

## PURCHASE OF DEVELOPMENT RIGHTS TASK FORCE

January 24 – 7:00 p.m.  
Room 3224, Public Agency Center

### **TASKFORCE MEMBERS PRESENT:**

Daniel Stoffel, Chairperson  
Mary Krumbiegel  
Scott Lofy  
Kevin Dittmar  
Ike Roell  
Bill Neureuther  
Jon Etta  
Helmut Wagner  
Kathy Muth  
Shawn Graff  
Perry Lindquist

### **STAFF:**

Herbert Wolf, Assistant Administrator  
Paul Sebo  
Sue Millin  
Kevin Struck  
Joanne Wagner

### **TECHNICAL ADVISORS PRESENT:**

Deb Sielski  
Blaine Delzer

### **OTHERS PRESENT:**

### **EXCUSED ABSENCE:**

### **NOT PRESENT:**

Tony Warren  
Paul Bautzmann

The meeting was called to order at 7:00 p.m. by Chairperson Stoffel.

### **FIRST ORDER OF BUSINESS:**      Introduction of Guests

Present: Jeff Walters, member of the Transportation Work Group. Also present: Mark Filber.

### **SECOND ORDER OF BUSINESS:**      Approve minutes of January 10, 2006

Stoffel asked if, after review of the minutes from January 10, there were any additions or corrections. Hearing none, he called for a motion to approve. **Motion by Shawn Graff, seconded by Bill Neureuther to approve the minutes of January 10, 2006. Motion carried.**

### **THIRD ORDER OF BUSINESS:**      Finalize discussion of draft scope and general ranking criteria for priority farmland areas – Perry Lindquist

Lindquist provided handouts that have highlighted areas indicating changes (see enclosed). Lindquist stated that the main changes to this document are on the backside of the handout. Reviewed these items. Discussion ensued. Dittmar stated the opinion that we should be working with the Towns to determine a set procedure and gathering specific information. Stated we should be sure that we determine a target area, and are not chasing properties outside this area. Neureuther stated this is a “willing buyer-willing seller” process. In summary, Stoffel stated, if all other things are equal and we are looking at two properties, we would give some priority to a property in the target area (if they are not both in the target area). Wolf stated that it was determined at a previous meeting that we do not want to preclude anyone from applying, and elaborated on that concept. At this time, Graff asked if we could change item #4? Wishes to take out “farm” in “farmland”. Stoffel suggested not taking out “farm” as that is what is driving this program, but add “other public lands.” Wolf suggested adding a 10<sup>th</sup> criteria, being “unique circumstances for property” and just sort of leave that as a wildcard. Ten points might make a lot of difference on an application. Lindquist asked for language, and this was discussed further.

Stoffel summarized that we will take that issue about financial situation/window of opportunity that we talked about in number 9, and move it down to the 10<sup>th</sup> criteria, which would be “unique circumstances/opportunities.” Draft report will be forthcoming, and these items will be part of that. No further comments or concerns voiced.

**FOURTH ORDER OF BUSINESS:**     Conservation Easement – Review draft sample easement – Sue Millin and Perry Lindquist

Millin referred to handout passed around to Task Force - "General Agricultural Conservation Easement Provisions Commonly used in a PDR Program." Millin stated that the Task Force's previous discussion was a sample from the State of Michigan. With the advice of the Midwest Director, he suggested that we do not put a specific easement into our report, as it raises a lot of red flags and each easement is very unique. Therefore, what Sue and Perry did was put together a document that really talks about the generalities, and will show the County Board and whomever else we are talking to the kinds of things you can expect to see in an easement. Lindquist stated that this is written in more common language for a general group to understand, and not intended to be an actual sample easement. Lindquist reviewed the items in the handout, starting with “A. - Permitted uses.” Reviewed and discussed the handout, item by item. Detailed discussion of items on the handout ensued.

