

Dukes County Commission (DCC)
Meeting Minutes
Wednesday, March 16, 2022
4:00 PM

REMOTE PARTICIPATION ONLY

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

Other County Officials Present: Martina Thornton – Dukes County Manager, Paulo DeOliveira – Dukes County Registry of Deeds, Ann Metcalf – County Treasurer

Others Present: Dylan Fernandes – State Representative, Jim Malkin – Steamship Authority Board representing Martha's Vineyard (MV), Joseph E. Sollitto, Jr. – Port Council member representing Oak Bluffs, Kaylea Moore – MV liaison to the legislative delegation, Carlie Clarcq, Aiden Pollard- Vineyard Gazette, Abigail Rosen – MV Times, Libby Gibson, Town Manager – Nantucket, Melissa Murphy – Nantucket Select Board member, Kristie Ferrantella – Nantucket Select Board member, Joan Malkin – Chair of the MV Commission, Adam Turner – Exec. Director of MV Commission, Gail Barmakian – Oak Bluffs Select Board member

Christine Todd called the meeting to order at 4:01 PM. She had issues with internet connection and asked Peter Wharton to chair the meeting.

Minutes –

Leon/Keith moved to approve minutes of 3-2-2022. So voted.

R. Peter Wharton – yes, Keith Chatinover – abstained, Tristan Israel – yes, Leon Brathwaite – yes, John Cahill – abstained, Christine Todd – yes. Motion carries.

Leon/Keith moved to approve minutes of 3-9-2022. So voted.

R. Peter Wharton – yes, Tristan Israel - yes, Leon Brathwaite - abstained, John Cahill – yes, Keith Chatinover – yes, Christine Todd - yes. Motion carries.

***Don Leopold joined the meeting.**

Steamship Authority (SSA) updates – proposed legislation (Bill H4527)

Christine introduced the topic and said that we invited all parties that have vested interest to come to this meeting to discuss publicly this legislation that was filed by Representative Fernandes. Jim Malkin, SSA board representative appointed by the Dukes County Commissioners and Selectmen in Chilmark raised a concern of the lack of process and no public hearing being held on Martha's Vineyard with any of the island's representation (county, elected town officials etc.) before this legislation was filed. Jim said he advocated for the COO position with the SSA board several times and so he is not critical of what is the legislation, but he raised the issue with the process. Port Council member for Oak Bluffs Joe Sollitto echoed the concern of lack of communication. Port Council member for Tisbury and County Commissioner John Cahill agreed with prior comments and asked if Representative Fernandes would withdraw the legislation given the fact that the SSA board approved hiring of the COO. Discussion followed. Tristan noted that the lack of process prevented this board to discuss this legislation in a public meeting even before a hearing at the State house held on that matter and commissioners were

only left with sending individual letters. Representative Fernandes said that the legislation was born from islanders' calls relative to the SSA board lack of oversight and accountability. Back in 2018 there were some issues with the service and as a result there was an independent audit done and a report called for many recommendations for improvements of issues that were raised. SSA has implemented number of the recommendations, but one that was not was hiring a COO. In general lack of accountability and management process with no long-term vision not conducive to long-term planning. Dylan had followed up discussions on this topic. Before filing he reached out to all members of county commission (except for Peter Wharton) and had conversations with majority of the members, all of which were positive. (Unfortunately, not Christine Todd, chair of the County Commissioners). He also reached out to both Port Council members. He did notify the SSA board that he filed the legislation and made public statements that he would prefer if the SSA board implemented the COO position on their own. Since the board did that yesterday, they will take it out of the bill. The SSA board also wanted to update the statute which requires them to issue a public report every April. They would like to change it to July to go along with the fiscal year. Dylan is planning to add that. He already reached out the chair of the Joint Transportation Committee and notified him of the changes. Discussion followed. Joe Sollitto did raise issue with the term limits for the SSA board members. He felt that institutional knowledge is important, and the Dukes County Commissioners appoint the person, and it is up to them if they want the same person serve or want a new person appointed. Dylan respectfully disagreed and explained his position on it. Dylan said that this bill will pass in an informal session as a bill of minor concern. Discussion followed. Keith agreed with the term limits, Tristan did not. Tristan reminded all about the issues that raised the last time the legislation was opened when other ports wanted more power and when there were efforts for the State to take the Steamship over. Dylan responded that the SSA legislation was amended two years ago and there were no concerns. It will have to be again amended when

