

Dukes County Commissioners
Meeting Minutes
Wednesday, July 1, 2020
4:30 – 6:55 PM
REMOTE PARTICIPATION ONLY

Dukes County Commissioners Present: Tristan Israel – Chairman, John Cahill, Christine Todd – Vice Chair, Leon Brathwaite, and Keith Chatinover.

Other County Officials Present: Martina Thornton – County Manager, Ann Metcalf – Dukes County Treasurer, James Hagerty – Edgartown Town Administrator, and Paulo DeOliveira – Register of Deeds.

Others Present: Bob Rosenbaum – Chair Airport Commission, Donald Leopold, Cindi Martin – Airport Manager, Aaron Wilson – Vineyard Gazette, Bob Johnston, James Malkin – SSA representative, and Jennelle Gadowski (taking minutes).

Tristan Israel called the meeting to order at 4:32 PM.

Minutes

- **Tristan Israel made a motion to approve the Dukes County Commissioner's minutes of June 24, 2020 as presented. Seconded by Keith Chatinover. No discussion. So voted. Keith Chatinover aye, Leon Brathwaite aye, John Cahill aye, Tristan Israel aye, and Christine Todd absent. Motion carries.**

Appointment of Rise Tierney

- Due to a resignation, the West Tisbury Board of Selectmen nominated Rise Tierney to the position of West Tisbury representative to the Dukes County Regional Housing Authority.
- **Leon moved a motion to appoint. John Cahill seconded the motion. Tristan Israel briefly explained the position and moved to vote. So voted. Leon Brathwaite aye, John Cahill aye, Keith Chatinover aye, Tristan Israel aye, and Christine Todd was absent. Motion carried.**

Alchemy Request for License/County Licensing Policy

- Martina explained that the licensing policy needs to be adopted first. The next step would be to approve the licensing agreement based upon Alchemy's application. Martina will follow up to ensure that their application with the County is sufficiently completed, with their agreement and insurance provided. County lawyers suggested language so if the restaurant is interested to serve food on weekends and holidays when the Court is closed, they can do so.
- Leon pointed out that the licensing policy's first sentence has an error – 'restaurants' should be singular. Martina corrected the typo.
- **Tristan entertained a motion to adopt the policy. Keith Chatinover seconded the motion. So voted. Keith Chatinover aye, John Cahill aye, Leon Brathwaite aye, Tristan Israel aye. Christine Todd joined the meeting during the vote and initially abstained. Once she was brought up to speed, she changed her vote to an aye. Motion carried.**
- Martina explained that she was in contact with the two abutting restaurants (Espresso Love and the Diner), who were both not interested in the license. She also mentioned that she spoke with the County lawyer regarding the matter extensively and he gave the green light.

- **John Cahill made an amendment to the motion that Alchemy can conduct business on weekends and holidays with the starting time to be determined by Martina and applicant (Alchemy). Christine Todd seconded for discussion.** There was clarification that the capability of brunch is included if Alchemy would like and that everything in the policy is pending the Town of Edgartown's approval. **Motion stands.** **Tristan Israel called for a vote on the amendment. So voted. Christine Todd aye, Leon Brathwaite aye, John Cahill aye, Keith Chatinover aye, and Tristan Israel aye.**
- **Tristan Israel called for a vote on the motion. So voted. Keith Chatinover aye, John Cahill aye, Leon Brathwaite aye, Christine Todd aye, and Tristan Israel aye. Motion carries.**
- Martina added that she will be providing the necessary paperwork to Alchemy. Edgartown approved Alchemy operation on Monday, already pending Dukes County Commission approval.

