



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
LAND PRESERVATION ADVISORY BOARD
REGULAR MEETING
April 10, 2019 6 PM

1. CALL MEETING TO ORDER
2. APPROVE AGENDA
3. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS
4. APPROVE MINUTES
 - A. March 13, 2019
5. COMMUNICATIONS
6. OLD BUSINESS
7. NEW BUSINESS
 - A. MUCC Presentation
 - B. Ordinance Review
8. STAFF REPORT
 - A. 2019 Management Plan Update
9. COMMENT FROM THE PUBLIC
10. OTHER MATTERS AND BOARD MEMBERS' COMMENTS
11. ANNOUNCEMENTS
 - A. Next Land Preservation Advisory Board Meeting: Wednesday, May 8, 2019, 6 pm, Meridian Service Center
12. CLOSED SESSION (separate envelope)
13. ADJOURNMENT

Individuals with disabilities requiring auxiliary aids or services should contact the Meridian Township Land Preservation Advisory Board by contacting: Director LuAnn Maisner, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4600 - Ten Day Notice is Required.

Meeting Location: 2100 Gaylord C. Smith Court, Haslett, MI 48840

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CHARTER TOWNSHIP OF MERIDIAN
LAND PRESERVATION ADVISORY BOARD REGULAR MEETING MINUTES-DRAFT
2100 Gaylord C. Smith Court, Haslett
Meridian Service Center Lunchroom
Wednesday, March 13, 2018 6 PM

PRESENT: Chair, Jon Mayes; Vice-chair, James Kielbaso; Board Member Roland Harmes, Board Member Jamie Hiller, Board Member Mark Stephens; Board Member Kirk Lapham
ABSENT: Board Member YuMan Lee
STAFF: Jane Greenway, Parks and Land Management Coordinator; Kelsey Dillon, Park Naturalist and Stewardship Coordinator
TOWNSHIP: Township Trustee, Dan Opsommer (left meeting at 6:45pm)
OTHER: None

1. CALL MEETING TO ORDER

Chair Mayes called the meeting to order at 6:00pm.

2. APPROVAL OF AGENDA

Board Member Stephens moved **TO APPROVE THE AGENDA**. Seconded by Board Member Kielbaso.

VOICE VOTE: Motion carried unanimously.

3. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

None

4. APPROVE MINUTES

Board Member Hiller moved **TO APPROVE THE MINUTES OF JANUARY 9, 2019 REGULAR MEETING WITH CORRECTIONS**. Seconded by Board Member Kielbaso.

VOICE VOTE: Motion carried unanimously.

5. COMMUNICATIONS

None

7. OLD BUSINESS

None

8. NEW BUSINESS

None

9. STAFF REPORT

2019 Management Plan Update

10. COMMENTS FROM THE PUBLIC

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None

11. OTHER MATTERS AND BOARD MEMBERS' COMMENTS

A. Review of the Land Preservation Ordinance

Board Member Hiller directed staff to include a new business agenda item in April about reviewing the Land Preservation Ordinance.

B. MUCC Presentation

Board Member Stephens would like to invite the Michigan United Conservation Corps to do a presentation about potential conservation projects in the Meridian Township Land Preserves. Board members agree to invite MUCC staff to the April 10th LPAB meeting.

12. ANNOUNCEMENTS

Next Land Preservation Advisory Board Meeting: Wednesday, April 10, 2019, 6pm, Meridian Service Center

13. CLOSED SESSION

Board Member Hiller moved **TO MOVE INTO CLOSED SESSION**. Seconded by Board Member Stephens.

Roll Call:

AYES: Chair, Jon Mayes; Vice-chair, James Kielbaso; Board Member, Roland Harmes; Board Member, Jamie Hiller; Board Member, Mark Stephens; Board Member Kirk Lapham

NAYS: None

The Board moved into closed session at 7:02pm.

Board Member Harmes moved **TO ADJOURN THE CLOSED SESSION AND RETURN TO THE OPEN SESSION**. Seconded by Board Member Hiller.

Roll Call:

AYES: Chair, Jon Mayes; Vice-chair, James Kielbaso; Board Member, Roland Harmes; Board Member, Jamie Hiller; Board Member, Mark Stephens; Board Member Kirk Lapham

NAYS: None

The Board reopened the meeting at 7:54pm.

