

Aquinnah Board of Selectmen
Minutes of Meeting 3/05/2013
Aquinnah Town Hall Selectmen's Mtg Room

Members present: Spencer Booker, Chairman, Jim Newman, Beverly Wright,

Also present: Adam Wilson, Town Administrator, Richard Skidmore, Len Butler, Liz Witham, Betsey Mayhew, Mitzi Pratt, Kathy Newman, Sarah Thulin, Bettina Washington, Elise Lebovit & Larry Hohlt (via conference phone), Duncan Caldwell (via Skype), Martha Vanderhoop, Stephanie Hecht, Robin Robinson, Town Accountant Margie Spitz, Sgt Paul Manning

-The meeting began at 5:35 pm

-1st on the agenda under Old Business was a review of minutes from the 2- 19 Selectmen's meeting.

-Beverly made a motion to accept the minutes from February 19th. Jim seconded.

The Board voted 3 - 0 in favor. The motion passed.

-The Board moved onto having a meeting with the Gay Head Lighthouse Advisory Committee. Spencer said there are some concerns among board members as to the status of the lighthouse moving project and where the committee is regarding the project as a whole. Jim said he feels that there is not enough structure within the committee and that the pace of the project moves faster.

-Jim talked about the CPC proposal to have a geotechnical study done for the 3 abutting lots and to hopefully have that begin by July 1st. He stated that based on the study, the selectmen will choose which parcel to purchase. He stated that there should be two subcommittees: one for the lighthouse move and the other to fundraise. Jim said the Board wanted Meg Bodner to take on the role of chairing the fundraising subcommittee.

-Beverly asked Lenny if he would chair the building committee and act as clerk of the works with Adam being the procurement officer.

-Beverly said there should be one person assigned to be the point person working with the various federal agencies to get the necessary approvals to acquire the lighthouse sooner rather than later. She expressed concern that you can't effectively fundraise unless people know you are going to own the lighthouse.

-Elise said the only hold-up at the moment is the creation of a 501C-3 so that fundraising could begin. She said she had spoken with Dept of Interior officials and that if the application is handed in, it could expedite the decision process to put the lighthouse on the park service's excess property list.

-There was discussion about who had the responsibility to submit an application to the CPC for the tech study and the miscommunication that went on with different groups working on the one project.

-There was discussion about the number of meetings that have taken place and the minutes from those meetings not being disbursed to all the involved parties.

-Elise asked if the Selectmen have heard back from Counsel on the appropriate entity to put fundraising money into. The committee has already made recommendations as to where the lighthouse should go based on a predetermined set of criteria and already have estimates as to what the geo tech study will cost. Liz said once the study has determined what would be the primary relocation site, fundraising could go forward.

Elise said another concern is the timeline in which to purchase one of the available properties. Jim brought up the situation of Elise's role as agent for one of the properties. Jim made reference to the 1-23 GHLC Committee minutes stating that Elise would turn over her commission minus her expenses. Elise said that is what she would do. She wants to be able to give the sale commission to the fundraising effort. There was discussion about Elise's idea being a violation of the state ethics code.

By consensus it was agreed that Elise would not act as an agent realtor for any of the property purchase considerations up by the Gay Head Lighthouse and that she would put that in writing.

-Len suggested that with the committee meeting on March 21st, Let it have the opportunity to form the necessary subcommittees and identify the different areas of the project that need to be covered.

-Margie said it's the Selectmen's wish to have the town be the depository of all funds for this project, manage the centralized accounting and handle procurement.

-Bettina expressed the view that the independent 501 C-3 was necessary to raise and secure money and then donate it to whomever ends up owning the lighthouse: Town, Tribe, or another entity. Liz said the financial model committee members have looked at is the one used to move the Sankaty Lighthouse. They used a 501 C-3 to acquire most of their funds.

-There was discussion about communication between committee members and subcommittee actions. Liz questioned her role as elected secretary to the GHLC Committee and Sibel (Suman's) role as administrative assistant.

-Elise & Liz commented that having a 501 C-3 would avoid procurement issues. Jim said moving a lighthouse is such a narrowly defined construction project, you won't be able to procure more than two companies anyway that can do it so you don't need to skirt the issue through a 501 C-3.

-Spencer brought up a prior concern that title research has not been done yet on the proper owners of the three abutting parcels. He said that's the 1st thing to focus on before establishing 501 C-3's and getting geotech surveys.

-Lenny talked about doing research on the current conditions of the lighthouse property. He said any up front info will help in the long run. There was discussion about the study the MV Museum is trying to fund through the CPC to do further ground water studies.

-Margie spoke to the issue of tax write offs and 501 C-3's. She said the town will have a letter from the DOR stating that Aquinnah is tax exempt and any donation to the town can be a write off. She pointed out that a 501 C-3 is an arm's length organization for the recipient of its generosity. Anyone from town can gather in a group and form their own entity. The Town, and any committee or board in that town, cannot form its own 501 C-3. The town has the ability to establish a gift fund and a capital project fund which could receive other types of funding sources like grants.

-Sarah asked why go to all the effort to set up a separate entity to do all the things the town already has in place.

-There was discussion about raising money before ownership takes place. The question of getting funds into an account for saving the Lighthouse before even taking control of the structure was talked about.

There was consensus to get everyone together March 21st to get all the mechanisms in place for communication, chairmanship of subcommittees, administrative assistant vs secretary's role(s) and establishment of a timeline going forward.

-There was discussion about what fund would need to be set up to allow a continued operation of the lighthouse and its maintenance once it is relocated and restored. There was talk about the continued support from the museum.

-Spencer asked if any Board Member or those in the audience had any other business to discuss. Hearing none...

Beverly made a motion to adjourn. Jim seconded.

The Board voted 3 – 0 in favor. The motion passed.

The meeting ended at 7:00 pm.