

Cape & Vineyard Electric Cooperative Meeting of the Board of Directors

Executive Session Meeting Minutes September 16, 2010

Present were Members: Mark Zielinski, Barnstable County Administrator; Maggie Downey, Clerk; Martin McDonald, Eastham; John Cunningham, Brewster; Kitt Johnson, Edgartown; Paul O'Keefe, Bourne; John Scott, Chatham; John Jannell, Orleans; Steve Gavin, Yarmouth and Ron Collins, Project Manager.

Absent were: George "Bud" Dunham, Sandwich; David Gardner, Provincetown; Heather Harper, Falmouth; Peter Hefler, Dukes County; Charles McLaughlin, President, Barnstable; Michael Richardson, Mashpee; Richard White, Dennis; Barry Worth, Harwich; Peter Cabana, Tisbury.

Karen Loura, Recording Clerk; Joseph Soares, Senior Power Supply Planner, Cape Light Compact; Jeff Bernstein, Esq. and Audrey Eidelman of BCK Law were also present.

Public Present: David Anthony and Richard Elrick

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[Placeholder for redacted minutes as disclosure of these minutes at this time may defeat the lawful purpose of the executive session]

Presentation attached and incorporated herein. There was discussion and review of the status of the Towns. Orleans is definitely interested and wants to participate. J. Bernstein said Orleans participation could be made contingent on Town Meeting Vote. He said the State wants to see as much Solar generation as possible. There was discussion concerning present and proposed Solar REC law. There was discussion concerning pros and cons of projects with net-metering. There was discussion on Capacity Credit and how it is obtained. There was discussion concerning ability and inability of Towns to opt-out. M. Downey said some towns are getting ready to do this on their own and she wants to make sure that they understand. She said one advantage of the Coop is that it raises the level of responsibility. M. Zielinski asked that the phases be made clear. M. Downey said the deadline is October 1st for site information to be gathered for Phase 1 for Barnstable, Mashpee, Chatham and Bourne. She said some towns are ready and others are on line for the June 30th deadline. She said the site perimeters limit sites to no more than 30 acres committed land (5-acre parcel minimum – not 6 sites of 1 acre each). She said the ability to net-meter makes it more appealing. K. Johnson said he'd like to walk through the site and see the numbers today if possible to meet with his Selectmen tomorrow. J. Bernstein said he may have a generic model showing construction costs, and excel depreciation information.

M. Downey indicated she would provide additional documentation and information for K. Johnson at the break. J. Bernstein said there will be an independent analysis ability for towns; if no action they are excluded or if they want to be excluded due to terms they can be. K. Johnson thought some towns may not bother and that W. Tisbury may want to evaluate the terms. M. Downey said Towns will be prohibited from issuing separate RFP's on the same property.

K. Johnson moved to authorize the CFO to issue an RFP, seconded by M. Zielinski. Discussion followed. M. Downey asked if the DOER is interested in specific site or just the RFP. A. Eidelman said she believes they are interested as well as any special technical requirements. M. Downey agreed to put together a check list of what is needed. M. Downey and J. Bernstein will get a draft LOI example and a draft for CVEC Members. J. Bernstein said an LOI is needed to obtain an RFP and recommended the Selectmen sign it and assign a proposed site to be approved by Selectmen or @ Town Meeting.

Authorize CVC to enter into RFP and pursue Developer to develop, and contract for a specific site and CVEC to agree to purchase. J. Bernstein said the State amended the default to 30 years for leases and contracts – intergovernmental agreements are for 25-years.

K. Johnson moved to authorize the CPO to issue a RFP, seconded by M. Zielinski.

The Board then voted unanimously in favor to authorize the CPO to issue an RFP.

POWER SUPPLY

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At 12:25 K. Johnson moved to adjourn the Executive Session and return to Regular Session, seconded by M. Zielinski and voted by roll call unanimously in favor.

Respectfully submitted,
Karen E. Loura
Administrative Assistant, Pro Tem