Board Member Stephens moved **TO INSTRUCT STAFF TO TAKE SUCH ACTION AS DISCUSSED DURING CLOSED SESSION**. Seconded by Board Member Hiller.

VOICE VOTE: Motion carried unanimously.

14. ADJOURNMENT

Board Member Lapham moved **TO ADJOURN THE MEETING**. Seconded by Board Member Hiller. Chair Mayes adjourned the meeting at 7:58pm.

About Michigan United Conservation Corps (MUCC)

Michigan United Conservation Clubs is the largest statewide conservation organization in the nation. Founded in 1937, our mission is to unite citizens to conserve, protect and enhance Michigan's natural resources and outdoor heritage. This mission drives everything we do as an organization.

Our strength in is our membership and support: over 70,000 hunters, anglers, trappers and conservationists and over 200 affiliated local clubs around the state. We were founded in 1937 with a simple purpose: harness the combined strength of Michigan's outdoors community to protect conservation from politics. Since then, we have been the foremost power in Michigan protecting the rights to hunt, fish and trap. Our policies are determined by our members through Michigan's most robust grassroots policy-setting process. Our experienced and professional staff carry out the resolutions adopted by our members through a suite of conservation programs ranging from direct advocacy and communications to on-the-ground wildlife habitat conservation and youth outdoor education.

Mission

Uniting citizens to conserve, protect, and enhance Michigan's natural resources and outdoor heritage.

Advocacy

We have led significant conservation victories such as the passage of the Bottle Bill and the creation of the Michigan Natural Resources Trust Fund in 1976, protecting the Trust Fund in the Michigan Constitution in 1984, protecting hunting rights from anti-hunters through Proposal G in 1996 and passage of the Scientific Fish and Wildlife Conservation Act in 2014.

Communication

Since 1947, we have published Michigan Out-of-Doors Magazine. Our youth magazine, Tracks, reaches tens of thousands of middle school students each year. In 2015, we launched the Michigan Out-of-Doors Podcast and DeerMichigan.com to reach a new generation of hunters, anglers and trappers. Our weekly Conservation Insider e-newsletter details the latest conservation news in Michigan, and our daily staff blogs at www.mucc.org ensure that content is always relevant and up-to-date.

Conservation

Our On the Ground (OTG) wildlife habitat conservation program launched in 2013. A partnership with the Michigan Department of Natural Resources, it has engaged over 600 volunteers in dozens of fish and wildlife habitat projects on public lands and waters around the state, even earning the DNR Outdoor Life's Open Country Award in 2014. And in 2015, we launched the Michigan Wildlife Cooperatives partnership with Pheasants Forever, the Quality Deer Management Association and the DNR to organize private land cooperatives improving wildlife habitat.

Education

The Michigan Out-of-Doors Youth Camp, located at the Cedar Lake Outdoor Center in Chelsea, Michigan, has educated over 56,000 youth since its founding over 60 years ago, introducing generations of Michiganders to the outdoors.

Land Preservation Ordinance

§ 22-56 Definitions.

[Ord. No. 2001-15, 11-8-2001; Ord. No. 2007-15, 12-16-2007]

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

CAMPING

The overnight lodging or sleeping of a person or persons on the ground or in any manner or in a sleeping bag, tent, trailer-tent, trailer coach, vehicle camper, motor vehicle, or in any other conveyance erected, parked, or placed within any land preservation property.

CONSERVATION EASEMENT

An interest in land or property that limits the use of land or a body of water or requires or prohibits certain acts on or with respect to the land or body of water stated in the form of a legal instrument executed by or on behalf of the owner of the land or body of water which interest is in furtherance of the retention and maintenance of the land or body of water, including improvements on the land or body of water, predominately in its natural, scenic, or open condition, or in an agricultural, farming, open space, or forest use or similar use or condition.

ECOLOGICAL REVIEW

Review of land and its natural features during the application process as outlined in the rules of procedure.

ELIGIBLE LAND

Land, including its natural features, eligible to be acquired under this article as outlined in the rules of procedure adopted by the advisory board for the purchase of property or interests in property with funds as authorized pursuant to this article.

ENVIRONMENTAL SITE ASSESSMENT

The process used to determine the possible presence of petroleum products or other hazardous substances on a parcel of land per the American Society of Testing and Materials (ASTM).

GOVERNMENTAL AGENCY

The United States or any agency thereof, the state or any agency thereof, any county, Township, city or municipal corporation.

LAND PRESERVATION ADVISORY BOARD

The board overseeing the land preservation program.

LAND PRESERVATION PROPERTY

Any property acquired through the land preservation program currently owned by the Township and delineated as a land preservation property.

LAND SCREENING CRITERIA

The criteria to be used as guidance to evaluate properties for consideration to be purchased by the Township pursuant to this article. The land screening criteria are outlined in the advisory board rules of procedure.

MONITORING

The review of property or interests in property acquired under this article to ensure the integrity of the purposes of such acquisition under the land preservation program. Monitoring includes compliance with agreement and status of stewardship objectives as provided to staff by the advisory board. Monitoring does not include the maintenance or enhancement of property interests.

NATURAL FEATURES

Characteristics or conditions on land including, but not limited to, open spaces, woodlands, wetlands, lakes, streams, floodplains, wildlife habitat, and other sensitive environmental areas.

OPEN SPACE

Land currently undeveloped or unimproved or substantially undeveloped or unimproved, regardless of size and ownership.

PARKING

Permitting a vehicle to remain standing, whether occupied or not, when not loading or unloading.

PARKING AREA

Any off-street area, whether paved or not, which is designated for public parking.

PROPERTY

Contiguous property, properties, or portions of property under the same ownership that is included in an application.

PROPERTY INTEREST

Fee simple ownership or any lesser interest in property.

STEWARDSHIP

The careful and perpetual management, maintenance, and habitat improvement efforts, on behalf of the citizens, for land acquired through the land preservation program and in a manner pursuant to this article.

VEHICLE

Any device, motorized or otherwise propelled, which is designed for or used to carry a person(s) or thing(s) along the ground or in the air from one place to another.

Cross reference: Definitions generally, § 1-2.

§ 22-57 Established.

[Ord. No. 2001-15, 11-8-2001]

The Township hereby establishes a land preservation program for the purpose of obtaining lands or interests in lands in the Township for the protection and preservation of open space and special natural features throughout the Township. The program's policies and rules are adopted in this article.

§ 22-58 Purpose.

[Ord. No. 2001-15, 11-8-2001]

This article is adopted for the following purposes:

(1)

To protect, preserve and enhance the Township's open space and special natural features.

(2)

To serve additional public purposes through the purchase of property or interests in property for open space, enhancement of the natural habitat and water quality, and the establishment of a reserve fund to ensure that funding is available for the perpetual stewardship of these lands.

(3)

To leave an important natural legacy for future generations.

(4)

To take deliberate steps to ensure the continuation of a pleasant and livable community that will benefit our residents, visitors, and the local economy by employing a variety of techniques that will allow areas of natural landscape to remain in perpetuity throughout the Township.

§ 22-59 Authorizations.

[Ord. No. 2001-15, 11-8-2001]

The following provisions are authorizations given to the Township under the land preservation program:

(1)

The Township Board is authorized to expend land preservation millage tax revenues to acquire property or interests in property as recommended by the advisory board for achieving goals set forth in this article.

(2)

Any property interest obtained under this article may either be through fee simple ownership or the purchase of conservation easements or any lesser interest, covenants, or other rights. An acquisition by the Township under this article may be accomplished by purchase, gift, grant, bequest, devise, covenant, contract, or otherwise in accordance with state law.

(3)

The collected land preservation millage tax revenues may be used to acquire such property interests upon the recommendation of the advisory board.

(4)

The Township is authorized to enter into cash purchase, installment purchase contracts, or tax exempt installment purchase agreements as consistent with applicable law. When installment purchases are made, the Township is authorized to pay interest on the declining unpaid principal balance at a legal rate of interest consistent with prevailing market conditions at the time of execution of the installment contract or such lesser amount as may be negotiated, and adjusted for the tax-exempt status of such interest.

(5)

The Township, for the benefit of its citizens, shall hold property interest acquired pursuant to this article in trust in perpetuity, except under the following conditions:

a.

