

**Dukes County Commission (DCC)
Meeting Minutes
Wednesday, December 21, 2022
4:00 PM**

REMOTE PARTICIPATION ONLY

Dukes County Commissioners Present: Christine Todd, Tristan Israel, Peter Wharton, Don Leopold, Keith Chatinover, Leon Brathwaite

Other County Officials Present: Martina Thornton – Dukes County Manager, Paulo DeOliveira – Register of Deeds

Others Present: County Commissioners elects: Doug Ruskin, Jim Klingensmith, Julianne Vanderhoop; Edgartown Parks Commissioners: Andrew Kelly, Jane Varkonda, Kara Shemeth – Edg Conservation Commission, Jessica McGroarty – Edg Parks Dept., Darci Schofield – The Trustees, Lucas Thors – MV Times, Thomas Humphrey – MV Gazette, Chris Kennedy, Francis A. Ford, Russ Hopping, Aaron Gouveia, John Ohara – OPEB Trust county representative, Paddy Moore – Navigator Homes, John O'Hara – OPEB, Geoff Freeman – Airport Manager, bob Rosenbaum – Airport Commission chair

Christine called the meeting to order at 4:03 PM

Minutes

Tristan/Leon moved approve minutes of 11-16-2022. So voted. Don – abstained, Tristan – yes, Peter – abstained, Christine – yes, Leon – yes, Keith - yes. Motion carries.

Leon/Tristan moved approve minutes of 12-7-2022. So voted. Don – yes, Tristan – yes, Peter – yes, Keith – yes, Leon – yes, Christine – yes. Motion carries.

Certification of county elections

George Davis shared the tally sheets for County Commissioner elections and tally for the MV Commission. The County Commissioners will have to certify the votes for the MV Commission and will bring the paperwork to the first meeting in January that will be in person for the County Commissioners to sign off on it. He will at that time swear all the elected Commissioners in before the first meeting.

Appointment to MV Commission – Peter Wharton

Tristan/Leon moved to appoint Peter Wharton to the MV Commission for one year (expiring December 31, 2023). So voted. Don – yes, Tristan – yes, Peter – abstained, Keith – yes, Leon – yes, Christine – yes. Motion carries.

Commissioners thanked Peter for continuing in the role and for the time commitment.

The Trustees – Norton Point Management

Darci Schofield thanked county for the opportunity to manage Norton Point beach and they are extending offer to help with the smooth transition and provide training on various activities that the beach management includes. The commissioners asked if the second phase of the restoration project will continue. Darci said that they are deliberating on if they can move forward with the second phase or not and hope to be back to the county with more details by tomorrow. Edgartown does not need voters

to approve the contract but there will be vote needed to help with the Park Department budget to have funds to take over this fiscal year through a special town meeting request. We can enter into the intermunicipal agreement with the town without doing Request for Proposals as that type of contract is exempt from procurement. Edgartown needs commitment sooner rather than later

Peter/Tristan moved to authorize County manager to start negotiations with the Town of Edgartown for taking over the management of Norton Point Beach. So voted. Don – yes, Tristan – yes, Peter – yes, Keith – yes, Leon – yes, Christine – yes. Motion carries.

County will establish a working committee to help with the process.

Navigator Homes - Request for letter of support (on file)

Paddy More said that she would also welcome individuals who have experience with nursing home situation on MV and anyone from the public in general that would be willing to send letter of support would be much appreciated.

Tristan/Don moved to provide Navigator Homes of MV with a letter of support. So voted. Don – yes, Tristan – yes, Peter – abstained, Keith – yes, Leon – yes, Christine – yes. Motion carries.

Beacon Wind Project – Request to be consulting party and appoint our representative and an alternate (on file)

Tristan was appointed as our representative to the other offshore wind turbine projects that reached out to us. He is willing to serve as our representative for this one as well. Commissioners will leave the alternate representative open for now to allow for one of the new commissioners coming on in January to step up if they so choose.

Keith/Peter moved to appoint Tristan Israel as the County representative to the Beacon Wind Project. So voted. Don – yes, Tristan – yes, Peter – yes, Keith – yes, Leon – yes, Christine – yes. Motion carries.

