

**Dukes County Commission (DCC)
Meeting Minutes
Wednesday, April 6, 2022
4:00 PM**

REMOTE PARTICIPATION ONLY

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

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

County Advisory Board on Expenditures: Art Smadbeck (Edgartown), Emma Green-Beach (Oak Bluffs), Jeff Kristal (Tisbury)

MV Airport: Airport Commissioners - Bob Rosenbaum, Richard Knabel, Airport Manager – Geoff Freeman; Norm Werthwein

Others Present: Powers & Sullivan Auditors: Frank Serreti, Jess Greene; Abigail Rosen - MV Times, Aiden Pollard - The Gazette; John Croker – Tisbury Harbor Master, Jaren Meader – Tisbury Wastewater, Bob Johnston – Future Works, K Metell

Christine Todd called the meeting to order at 4:03 PM.

Minutes

Peter/Keith moved to approve minutes of 3-16-2022. So voted. John Cahill – yes, Keith Chatinover – yes, Leon Brathwaite – yes, R. Peter Wharton – yes, Christine Todd – yes. Motion carries.

Peter/Keith moved to approve minutes of 3-23-2022. So voted. John Cahill – yes, Keith Chatinover – yes, Leon Brathwaite – abstained, R. Peter Wharton – yes, Christine Todd – yes. Motion carries.

***Tristan joined the meeting.**

FY2021 Audit – exit conference presentation – Frank Serreti

Frank made a presentation. She said there were significant improvements over last year and the auditors issued an unmodified finding, which is the best the County could get. He proceeded to highlight the key findings in the FY2021 Financial Statement, the Federal Award audit and the Management Letter (see documents on file).

Christine asked about the cybersecurity comment and Frank said the County is making progress on this. The auditor is looking for the county to act on the findings from the risk assessment that was conducted this year.

Art asked if there are any new comment in the management letter or just the three from prior year remaining. Frank said there are no new comments.

Christine thanked county administration, Treasurer's Office, Register of Deeds and the Airport for working with the auditors and coming up with this positive result.

Support Letter for Aquinnah & Chilmark Renewable Energy Technical Assistance

Tristan explained the request that would help the two towns develop a plan for renewable projects. Draft proposed support letter is on file.

Tristan/Leon move to send the support letter as proposed. **So voted. Tristan Israel – yes, John Cahill – yes, Keith Chatinover – yes, Leon Brathwaite – abstained, R. Peter Wharton – yes, Christine Todd – yes. Motion carries.**

Joint Public Hearing with Nantucket relative to the Steamship legislation

Christine said that per request of several island towns and discussions that happened at the preceding DCC meetings a public hearing was scheduled in collaboration with Nantucket for Monday April 11th at 5pm via zoom. Christine encouraged all the participate.

Legislation to ban renting of mopeds and scooters in Oak Bluffs and proposed island-wide legislation

Link to the filed Oak Bluffs legislation was sent to DCC members. Representative Fernandes is thinking about pursuing the legislative ban island-wide and would like to know if DCC has any input. Discussion followed. DCC asked town representatives present for their input. Jeff Kristal said that Tisbury is in support of it. Art Smadbeck said that Edgartown never issued any such license. Discussion followed. Peter raised an issue of not wearing helmets on mopeds and scooters. There was a discussion about electric bikes and their regulation. Christine asked if the discussions already happened in the towns. Art said that it turned out that the bike rental places do not need permission from the towns to rent this type of bicycles. Oak Bluffs did not discuss it officially.

Keith/Leon moved to support concept of filing a legislation for an island-wide ban of renting mopeds and scooters. Discussion followed. Tristan said he hopes that a public discussion happens before the legislation is finalized and filed. So voted. Tristan Israel – yes, John Cahill – yes, Keith Chatinover – yes, Leon Brathwaite – yes, R. Peter Wharton – yes, Christine Todd – yes. Motion carries.

FY2022 Budget Amendments

Martina said she is not proposing any amendment of the budget at this time but wants the Commissioners to be aware some developments in the FY2022 budget.

The Registry of Deeds met the increased \$275K revenue from deeds excise tax already and the projection is that the revenue will reach \$300K by the end of the fiscal year.

After review of the Center for Living FY2022 budget to date with the Director and the Treasurer it became clear that with needed budget amendments to reflect changes in staff, there will be a shortfall of about \$25K due to lack of revenue coming in from client fees as the number of clients attending is not as high as originally projected. The Center for Living board asked the County to create a Stabilization fund for the Center for Living and use some of the money left at the end of FY2021 to put in there to assure that the \$25K shortfall can be covered by the end of FY2022. Discussion followed. It was agreed that the Treasurer will find out if some of the funds left unspent at the end of FY2021 can be used to cover the shortfall. This will be topic of discussion and decision by the CAB next Thursday and Art asked if Treasurer can have answer for the CAB prior to that meeting.

Tristan asked if Center for Living would come and make a presentation to the County Commissioners at some point.

Manager's Report (detailed report on file)

Martina informed the Commissioner that the County/ VHCAP received **\$13,500 grant for MV Community Foundation for the Vineyard Smiles adult dental clinics** and asked the Commissioners to accept the grant.