Steamship Authority Report

- Jim Malkin, Steamship Authority representative, gave the beginning of the month report on the Steamship Authority. He said that the Oak Bluffs facility opened a week ahead of schedule for cars and trucks. The Woods Hole dock attachment work was completed on time. Soon all slips will be open for use. Ridership continues to be a problem. Passenger ridership has been down - April 5,300 per day, May 6,200 per day, and June 4,800 per day. Vehicle bookings are improving a bit. So far, July is at 85% of what was budgeted. He further said that as the Governor's orders relax, people are responding in brining vehicles over. He mentioned receiving daily correspondence regarding lack of masks and/or social distancing from concerned parties (riders, visitors, etc.). People are being told to put on their masks and/or socially distance while on the ferry. There are new announcements over the ferry loudspeakers. In June the cashflow broke even. The audit has been finalized, completed and delivered to the Steamship Authority. It will be reviewed by the full Board and then released to the public within the next couple of weeks. The issue from 5 weeks ago that involved a spouse trying to accompany a surgery patient was recently resolved amicably and appropriately after discussions amongst the involved parties. The Steamship Authority in turn changed some language that pertained to individuals coming to/from the Island for medical reasons. He further stated that he is aware of the Woods Hole traffic issue and is working to find a solution. He will be reviewing the information presented by Woods Hole residents in response to traffic concerns and the 5:30 ferry that brings food trucks over. He stated that it is not in favor of cancelling that trip, but it will be discussed at their July meeting. Jim requested that Christine Todd send an email as Oak Bluffs Business Association representative asking those of her contacts that use the 5:30 ferry about their needs of the Steamship Authority. Tristan Israel requested that SSA take a look at the previous traffic studies done on the Cape.
- Discussion followed regarding the two taskforce positions that were created by the Steamship Authority to attempt to create forums for residents/communities that are impacted by the Steamship Authority regarding their operations. Leon Braithwaite, and Keith Chatinover were appointed to the Long-Range Strategic Planning Committee as Dukes County Commissioner representatives and John Cahill was appointed to the working group. Jim said that written descriptions and information would be sent to those members.
- Christine Todd mentioned the attempt is being made to coordinate efforts for consistent messaging around masks and social distancing on the Island. She said that she hopes these unique signs by local artists can be placed on the ferries. Jim replied that he would like for the SSA to only put up one sign that covers everything. He suggested finding the best message that will be most effective, such as masks. There was a discussion about possible mandatory mask wearing in local towns. Keith asked for clarification on the SSA loudspeaker messaging. Jim stated that the current ferry announcements say that all crew are required to wear masks at all times. All passengers are advised to wear masks

and are reminded to go to the Purser if they feel uncomfortable. The Purser will attempt to rectify the situation by asking people to move or wear a mask. Anyone not wearing a mask is asked to remain outside. Keith suggested amending the messages to inform passengers that masks are required while on Martha's Vineyard. James replied that in order for the Steamship Authority to do so, he would need all of the Towns to be in agreement with consistent messaging and enforcement. He also stressed that the Steamship Authority is not an enforcement agency, but that the suggestion would be brought to his next meeting.

MV Airport MassDOT ASMP Grant Assurance

- Martina Thornton explained that this is a simple grant assurance. The Airport is asking for permission to authorize Martina to sign the grant in the amount of \$775.11.
- Cindi Martin further explained that the ASMP Grant. The State did the pavement crack seal project at no cost to the Airport that was completed last week. The two lighted Xs that the Airport owned were in disrepair, so MassDOT offered to include that. Typically, they are offered at 80/20 deal (State/Local. Airport has prefunded the entire project and will be reimbursed at 90%, which leaves the Airport's actual cost at \$775.11. This discussion is regarding the final paperwork that was just sent from MassDOT in order to be reimbursed.
- **Christine Todd made a motion to approve the \$775.11 for the ASMP Grant Assurances requested by the Airport. Keith Chatinover seconded the motion. So voted. Keith Chatinover aye, Christine Todd aye, Leon Brathwaite aye, John Cahill aye, and Tristan Israel aye. Motion carried.**

Allocation of Overhead Plan

- There was a discussion about the Martha's Vineyard Airport's agreement about overhead expenses. Ann Metcalf explained in her update that Cindi brought the model to FAA to discuss it and get feedback. They are trying to modernize a 20-year-old document. She said that it is 90-95% completed but needs tweaks to make it transparent and flexible before it goes back to the FAA.
- Martina Thornton pointed out that things such as Manager's office, salary, benefits, etc. are missing from the document presented. She also stressed that she would like to be included in the discussions moving forward. Tristan suggested holding another meeting to have a discussion about the details and ensure that all involved parties are present in order to hear how they may be affected. Keith agreed that there needs to be more details before Dukes County Commissioners can get involved and make a decision. All agreed that there needs to be cooperation and open communication. Ann Metcalf said that this is in relation to the Treasurer's Office overhead, which is outside of the purview of the County Manager. She said that Martina wasn't involved because historically it has only involved the Treasurer's Office and the Airport. The model presented is flexible enough for all Departments and if Martina would like to be included, she needs to provide detailed billable hours for her Airport work. Martina responded that a plan needs to be created to include all of the County, especially since they are the sponsor and owner of the Airport. She also said that her time is not able to be logged hourly, instead it is calculated by percentages. John Cahill mentioned that the approval for this was to work as a team, not just one part. He suggested getting Powers and Sullivan involved to better establish this with all relationships amongst the County. Christine Todd asked about the financial impact on the County, to which Ann could not answer at this time. When asked what the statute for FAA being involved, Cindi replied that overhead allocation has to do with the diversion of funds from the Airport. The FAA looks at overhead allocation as a fee for service, so their oversight is to ensure that it is fair and applied appropriately to all [County] Departments. Don Leopold clarified that the Airport has a budget and is determining how much of that is going to particular services, which in this case would be to the Commission. The disagreement lies in where the process starts and who drives the process. Tristan Israel added on that the CAB asked the DCC

