



**ACME TOWNSHIP  
FARMLAND & OPEN SPACE PRESERVATION  
CITIZENS ADVISORY COMMITTEE  
Tuesday, February 22, 2005, 3:30 p.m.  
Acme Township Hall  
6042 Acme Road, Williamsburg MI 49690**

**Meeting called to Order at 3:30 p.m.**

**Members present:** B. Garvey (Chair), M. McDonough, N. Veliquette, W. Kladder, R. Saylor, B. Carstens, P. Brink

**Members excused:** None

**Staff present:** S. Corpe, Office & Planning Coordinator/Recording Secretary

**Also present:** Scott Everett, American Farmland Trust

**A. Correspondence:** None

**B. Reports:** None

**C. Limited Public Comment:** None

**D. New Business: Farmland Preservation**

**1. Identification of eligible landowners and notification procedure:** Section 2 of the Acme ordinance provides definitions relative to the farmland preservation ordinance. Garvey noted that Section 2.G.i defines farmland as “a farm of 40 or more acres in 1 ownership, with 51% or more of the land area devoted to an agricultural use. Section 2.G.ii says that in some circumstances a farm as small as 5 acres is eligible. Originally, Garvey had thought only to notify landowners fitting the description of 2.G.i, but having read more closely he has asked Assessor Dawn Plude to produce mailing labels for all agriculturally zoned and used properties of 5 acres or more. Additionally, he proposes publication of a public notice about an informational meeting in the paper that gives the definitions of eligible parties. Saylor and Veliquette will double-check the mailing labels to make sure nobody is being missed.

**2. Set up informational meeting with eligible landowners:** Garvey asked the farmers in the group what would be some potentially good dates. The meeting would likely be held at the township hall. Everett suggested it would be good to have the County Farmland Preservation Board in place prior to the meeting, and hopes they would attend. After discussion a variety of things that need to occur. April 18-21 are the range of target dates for setting up the meeting.

**a. Identify speakers including successful landowners from Peninsula Township, Gordon Hayward, attorney to discuss tax and estate ramifications, etc.:** The Whitneys are an older couple who originally opposed the PDR system but have been won over. Pat McGuire has a farm near Atwood that was preserved through the Grand Traverse

Regional Land Conserancy. Garvey will be responsible for contacting and lining up speakers.

**b. Discussion of point system and encourage advisory board members to attend seminar:** MSU Extension is offering seminars on how to meet requirements for state farmland preservation grant funding. The committee members were previously provided with copies of the flyer. There is a session on February 28 at the Governmental Center. The County still needs to adopt a scoring system. A sample system exists that can be a basis. Garvey recommended that Saylor and Veliquette review the system and fine-tune it to the best of their ability as something that the County Farmland Board could adopt at least as a starting point. Everett indicated that the scoring systems tend to be fluid over time.

**3. Discuss Acme ordinance and how it works with county ordinance:**

Everett gave a brief summary of the local farmland preservation efforts to date. Peninsula Township has had a stand-alone program for some time. Two years ago, representatives from Acme, Whitewater, Elk Rapids, Milton and Torch Lake Townships got together to promote a Grand Traverse County/Antrim County farmland preservation program. Dennis LaBelle, then G.T. County Prosecuting Attorney, recommended that each county create its own program and then work together through an Intergovernmental Agreement. The two county programs were adopted several days apart in July 2004.

The Acme Township Farmland and Open Space Development Rights Ordinance was adopted in August 2004 so that funds raised in Acme Township for farmland preservation would be used within the township and not by properties elsewhere in the county. It is very similar to the G.T. County ordinance, and refers to the county ordinance in many instances. Everett stated that the county ordinance governs the program, while the local ordinance regulates the money.

