

COUNTY COMMISSIONERS

Minutes of Meeting of March 24, 2021. The meeting took place via remote participation via Zoom Webinar pursuant to Governor Baker's March 12, 2020 Order regarding the Open Meeting Law (attached). Members of the Commission present were Jason Bridges, Matt Fee, Kristie Ferrantella, Melissa Murphy and Dawn Hill Holdgate. Ms. Holdgate, as Select Board chair, read a prepared statement of how the meeting would be conducted via remote participation and the ground rules for any discussion and called roll for those present.

I. CALL TO ORDER

Chair Ferrantella called the meeting to order at 5:05 PM.

II. ANNOUNCEMENTS

1. Chair Ferrantella announced that the County Commission meeting is being audio/video recorded.

III. PUBLIC COMMENT

None. Mr. Justin Quinn commented on an issue with the transport of youth sports teams. He was referred to the upcoming Select Board meeting.

IV. NEW BUSINESS

None.

V. APPROVAL OF MINUTES AND WARRANTS

1. Approval of Minutes of February 17, 2021 at 5:00 PM. Ms. Holdgate moved approval; Ms. Murphy seconded. So voted by roll call vote. Chair Ferrantella – Yes; Ms. Murphy – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes.

2. Approval of Payroll and Treasury Warrants for March 2021. Ms. Holdgate moved approval; Ms. Murphy seconded. So voted by roll call vote. Chair Ferrantella – Yes; Ms. Murphy – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes.

VI. OFFICIAL BUSINESS

1. Request for Approval and Execution of Temporary Easement Agreement with Nantucket Conservation Foundation, Inc., Benjamin G. Gifford and Jane Carlin, Ninehop, LLC, and Edmund J. Cienava and Maria E. Cienava for Temporary Non-exclusive Access and Construction Easements over Land on Head of Plains Road Shown as "Access Easement Area," "NCF Construction Easement Area" and "Ninehop Construction Easement Area" on Plan of Land Entitled "Access Easement Sketch Plan in Nantucket, Massachusetts," Dated February 16, 2021 and Prepared by Nantucket Surveyors, LLC for Temporary Access for Sheep Pond Road. Real Estate Specialist Ken Beaugrand reviewed this matter which relates to a portion of Sheep Pond Road which has eroded, and the County has been working to secure temporary access for residents. Ms. Murphy moved to approve and execute the Temporary Easement Agreement as presented; seconded by Ms. Holdgate. So voted by roll call vote. Chair Ferrantella – Yes; Ms. Murphy – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes. Mr. Fee commented on the complications of this situation. Some discussion followed.

VII. COMMISSIONERS REPORTS/COMMENTS

1. Review/Amend County Commission Agenda/Public Comment Protocol. Chair Ferrantella noted this action is being taken in conjunction with similar action taken by the Select Board on February 17, 2021. Mr.

Fee moved approval of the protocol; seconded by Ms. Murphy. So voted by roll call vote. Chair Ferrantella – Yes; Ms. Murphy – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes.

VIII. ADJOURNMENT

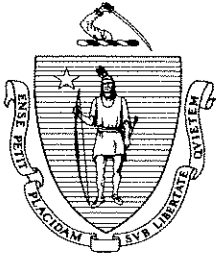
Ms. Holdgate moved to adjourn the meeting at 5:17 PM; seconded by Ms. Murphy. So voted by roll call vote. Chair Ferrantella – Yes; Ms. Murphy – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes.

Approved the 26th day of May 2021.

COUNTY COMMISSIONERS
MARCH 24, 2020 – 5:00 PM
REMOTE PARTICIPATION VIA ZOOM WEBINAR
PURSUANT TO GOVERNOR BAKER'S MARCH 12, 2020
ORDER REGARDING OPEN MEETING LAW
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

- V. 1. Draft minutes 2/17/2021
- VI. 1. AIS re: Temporary Easement Agreement for Head of Plains Rd; Temporary Easement Agreement;
Access Easement Sketch Plan (2 sheets)
- VII. 1. Current County Agenda Protocol; proposed County Agenda Protocol



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CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”); and

WHEREAS, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.


(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 6:40 PM this 12th day of
March, two thousand and twenty.

A handwritten signature in cursive script, reading "Charles D. Baker". The signature is written in dark ink and is positioned above a horizontal line.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts