motion to give permission for the Friends of Sengekontacket to have Saturday’s on Sengekontacket in the summer and also to have an hour a week to set up a tent and table to do educational programs for the beach goers. So voted. All in favor. Motion carries.**

* **State Beach Repairs:**  Martina said the County had just finished repairs to the fencing and sand replacement when the last storm blew it all down. She had to pay an additional $10k for snow, fence repair and beach grass planting. She asked for volunteers to help. Students recently had a beach cleanup day.
* **High Deductible Insurance Plans:** Martina said there is a need for a policy for the new hires that join the high deductible plans (HSA qualified plans), as far as the County contribution so that the money is pro-rated based on when the new employee was hired. A discussion was held. Noreen said the employer puts in 50% of the deductible.

**Tristan/Leon made a motion to pro-rate the employer’s portion of the high insurance deductible for the high rate plans based on hire date. So voted. All in favor. Motion carries.**

**Dukes County Health Council Bylaw Changes**: Christine said the Dukes County Commissioners subcommittee reviewed the changes and recommended changes.

**Christine/Tristan made a motion to approve the proposed Dukes County Health Council bylaw changes as presented. So voted. All in favor. Motion carries.**

**State Beach Portable Bathrooms:** Christine said they are moving ahead with exploring installing porta potties on State Beach and she is working with the Oak Bluffs Conservation Committee.

**Leon/Christine made a motion to adjourn. So voted. All in favor. Motion carries.**

DCC meeting was adjourned at 6:03pm

Certified by:

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JOSEPH E. SOLLITTO JR., Clerk of the Courts

**Documents presented at the meeting and part of the Official Records:**

* Agenda
* Correspondence from Ted Stanley
* Appointment List of Candidates
* Memo from Ann Richart – MV Airport Manager
* Spreadsheet from MV Airport Regarding Capital Improvements
* Legislation Regarding Airport Borrowing for Wastewater Facility Improvements
* Memo from Noreen Mavro Flanders – County Treasurer Regarding the High Deductible Insurance Plan
* Budget Proposed Amendments to FY18 and FY19 Budgets
* County Unreserved Fund Balance Spreadsheet
* Center for Living Open House Invitation
* Correspondence from Nicholas Catt
* Letter from Sheriff Ogden to Terminate MOU
* House Bill 4000 (Formally H. 1499)
* Spreadsheet with Deeds Excise Income History