

**HALFMOON TOWNSHIP OPEN SPACE PRESERVATION BOARD
REGULAR MEETING – MINUTES
JULY 7TH, 2010**

1. CALL TO ORDER

Chair Ron Hoover called the meeting to order at 7:07 p.m. Other members present were Bob Eberhart, Ben Pisoni, Jim Strauss, Jerry Brown, Andy Merritt and Brooks Way. Staff present was Susan Steele, Manager and Amy Smith, Minute Recorder. No Audience present.

2. PLEDGE OF ALLEGIANCE

3. MINUTES

Mr. Hoover introduced Mr. Strauss to the Board and staff and requested an introduction from everyone.

• *MOTION: Mr. Pisoni moved to approve the minutes of June 23rd, 2010; Mr. Merritt seconded; Vote 7-0-0; Motion Carried.*

4. POSSIBLE APPLICANT DISCUSSION

Mr. Hoover stated Mr. Heim had received an application earlier in the year and questioned whether anyone was acquainted with him that would speak to him about any interested in applying to the program. None of the Board members are acquainted with Mr. Heim and suggested Mr. Hoover speak to Mr. Nauman who is a neighbor of Mr. Heim and acquainted with him. Mr. Hoover agreed to speak with Mr. Nauman and set up a meeting with Mr. Heim.

5. BARR – ADVANCED PAYMENT REQUEST

Mr. Piper was not present for this discussion. This agenda item was tabled for the next meeting.

6. OSPP 5 YEAR REVIEW COMMITTEE

Ms. Steele reviewed the 5 year review committee topics they are up for discussion. Ms. Steele stated they will review what to do to with the taxes once all the properties are in the open space lease program, general fund/OSPP fund expenditures, 25% cap, termination of leases, acquisitions, review of present administrative positions, retroactive payments, grandfathering of 20 year advances, all items of Ordinance 2009-07, whether the program can support advance payments and yearly leases, property rating system, clustering, codification, school district freeze tax and addendums to leases.

It was questioned whether the 5 year review committee will come back to the OSPB and BOS with suggestions after the review. There was discussion on why the acreage was set at 11 acres for entry to the program and the land rating system. A larger parcel would receive more points. The Planning Commission had concerns that there would be smaller parcels that were sporadic through the township. There was discussion on the school tax freeze. Mr. Eberhart stated the school tax freeze has changed since the last time the school board was approached and now the school district, county and townships have to agree before a tax freeze can go into effect.

Mr. Eberhart stated he would like to make suggestions for the 5 year review committee to review. Mr. Eberhart suggested the 5 year review committee review the \$5,000 per acre cap

that goes along with the 25% cap. Ms. Steele stated that would go along with the 25% cap discussion and would be reviewed as well. There was discussion on what will happen when there is no more properties that wish to enter the program and the funds start growing, will there be a decrease in the millage collected for open space? Mr. Hoover stated that is when the funds could go to purchasing permanent development rights. Mr. Eberhart stated he did not feel the \$5,000 per acre cap is enough and should be raised. Mr. Brown stated the township should not use tax payers money to spend an exuberant amount of money per acre for one property. Mr. Hoover stated that those who want to permanently preserve their properties will sacrifice ensure it gets preserved. There was discussion on what happens when the leases run out in 99 years will the next generation want to preserve the properties if they are not permanently preserved. Mr. Brown stated there will be a land rush in the township so at some point the township will have to try to permanently preserve properties at a reasonable price. Mr. Merritt suggested instead of waiting 99 years why not start renewing the leases in 50 years for another 99 years. Ms. Steele stated Harris Township is discussing using the Act 153 monies collected for other public open space such as parks. Mr. Brown stated the monies should not be used just for parks and walking and biking trails. Although Mr. Brown agrees there should be some saving farm ground is important. There was discussion on what future generations and new residents moving into the township will want and biking/hiking trails and parks will be important.

8. AMENDMENT TO OSPP ORDINANCE REQUEST

Mr. Hoover reviewed a letter received from the Thomson attorney, Betsy Dupuis, dated December 30, 2009 and the suggestions that were made at that time. Mr. Eberhart stated there has been a more current letter received dated April 26, 2010. Mr. Hoover stated the December letter cites certain sections and may be easier to follow. There was discussion on whether to go through the suggestions again. Mr. Hoover questioned the Board whether they wanted the property? The Board unanimously agreed although they wanted the property in the program they did not feel the Ordinance or lease contract should be changed to make it easier for an applicant to get out of the program. Mr. Brown stated the leases are being paid by tax payer money and you can not change and Ordinance so in 20 years that property owner can just get out of the program after receiving thousands of tax payers monies. Mr. Way stated he felt it was important that Mr. Thomson understand that the monies he receives should more than cover the taxes and address one of his concerns. Mr. Brown stated he had already charted that out for Mr. Thomson and reviewed that with him in a prior meeting. The Board agreed that although they wanted no hard feelings they did not favor an Ordinance change regarding the financial hardship option. The Board agreed that they did not want to amend the Ordinance for financial hardship but would like the 5 year review committee to review the other concerns addressed by Ms. Dupuis.

● ***MOTION: Mr. Pisoni moved to not amend the Ordinance to make it easier to terminate the lease; Mr. Merritt seconded; After discussion Mr. Pisoni withdrew his motion.***

● ***MOTION: Mr. Pisoni moved to amend his previous motion to keep Section 800 for Financial Hardship termination in place as written; Mr. Merritt seconded; Vote 7-0-0; Motion Carried.***

9. OTHER BUSINESS

There was no other business.

10. CITIZEN'S COMMENTS

There were no citizen's comments.

11. ADJOURMENT

The meeting was adjourned at 8:45 p.m.

- ***MOTION: Mr. Merritt moved to adjourn the meeting at 8:45 p.m.; Mr. Pisoni seconded; Vote 7-0-0; Motion Carried.***