

Dukes County Commissioners

Minutes

Wednesday April 1, 2020

4:00 PM

VIA ZOOM meeting REMOTE PARTICIPATION ONLY

Dukes County Commissioners Present: Tristan Israel – Chairman, Christine Todd, Leon Brathwaite, Keith Chatinover, Gretchen Tucker Underwood, and John Cahill

Other County Officials Present: Martina Thornton – County Manager, Ann Metcalf- Treasurer, Karen Tewhey- Assoc. Commissioner for Homelessness, Sarah Kuh – Director of Vineyard Health Care Access Program

Others Present: Rich Saltzberg- MV Times, Karl Buder, Dean Rosenthal, Rob Lytle, Paulette Sousa, Christina Colaruso, Richard Cohen, Francine Agnoli and Laura Hall, James Hagerty – Edgartown Town Administrator, Bob Rosenbaum- Chair Martha's Vineyard Airport Commission, Cindi Martin-Airport Manager

Tristan called the meeting to order at 4:00 PM.

MINUTES:

John C./Keith made a motion to approve the minutes at the following meeting on April 8, 2020. So Voted. Keith- Yes, Leon- Yes, Gretchen- Yes, Christine-Yes, John C.- Yes, Tristan- Yes. All in favor. Motion carries.

Governor's Order vs. Local Towns Emergency Declaration Order - Update:

Martina said the Governor did extend his order for only essential services to keep operating and he also prohibited gatherings of more than ten people until May 4th, 2020. She also said the local towns through their Boards of Health (BOH) and their Selectman (BOS), adopted their own Stay at Home Orders that were a little more restrictive, specifically when it comes to construction until April 7th, 2020. There are discussions regarding extending that order. Tristan said that the Governor has responded that the ban that the Island towns initiated is not in effect for the rest of State. A discussion was held.

Airport - Update:

The DCC held a discussion regarding the Airport projections for revenue as they pertain to the Covid-19 crisis. Cindi Martin said the Airport has been managing their cash flow very closely. Cindi stated that right now it is business as usual, however; they have adjusted their cash flow through the end of the fiscal year accordingly. A discussion was held. Christine asked Cindi to address the Business Park. Cindi stated the Airport has not received any requests for relief, however; they did receive guidance from the FAA on what is allowed. She also said that because of the mandate to be self-sufficient, the Airport may be able to abate rents, but they cannot waive them. The Airport has not had an opportunity to formulate a policy in response to this issue. Rich from the MV Times asked Cindi if the Airport will see the revenue this summer from the large private jets that come and general commercial traffic, is there any projection on the impact to the budget? Bob said they are watching all of that very closely. Bob stated there are no projections yet. Tristan asked about the long-term leases and negotiations. Bob stated that there is no change to that.

Dukes County Treasurer – Ann Metcalf:

Ann gave the DCC an update on Airport special legislation for short- term borrowing. She said that she and Cindi sent out some memorandums about borrowing in case the Airport has a bad summer. Ann also said the legislation is being very pro-active and was developed for worst case scenario and the most important part of the legislation is the inclusion of the Department of Revenue (DOR) as far as approving any borrowing for the Covid-19 virus, the DOR needs to be shown a demonstrated need and a repayment plan. Cindi said she has been in discussions with Martina about considering some sort of emergency funding mechanism because Home Rule legislation has not yet passed. Cindi stated that the Airport is

operating on its own, self-sustaining and they are maintaining their cash reserves but if the reserves are depleted, they may need to have some form of borrowing. Cindi said the Airport anticipates receiving approx. \$1.2 million through the CARES ACT that was recently passed. She also said the most that they would need to borrow is \$4 million. Keith requested that all documents for the DCC meetings be sent 48 hours prior to the scheduled meeting. Cindi said the request for this legislation is the authority to approve this and then direct the County Manager or County Treasurer to send this up to the State House for consideration. Leon asked the Airport what sources of revenue they would use to pay back the money. Bob said the Airport would use their normal revenue from the various existing sources. The DCC would like to know specifically where the Airport will get the monies to pay the borrowings back. Leon said he feels very strongly that any borrowing that they are going to do based on this should go through the CAB. Leon stated that the CAB is the elected town officials who can obligate the Towns to pay more money if necessary. Leon does not think that they, as Dukes County Commissioners, have that authorization.