**FIFTH ORDER OF BUSINESS:**     Funding options for PDR – Herb Wolf & Sue Millin

Wolf referred Task Force to handouts mailed with agenda (see enclosed). This is a list that has been discussed several times in the past. Wolf stated that Sue’s organization has reviewed it and concurs with it. Wolf reviewed items on the handout. Lindquist asked question about the fourth (and last) item on the handout - impact fees. Dittmar felt that a discussion about this was appropriate. Discussion ensued. Wolf stated that the items on this list are just to get a discussion started. Millin stated last time, task force voted to support sales tax to provide money we need. That amount would probably be about 10%. The Land Conservation Partnership has been talking about how to obtain remainder of money. John Torinus attended our last meeting and mentioned real estate transfer fees. Millin stated this is probably coming at the State level, and upon doing further figures, Millin stated she thought we could probably come up with another million annually from real estate transfer fees. Stated that this is an important point to consider in obtaining additional fees, as it is imperative that there be a local base of financial support. Graff stated agreement with Millin about this being a very important resource for obtaining additional funds. Various other revenue sources were discussed further.

**SIXTH ORDER OF BUSINESS:**     PDR examples of potential costs for several areas in Washington County - Herb Wolf

Examples handed out to Task Force (see enclosed). Wolf stated that Deb Sielski has done some of this kind of work previously with the Park and Open Space Plan, and the Farmland Plan. Had discussed trying to do a breakdown of some actual sales in the County. Wolf stated he got this information from eight of the townships in the County for 2005. Stated that he tried to select larger tracts of land and broke this information out into items as they appear on the handout. Properties in various Townships within the County were represented, with varying factors. The information was based on actual land sales in 2005, and was recorded documents from the Register of Deeds. Discussion ensued.

**SEVENTH ORDER OF BUSINESS:**     Proposed PDR Program structure - Dan Stoffel and Herb Wolf

Wolf passed around handouts (see enclosed). Wolf reviewed structure as outlined on the handout. Recommendations for possible changes to this document were given.

**EIGHTH ORDER OF BUSINESS:**      General overview of application and evaluation process - Herb Wolf

Wolf passed around handouts (see enclosed). This is a sample from Washington County, Minnesota. Wolf reviewed the document item by item and provided overview. This will be incorporated into a flow chart format in the future.

**NINTH ORDER OF BUSINESS:**      Process to create PDR Program, including resolution & ordinance development - Dan Stoffel and Herb Wolf

Stoffel passed around a copy of a draft ordinance provided by Doug Johnson. At this time, a handout entitled "Position Statement - Earmarking Sales Tax for PDR is Good Public Policy" was also circulated. Stoffel stated that in discussions with Doug Johnson, he has conceded that there may be an opportunity to allocate money in property tax offset or capital programs. Stoffel directed the Task Force to Section 2. Johnson will concede that another way to earmark the money would be to try to obtain it through the Capital Project Program. Stoffel stated that Johnson is opposed to earmarking a percentage of sales tax for Purchase of Development Rights in the enabling ordinance. Discussion ensued regarding getting a resolution to the March County Board to request funding from the Capital Improvement Plan. Further discussion of timing for presentation of this program to the County Board ensued. Concerns were expressed regarding funds not being able to be allocated until a program exists. Stoffel stated that there is at least a possibility of allocating 10% of sales tax toward Purchase of Development Rights where it did not exist before. Discussion ensued regarding the possibility of the Planning, Conservation and Parks Committee supporting allocation from the Capital Improvement Plan at budget time next year for funding of this program. Wolf encouraged the Task Force to be aware that the Department budget time next year would be the time that the Task Force should send letters and/or attend the Planning and Parks Department budget meetings with the Planning, Conservation and Parks Committee when the Capital Improvement funding request is presented. Any time after May will be when these numbers can be looked at. Discussion ensued of whether or not to bring this to the current County Board, or wait until the new board is in place in May or June. Amendments to the draft ordinance were suggested. Stoffel will make changes as suggested by the Task Force to the draft ordinance. **Motion by Lindquist, seconded by Graff to request amendment at the Executive Committee to add PDR to section 4.28(2), and to change allocations to 40% property tax offset and 60 % allocated to the annual Capital Improvement Plan. In Section 2, change 30% to 20% and 50% to 40%. Motion carried.**

**TENTH ORDER OF BUSINESS:**      Public Comment

Present: Shawn Maney - Asked about opposition from public on this. Asked if any of the County Board supervisors present here tonight have heard any opposition from the public. Stoffel stated it appears that there is a lot of public support. Millin stated agreement with that.

Stoffel entertained a motion to adjourn. **Motion by Neurether, seconded by Krumbiegel to adjourn. Motion carried. Meeting adjourned at 9:55 p.m.**

Next meeting will be January 31, 2006.

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Daniel Stoffel, Chairperson