to have a cooperative agreement with the Airport. Robert Rosenbaum added that Ann and Norm Wertheim started this process months ago to come up with an overall direction of the allocation of overhead. There became a problem when CAB decided both County and Airport would have to agree with whatever Powers and Sullivan decide. All Airport members agreed that they could not do that. They could work with him but could not agree to something that they had no idea what was going to come out of it in advance. He further said that the Airport is working cooperatively to move process ahead. Martina cited the OMB Circular#87 document specifies how the costs are to be shared; 41 categories of costs. There is a requirement for the federal agency to review and approve the plan. Martina would like to look through all of the allowable expenses and ensure that the County and Airport have come to an agreement. There must be a written contract between the Airport and the agency [County], per the document.

- Leon suggested that if the Airport and the Treasurer's Office are working together then let them continue with their current process. If there is an issue, it can then be brought to Powers and Sullivan. To which Martina suggested to continue to iron out the details as they work with FAA. Then, they come back to the County to verify if it will work with all Departments before bringing to DCC for a vote. Bob R. suggested Martina and Ann finalize details in a separate conversation.
- **John Cahill made a motion to bring the issue back to the CAB and inform them that DCC will proceed with the original plan to do an allocation of funds but remove their request for a signature. Keith Chatinover seconded the motion.** Leon asked if there were funds, to which Martina said only if there are specific requests made. Christine added that it is prudent to see what comes back and if it works for each Department. Martina added that she will begin to obtain her office's allocations for Powers and Sullivan. Bob explained the typical process: proposal would be made; Finance Committee would review it and make recommendations; refer it to the full Commission; they deliberate on it. **John Cahill restated his motion: continue to reengage Powers and Sullivan for DCC to complete the allocation of overhead model to serve all Departments and funds that they manage and bring to CAB for approval. Tristan Israel moved to vote on the motion. So voted. Christine Todd aye, Leon Braithwaite aye, Keith Chatinover aye, and John Cahill aye. Motion carried.**

Declaration of Surplus

- Trial Court received new furniture and asked if the County could dispose of the old ones. Martina Thornton explained that there are 16 wooden chairs, 2 small wooden tables, 2 large wooden tables. She would also like to remove the old, broken copy machine in the basement County Administration Building. Leon suggested posting them online or donating them to some place such as Chicken Alley.
- **Tristan entertained a motion to donate the old furniture. Leon moved the motion. Christine Todd seconded the motion. Tristan called for a vote. So voted. John Cahill aye, Leon Braithwaite aye, Keith Chatinover aye, and Christine Todd aye. Motion carried.**

FY2021 Capital Improvement Budget

- Martina Thornton said that she was in discussion with staff at Courthouse who told her about the faucets. There are not suitable for ensuring public safety during COVID-19 times due to inability to maintain water temperature. Martina approached the company that services the Courthouse for a proposal for the sinks and faucets at the public bathrooms of the Trial Courthouse. The estimate is \$6,521.12. **Martina suggested a motion to take \$6,521.12 (estimate) from the Capitalist Improvement Fund for new sinks and facets at the Trial Courthouse public bathrooms. This motion would go before the CAB for approval. Leon moved the motion. Christine Todd seconded the motion.** Leon asked to replace all of the other sinks in the Trial Courthouse that were insufficient (3-4 bathrooms). Christine Todd agreed. **Leon amended the motion to**

include the non-public bathrooms in the renovations, not to exceed \$10,000 from the Capital Improvement Fund. Christine Todd seconded the amendment. Tristan called for a vote. So voted. Leon Braithwaite aye, Christine Todd aye, John Cahill aye, Keith Chatinover aye. Tristan called for a vote on the motion. Christine Todd aye, Leon Brathwaite aye, Keith Chatinover aye, John Cahill aye. Motion carries.

