

AGRICULTURAL LAND PRESERVATION COMMISSION

MINUTES OF THE FEBRUARY 15, 2007 MEETING

COMMISSION MEMBERS PRESENT: Everett Stuart, George Mason, Kevin Nelson, Dave Wallace, Ken Ayars

COMMISSION MEMBERS ABSENT: Jason Pezzullo, Jim Opaluch

GUESTS: Bruce Keiser, Town of Jamestown
Lisa Bryer, Town of Jamestown
Steve Ostiguy, Church Community Housing
Brigid Ryan, Church Community Housing
Sandy O'Keefe, Church Community Housing

STAFF: Liz Peterman, DEM
Reena Shaw, USDA

The meeting began at 5:05 pm at USDA, 60 Quaker Lane, Warwick.

Dave Wallace made a motion, seconded by George Mason, to approve the minutes of the January 11, 2007 meeting with amendment. The motion passed unanimously.

Bruce Keiser and Lisa Bryer updated the Commission regarding the status of Jamestown Projects (Dutra, Neale, Ceppi). All projects are in active negotiation and it is their opinion will close prior to the expiration of any relative FRPP Cooperative Agreements in September, 2007.

Kevin Nelson made a motion, seconded by Dave Wallace, to revise the order of the agenda and move directly to the scoring of applicants. The motion passed unanimously.

Steve Ostiguy and Brigid Ryan updated the Commission regarding the Church Community Housing/Bossum Farm Project. The Commission discussed and scored this project, which achieved a primary score of 16.2 and secondary score of 6.18 for total of 22.38. The applicants after discussion with the Commission withdrew their application. Kevin Nelson made a motion, seconded by George Mason, to accept the withdrawal of the application and to not accept the score. The motion passed unanimously.

The Commission scored the Silveira Farm, Warren which achieved a primary score of 22.2 and secondary score of 4.50 for a total of 26.7.

The Commission scored the Duncan Farm, Richmond which achieved a primary score of 19.8 and secondary score of 6.44 for a total of 26.24.

The Commission scored the Andrews Farm, Exeter which achieved a primary score of 17.60 and secondary score of 5.58 for a total of 23.18.

Kevin Nelson made a motion seconded by Dave Wallace to accept the scores for Andrews, Duncan and Silveira farms. The motion passed unanimously. The Duncan and Silveira farms having achieved a total score greater than the Commission threshold of 24.0 are accepted into the purchase of development rights program. The Andrews farm is therefore not.

The Commission discussed in depth the status of negotiations for various projects in relation to the budget. Dave Wallace made a motion, seconded by Kevin Nelson to move the FRPP funds for Jaswell (\$350,000) toward Treaty Rock Farm if negotiations for Jaswell fail. The total commitment toward Treaty Rock Farm from the Commission is therefore 1 million dollars. The motion passed unanimously.

The Commission discussed separation of powers legislation.

The Commission discussed Officers and Directors Insurance, and Ken Ayars conveyed DEM Legal Opinion that members who are not state employees will not necessarily be defended against any legal action unless at the discretion of the Attorney General. DEM Director Sullivan is of the opinion the Attorney General should defend any member of a state Board or Commission, whether or not a state employee, and will be in conversation with the Attorney General's Office in this regard. (The Commission is seeking information on Director's and Officer's insurance as a matter of course, not because of any threat of legal action against the Commission.)

The Commission discussed Committee membership, and Everett Stuart will send a letter to the Governor's Office suggesting Tom Sandham and William Wright as possible new members.

The meeting adjourned at approximately 8:00 pm.

Respectfully submitted,

Kenneth D. Ayars, Chief
Division of Agriculture, RIDEM