

COUNTY COMMISSIONERS

Minutes of Meeting of December 21, 2022. The hybrid meeting took place in person at the Public Safety Facility Community Room at 4 Fairgrounds Road; and, via remote participation using Zoom Webinar. Members of the Commission present were Brooke Mohr, Jason Bridges and Matt Fee. Dr. Malcolm MacNab participated remotely, and Dawn Holdgate was absent. The meeting opened with the Pledge of Allegiance.

I. CALL TO ORDER

The meeting was called to order at 5:30 PM.

II. ANNOUNCEMENTS

1. The County Commission Meeting is Being Audio/Video Recorded.

III. PUBLIC COMMENT

There was no public comment.

IV. NEW BUSINESS

There was no new business.

V. APPROVAL OF MINUTES AND WARRANTS

Mr. Fee moved approval of items V 1-2; seconded by Mr. Bridges; so voted by roll call vote: Chair Mohr – Yes; Mr. Fee – Yes; Mr. Bridges – Yes; Dr. MacNab – Yes.

1. Approval of Minutes of October 26, 2022 at 5:30 PM.

2. Approval of Payroll and Treasury Warrants for November and December, 2022.

VI. OFFICIAL BUSINESS

1. Request for Approval and Authorization for Town Counsel to Execute Assent to Complaint to Recognize Taking and Approve Plan, for Taking of Nobadeer Avenue. Town Counsel Vicki Marsh introduced the item and explained its purpose, as contained within materials in the Commission's agenda packet. Mr. Fee asked if any of the subject property will be made subdividable as a result of the taking. Ms. Marsh said no. Mr. Fee moved approval as presented within the agenda packet; seconded by Mr. Bridges; so voted by roll call vote: Chair Mohr – Yes; Mr. Fee – Yes; Mr. Bridges – Yes; Dr. MacNab – Yes.

2. Discussion Regarding Petition for Discontinuance of Baxter Road by Nantucket Land Council, Inc. Ms. Marsh introduced the item and explained prior action which was taken several years earlier by the Commissioners regarding discontinuance of a portion of the road. She noted there is a pending question as to whether or not that prior action was properly filed. She explained the discontinuance process. Mr. Fee asked about the rights of the abutters to oppose a discontinuance. Ms. Marsh explained. She proceeded to review the County and/or Town options with respect to the disposition of the road. Mr. Fee commented that if the intent with the petition as submitted by the Land Council is to have the Town/County give up all rights in Baxter Road and turn the road over to the abutters, he does not believe it is that simple. Ms. Marsh concurred and said that has to be part of a comprehensive plan, which is underway now with a Baxter Road alternative access project. Ms. Mohr asked about risks of the County proceeding with the petition. Ms. Marsh said that it would ultimately become a Town road. Ms. Mohr asked about utilities in connection with the road. Ms. Marsh confirmed utilities such as water and sewer would remain in public ownership. Mr.

Fee reviewed his recollection of prior discussions by the County on this, which he was involved in as a Commissioner/Select Board member at the time, summarizing that those discussions ultimately led to the effort currently underway to develop a comprehensive alternative access plan. Mr. Bridges asked about benefits to the community and/or abutters if the petition were to proceed. Ms. Marsh responded and added that Town Meeting has already authorized the Town to convey portions of the road to the abutters, pending the development of a larger plan; and, potential triggers if the road were to fail in certain locations. Ms. Mohr asked if the intent of the petition has in fact already been achieved, once the Town would be ready to convey. Discussion followed. Ms. Mohr asked if the Land Council representatives were aware of the prior action. Land Council Director Emily Molden responded that they were not and agreed the steps outlined by Ms. Marsh seem logical. Mr. Fee said he would like more information as to how current activities interact with a petition; and, with the prior action already taken, including existing agreements with some abutters. Some discussion followed. Mr. Fee reiterated this is not as simple as it might seem. It was generally agreed that Town Administration will come back with an update in the near future.

VII. COMMISSIONERS REPORTS/COMMENTS

There were no reports/comments.

VIII. ADJOURNMENT

Mr. Bridges moved adjournment at 5:59 PM; seconded by Mr. Fee; so voted by roll call vote: Chair Mohr – Yes; Mr. Bridges -Yes; Mr. Fee - Yes; Dr. MacNab – Yes.

Approved the 25th day of January 2023.

**COUNTY COMMISSIONERS
DECEMBER 21, 2022 – 5:30 PM
PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD
AND REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- V. 1. Draft minutes of 10/26/2022
- VI. 1. AIS re: Land Court Assent for Taking of Nobadeer Ave; Assent to Complaint to Recognize Taking and Approve Plan - Nobadeer Ave; Land Court Plan No. 17745-R; Taking of Nobadeer Ave & Adams St
- VI. 2. Memo from Town Counsel re: petition for discontinuance of Baxter Rd by Nantucket Land Council; Nantucket Land Council petition to discontinue Baxter Rd