

Martha's Vineyard Land Bank Commission

MINUTES
REGULAR SESSION
MEETING OF AUGUST 28, 2023

via remote technology

CALL TO ORDER: 3:00 pm

LAND BANK COMMISSIONERS PRESENT AT CALL TO ORDER

Steven Ewing, Pamela Goff, Wesley Mott, Kristen Reimann, Sarah Thulin, Nancy Weaver

LAND BANK COMMISSIONERS ABSENT AT CALL TO ORDER

Peter Wells

STAFF PRESENT AT CALL TO ORDER

Zachary Jessee, Harrison Kisiel, James Lengyel

OTHERS PRESENT DURING THE SESSION

Sharon Cooke, Thomas Humphrey (*Vineyard Gazette*), Eunki Seonwoo (*Martha's Vineyard Times*)

PRESENTATION OF THE WARRANT

Warrant no. 2024-09 was made available for the Commission's inspection.

APPROVAL OF THE AGENDA

Hearing no proposed additions, Mrs. Goff declared the agenda approved as printed.

APPROVAL OF THE MINUTES OF AUGUST 14, 2023

By a motion made and seconded, the Commission voted unanimously in a roll call vote to approve the minutes as written.

COUNTY AND LAND BANK COMMISSION TREASURERS' REPORTS

None

TRANSFER FEE REVENUES

Revenues for the week August 18, 2023: \$229,392.00

Revenues for the week August 25, 2023: \$570,336.29

NEW BUSINESS

1. Agency Administration: Receipt of Gift

Staff reported that the land bank had received a \$100 gift from Tammy Kallman, in memory of Wayne Kallman. After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to accept the donation, with gratitude.

2. Agency Land Management: Livestock Management

The Commission reviewed an August 24, 2023 staff memorandum recommending that those sections of the various land bank properties that are being grazed by the agency goat herd be designated and posted, during the graze, as dog-prohibited areas. This arose from two recent occasions (at the Sweetened Water Preserve and the Tisbury Meadow Preserve) where unleashed dogs, accompanied but not controlled by their owners, injured eight goats.

Commissioners variously discussed (1.) reimbursement for the land bank's veterinary bills by the dog owners, which staff will pursue; (2.) the current health status of each of the attacked goats, which Mr. Jessee reported was basically good; (3.) how such sequestration would be accomplished, which staff reported would occur via ample signage at all approaches to the grazing areas (Mr. Jessee noted that in the case of small properties such as the Chilmark Pond Preserve the entire property would likely to have to be temporarily enisled); (4.) the number of properties apt to be affected on any one day, which could range from one to three; (5.) the "myth" and "self-deception" involved in some cases when owners declare "my dog is under voice control;" (6.) how to handle disregard or defiance, which staff would pursue with the town animal control officers under their statutory powers of enforcement; (7.) the balancing of the goatherd's need for flexibility with the prudence of pre-notifying the public, which generally would occur via social media; and (8.) livestock owners' prerogative under commonwealth law to employ a "lethal alternative" — viz., shooting a dog in order to intercept it during an attack — which Mr. Jessee stated he would be generally reluctant to do.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to direct staff to implement the policy as discussed.

3. West Tisbury Trail Planning

Commissioners reviewed a draft letter to the Martha's Vineyard Commission

(MVC), prepared by staff, asking the MVC to seek a trail easement over a 25.9-acre property that Paul Stuart Bangs et al. have submitted for subdivision. The trail would help connect the State Road neighborhoods and the Old County Road neighborhoods.

Ms. Weaver noted that the most recent time that the MVC was facing such an opportunity — viz., the Old Meshacket Road in Edgartown — it “totally caved” to the abutters and she did not wish to see that happen again.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to approve the letter, as drafted, and to direct staff to post it.

4. Ripley’s Field Preserve (Town of Tisbury)

The Commission discussed an August 21, 2023 forest cutting plan prepared for the land bank by Adam Moore, Sheriff’s Meadow Foundation (SMF) president and a licensed forester. It calls for the removal of 33 pitch pines here — and perhaps more, depending on site conditions — that have been infested by the southern pine beetle.

Commissioners variously discussed (1.) the projected staff time to be devoted to this task, which Mr. Kisiel reported will require 4 - 6 people for a fortnight; (2.) the alternative, since this was wholly unanticipated and will disrupt planned projects, of seeking a contractor, which Mr. Kisiel stated he didn’t favor, as the land bank staff is apt to be “more gentle” on the land; and (3.) disposal options, which range from [a] leaving it on the ground, which is adequate because the beetles are active only on live tissue to [b] utilizing a portable lumber mill, which has been budgeted in this fiscal year and can be put to use after-the-fact to [c] using SMF’s portable incinerator, which is engineered to contain sparks that could otherwise lead to a wildfire.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote (1.) to approve the plan; and (2.) to so notify its Tisbury Town Advisory Board.

PUBLIC INPUT

None

ENDORSEMENT OF THE WARRANT

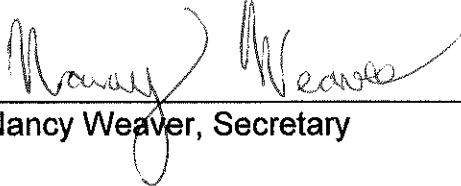
The Commission endorsed Warrant no. 2024-09.

EXECUTIVE SESSION

By a motion made and seconded, the Commission voted unanimously in a roll call vote to enter executive session for the purpose of discussing the purchase, lease,

exchange or value of real property. Mrs. Goff stated that the subjects to be discussed are the purchase or value of real property and declared that an open meeting may have a detrimental effect on the negotiating position of the Commission. She further announced that the Commission would not reconvene in regular session after the conclusion of the executive session. The Commission entered executive session at 3:33 pm.

certification:



Nancy Weaver, Secretary