

**Dukes County Commission (DCC) &
Dukes County Advisory Board on Expenditures (CAB)
Joint Emergency Meeting Minutes
Tuesday, February 2, 2021
7:00 PM
*REMOTE PARTICIPATION ONLY***

Dukes County Commissioners Present: Christine Todd – Chair, John Cahill – Vice Chair, Keith Chatinover, Donald Leopold, Leon Brathwaite, R. Peter Wharton, and Tristan Israel.

County Advisory Board Members Present: Arthur Smadbeck – Edgartown, Bill Rossi – Chilmark, Brian Packish – Oak Bluffs, Jeff Kristal – Tisbury, and Skipper Manter – West Tisbury.

Other County Officials Present: Martina Thornton – County Manager, Ann Metcalf – County Treasurer, and Paulo DeOliveira – Register of Deeds.

Others Present: Kate Warner, Aaron Wilson – Vineyard Gazette, George Brennan – MV Times, Benjamin Robinson – Martha’s Vineyard Commission/Tisbury Planning Board; and Jennelle Gadowski.

Christine Todd called the DCC to order and Arthur Smadbeck called the CAB to order at 4:00 PM.

Dukes County Courthouse Boiler Replacement

Martina Thornton explained that the County Courthouse boiler failed (cracked and flooded). Contractors notified her that it is beyond repair and needs to be replaced. The building was secured from freezing by shutting off the water, insulating the crawlspace, and turning on heaters. Court operations have ceased as it was decided to close the building for the entire week due to water shut off and inefficient heat. Trial court urged a prompt restoration as soon as possible. Ms. Thornton already requested and received an emergency waiver from the Division of Capital Asset Management and Maintenance (DCAMM) in order to waive the 2-week advertising requirement. She also pulled prevailing sheets for the contractors so proposals will be based on prevailing wages, which is also a requirement. Three companies that install commercial boilers were contacted for advice on how to proceed and only one proposal was received as of this emergency meeting. If approved, a boiler could potentially arrive Monday and be wired in by next week. Ms. Thornton explained that renting is a possibility, but it would be much more costly and time consuming to switch the piping needed and then switch to a long-term solution. Alternative sources of heat, such as propane, were discussed however there is an issue with venting. A greener solution would take longer to reach out and receive proposals from engineers. Ms. Thornton received a proposal for \$41,995.00 and is unsure if other contractors will be needed to complete the install. She requested appropriating \$45,000 from the Capital Improvement Fund that has a balance of \$126,000. The state said they will reimburse 87% of the cost, according to the lease as it is part of the regular allowable expense. She added that reimbursement from the state would be in the form of rent in the following fiscal year.

Commissioner Israel expressed environmental concerns with putting in a new boiler that would last approximately 20 years. He suggested renting a propane boiler temporarily while finding a greener solution in order to comply with the 2030 goal of the Island being energy independent. Ms. Thornton agreed to look into greener solutions whenever possible moving forward and to work with the engineers to equip the rest of the offices with mini splits (a greener solution for heating and air conditioning). Commissioner Wharton reminded everyone of Rule 30B's five-step process in finding and securing a bid. When asked whether propane or oil would be the most environmentally friendly, Ms. Warner explained that propane is a cleaner burn than oil and that you cannot switch from oil to propane. A high efficiency, sealed combustion, direct vent, propane boiler would be the best choice. She also added a request to wait on a boiler and ask the local heating contractors for greener options, such as an estimate for mini splits in the remaining Courthouse rooms and using cold climate source heating pumps that are rated to below freezing temperatures for colder days. Also in light of the possible solar panels installation that could power these electric units. Furthermore, she suggested all the municipal buildings have a master plan for improving their heating efficiency. When asked who will pick up the remaining 13% of the costs, Ms. Thornton and Mr. DeOliveira said there is a general agreement that the Registry of Deeds will contribute to capital improvements that benefit the entire building. However, he said that even though it has not yet been discussed fully, he is willing to entertain the idea.

Mr. Packish said that looking at all options is important but putting highly efficient systems in highly inefficient buildings such as the Courthouse is inefficient. He also reminded everyone that since the Courthouse has struggled to remain open during COVID-19 there should not be further delay. Mr. Manter expressed significant concern of the inadequate ownership and maintenance of the Courthouse and the need for short- and long-term plans. **Skipper Manter made a motion for \$50,000 to be taken out of the Capital Improvement Fund.** Mr. Rossi agreed and supported the statement. It was noted that DCC should make a motion to be voted on first, and presented to the CAB for vote. **Leon Brathwaite made a motion to move \$50,000. R. Peter Wharton seconded the motion. So voted. Leon Brathwaite aye, John Cahill aye, Keith Chatinover aye, Tristan Israel aye, Donald Leopold aye, R. Peter Wharton aye, and Christine Todd aye. Motion carries. Skipper Manter made a motion for \$50,000 to be taken out of the Capital Improvement Fund. Bill Rossi seconded the motion. So voted. Brian Packish aye, Skipper Manter aye, Jeff Krystal aye, Bill Rossi aye, and Arthur Smadbeck aye. Motion carries.**

Skipper Manter made a motion for the CAB to adjourn. Bill Rossi seconded the motion. So voted. Skipper Manter yes, Brian Packish aye, Jeff Krystal aye, Bill Rossi aye, and Arthur Smadbeck aye. Motion carries. Leon Brathwaite a motion for the DCC to adjourn. Commissioner Israel urged everyone to stay in the meeting as the choice of heating source for the Courthouse was not yet decided. He asked that everyone take a few days to look into greener solutions. Conversation ensued regarding which option for a boiler would be selected. Three Commissioners said that they thought they were voting for the proposals as vetted by Martina and a \$50,000 appropriation to do so. Commissioner Brathwaite agreed that if you can wait to wait and find a better long-term solution, but that since this is time sensitive, a decision must be made soon. Commissioner Chatinover agreed with Mr. Packish's earlier statements. Commissioner Todd summarized by saying that the situation needs to be dealt with immediately, that there is an interest in pursuing greener means for running municipal buildings in the future, and that while the expenditure has been approved that the process has not. Mr.

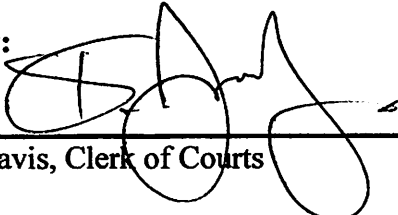
Robinson added that whatever method chosen will be a redundant heat backup source when the building gets converted to a greener system, that will likely be a variable refrigerant flow (VRF) system. He also said that over the next couple of days as everyone reviews the options and vets the proposals, that local experts should be reached out to in order to ensure that whatever system is installed is the right type for the building. Ms. Thornton agreed and said that she will be reaching out to the local experts. Commissioner Todd thank everyone for their time and consideration in this matter.

Public/Press Comments

There were no further public or press comments.

Leon Brathwaite made a motion to adjourn the meeting. Tristan Israel second the motion. So voted. Leon Brathwaite aye, Donald Leopold aye, Tristan Israel aye, Keith Chatinover aye, R. Peter Wharton aye, and Christine Todd aye. Motion carries. The joint emergency Dukes County Commission and Dukes County Advisory Board on Expenditures meeting was adjourned at 7:42 PM.

Certified by:



T. George Davis, Clerk of Courts

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

- Meeting Agenda for February 2, 2021
- Memo from Martina Thornton
- Courthouse commercial boiler proposal