**4. Discuss necessity for creation of county board and members:** Garvey read from Section 4A of the county ordinance, which specifies how many individuals will sit on the county board, how those individuals will be chosen and the terms of office. He also read from Section 3B of the local ordinance, which specifically defers many decisions to the county board. Section 4A of the local ordinance list only three responsibilities of the Acme Township Board of Trustees regarding the program: establishing the amount of available funding for matching funds annually; determining how much of that funding will be applied to each application, and allocating those funds in coordination with the county program. The county board will be the primary force running the program; the Acme board will have say over which properties receive funding. Acme funds will remain in Acme Township, contrary to some rumors that are circulating.

Garvey read Section 6D, which states that matching funds shall be allocated to highest-scoring parcels. Fairness in scoring land for preservation is key; there

are concerns that funding will be allocated based on personal favoritism. Everett noted that some discretionary leeway is provided, in that money can be allocated to more than one top-ranking parcels. Also, he noted that the funds are to be allocated “in a manner to provide the most competitive advantage to landowner’s application for county, state or federal matching programs. He provided the example of a property owner whose application might be ranked third overall, and who is willing to make a partial donation of the property. While the property itself may not be at the top of the list, the owner’s willingness to participate in the funding through partial donation will make it more attractive to grant programs.

Kladder also noted the language in Section 4.A.ii saying that that the Acme Board will decide what matching funds “if any” are available to each application. The township does not have to allocate funds to any particular application.

Brink asked about the “matching funds” concept. Everett explained that there are state and federal funds available that can be attractive to pay a portion of development rights acquisition costs. The township would also always have the option to pay 100% of the cost to acquire rights on a property.

Kladder asked who would seek matching funds from sources other than the state and federal governments. Acme Township would be responsible. McDonough stated that the County Administrator has been very clear that the county cannot allocate any funds or staff time to the program. Their contribution will be the appointment of the County Farmland Board.

Everett suggested that it would be good if the County Farmland Preservation Board can be appointed prior to the informational meeting and if those Board members can be present. The committee would like to encourage Denny Hoxsie to apply for membership as an Acme farmer. They also discussed encouraging Lew Coulter from the Conservation District and Peninsula Township farmer to apply as well. The County has an established policy for noticing Board vacancies in the newspaper to solicit applications. Everett suggested that the committee send a letter/memo to County Administrator Dennis Aloia urging him to move forward with the appointment process. The committee will recommend to the Acme Board of Trustees that they send the letter. Kladder will create a proposed draft for the Board’s consideration. Sayler suggested that Dennis LaBelle would be another good candidate.

Peninsula Township has agreed to participate with Acme in funding a farmland preservation specialist to assist with program and application management. It is unclear whether they have actually agreed to operate in conjunction with the County program. Kladder also believes that some further action is needed by Acme before the County can move forward to enter into the Intergovernmental Agreement with Antrim County.

The next County Commission meeting is tomorrow evening. Kladder will speak with Kurtz and possibly Commissioner Inman to see if it would be possible to ask the Commission tomorrow evening to publish the vacancies to get the County Farmland Board interview/appointment process underway.

5. **Does Acme need to consider hiring a farmland professional to help administer program?** The Conservancy's workload is already heavy, and they don't feel they can dedicate the necessary time to assisting Acme and Peninsula Townships to facilitate the PDR process. McDonough stated that they are recommending that a dedicated farmland protection specialist be hired. Peninsula Township has already agreed to help fund and utilize the position, and the Acme Township Board will be asked to participate at their next regular meeting on March 1. There are also indications that Rotary Charities might be persuaded to make a grant to help offset costs. It was originally anticipated that the two townships would share costs equally, but there is a backlog of applications to process in Peninsula, which feels it could utilize up to 75% of the specialist's time. The Conservancy may be able to house the individual, but there would be some costs to create some workspace. Estimated costs for salary, employer's share of taxes, overhead and reconfiguration of office space are about \$80,000 for a year. If Rotary were to provide \$40,000, that would leave \$40,000 for the townships to provide. Therefore, Acme will probably need to pay between \$10,000 to \$20,000 per year, which can come from the millage funds. Rob Manigold, Peninsula Township has suggested a cost allocation system whereby costs are calculated quarterly. For the first quarter, Peninsula would pay 75% and Acme 25%, and in subsequent quarters the cost sharing would be based on previous quarter actual work hours allocated to each governmental unit. It is suspected that if Rotary provides funding for one year, it is likely they might continue it for up to 3-5 years.

