

AGRICULTURAL LAND PRESERVATION COMMISSION

MINUTES OF THE FEBRUARY 9, 2006 MEETING

COMMISSION MEMBERS PRESENT: Jim Opaluch, Everett Stuart, Kevin Nelson, Bob Sutton, Judy Bailey, Dave Wallace, Jason Pezzullo

COMMISSION MEMBERS ABSENT:

STAFF PRESENT: Ken Ayars, DEM/Agriculture
Lis Peterman, DEM/Agriculture
Vicky Drew, USDA/NRCS

GUESTS: George Mason
Richard Schartner, Schartner Farm
Freddie Bettinger, So. County Conservancy
Jim Auckerman, So. County Conservancy
Russell and Carla Ricci, Ricci Farm
Michael Kent, Kent Farm

The meeting began at 5:10 pm at the USDA, 60 Quaker Lane, Warwick.

George Mason announced he is present as a member of the public, not Commission member. The Governor and legislature have agreed to rescind appointments made last year prior to approval of separation of powers legislation currently being reviewed by the General Assembly. Upon passage of the legislation, appointments will be resubmitted by the Governor for advice and consent of the Senate.

Richard Schartner provided an update on Schartner Farm (former Bald Hill Nursery), Exeter, No. Kingstown. The Commission has committed \$500,000 toward the acquisition of development rights, and is in discussion with other potential funding partners. There are no other commitments of funds to date, and Schartner is under pressure from his lenders to make a decision regarding protection or potential development of the farm.

The Fenner/Ricci project was discussed at length with Russell and Carl Ricci, Freddie Bettinger and Jim Auckerman of the So. County Conservancy. The Commission discussed the proposal by Ricci to donate their property over time to the Conservancy and the amount of acreage to be protected. Jim Opaluch made a motion, seconded by Everett Stuart, to accept the original score for Fenner/Ricci combined, and based on new information received to approve the project under the condition; 1) a minimum of 60 acres of Ricci is permanently protected including the existing pasture/hayfield in Lot 3 of approximately 10 acres, 2) there is permanent access and connection between the Fenner and Ricci farms for agricultural purposes, 3) the Ricci donation is completed within five years, and 4) DEM has the right to review and approve the management plan for the Ricci property excluding the envelope around the barn. The motion passed unanimously.

Michael Kent discussed an issue concerning a boundary line between his farm and Gordon property, East Greenwich, which was also explained in a letter submitted by he and Midge Gordon. The development rights to the Kent Farm (formally Graham) were previously acquired, and as a result of a recent resurvey of the property an error has been discovered in the original survey creating a need to adjust the boundary line. Kent and Gordon request permission of the Commission to make an administrative adjustment to the boundary line which does not change the acreage within the development rights easement. Bob Sutton made a motion, seconded by Kevin Nelson to approve the re-alignment of the property lines contingent upon DEM legal review and approval. The motion passed unanimously.

Ken Ayars and Bob Sutton updated the Commission on the status of negotiations.

The Commission discussed election of officers. Judy Bailey announced her intention to resign from the Commission, and therefore give up her seat as Chair. Bob Sutton made a motion, seconded by Jim Opaluch, to approve Everett Stuart as Chair. The motion a passed unanimously. Bob Sutton made a motion, seconded by Everett Stuart, thanking Judy Bailey for exemplary service as Chair and expressing the appreciation of the Commission. The motion passed unanimously.

The Commission will hold elections for the Vice Chair position at the next meeting.

Ken Ayars discussed the need for assistance with baseline documentation for projects receiving USDA funding, and requested permission to contract with an outside organization. The Commission agreed in concept and will discuss further at the next meeting.

The meeting adjourned at 7:45 pm.

Respectfully Submitted,

Kenneth D. Ayars, Chief
Division of Agriculture, RIDEM