Exchange of property. The Township Board, upon the recommendation of the advisory board and by a two-thirds majority vote of the Township Board membership, may determine that a property interest acquired under this article should be exchanged for other eligible lands within the Township as outlined in the advisory board rules of procedure.

Property to be obtained by the Township through the exchange shall be approved in the same manner as acquisition of properties as provided for in this article.

b.

Sale of property interests. Land enrolled in the land preservation program may be sold in accordance with the following guidelines:

1.

The Township Board, upon the recommendation of the advisory board and by a two-thirds majority vote of the Township Board membership, may submit to the voters of the Township a proposition to approve of the disposition of a property interest acquired pursuant to this article if such property interest no longer serves the purpose of the land preservation program as outlined in § 22-58. Only upon a 75% vote of the duly

registered electors voting in such election approving such disposition can the Township dispose of a property interest. Proceeds of the disposition shall only be used for the acquisition of property interests pursuant to this article.

2.

Notwithstanding subsection (5)b.1 of this section where the Township acquires property, a portion of which is improved or otherwise inconsistent with the purposes of the land preservation program, this article authorizes the sale of that portion of the property in accordance with state law. Any sale of property under these conditions requires a two-thirds majority vote of the Township Board membership.

(6)

Where the Township acquires a property interest that is improved, this article authorizes removal or destruction of the improvement if consistent with the purpose of this article.

(7)

The Township Board shall budget sufficient funds from the general fund on an annual basis for monitoring of all property interests acquired under this article. Monitoring shall be carried out by Township staff under the direction of the Township Manager. The general fund shall cover any staffing obligations for monitoring not otherwise specified in this article.

§ 22-60 Dissolution.

[Ord. No. 2001-15, 11-8-2001]

(a)

It is the intent of this article that should the advisory board be dissolved, the park commission shall be responsible for the continued oversight of the land preservation program and its remaining funds.

(b)

If the land preservation program is dissolved, all monies remaining within any account holding land preservation millage funds, or any interest derived from such funds, shall be deposited in an account for the sole purpose of fulfilling the intent of the original land preservation millage. Appropriate expenditures of such funds after dissolution of the land preservation program include contract responsibilities, continued acquisition, improvement of natural habitat, and the perpetual stewardship responsibilities of land previously enrolled in the land preservation program.

§ 22-61 Application; selection; purchase process.

[Ord. No. 2001-15, 11-8-2001]

(a)

Application form. A property owner, or his designee, interested in submitting his property for consideration shall complete the land preservation application form. Application forms shall be obtained from, and completed applications shall be submitted to, the office of the Township Clerk.

(b)

Receipt and review. Applications may be received at any time and will be reviewed on a quarterly basis. At the end of each quarter, the clerk shall forward all completed applications or copies thereof to the advisory board. The advisory board shall perform an initial review of the applications to determine whether the property involved meets the initial criteria outlined in the land preservation advisory board rules of procedure. The initial review shall take place within 60 days of the end of the quarter. The advisory board shall cause an ecological review of each property to be performed for those applications meeting the initial criteria.

(c)

Evaluation and recommendation. After an ecological review is performed, the results of the review shall be reported to the advisory board. The advisory board shall then perform a final evaluation of the properties consistent with the land screening criteria outlined in the land preservation advisory board rules of procedure, and make a determination as to the property interest which should be recommended to the Township for acquisition.

(d)

Approval of Planning Commission. A list of the property interests recommended by the advisory board for acquisition shall be forwarded to the Planning Commission for approval of revisions to the Township's comprehensive development plan as required in MCL § 125.39. If the Planning Commission does not approve, the advisory board may seek approval of the Township Board as outlined in MCL § 125.39.

(e)

Appraisals, etc.; negotiations. Upon the approval of the Planning Commission, or if necessary the Township Board, the advisory board may order appraisals, title work, and surveys for the property interest recommended for acquisition and may undertake negotiations with the property owner to arrive at an agreed upon compensation consistent with the rules of procedure. No appraisal shall be required by the advisory board for donated property.

(f)

Final action. After negotiations have been completed with all recommended property interests, the Township Board shall review recommendations submitted by the advisory board and shall take the final action by majority vote on whether to purchase a property interest or accept a donated parcel at a regularly scheduled or special meeting.

(g)

Necessary actions to acquire. The advisory board shall take all actions necessary to acquire the property interest upon the approval of the Township Board, and shall record all necessary documents with the county register of deeds.