The position would be responsible for all aspects of communicating with potential applicants and the full application process.

An individual recommended by Scott Everett as a potential candidate already has a full-time job and at most could provide some support services to the individual who will do the job.

Kladder asked who the Farmland Preservation Specialist would be accountable to and officially employed by. Garvey suspects that the original intention was for the County to be that agency, but G.T. County has been clear that they will be supportive, but not much more active. Everett feels that the position must be accountable to the County Farmland Preservation Board. Peninsula Township does need a lot of support, but only to process the applications and close the deals; their scoring is already done. Acme may want this person to work with the County Board and be a liaison with the Acme Board of Trustees. Everett also suspects that Whitewater, Milton, Torch

Lake and Elk Rapids Townships might be willing to contribute to Acme's share of the costs for some assistance and to keep the effort alive.

Corpe mentioned that Acme Township was just billed for \$3,000 through Milton Township. Each of the five townships working together contributed \$3,000, and Rotary Charities provided a grant, to fund Everett's work with the effort locally to date. The new round of funding will fund Everett's assistance to accomplish the Intergovernmental Agreement, after which time he anticipates his active involvement will be done. Acme agreed to contribute last July but is just being billed now.

Returning to the question of accountability for the staffer, McDonough recommended that Dennis Aloia perhaps be responsible to coordinate. Everett asked if there is still a County Planning Department that could serve. McDonough observed that the specialist will need to be out and about in the community continually making the deals occur. They will need to be at meetings and keep the County informed, but he feels that someone at the County is needed to help with the paperwork end. Everett feels that the County shouldn't be pushed to hard in this regard right now. Garvey is concerned that if the process becomes too complex, it could be a problem.

Everett believes that if one or two parcels of land were preserved in Acme Township within the next year or two it would be good progress. He believes the specialist should also be personally keeping County Commissioners updated on what is occurring at the Farmland Board, and that this staffer will play a key role. Everett would offer his full support to that individual and to the township in running its first grant cycle. Kladder clarified that in a way, the individual would be working for the County Farmland Board for no money, but for the goodwill and furtherance of the program it would generate. McDonough recommended that money from the five townships could be directed to the County Farmland Board.

Veliquette suggested that the specialist be a Conservancy employee who is being sub-contracted out to whichever units of government use that person's time. The group is already talking about billable hours as a basis for cost sharing.

McDonough expressed concern about taking money from the five townships, fearing that they might expect Conservancy assistance in accomplishing millages in the four where none have passed yet. Everett said that this should not be a concern, that it would be used for the financial needs of the County Farm Board. McDonough would therefore prefer that those funds go directly to the County specifically earmarked. Everett suggested a scenario where each of the five townships would provide \$2,000 to the County to create a line item in the budget. \$8,000 would be used by the Farmland Board and \$2,000 would go to the staffer for their time in supporting the Board. Corpe asked if the three Antrim County townships would actually pay money to G.T. County.

Kladder asked how much time the “average” land conservation deal would take. Based on personal experience, McDonough believes at least 10 deals a year could be closed if, the deals are there to be made.

McDonough recommended that the Committee recommend to the Board that it enter into a contract with the Conservancy to hire a farmland preservation specialist at a cost of up to \$20,000/year to be paid from the Farmland Preservation Fund. McDonough also volunteered to call the County and ask how the specialist would interface with the County from their perspective.

In a few years, another job that will need to be done by the specialist or someone else is compliance checks. McDonough also recommends building a reserve for easement defense, as compliance becomes an issue as properties change hands over time.

**6. Contract zoning: What is it? Should this committee be involved in an advisory role with respect to contract zoning requests?**

Please remember this committee is advisory only. Our role is to get the farmland program up and running and to do some of the legwork for the Board so that informed decisions can be made by our elected representatives.

**E. Public Comment/Other Business:**

**Meeting adjourned at 5:25 p.m.**