OPEB Trust updates – John O’Hara

County retirement liabilities need to be fully funded by 2040, Dukes County is on a good track to be fully funded by 2031. However, OPEB – Other Post-Employment Benefits, which includes health insurance and life insurance for the retirees are not at this time legally required to be funded and many organizations fund is only as needed for the current year. The county is only about 15% funded (\$1.5M) from the overall projected liability of approx. \$10M. County did adopt a formal funding policy, which is viewed favorably by the actuary. He urged the Airport to make a full budget contribution this year of about \$59K and add to it if they can. He gave a report on how the trust funds have performed over the year and who is managing the portfolio. Paulo DeOliveira asked about the split of the contributions by the county units. John said that the OPEB administrator should be able to help with answering these questions. Bob Rosenbaum commented that the Airport will look at the end of the fiscal year to see if the Airport can make the contribution. The Trustees of the OPEB Trust are working with a consultant on deciding who will be managing the investment of the assets. FY2021 was up 30-31%, FY22 was down about 10% and this calendar year the anticipation is loss of about 18%.

Auditor’s Engagement letter for FY2023 & FY2024 audit (on file)

Tristan/Leon moved to approve the engagement letter for audit for FY2023 and FY2024, costing \$36K for each of these years, which does include the Airport. Discussion. County decided not to put it out to

RFP due to the current auditor also helping the County with disbursement of the ARPA funds. **So voted. Don – yes, Tristan – yes, Peter – yes, Keith – yes, Leon – yes, Christine – yes. Motion carries.**

Airport Request to approve a 40-year lease with Vineyard Wind

County commissioners received legal opinion and advice regarding this matter that was distributed to the commissioners (on file).

Peter/Tristan moved to approve the terms of the Vineyard Wind lease being more than 20 years and to authorize the County Manager or the Chair of the County Commissioners to sign the lease amended as proposed by the county counsel. So voted. Don – yes, Tristan – yes, Peter – yes, Keith – yes, Leon – yes, Christine – yes. Motion carries.

Treasurer Search – Update – two new candidates (one lives off island) from InDeed. We held off on advertising in Cape Cod Times due to cost. Cost of advertising in MMA Beacon for both on-line and in paper of \$150. We will also try to advertise in the 55Plus locally.

American Rescue Plan Act – Update

The general recommendation from the Coordinating Committee on the nitrogen reducing septic system installation project was sent to auditors and legal counsel for review today.

Airport, Auditors and County are meeting tomorrow to cover the audit trail requirements for the project so we can move forward.

Building Committee – Update

The Building Committee met and asked the designer to propose to use improvements for the Health Care Access building with priority of improved privacy without the need for full renovation of the building at this time. Once we get a new floor plan from the designer, we will engage HVAC companies for proposals for new heating and cooling system and electricians for lighting installation as needed.

Tristan/Don moved to accept the in-kind donation of Dana Mylott to paying for taking down two trees by the Health Care Access building with the condition that there is no issue with that with the town. So voted. Don – yes, Tristan – yes, Peter – yes, Keith – yes, Leon – yes, Christine – yes. Motion carries.

Martina said she will check with the foreman as well before scheduling the work.

Manager's Report (see on file)

Public Record Request from America First Legal Foundation – Martina said it might take her longer than normal to provide this request due to its nature. Commissioners agreed to have a policy that can be applied across the board and it takes a lot of time have the ability to charge an hourly rate that should include overhead (not just the employees salary). Martina will check with the Secretary of State on what is allowable and get back to the commissioners.

2023 Appointments – Martina informed the board about the upcoming appointments. Discussion followed about advertising since we do have the majority of incumbents interested and the boards are satisfied with the incumbents if they want to continue to serve. It was agreed to advertise all positions in the MV Times and in social media. Strong incumbent candidate. The deadline for applications will be Friday January 27th. It was agreed to vet applications before inviting people for interviews. Don asked for criteria based on which we can vet applicants.

Christine thanked both Keith Chatinover and Leon Brathwaite for all their work, contributions over the years and their commitment to the County.

Public Comment - none

Leon/Keith moved to adjourn the meeting at 6:00pm. So voted. Don – yes, Tristan – yes, Peter – yes, Keith – yes, Leon – yes, Christine - yes. Motion carries.

Certified by:



T. George Davis, Clerk of Courts

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

- Meeting Agenda
- Manager's report
- Airport Request
- Navigator Homes request
- Beacon Wind request
- Certification of elections
- Auditor's Engagement letter