**Dukes County Commissioners**

**Minutes**

**Wednesday, December 5, 2018**

**4:00pm**

Dukes County Administration Building

9 Airport Road, Edgartown, MA

**Dukes County Commissioners Present:** John Alley–Chair, Gretchen Tucker-Underwood—Vice Chair, Tristan Israel\* and Leon Brathwaite

\*Left early

**Other County Officials Present:** Martina Thornton- Dukes County Manager, Connie Andrade – Asst. to the County Manager, Ann Metcalf – Dukes County Treasurer, Paulo DeOliveira – Register of Deeds

**Others Present:** Joanie Ames –MVTV, Keith Chatinover – DCC Elect, John Cahill – DCC Elect, T. George Davis – Dukes County Clerk of Courts Elect, Art Smadbeck – Chair Dukes County Advisory Board, Joseph A. Sollitto – Superior Court Clerk, Clerk of the County Commissioners, Ron Rappaport – Attorney for Town of Edgartown

**Minutes:**

**Tristan/Leon made a motion to approve Dukes County Commissioner’s minutes of**

**November 7, 2018 as presented. So voted. All in favor. Motion carries.**

**Certification of Election Vote by County Commissioners:**

The Dukes County Commissioners (DCC) certified the election of the Dukes County Register of Deeds and the Martha’s Vineyard Commission. Joe presented the DCC the documents to sign to certify the votes. Joe thanked the DCC for their support over the years while he was Clerk of Courts. John presented Joe Sollitto with a plaque for his 42 years of service as Clerk of the Dukes County Commissioners.

**Town of Edgartown - Acceptance of Proposed Historic Preservation Restriction:**

Martina said the Town of Edgartown is the owner of a house that is in the Edgartown Historic District. Edgartown would like to place a historic preservation restriction on the house but because the Town is the owner they cannot also be the holder of the restriction. Therefore, the Town is asking the County to be the holder. Martina had the restriction reviewed by County Counsel and she recommends that the County Commissioners approve the agreement to accept the restriction. A discussion was held. Tristan wanted to verify that this will not cost the County any money. Martina said the County has no obligation, just right to action and the County has no monetary responsibilities to enforce the restriction. If any legal costs are incurred, the Town of Edgartown will refund those costs. Art said the Town of Edgartown is asking the County to be the holder of the conservation restrictions because Edgartown bought it with Community Preservation Committee (CPC) monies and the town is required by the State to place historic preservation restrictions on this property.

**Leon/Bob made a motion to approve the acceptance of the request by the Town of Edgartown for Dukes County to be the holder of the historic preservation restrictions and authorize the County Manager to sign the agreement as presented on behalf of the County. So voted. All in favor. Motion carries.**

**FY2018 Financial Reports:**

Martina said that at their last CAB meeting she wanted to clarify the numbers regarding the unreserved fund balance at the FY18. There was $827,000 in the unreserved fund at the end of FY18, however $471,000 is restricted for the Registry of Deeds and $138,000 is restricted for economic development & tourism (by the Cape & Islands license plate revenue). Additionally, the DCC approved $15,000 to be moved to the Capital Improvement Fund for Courthouse repairs. That leaves around $200,000 in the unreserved fund at the beginning of FY19. The CAB rescinded their approval to allocate $200,000 into the Stabilization Fund and decided to leave it in the unreserved fund. Also, the CAB approved a warrant article to go to the Towns to ask for $100,000 for County OPEB funding in FY2020.

**Leon/Tristan made a motion to move $50,000 from the unreserved fund balance for a contribution to Other Post Employment Benefit (OPEB) in FY2020. So voted. Tristan, yes. Bob, yes. Gretchen, yes. Leon, yes. John, no. Motion carries.**

Martina told the DCC that the CAB did not approve the proposed 5% administration & grant fee, so the County will not get the $60,000 in revenue in the FY2020 budget and will need to resolve a $30,000 deficit. Tristan said that since the CAB did not approve it and the County will not be compensated for the administrative services, then the agencies should go individually to the Towns for budget approval. Martina said that the CAB wants the health and human service agencies go through the County as a single agency for the Towns to deal with. Leon suggested that in that case, the County should act strictly as a pass-through and do no administrative review. Therefore, the County would spend no time reviewing bills or act in any other administrative capacity for those agencies. Martina questioned what would happen to the contract that the County holds with these agencies. Martina said that for both sides it is easier to have one contract on behalf of the Towns with the health and human services agencies, divide it up according to the 50/50 formula, collect the money at the County and then pay the invoices. Otherwise, each agency would have to have a separate contract with each of the six towns.

**\*Tristan left the meeting at 4:45PM**

**Martha’s Vineyard Commission Appointment:**

A representative to the Martha’s Vineyard Commission (MVC) must be appointed by December 20th. Leon is the current representative and wishes to continue to serve on the commission.

**Gretchen/John made a motion to reappoint Leon Brathwaite as the representative to the Martha’s Vineyard Commission. So voted. John, yes. Bob, abstains. Gretchen, yes. Leon, yes. Motion carries.**

**Dukes County Personnel Bylaws Amendment:**

Martina sent the proposed changes to the County Personnel Bylaws to the DCC for their review prior to the meeting (see attachments). There were two changes approved by the County Personnel Board. The first change was to make all County employees eligible for vacation time, sick time and holiday pay, whether full-time or part-time, as long as they are permanent employees. Martina said the amendment was made because we have four county employees that work under twenty hours a week who were not eligible for these benefits even though they are working year-round. The County Personnel Board also expressed that they would like to move away from the County’s “comp time” policy. Currently, employees who work over forty hours a week get paid at a rate of time and a half, as “comp time” that can be used as time away from the office. The Personnel Board would prefer that employees get paid overtime instead of receiving comp time. The Personnel Board has left the comp time policy in the bylaws but they would like County departments to budget for overtime hours. Martina said this would require an amendment to the FY19 and FY20 budgets. She also said that many employees like the “comp time” policy. Bob said that he doesn’t think that it should be left open-ended, so that there is an overtime policy and a comp-time policy. He said he prefers the overtime policy and he said Comp time is disruptive to small operations. The DCC agreed that Bob’s comments should be taken back to the Personnel Board and discussed at their meeting at the end of December.

**Manager’s Report:**

* **Courthouse:** Martina said the chimney has been relined and the asbestos has been removed. There is some final work on the heating system to be done that will have to wait for the spring when the weather is better. The chair lift will be installed at the end of December. It will be installed after hours to not disrupt business.
* **FY2020 Budget:** the FY2020 budget will goback to the CAB for discussion on December 11th. Auditors will get us preliminary numbers for FY18 by the end of January.

**Other Business:**

The DCC presented Bob Zeltzer with a plaque to thank him for his two years of service as a Dukes County Commissioner. Bob thanked everyone for the experience over the past two years and the guidance he received from everyone on the Board. He wished best of luck to the two incoming Commissioners.

The next meeting of the DCC was set for December 12th at 1pm to sign the bond for the Airport.

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

**The DCC meeting was adjourned at 5:18pm.**

**Certified by:**

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T. George Davis, Clerk of Courts

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

* Agenda
* DCC minutes from November 7th and November 14th
* Correspondence from County counsel regarding historic preservation dated December 3rd
* Edgartown Town Article for Taking Yellow House
* Historic Preservation Restriction Agreement between The Town of Edgartown and Dukes County
* Dukes County Unreserved Fund Balance Report
* County Personnel Board Bylaw amendments