Legislation relative to eliminating the one voting member of the five Governor's appointees to the MV Commission and adding Aquinnah Tribal member as a new voting member instead. Adam Turner made a point that the legislative change is a good one but would appreciate better communication as part of the process. The governor has five appointees to MV Commission, one is a voting member and that one will be replaced by member of the Tribe (for total of 21 members, of which 17 are voting members). Adam wanted to publicly praise the current governors representative Michael Kim, as doing a very good job. There was a time that there was nobody appointed to this position for long periods of time (3 plus years). Dylan said the legislative change already passed in the State House and is on to the Senate. The county commissioners voiced support for this change. Gail Barmakian asked if the Tribal member must be from the island or if it can be member of Wampanoag tribe living off island. Dylan said he will look into it.

Martina brought the issue of continued funding for State beach from the state as the \$30K grant that the county used to get for the past 20 years was eliminated couple years ago. She has been working with Kaylea Moore on this for several months already. Representative Fernandes will file it as part of the state budget to include it.

Lease Extension for the upstairs at 29 Breakdown Lane, Vineyard Haven with Island Health Care

Martina sent e-mail from the CEO of Island Health Care with a report of what the space was used for in the past three years and what the organization is planning to do there going forward (document on file). **Tristan/Leon moved to approve renewal of the lease for the next three years as presented. So voted. R. Peter Wharton – yes, Keith Chatinover – yes, Tristan Israel – yes, Leon Brathwaite – yes, John Cahill – yes, Don Leopold – yes, Christine Todd – yes. Motion carries.**

VT / Eversource – transformer box request at the Courthouse

Martina introduced the latest proposal (on file)

Tristan/Leon moved to accept the recommendation and allow installation of the transformer box at the proposed location pending Edgartown Historic Commission approval. So voted. R. Peter Wharton – yes, Keith Chatinover – yes, Tristan Israel – yes, Leon Brathwaite – yes, John Cahill – yes, Don Leopold – yes, Christine Todd – yes. Motion carries.

Pet Policy Proposal

Ann spoke to the insurance company, and they said that we do need pet policy. They are advising that no pets are allowed unless they are a certified service animal. Discussion followed. Christine asked that Ann and Martina work with the insurance company and figure out the proper language to make sure that we comply with all legal requirements as well.

Manager's Report

- Facilities Committee met yesterday to discuss creating a capital improvement plan for all county building. Martina was charged to get some initial estimates from professional property management company to help us do that.
- Annual Town Meetings update regarding regional program funding requests. Oak Bluffs Finance Committee did not vote to support the request for county allocation of overhead and for the Substance Use Disorder Coalition. Martina is waiting for results from decision of Tisbury Finance Committee. Discussion followed.
- Martina is getting some more PPEs this weekend from MEMA, as a backup should the virus spread increase again.


American Rescue Plan Act Updates – Working group met with legal counsel and worked on procedures and got assurance from the attorney that once the MOU with Plymouth is signed and they can start reviewing the documents in should not take longer than a week to finalize the documents needed. The Review committee will be meeting tomorrow.

New business – Anything the Chairman did not reasonably anticipate for discussion when filing the meeting notice to be posted.

Tristan said he had conversation with Kelly McCracken, the Administrator of the Retirement System regarding the Sheriff's retirees and she explained the issue and he does not see a need for a legislative change. Tristan would still like to talk about legislation change increasing the percentage county.

John/Leon made a motion to adjourn the meeting at 5:30PM. So voted. R. Peter Wharton – yes, Keith Chatinover – yes, Tristan Israel – yes, Leon Brathwaite – yes, John Cahill – yes, Don Leopold – yes, Christine Todd – yes. Motion carries. The Dukes County Commission meeting was adjourned at 5:30PM.

Certified by:



T. George Davis, Clerk of Courts

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

- Meeting Agenda
- Manager's Report
- Pet Policy proposal
- Island Health Care updated regarding space at 29 Breakdown Lane, Vineyard Haven
- Transformer box proposal
- VTA picture design of proposed transformer box