



# Martha's Vineyard Land Bank Commission

MINUTES  
REGULAR SESSION  
MEETING OF AUGUST 2, 2021

via remote technology

CALL TO ORDER: 3:00 pm

LAND BANK COMMISSIONERS PRESENT AT CALL TO ORDER

Steven Ewing, Pamela Goff, Kristen Reimann, Sarah Thulin, Nancy Weaver, Peter Wells

LAND BANK COMMISSIONERS ABSENT AT CALL TO ORDER

Wesley Mott

STAFF PRESENT AT CALL TO ORDER

Harrison Kisiel, James Lengyel

OTHERS PRESENT DURING THE SESSION

None

PRESENTATION OF THE WARRANT

Warrant no. 2022-04 was made available for the Commission's inspection.

APPROVAL OF THE AGENDA

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

APPROVAL OF THE MINUTES OF JULY 24, 2021

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 ending July 30, 2021: \$444,220.00

### TRANSFER FEE QUERIES

1. Sarah-Melissa King (Town of West Tisbury)

Staff reported that Ms. King had inquired about her eligibility for an "m" exemption in an upcoming purchase.

In 2014 she and her then-husband purchased a property and claimed an "m" exemption (transfer no. 53682), as she had never previously owned real estate. Staff, in examining the transaction, determined that it was ineligible for the exemption, as her husband was not a first-time buyer; the "m" was voided and the fee was paid. Ms. King has since divorced and the property was sold, pursuant to a "k" exemption. She is seeking a ruling that she may claim a future "m" exemption on the grounds that she did not benefit from the first transaction and has supplied a copy her divorce decree; it indicates that, other than the return of the \$42,000 deposit that she supplied in the 2014 purchase, she did not obtain anything from the dissolution of the marital assets.

Discussion occurred as to (1.) whether such situations have arisen in the past and whether they will arise in the future; (2.) one such similar example, viz., where a person was included in a family deed but was essentially just "parked" there and obtained no pre-"m" financial benefit (transfer no. 44084); (3.) the limited number of "k" exemptions — i.e., 2% of all transfers since inception — that occur, such that these circumstances are inapt to happen frequently; and (4.) the actuality that Ms. King personally met the "m" standard in transfer no. 53682, but was disqualified only because she was married to someone who didn't.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to vacate her original "m" exemption, thus making her eligible for a future such exemption provided that all other conditions of the exemption are met at that time.

### NEW BUSINESS

1. Agency Land Management: Purchase of Equipment

The Commission reviewed a July 26, 2021 staff memorandum that summarized the three quotes received for the purchase of an Exmark trail mower; they, in ascending order by price, are: (1.) C2 Powersports, \$8,246; (2.) Gardenland Power Equipment, \$8,263 (not including shipping); and (3.) Cottage City Outdoor Power Equipment, \$8,390. Mr. Kisiel recommended

acceptance of the Cottage City bid; even though it is the highest it is only marginally so, viz., \$144, plus the business is local (allowing, in turn, both faster receipt and convenient maintenance).

Discussion occurred as to (1.) the delivery-time savings — several weeks — that the high bidder can uniquely supply here; (2.) whether the high bidder should be asked to reduce its price to meet the low bid; (3.) whether the bids are essentially equal once delivery charges are factored in; and (4.) the analogousness to boat-buying, where acquisition is “the cheapest part of the deal” — maintenance thereafter is key.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to accept the Cottage City bid.

PUBLIC INPUT

None

ENDORSEMENT OF THE WARRANT

The Commission endorsed Warrant no. 2022-04.

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. Thulin 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 3:13 pm.

certification: Wesley T. Mott  
Wesley Mott, Secretary