

Chair Miedema stated that seven letters had been received by persons wishing to comment, and the letters would be available for the public to review.

Lester Langeland – 2796 Hayes, Tallmadge Township

Mr. Langeland was concerned with page 4, section 3, C, which stated that payment for the PDR Program would be made from “sources other than those originating from the County General Fund.” Mr. Langeland would like the Planning Commission to consider the addition of the phrase, “at this time” to that sentence, and in every other instance of that wording throughout the document. Further, he felt that the current wording was unwise, as it would bind all future Boards from using County General Fund dollars to pay for the PDR Program.

JoAnn Becker – Supervisor, Wright Township

Ms. Becker stated that Wright Township is rural and has a lot of viable farmland. She expressed concern with the statement in the draft Ordinance which requires matching funds to be provided by “a local unit of government, landowner, or private sources.” She stated that Wright Township does not have any extra revenue at this time to provide any matching funds, and she would not want that to be a detriment to any Wright Township resident wishing to apply for the program. She asked if the County could leverage funds to help pay for fees, instead of requiring matching funds.

Donna Veldheer – 13304 Blair Street, Holland

Ms. Veldheer stated that her son lives in Lancaster County, PA, and she is familiar with their PDR Program. She stated that Lancaster County bears the expense for maintaining their PDR Program. She feels that if a township has to pay for the Program in Ottawa County, the townships may not want to participate. Ms. Veldheer asked if a map was available that indicated areas of growth and agricultural areas in Ottawa County. Additionally, Ms. Veldheer stated that Lancaster County’s ordinance prohibited eminent domain to any takeovers except widening roads, expanding utilities, and gas and mineral rights. She asked if Ottawa County could add similar language to the draft Ordinance. She stated that Lancaster County had established a real estate tax, whereby a percentage of each sale would be designated to the County PDR Fund. Ms. Veldheer also questioned who would hold the conservation easement after it was created.

Mike Bronkema – 13275 Blair, Holland; also representing the Ottawa County Farm Bureau

Mr. Bronkema stated that the Farm Bureau felt that the Ordinance is well written. However, Mr. Bronkema stated that in most real estate transactions, the buyer usually pays all of the fees incurred in the transaction. He expected that the buyer of the development rights would also pay for all fees. Further, Mr. Bronkema stated that he agreed with the previous comments made about the section on eminent domain, and felt that the language should be more restrictive of eminent domain takeovers. Mr. Bronkema also stated that the County should recognize that they are receiving a benefit from the PDR Program, and they should be willing to consider funding part of the program. He asked if the Parks millage would apply to open space preservation or could be reworded to include open space preservation when it is brought to the taxpayers for future votes.

Anne Engvall – 5360 Garfield, Polkton Township; also representing Polkton Township Trustees

Ms. Engvall stated that on page 2, Section 1, H, the word “should” in the last sentence should be replaced by “shall.” Additionally, she was concerned that townships would be asked to make a financial commitment to the PDR Program before knowing exactly what fees would be incurred. Further, Ms. Engvall stated that she would like to know what the consequences are for those who are non-compliant with the program. She stated that page 5 mentions enforcement of the

program, but there is no mention of consequences for those who are not compliant. Ms. Engvall also questioned the time frame of the program, as the draft Ordinance currently states that easements will be held in perpetuity. She asked if a 50-year time frame could be placed on the easement, to allow the townships to evaluate the program after that time.

Chuck Marvin, 6780 Elena, West Olive

Mr. Marvin felt that the concept of a PDR program was not wise at this time. Because the public cannot use the land, and it is still owned by the farmer, he felt that public funding should not be applied to the program. He suggested private fundraising, perhaps with Ducks Unlimited or another private organization. Further, he stated that if public funds were being used, perhaps the land should instead be purchased for public use.

08-24 Motion: To close the Public Hearing

Moved by: Wilson

Supported by: Holtvluwer

UNANIMOUS

Commissioner Holtvluwer asked if a sunset could be placed upon the PDR program, to allow the County Board to review the program in the future and make adjustments, if necessary. Chair Miedema stated that there is a 25-year sunset on the PDR Program in Pennsylvania.

Commissioner Hehl asked Mark Knudsen if the state required the easement to be held in perpetuity. Mark stated that perpetuity is a state requirement. Commissioner Hehl felt that the program should be compliant with state requirements, so that it would be possible to apply for state funding in the future.

Commissioner Hehl also asked Mark about the section regarding eminent domain. Mark stated that he had spoken with Corporate Counsel and was told that language was needed in the Ordinance. Mark said that he would review the language with Corporate Counsel again to see if it could be modified to include the restrictions mentioned by Ms. Veldheer, prohibiting eminent domain except in situations such as widening roads, expanding utilities, or gas and mineral rights.

Additionally, Commissioner Hehl stated that he spoke with the County Administrator regarding having a percentage of each agricultural land sale be placed in a County Fund to provide funding for the PDR program. The County Administrator had stated that a bill would be needed at the State level for that to occur. It could not be enacted at the County level.

In answer to Ms. Veldheer's question regarding a map of agricultural areas, Mark stated that there is a map in the County Development Plan that shows three tiers of land use – urban areas, urban influence, and rural preserve, which includes agricultural land.

In response to Anne Engvall's concern that townships would have to commit to the PDR Program without knowing the fees involved, Mark stated that the fee structure would be established after determining who would be administering the program. He stated that the townships would be notified of costs when the fee structure was established.

In response to Ms. Veldheer's question as to who would hold the conservation easement, Mark stated that the development rights would be deeded to the County and the State. The County would hold the rights and would have first right of responsibility for monitoring and enforcement; however, the State would also have the ability to monitor and enforce the Program, if necessary.

Action Items:**A. Ottawa County Non-Motorized Pathways Study/Plan Amendment**

08-25 Motion: To approve the Resolution of Support adding 'North Shore Drive Trail' to the Ottawa County Non-Motorized Pathways Study/Plan to include a separated non-motorized pathway along North Shore Drive in the City of Ferrysburg

Moved by: Holtvluwer

Supported by: Miller

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08-26 Motion: To adjourn the meeting

Moved by: Hehl

Supported by: Kamphuis

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The meeting adjourned at 7:35 PM.