Christine/Keith made a motion to authorize the Martha's Vineyard Airport to pursue the option of borrowing to ensure no disruption of service. The Martha's Vineyard Airport Commission is requesting a maximum borrowing authority of \$4 million for a term not to exceed 20 years – depending on which financial arrangement: bond, note or line of credit, may be the most efficient and cost effective at the time of any borrowing. So voted. Christine yes, John C. yes, Keith yes, Gretchen yes, Leon no, Tristan yes. Motion carries.

Martina said at the end of the first paragraph, it says that “indebtedness to this act shall be subject to Section 20A of Chapter 59 in General Laws”. That means the Airport cannot ask the towns to pay this indebtedness through the county assessment outside of the Section 20A. The statute only allows the County to raise the county tax by 2 ½ percent a year, so there is a cap on what the county can ask the Towns to contribute. The Airport should come to the DCC with a specific plan of what they need and how they will repay it with projections of what revenues will be freed up to repay the debt. Martina wanted to point out that this is a result of her reviewing the special legislation for municipal finance relieve and that it did not address the fact that the County, unlike towns, do not have the ability to short-term borrow.

Allocation of Overhead Calculations for the Treasurer's Office Update– Ann Metcalf:

Ann said that she is working with Martina and the Airport on a new allocation of overhead that reflects the services the Treasurer's office does for the Airport. Ann said part of the calculation is how much her office spends on different things. Over the years they have accumulated things that they do for free that have benefits for the community, like the Land Bank but they have never been billed for her time to perform those services. Ann needs to put this in her overhead allocation, but as far as charging for it, that is the question she is putting forth to DCC. John C. recommended the DCC form a sub-committee to review the document with Martina and anyone else on the DCC and then they can bring it back to the full board. Leon said that the Land Bank is sitting on millions and millions of dollars and they are asking Ann to do a lot of work with setting up bank accounts, managing their payroll and other things. Leon stated that there never has been a reimbursement to the County for that work.

John C./Leon made a motion to table this issue and form a subcommittee to review the document that was presented by the County Treasurer. So Voted. Keith-Yes, Leon- Yes, Gretchen-Yes, Christine-Yes, John C.-Yes, Tristan-Yes. All in favor. Motion carries.

Tristan appointed Leon and John C. to work with the County Manager as a sub-committee to review the document provided by the Treasurer and report back to the DCC.

Homelessness Prevention – Karen Tewhey Update on Covid-19 Crisis:

Karen told the DCC that her budget funds were almost depleted and needs additional funding to keep 11 homeless people in hotels until the end of May and possibly the end of June due to the COVID 19 virus. A discussion was held. Martina said there is an emergency plan in place for adverse weather, but there was not a willingness to make specific plans for homeless people due to the virus. She does believe that all the Emergency Managers from the towns are working with the Boards of Health (BOH) and the hospital to come up with solutions. Specifically, Martina said, they are looking how to open a shelter that would be an isolation shelter or a quarantine shelter if and when needed, where that would be, who would supervise it and that it has all of the necessary equipment. The DCC asked Karen to provide a dollar amount needed and it will be added to the next DCC meeting.

Vineyard Health Care Access Program (VHCAP) – Sarah Kuh Update:

Sarah gave the DCC an update on the VHCAP and Social Service programs. She said both programs are working from home, but on occasion they must go into the office to process documents. Sarah also said her office is seeing a lot of people losing their insurance because their jobs are ending but the good news is that the benefits are being protected. A discussion was held. Christine asked Sarah if she is seeing extensions on benefits such as food stamps (SNAP). Sarah said she got an email today from the Department of Transitional Assistance (DTA) and found out that every single household that is currently active with SNAP will be automatically shifted over to the maximum benefit. She also said that the State is putting a freeze on renewals and recertifications so that people, if they do not turn in their renewal or recertification, their benefits will be extended at least six months. Sarah said they are doing an increased volume of SNAP applications, as people lose their jobs and go onto unemployment or just lose their jobs and they are waiting for unemployment or they might not even be eligible yet for some of the CARES Legislation benefits which have to be enacted by the state agencies. The Dukes County Social Services office has been helping people sign up for unemployment benefits but has concerns that the additional monies the government is giving for unemployment may affect some people's ability to qualify for health insurance benefits. Sarah said DTA is now able to do cash applications online and that may be helpful for some of their lowest income households on the Island as they have been able to get some emergency aid for small financial assistance through a collaboration.