Tristan/Keith moved to accept the \$13,500 grant from MV Community Foundation as presented. So voted. Tristan Israel – yes, John Cahill – yes, Keith Chatinover – yes, Leon Brathwaite – yes, R. Peter Wharton – yes, Christine Todd – yes. Motion carries.

Martina reminded all that it is election year, and all County Commissioners are up for re-election. Nomination Papers are available at Tisbury Town Clerk's Office – deadline to submit signatures for certification is May 3rd if people are interested to run with party affiliation. The brochure of how to run is available on the county website.

Martina updated the Commissioners on the VTA project by the Courthouse. Edgartown Conservation Commission approved the installation of the transfer box at location approved by the DCC and Edgartown Selectmen approved removal of the shade tree that is there. Martina asked the DCC to approve removal of a tree that is too close to the building as the VTA offered to help to remove it at no cost to the county. It would improve ability to maintain the building. Discussion followed.

Tristan/Peter moved to support the removal of the second tree with the understanding that there will be a new tree planted to replace it in a better location. So voted. Tristan Israel – yes, John Cahill – yes, Keith Chatinover – yes, Leon Brathwaite – yes, R. Peter Wharton – yes, Christine Todd – yes. Motion carries.

Martina informed the DCC that she still only has one proposal for rebuilding of the bathroom and basement room at the County Administration building although she is working hard to gain more proposals. She suggested to revisit this at the beginning of May and make a final decision to move the project forward.

State beach Updates – sand was put on the dunes, fencing is being repaired, beach grass was delivered, and planting is scheduled for April 10th by Friends of Sengekontacket volunteers. Nesting birds monitoring started, and protective fencing was installed. We will be soon advertising for a summer beach patrol.

Money to be returned to the towns - the final amounts are still being reviewed by the Treasurer. The towns will for sure see a full credit on their May County assessment (\$264,744) plus there will be additional funds to be return in a form of a check. Leon asked the Treasurer if County could take some of the money and put it into OPEB as he would be in support of that.

Town meetings – Martina said that Oak Bluffs is the only town that is not supporting the allocation of overhead request. She will be in Oak Bluffs along with Christine to try to defend it. She asked the Commissioners from Tisbury, West Tisbury and Edgartown to be prepared to speak to the county request at their respective town meetings if questions arise. She will send informational materials ahead of the meetings to all.

New business – request from Tisbury to approve a project of improving parking lot at the Tashmoo beach. County owns 13% of the beach and therefor needs to co-sign the application to the Tisbury

Conservation Commission and DEP along with the town of Tisbury. Martina recommended approving this project pending approval by the Tisbury Conservation Commission and the Mass DEP. John Crocker, Tisbury Harbor Master explain the details of the project and answered additional questions. Tristan asked if the proposed materials are environmentally safe. John said that the grid is plastic, and the textile is a fabric used for this purpose. Conservation Commission and DEP will have to issue a permit with Order of Conditions before this project can begin.

John/Leon move to approve the application to the Tisbury Conservation Commission and DEP with the understanding that the County is only supporting this project if the Tisbury Conservation Commission and DEP will approve it. Discussion followed. Tristan would like to know more about the effects of these materials on environment and therefore will abstain. Tristan also mentioned that he would be in support of the County giving up the 13% to the town, since town is paying for the maintenance of the beach. Motion was called to vote. **John Cahill – yes, Keith Chatinover – yes, Leon Brathwaite – yes, R. Peter Wharton – yes, Tristan Israel – abstained, Christine Todd – yes. Motion carries.**

ARPA Updates

Leon reported that the documents were submitted from Plymouth and shared with lawyers and will have meeting next week to go over the documents. Monday the group met with the auditors and had a great discussion and insight. They will help the Treasurer to set up the reporting system and brought a lot of information to the table as they are doing this for other clients as well. There will be couple of weeks before the documents are finalized.

John said the Review Committee met couple of times in the last two weeks and they are still doing qualitative analyses of the applications. They should have more information in couple of weeks.

New Business

Keith informed DCC that he will not be running as County Commissioner in these upcoming elections. He encouraged people to run. He will serve for the remainder of his term to the end of the year 2022.

Calendar – Special ARPA meeting April 13, 2022 at 4PM (if we need it), County Advisory Board 4-14-2022 2:30pm, DCC regular meeting 4-20-2022 at 4:00pm (Manager will not be present).

Keith/John made a motion to adjourn the meeting at 5:36PM. So voted. R. Peter Wharton – yes, Keith Chatinover – yes, Tristan Israel – yes, John Cahill – yes, Christine Todd – yes. Motion carries. The Dukes County Commission meeting was adjourned at 4:56PM.

Certified by:



T. George Davis, Clerk of Courts

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

- Meeting Agenda
- Letter of support for the West Tisbury and Aquinnah application to ETIPP
- Manager's Report
- Tashmoo Parking Lot project information and map
- H4322 to ban rental of mopeds and scooters in Oak Bluffs