(h)

Environmental site assessment. An environmental site assessment shall be authorized by the Township Manager and conducted on behalf of the Township before completing the purchase or accepting the donation of any property interest.

§ 22-62 Land preservation acquisition fund.

[Ord. No. 2001-15, 11-8-2001]

(a)

Seventy-five percent of the annual land preservation millage funds, as passed November 7, 2000, shall be deposited upon receipt in a separate account of the Township (hereafter referred to as the land preservation acquisition fund). Money in the land preservation acquisition fund may be temporarily deposited in such institutions or invested in such obligations as may be lawful for the investment of Township money; provided, that such deposit or investment does not render those funds unavailable as may be necessary to carry out the purpose and intent of this article.

(b)

The revenue from the millage and any interest received from the deposit or investment of such revenue shall be applied and used solely for the purposes set forth in this article.

(c)

The land preservation acquisition fund shall only be used for the acquisition of property interests and the associated costs of acquisition.

(d)

The Township Treasurer shall provide the advisory board and the Township Board a written account of funds available by April 1 of each year, and at such other times as may be requested by the advisory board or Township Board.

§ 22-63 Land preservation reserve fund.

[Ord. No. 2001-15, 11-8-2001]

(a)

Twenty-five percent of the annual land preservation millage funds, as passed November 7, 2000, shall be deposited upon receipt in a separate account of the Township (hereafter referred to as the land preservation reserve fund). Money in the land preservation reserve fund shall be invested in such obligations as may be lawful for the investment of Township money.

(b)

Interest, but not the principal, of the land preservation reserve fund, shall be used for maintenance, habitat improvement and other stewardship activities associated with property interests acquired under this article.

(c)

The principal may be used after the life of a land preservation millage for land acquisition or other extraordinary purposes related to the purpose of the land preservation millage only by a two-thirds vote of the land preservation advisory board membership and a two-thirds vote of the Township Board membership.

(d)

The Township Treasurer shall provide the advisory board and the Township Board a written account of funds available by April 1 of each year, and at such other times as requested by the advisory board or Township Board.

§ 22-64 Land preservation supplemental funds.

[Ord. No. 2001-15, 11-8-2001]

(a)

Funds from other governmental agencies or private sources may become available to pay a portion of the cost of purchasing property interests. The Township Board is hereby authorized to make application for and utilize such funds in accordance with the applicable laws or governing terms.

(b)

The advisory board will monitor opportunities to apply for such funds and will submit grant applications to the appropriate granting agencies to ensure that millage funds are supplemented to the greatest extent possible.

§ 22-65 Ordinance interpretation.

[Ord. No. 2007-15, 12-16-2007]

The land preservation advisory board shall be the body responsible for the interpretation of this article. A decision of the land preservation advisory board concerning an interpretation of this article may be appealed to the Township Board within 10 days of the date of the decision.

§ 22-66Emergency powers.

[Ord. No. 2007-15, 12-16-2007]

The land preservation advisory board may establish emergency rules necessary to protect the health, welfare, and safety of land preservation property visitors and to protect land preservation property. Land preservation management personnel, pursuant to such emergency rules, may order all persons off land preservation property, and close all or any portion of a land preservation property.

§ 22-67Township land preservation personnel.

[Ord. No. 2007-15, 12-16-2007]

Nothing contained in this article shall be construed as prohibiting Township employees or agents from performing work on land preservation property at a time and in a manner directed by the land preservation advisory board or Township through its land management personnel.

§ 22-68through § 22-85. (Reserved)

2019 Prescribed Burn Report - Davis Foster Land Preserve

- Prescribed burn was conducted on Saturday, March 23rd at approximately 11 AM.
- The burn was going according to plan until approximately 1 PM.
- The burn jumped a fire break and PlantWise staff were unable to regain control.
- Tavis Millerov, Meridian fire inspector, called for wildfire control back up units from Bath Township, Delhi Township, and Williamston.
- The fire was controlled by approximately 2 PM but had burned a significant portion of Unit 2 in the Davis Foster grassland.
- The fire also burned a small cattail marsh to the southeast of the property and went slightly over the property line in the cattail marsh.
- No damage to property was done besides the cattails in the marsh.

