

City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>



Meeting Minutes

Wednesday, December 14, 2011

4:30 PM

City Hall, 301 E. Huron St., 2nd Floor, Council Chambers

Greenbelt Advisory Commission (GAC)

CALL TO ORDER

Chairperson Ezekiel called the meeting to order at 4:34 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron St.

ROLL CALL

The commission welcomed new member, Commission Brines to the Greenbelt Advisory Commission. Mr. Brines introduced and gave a little background of himself.

Present 5 - Tom Bloomer, Dan Ezekiel, Commissioner Laura Rubin, Liz Rother, and Shannon Brines

Absent 4 - Michael Garfield, Peter Allen, Carsten Hohnke, and Catherine Riseng

APPROVAL OF AGENDA

A motion was made by Commissioner Rubin, seconded by Commissioner Bloomer, that the Agenda be approved as presented. On a voice vote, the Chair declared the motion carried.

SPECIAL PRESENTATIONS

None.

PUBLIC COMMENTARY

(4 SPEAKERS MAXIMUM - 5 MINUTE SPEAKING TIME - SIGN UP MUST TAKE PLACE PRIOR TO THE MEETING BY NOTIFYING THE CHAIR OR CITY STAFF. THIS SECTION OF PUBLIC COMMENTARY IS LIMITED TO ITEMS RELATED TO THE AGENDA.)

None.

A APPROVAL OF MINUTES

A-1 November 9, 2011 Minutes are not available at this time.

B OLD BUSINESS

B-1 11-1566 Proposed 2012 Calendar Dates for the Greenbelt Advisory Commission

Commissioner Ezekiel advised the commission that the 2012 meeting calendar dates have been changed to the first Thursday of the Month.

A motion was made by Commissioner Rubin, seconded by Commissioner Rother, that the 2012 Greenbelt Advisory Commission meeting calendar be approved. On a voice vote, the Chair declared the motion carried.

C NEW BUSINESS

C-1 Webster Township Easements

Commissioner Bloomer discussed a situation in Webster Township. The property in Webster Township does not involve an easement held by the Ann Arbor City but could cause a situation for Ann Arbor in the future. Webster Township preserved land that included the Gordon Hall property in Dexter, Michigan. The property was purchased by the historical society which was seeking funds to complete the purchase of the property and one way was to seek the funds was to sell the development rights to Webster and Scio Townships.

The Gordon Hall owners approached them this past summer with a proposal to a civil war enactment on the grounds. The civil war enactment did not violate the agricultural portion of the easement, however, they did want to have parking for cars for spectators and that did violate the easement. They were granted a one year exception for the event, with the understanding that it would not be granted again. The owners have come back to Webster Township asking to change the easement to allow parking into the future up to seven years for similar activities. Township PDR board has said no. The easement is only owned by Webster Township and they are looking for other agency's support, making a case for enforcing the easement as it is.

Commissioner Bloomer said he was approaching the Greenbelt Advisory Commission because the Commission and Webster Township have cooperated on a lot of projects. He said that in the long run, this impacts more than just Webster Township because it has to do with their reputation as a conservator of land and dealing with other agencies and their trustworthiness in their eyes in preserving these parcels. Mr. Bloomer hoped to get some support from the Greenbelt Advisory Commission for the Webster Township PDR Board stance of which the easement should remain unaltered.

Ms. Trocchio said that she researched the land trust alliance that sets the standards and practices for land preservation. There are a couple of different issues here. One issue is looking at amendments to conservation easements if the township wanted to actually amend the easement itself. According to the LTA, typically the standard policy is to ensure that the conservation values are preserved and that any amendment would strengthen those conservation values or at least be a net neutral. So sometimes amendments are needed to clarify an issue in an easement or clear up anything that might be ambiguous, or sometimes landowners may want a more strict easement and that would be acceptable. But to allow additional activities that would further impact the conservation values would not be standard practice.

The concern with enforcing easements is the public support for programs regionally, not just the Greenbelt or Webster Township. The public views all of them working together and they do work together and so it's that public perception of land preservation programs. Even if something is stated in the easement, it is not explicitly prohibited or accepted in an easement, it all goes back to the conservation values that are stated in the easement and that is usually the very first page that they are still preserving.

(Commissioner Hohnke arrived at 4:45 p.m.)

Commissioner Rubin said she would like to get more information on easements because she did not know what the current easements say about parking in general.

Commissioner Ezekiel said that Gordon Hall is outside the Greenbelt Boundary, so Commission's interest in this is not direct. He added, however, that they have

partnered with Webster Township on the part of the township that is within the boundary and he is very proud of the huge block of contiguous farmland has been built up and has been protected there. The Commission has recommended to council to invest millions of dollars of Ann Arbor taxpayers money in these conservation easements. The whole point of a conservation easement is monitoring and enforcing. The Greenbelt does not own land in Webster Township, they only own pieces of paper and they have encouraged City Council to invest millions of dollars of Ann Arbor taxpayers' money to own those pieces of paper.