Manager's Report

- Navigator Grant was awarded to DCC for the Healthcare Access Program in the amount of \$50,000 for the next two years (\$50,000/year). This grant has been awarded to DCC for the past 6-8 years. **Tristan Israel entertained a motion to accept the grant. Keith moved the motion. Leon seconded the motion So voted. Leon Brathwaite aye, Keith Chatinover aye, John Cahill aye, Christine Todd aye, and Tristan Israel aye. Motion carries.**
- CACCI received Cares Act Grant to help people during COVID-19 and boost their services. It will be used for increasing the hours for the employee that is working for social services. She is currently budgeted for 30 hours, and it could increase to 40. They are negotiating a contract with DCC to be subcontracted for the grant and DCC would be receiving \$30,000 for the next 18 months. Martina negotiated a 5% Administrative fee for the County as part of the contract. **Tristan Israel entertained a motion to accept the grant. Keith moved the motion. John Cahill seconded the motion. So voted. Christine Todd aye, John Cahill aye, Keith Chatinover aye, Leon Brathwaite aye, and Tristan Israel aye. Motion carries.**
- Boards of Health and Martina Thornton have been working on a regional services' grant that was submitted in March before COVID-19. It is a Public Health Excellence Grant for shared services amongst the Boards of Health for \$39,400.00. That money can help an agency create a model for shared services. **Tristan Israel called for a motion. Keith Chatinover made a motion to accept. Christine Todd seconded the motion. Tristan Israel called for a vote. So voted. Leon Brathwaite aye, Christine Todd aye, John Cahill aye, Keith Chatinover aye, and Tristan Israel aye. Motion carries.**
- Youth Taskforce's grant with DPH was ending in June. A 3-month extension was given, but now Martina has been told it is being extended until the end of fiscal year 2021. She is anticipating the same amount \$100,000.00. **Tristan Israel entertained a motion. Keith Chatinover made a motion to accept. Christine Todd seconded the motion. Tristan Israel called for a vote. So voted. Keith Chatinover aye, Christine Todd aye, Leon Braithwaite aye, John Cahill aye, Tristian Israel aye. Motion carries.**
- Tristan suggested publicizing all of these grants. Everyone agreed to create a press release
- Martina Thornton said that at all Town Meetings they have approved homelessness prevention funding. So, she would like to focus \$25,000 towards that initiative. There is no funding for emergency sheltering since Karen is no longer employed by the County. Martina is posting a part time position to assist with the regional homelessness program and put together a strategic plan. There is currently no emergency placement for the homeless in place. Homeless individuals can make an appointment with the county social worker who has been trained by Karen to intake people and direct them to resources and references. Christine Todd offered to bring this issue of emergency placement to the Health Council Coordinating Committee meeting.
- English and Portuguese COVID-19 Beach rules signs have been posted at all entrances of State Beach by a volunteer group. Martina has received correspondence from concerned people about individuals not socially distancing on the beach. She reminded them that DCC is not an enforcement agency. They simply adopted the guidelines from the State. All DCC can do is make suggestions and educate. As of right now there is no beach patrol to patrol the parking lots. Martina is offering a Beach Patrol job for \$20/hour, 6 hours/day, and up to 7 days coverage. Martina suggested community policing. She is open to suggestions for enforcement. Leon suggested using someone who looks/is in a position of authority to help enforce masks usage and social distancing.

He also suggested talking to the Sherriff's Office for enforcement. The last conversations with Sheriff was when Martina approached him to help with Norton Point and he said that due to budget issues they would need to pay for someone to be stationed there (\$~75/hour). Norton Point is currently closed and will remain so for approximately the next two weeks due to nesting.

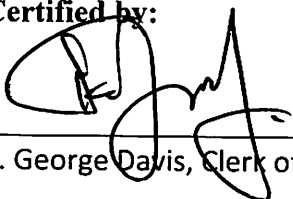
Other

- Tristan Israel suggested discussing the appointment process. Keith Chatinover suggested tabling it for another time.
- Leon received a list from the Secretary of State's Office of the credentialed people to perform the swear ins. He said that there are only two people available on Martha's Vineyard to assist. Tristan Israel suggested having Donald Leopold travel to Falmouth to be sworn in. Paulo added that he spoke to T. George Davis earlier who said that the Trial Courthouse is set to open on Monday, July 13, 2020. That week he is trying to schedule swear ins everyday starting on Monday.

Adjournment

- **Leon Braithwaite made a motion to adjourn the meeting. Christine Todd seconded the motion. So voted. Leon Braithwaite aye, Keith Chatinover aye, Christine Todd, John Cahill aye, and Tristan Israel aye. Motion carries.**
- **The DCC meeting was adjourned at 6:55 PM.**
- The next Dukes County Commissioners meeting is on Wednesday, July 8, 2020 at 4:30 PM.

Certified by:



T. George Davis, Clerk of Courts

Documents Discussed

- Alchemy Licensing Policy
- Alchemy Licensing agreement
- Alchemy application
- Airport Grant Assurance documents
- List of surplus (old furniture)
- Trial Court Bathroom Sink and Faucet Estimate