



DEXTER TOWNSHIP

OPEN SPACE AND LAND PRESERVATION COMMITTEE

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REGULAR MEETING OF THE FARMLAND AND OPEN SPACE PRESERVATION BOARD

Thursday, February 2, 2023

Present: Chairperson Mark Teicher, Vice-Chairperson Scott Joling, Secretary Vacant, Laura Sanders, Township Board Rep, Kathy Bradbury, Guerin Wilkinson, Gretchen Driskell, and Marty Ruhlig, Absent: Guerin Wilkinson, and Kathy Bradbury.

Also present: Barry Lonik, FOSPB Consultant, Janis Miller, Recording Secretary.

Audience present: None.

- 1. Call to Order:** Chairperson Sanders called the meeting to order at 7:06 PM.
- 2. Welcome and thanks to Board members:**
Laura Sanders welcomed everyone to the first meeting of the Farmland and Open Space Preservation Board. She thanked the new members for serving on the Board.
- 3. Discussion of term limits for Board members:** Laura and Barry
Ordinance 37 states that three members will serve one-year terms and four members will serve two-year terms. By consent agreement, the Board members present determined one-year terms would be served by Kathy Bradbury, Guerin Wilkinson, and Gretchen Driskell; two-year terms would be served by Mark Teicher, Scott Joling, Marty Ruhlig, and Laura Sanders.
- 4. Choose a chairperson and vice chairperson for FOSP [also need Secretary]:** Laura
Moved by Driskell to nominate Mark Teicher as Chairperson. Motion seconded by Ruhlig. All ayes. Motion carried.

Moved by Driskell to nominate Scott Joling as Vice-Chairperson. Motion seconded by Teicher. All ayes. Motion carried.

With two missing members tonight, the Board decided to nominate a Secretary next month.

5. Confirmation of calendar – dates and times of meetings: Laura

The calendar will be posted on the township website. With the activity of meetings in the large meeting room it was suggested to keep the meetings the same day as the previous OSLP, that being the first Thursday on the month. Barry said the meetings will be limited to two hours. Exploring the possibility of meeting at 6 or 6:30 pm, the Board decided 7 pm works for everyone.

Motion by Ruhlig for the Farmland and Open Space Preservation Board to meet the first Thursday of each month at 7 pm. Motion seconded by Teicher. All ayes. Motion carried.

6. Collect contact information of FOSP Board members: Laura

Laura collected everyone's email address for future distribution of FOSP Board information and to give to the Township Clerk so payroll documentation can be sent to each member.

7. Public Comment: Opened 7:20 PM. No public comments.

8. Review of the Ballot language: Barry

Barry read the ballot proposal language as it appeared on the ballot last November. He said 63% of the voters approved it.

9. Review of Ordinance 37:

The Ordinance was adopted about twenty years ago and Barry completed a revision of the document about eight years ago. The revisions were approved by the OSLP Committed and forwarded to the Township board of Trustees where it was approved. This is the "implementing ordinance" for what the voters approved. Barry reviewed Section 5 which is the scoring of farmland and open space land. In Washtenaw County there are ~~six~~ five townships (Dexter Township, Webster Township, Northfield Township, Ann Arbor Township, and Scio Township, with Augusta Township on the west side of the state) that have dedicated millages for this purpose. There are only twelve of these programs in the whole state of Michigan. The millage gives the township seed money to procure other money [grants & matching funds]. Section 8 is the Duration of Acquired Interest, a result of the State Legislature passing an amendment to the Township Zoning Act which said the Townships may adopt these purchase of development rights ordinances. In order to be eligible for State funding, the legislature stated that a landowner can repurchase the development rights that they've sold on their property. The purchase of development rights is perpetual, it is forever, unless the landowner repurchases their rights. Ordinance 37 states the purchase agreement must be effective for fifty years before consideration of landowner repurchase of those rights.

10. Review of the landowner application: Barry

The previous Open Space and Land Preservation Committee established a landowner application.

11. Discussion of landowner's list: Barry

Barry created a database of all the landowners in Dexter Township that have properties that would be of potential interest to us. Barry looked at properties with open space of 15 acres or more and farms with 40 acres or more.

12. Review of proposed bylaws: Barry

Barry stated that other townships have created a set of Bylaws for the Preservation Board. He shared a draft of it. No action tonight, it will be on the next agenda.

13. Primer on buying conservation easements: Barry

14. Discussion on the process of purchasing development rights: Barry

Landowners submit an application, they get scored by the systems in the ordinance, and the information is presented to the FOSP Board for review. Barry will provide a monthly written report of the properties we're looking at. Properties not under contract will be confidential and handled in Close Sessions. If it is a property we want to pursue, Barry will contact the County Natural Areas Preservation Program, which has an open space component and an agricultural component. Sources of funding include the County Natural Areas Preservation Fund, the Michigan Agricultural Preservation Fund, the Federal Agricultural Conservation Easement Program, as well as voter approved millage.

15. Update on the Monier property purchase: Update on the progress of our land preservation pilot project. Barry

The Washtenaw County Parks Commission received letters of interest from two Dexter Township landowners about two years ago. The Monier property did not score well but Barry convinced the Board of Trustees to pursue State and Federal funding, funding which was received. The Monier property is 70 acres with access on Island Lake Road. The property is close to West Lake and to the West Lake County Preserve on Waterloo Road. There was an independent appraisal which indicates the value of the conservation rights. A purchase agreement is drafted specifying all the terms of the deal. Also, the actual conservation easement document is drafted. Due diligence documents include a boundary survey and a legal description of the property. A Phase 1 Environmental Assessment looks for hazardous materials on the property. Barry produces a baseline documentation report which includes descriptions of the property, aerial photographs, topographic map, natural features descriptions, history of the property and a series of photographs around the property. Conservation Easements are monitored yearly by a site visit. Violations of the Conservation Easement is remedial by the land owner or a lawsuit against the landowner. The Monier purchase agreement is under review by the township attorney. The only missing piece is the boundary survey, which is not subject to a bidding process.

Motion by Driskell to get a boundary survey for the Monier property by Arbor Land Consultants, at a cost not to exceed \$1,800.00. Motion seconded by Teicher. All ayes. Motion carried.

16. Public comment: Opened 8:41 PM. No public comments.

Mark Teicher handed out Public Hearing Procedures and The Open Meeting Act for information to address at the next meeting.

17. Adjournment: With no further business to conduct, Laura Sanders adjourned the meeting at 8:42 PM.

Respectfully submitted,

Secretary

Janis Miller, Recording Secretary

approved 03/02/2023