The easement was issued two years ago to people who took money in return for signing it and they agreed to the provisions of the easement and he is afraid that they are turning around and saying that the language that they agreed to and accepted money for is inconvenience for them and so they would like to it changed. Mr. Ezekiel said he thought it was a terrible idea for all of the reasons that Ms. Trocchio has mentioned.

Commissioner Ezekiel said that the commission should send a resolution to Webster Township showing support of their recommendation that the township board stand firm on their conservation easement at Gordon Hall, because we want them to stand firm all of their easements including the ones to which the Greenbelt is a part of. He thought this would be a good opportunity for the Greenbelt to take a stand about this.

Commissioner Bloomer said that he would be willing to provide language for the commission to consider approving at a later date.

Present 6 - Tom Bloomer, Dan Ezekiel, Commissioner Laura Rubin, Carsten Hohnke, Liz Rother, and Shannon Brines

Absent 3 - Michael Garfield, Peter Allen, and Catherine Riseng

C-2 11-1564

Letter to Editor

Commissioner Ezekiel put together a letter to the editor regarding the Ann Arbor Greenbelt that he would like the commission to review and provide comments or changes to it. The letter was drafted to try and clear up some miscommunications that were mentioned in news articles about the Greenbelt in the past. He said that he would most likely send the letter in to Ann Arbor.com next week. A copy of the letter is on file in the City Clerk's Office.

Commission Ezekiel took a moment to talk about the discussion of Public Art that took place over a couple of meetings with City Council. The discussion was about the issues that have risen around the Percent for Art Program. He said that it made him appreciate Ms. Trocchio and the rest of the staff. What he got out of the discussion is that the Public Art Commission does not have the infrastructure to do the job that it was given to do. Those hard working people are in the position that the Greenbelt Commission would be in if we had to be the ones to negotiate our own easements with farmers. The Greenbelt could have a back log of millions of dollars, because we would not have had easements completed, because there would not have been someone working on them during the day or having someone who has the knowledge and experience to do the work. It made Mr. Ezekiel appreciate the staff that the Greenbelt has working for them.

C-3 11-1565

RESOLUTION IN RECOGNITION OF THE EXCEPTIONAL WORK BY TOM FREEMAN FOR LAND ACQUISITION

Commissioner Ezekiel said that they have recently learned that Tom Freeman is retiring from Washtenaw County this month. Mr. Freeman held the position of Deputy Director for Washtenaw County Parks and Recreation. A resolution was prepared in recognition of Mr. Freeman's exceptional work for land acquisitions. A copy is on file in the City Clerk's Office.

A motion was made by Commissioner Rother, seconded by Commissioner Rubin, that the Resolution regarding recognition of the work performed by Tom Freeman for Land Acquisition be approved. On a voice vote, the Chair declared the motion carried.

C-4 Staff Updates

Ginny Trocchio of The Conservation fund said that they are still waiting on the FRPP Grant announcements. It should be coming forth any day now and as far as they have heard verbally, that the deadline for submitting applications would be some time in February. They are working with landowners to get applications submitted on time.

Commissioner Ezekiel said that City Council did approve their recommendation to change the Greenbelt boundary. The new sections in Lodi and Salem Township have now been added to the boundary. He thanked the council for trusting them and for accepting the commissions' recommendations.

D NEXT AGENDA ITEMS

None presented.

E REPORT FROM COMMITTEES

None.

F COMMUNICATIONS

None.

PUBLIC COMMENTARY (5 MINIMUTE MAXIMUM SPEAKING TIME - NO LIMIT TO THE NUMBER OF PEOPLE SPEAKING IN THIS SECTION.)

None.

CLOSED SESSION TO DISCUSS LAND ACQUISITION

A motion was made by Commissioner Rubin, seconded by Councilmember Hohnke, that the Commission enter into Closed session to discuss Land Acquisition. On a roll call, the vote was as follows with the Chair declaring the motion carried and the meeting recessed at 5:30 p.m.

Yeas: 6 - Commissioner Bloomer, Commissioner Ezekiel, Commissioner Rubin, Councilmember Hohnke, Commissioner Rother, and Brines

Nays: 0

Absent: 3 - Commissioner Garfield, Commissioner Allen, and Commissioner Riseng

MEETING RECONVENED

A motion was made by Commissioner Rubin, seconded by Commissioner Rother, that the Meeting reconvene. On a voice vote, the Chair declared the motion carried and the meeting reconvened at 5:58 p.m.

Application No. 2011-11

A motion was made by Commissioner Rubin, seconded by Commissioner Bloomer, to recommend to city council to apply for and FRPP for Application No. 2011-11. On a voice vote, the Chair declared the motion carried.

ANNOUNCEMENT

Commissioner Ezekiel announced that Cherry Republic has donated \$2500.00 to the City to be used towards the Greenbelt Program. The commission wanted to express its appreciation of support from Cherry Republic. Commissioner Ezekiel suggested preparing a resolution for Cherry Republic thanking them for their contribution.

ADJOURNMENT

A motion was made by Commissioner Rubin, seconded by Brines, that the meeting adjourn. On a voice vote, the Chair declared the motion carried and the meeting adjourned at 6:00 p.m.

Dan Ezekiel, Chairperson

**Anissa R. Bowden
Recording Secretary**