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**Minutes of the Commission Meeting  
Held on October 20, 2011  
In the Stone Building  
33 New York Avenue, Oak Bluffs, MA**

**IN ATTENDANCE**

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Commissioners: (P= Present; A= Appointed; E= Elected)

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|------------------------------------|---------------------------------|
| -Bill Bennett (A-Chilmark)         | P Chris Murphy (E-Chilmark)     |
| P John Breckenridge (E-Oak Bluffs) | - Katherine Newman (E-Aquinnah) |
| P Christina Brown (E-Edgartown)    | - Ned Orleans (A-Tisbury)       |
| - Peter Cabana (E-Tisbury)         | P Camille Rose (A-Aquinnah)     |
| - Martin Crane (A-Governor)        | P Doug Sederholm (E-Chilmark)   |
| P Erik Hammarlund (E-West Tisbury) | P Linda Sibley (E-West Tisbury) |
| P Fred Hancock (A-Oak Bluffs)      | P Brian Smith (A-West Tisbury)  |
| P Leonard Jason (A-County)         | - Holly Stephenson (E-Tisbury)  |
| P James Joyce (A-Edgartown)        |                                 |

Staff: Bill Veno (Senior Planner)

**Chris Murphy** called the meeting to order at 7:00 p.m.

**Chris Murphy** stated that Eric Wodlinger, counsel for the MVC, had passed away. **Leonard Jason** made the following statement:

"I knew Eric for about 30 years. He was a kind, gentle and unassuming man who always had that grin on his face and who was just happy being alive; a great guy. His demeanor was matched by his passion for his profession and his ardent belief he had in this body, the Martha's Vineyard Commission, and what it stood for. His defense of our actions helped to really define the Martha's Vineyard Commission more than any other individual that has ever been associated with this body. He served us well and we as Islanders will be eternally grateful for his efforts. His passing has left a void in our organization. I have lost more than a lawyer, I have lost a friend."

Christina Brown echoed Mr. Jason's comments, adding that Eric's wise counsel was always based in common sense. Doug Sederholm added that Eric was one of the smartest lawyers he had ever met and was a lawyer's lawyer. Linda Sibley said that Eric was an exceptional litigator and that if you needed someone to defend your actions in court, Eric was the best.

## 1. MINUTES OF OCTOBER 6, 2011

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*Commissioners Present:* J. Breckenridge, C. Brown, E. Hammarlund, F. Hancock, L. Jason, J. Joyce, C. Murphy, C. Rose, D. Sederholm, L. Sibley, B. Smith.

**Fred Hancock moved and it was duly seconded to accept the minutes with corrections as noted. Voice vote. In favor : 11. Opposed: 0. Abstentions: 0. The motion passed.**

## 2. OAK BLUFFS ROUNDABOUT – DRI-633 – WRITTEN DECISION

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*Commissioners Present:* J. Breckenridge, C. Brown, E. Hammarlund, F. Hancock, L. Jason, J. Joyce, C. Murphy, C. Rose, D. Sederholm, L. Sibley, B. Smith.

**Leonard Jason** stated that this is the last opportunity to reconsider the MVC decision and he would gladly second a motion to reconsider.

**Chris Murphy** said the Chair would not entertain a motion to reconsider as it was inappropriate; such a motion should occur immediately following the vote, at the same meeting. If the intent is to change a vote, a motion to rescind the decision should be made. The motion to rescind can come from any Commissioner, regardless of which way they voted. If such a motion is made tonight, it would require a two-thirds majority vote to pass. Alternatively, a commissioner could give notice of intent to present a motion to rescind the decision at the next meeting. This provides notice to all Commissioners that a vote to rescind a decision will be on the agenda. In that instance, only a simple majority vote is necessary to accept the motion to rescind. Either way, the action to rescind would stay any further action on the October 6 decision until the rescission motion is voted.

**Leonard Jason** questioned why a motion for reconsideration could not be made prior to the written decision being voted on.

**Chris Murphy** said he had consulted with two different books on Roberts' Rules of Order and spoke with a town moderator, for guidance. They all agreed that a motion to reconsider is to be made only during a meeting where the original motion was made or during a multi-day meeting, such as a convention, it can be made on the following day. He had not asked the specific question Mr. Jason has raised, but will investigate it.

**Doug Sederholm** mentioned that he was not sure that Roberts Rules of Order are strictly followed by the MVC. As a practical matter it doesn't seem that we could have moved to rescind at the last meeting since the meeting was adjourned immediately after the vote. He didn't have a problem with acting on a motion to reconsider, but noted that only 11 of the 13 Commissioners from the original vote are present at tonight's meeting, Ned Orleans and Holly Stephenson are not present.

**Linda Sibley** noted that only once in her tenure on the MVC has something been reconsidered and it happened at the meeting following the vote. She questioned whether it would be appropriate to reconsider the decision in the absence of all of the Commissioners who voted on the roundabout.

There was disagreement on whether the Commission had ever adopted Roberts' Rules of Order. **Leonard Jason** recalled that June Flake used to be the parliamentarian for the Commission and always referred to Roberts' Rules.

**Chris Murphy** asked if Leonard Jason is asking to put the MVC on notice to make a motion at the next MVC meeting to rescind the motion. **Christina Brown** noted it is not a motion; it is a statement that "I intend to make a motion at the next meeting to rescind".

**Doug Sederholm** said that only those who voted originally on the decision can vote on the motion to rescind.

**Erik Hammarlund** noted that if the motion is approved to rescind, it is simply a removal of the vote and that the Commission would then have to again discuss and vote on the roundabout.

**Leonard Jason** stated that he intends to make a motion at the November 3, 2011 MVC meeting to rescind the October 6, 2011 Decision to Approve the Roundabout DRI.

**Chris Murphy** stated that Mr. Jason's notice delays any motion to act on the written decision that was on the evening's agenda.

### **3. NEW BUSINESS**

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#### **3.1 Scheduling**

**Chris Murphy** noted that the next MVC meeting is November 3, 2011.

**Doug Sederholm** added that at that meeting there will be a vote on the extension of the Island Wind District of Critical Planning Concern regulations.

#### **3.2 Reports from Committees and/or Staff**

**Doug Sederholm** noted that the next Land Use Planning Committee (LUPC) meeting is Monday October 24, 2011 and Linda Sibley will Chair in his absence.

- LUPC will be reviewing the proposal to modify the Vineyard House Development of Regional Impact; the number of bedrooms is being reduced.
- There is still work to be done on the changes to the checklist.

**Chris Murphy** informed Commissioners that he would be appointing a Nominating Committee for the upcoming election of officers. He asked that Commissioners interested in serving on the committee contact him directly.

The meeting was adjourned at 7:25 p.m.

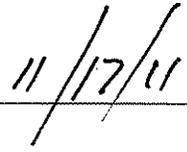
#### DOCUMENTS REFERRED TO DURING THE MEETING

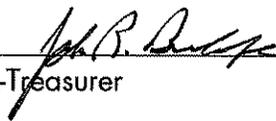
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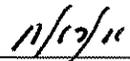
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Chairman

  
Date

  
Clerk-Treasurer

  
Date