Manager's Report:

- **Census:** Martina wanted to advise the public that the census is available to be taken online and the link is on the Dukes County website.
- **Center for Living:** Martina said Leslie Clapp has applied to the Permanent Endowment Fund to underwrite some trips to the Boston Food Bank and working with the Steamship to get the trucks back and forth.

Christine/Keith made a motion to continue the Dukes County Commissioners meeting and open the listening session with Jim Malkin the Dukes County representative on the Steamship Authority Board.

So voted. Keith-Yes, Leon-Yes, Christine- Yes, John C.- Yes, Tristan- Yes, Gretchen yes. Motion carries.

***Gretchen left the meeting at 5:45pm**

Steamship Authority Representative- Mr. Jim Malkin: Report:

- **Covid 19 Virus - Update:** Jim told the DCC when the virus hit, there was a group of people on the boats and in the terminal that really wanted to do the right thing to continue to provide the Island with the things they need like food, medicine, fuel, emergency responders, medical personnel, medical supplies and so forth. Jim also told the DCC the only way the Steamship Authority could stop people from coming would be if Governor Baker and the appropriate legislation were passed banning non-essential travel in the Commonwealth. The SSA has concerns regarding a significant revenue shortfall. Jim said some specific things in terms of cost cutting could be in some of projects being put on hold, projects being delayed, facility operations, personnel and boats being put back into service, etc. The SSA will address these issues at their next meeting on April 21st.

- **Oak Bluffs Pier Repairs:** Jim said that Cashman is still doing the work that they are engaged to do on the pier. Jim also said there is no work going on now at the terminal building as that project was put on hold. The terminal facility is operating under a temporary occupancy permit. Jim said there is a discussion that is being had with the Falmouth Building inspector on how much of that can continue and it can be operated under a temporary permit. Jim said there is no building on the terminal itself.
- **Questions from the General Pubic for Jim:** Several members of the Martha's Vineyard Community asked Jim specific questions regarding the SSA's financial condition, the ferry schedules and summer visitors.

Leon/Tristan moved to adjourn. So voted. Keith- No, Leon- Yes, Christine- No, John C.- No, Tristan- Yes. Motion fails.

Tristan said since the motion to adjourn failed the DCC will work on revisions to the Administrative Code but will not have the full board for voting.

Administrative Code:

Keith sent out a revision to the DCC on March 31, 2020. Keith said he would like to amend the motion that he put on the floor a week ago. A discussion was held. Tristan had concerns regarding the wording that the DCC cannot talk about an issue under review before the vote, this would preclude him from being able to give his opinion on an issue before its voted. Christine said the DCC revised code is not going to restrict anybody from being able to offer opinions about issues if they disclose it is their opinion. Tristan said if a County Commissioner were to represent themselves, if it were the will of the entire County, and misrepresented the position of the County publicly, the DCC would call that individual out publicly at a meeting and say, you are misrepresenting the position of the County.


Keith/Christine made a motion to amend the motion on the language of the Dukes County Administrative Code to say "when a County Commissioner expresses their personal opinion to another body, on a matter that is currently under review, and/ or has been voted on by the County Commission, they must state clearly that they are speaking for themselves and not the County Commission as a whole. In addition, they are encouraged to share the majority opinion of the county commission in their statement". So Voted. Keith- Yes, Leon- No, Christine-Yes, John C.-Yes, Tristan- No. Motion carries.

Keith/Christine made a motion to approve this Governance Part B of the Dukes County Administrative Code which is part of the guidelines of the Appendix as read above. So voted. Keith- Yes, Leon-No, Christine-Yes, John C.-Yes, Tristan- No. Motion carries.

Christine/John C. made a motion to adjourn. So voted. John C.-Yes, Christine-Yes, Leon- Yes, Keith-Yes, Tristan-Yes. All in favor. Motion carries.

The DCC meeting was adjourned at 6:13 PM

Certified by:



T. George Davis, Clerk of Courts

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

- Agenda
- DCC MVAC COVID-19 Financial Impact
- MVAC Final Approved COVID-19
- Dukes County Treasurer MVAC Legislation