

RESOLUTION NO. 21-71

ALLOCATING \$1,000,000 OF FUNDING FOR ACQUISITION OF THE CLAY BLUFFS
CEDAR GORGE NATURE PRESERVE PROPERTY FROM AMERICAN RESCUE PLAN
ACT FUNDS

WHEREAS, The American Rescue Plan Act signed into law by the Federal Government on March 11, 2021 has made available \$17,330,133 to Ozaukee County in an effort to provide economic relief to the public following the COVID-19 Pandemic; and

WHEREAS, the use of American Rescue Plan Act funds for the acquisition of land is allowable as funds available under the revenue loss calculation can be expended for any public purpose under the United States Department of the Treasury in the Coronavirus State and Local Fiscal Recovery Funds Final Rule; and

WHEREAS, on March 4, 2015, the Ozaukee County Board of Supervisors, in Resolution No. 14-71, outlined conditions for the acquisition and designation of part of the NW ¼ and SW ¼, Section 3 and part of the NW ¼, Section 10, T. 10 N., R. 22 E., City of Port Washington, Ozaukee County, Wisconsin (hereafter “Clay Bluffs Cedar Gorge Nature Preserve Property”), as an official Ozaukee County Park in the Ozaukee County Park System for passive-use, non-motorized, outdoor recreational public use, access and development; and

WHEREAS, the Ozaukee County Board of Supervisors, in Resolution No. 20-15, approved the acquisition and designation of Clay Bluffs Cedar Gorge Nature Preserve Property with the support of grants applied for by the Planning and Parks Department and Ozaukee Washington Land Trust (hereafter “OWLT”) and directed the Ozaukee County Planning and Parks Department to seek out grant applications to cover the balance of the initial acquisition cost and to report any funding deficit to the Natural Resource Committee and the County Board; and

WHEREAS, on April 12, 2016, Ozaukee County signed a formal Memorandum of Understanding and Intergovernmental Cooperation Agreement between Ozaukee County, the City of Port Washington, and OWLT for the acquisition of the Clay Bluffs Cedar Gorge Nature Preserve Property; and

WHEREAS, the Ozaukee County Board of Supervisors, in Resolution No. 20-16, expressed support for the submittal of an application by OWLT to the Wisconsin Department of Natural Resources Knowles-Nelson Stewardship Grant Program for funding to carry out the project, but that OWLT has not yet obtained required approval from the Joint Finance Committee for such grant and now appears unlikely that it will; and

WHEREAS, the Ozaukee County Planning and Parks Department has exercised due diligence in securing multiple grants sufficient to cover the balance of the acquisition cost but an approximate \$1,500,000 funding shortfall remains; and

WHEREAS, a grant obtained from the United States Fish and Wildlife Service’s (hereafter “USFWS”) Joint Venture Program in the amount of \$300,000 is set to expire in June 2022, which expiration will interfere with additional grant funds of nearly \$800,000 that are tied to the aforementioned USFWS grant; and

WHEREAS, OWLT’s current offer to purchase Clay Bluffs Cedar Grove Nature Preserve Property for the sum of \$5,000,000 will expire in September 2022; and

WHEREAS, OWLT has formally pledged its commitment to provide an additional \$500,000 in acquisition funds if the County can provide an additional \$1,000,000.

NOW, THEREFORE, BE IT RESOLVED, by the Ozaukee County Board of Supervisors that \$1,000,000 of the American Rescue Plan Act funds allocated to Ozaukee County shall be apportioned for the acquisition and designation of part of the NW ¼ and SW ¼, Section 3 and part of the NW ¼, Section 10, T. 10 N., R. 22 E., City of Port Washington, Ozaukee County, Wisconsin, the Clay Bluffs Cedar Gorge Nature Preserve Property, as an official Ozaukee County Park in the Ozaukee County Park System for passive-use, non-motorized, outdoor recreational public use, access and development; and

NOW, THEREFORE, BE IT RESOLVED, by the Ozaukee County Board of Supervisors that the \$1,000,000 of funding for acquisition of the Clay Bluffs Cedar Gorge Nature Preserve Property from American Rescue Plan Act funds in the line-item accounts detailed below;

401-1-01-60000-048 Clay Bluffs Cedar Gorge Nature Preserve Property: \$1,000,000.

Dated at Port Washington, Wisconsin, this 6th day of April 2022.

SUMMARY: \$1,000,000 of funding for acquisition of the Clay Bluffs Cedar Gorge Nature Preserve Property from American Rescue Plan Act funds.

VOTE REQUIRED: Two-Thirds of Members Elect

EXECUTIVE COMMITTEE

RESULT: APPROVED [5 TO 1]

MOVER: P. Melotik, Vice-Chairperson

SECONDER: K. Geracie, Supervisor District 15

AYES: Schlenvogt, Melotik, Geracie, Jobs, Grabow

NAYS: R. Nelson

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TWO-THIRDS VOTE MEMBERS ELECT

Failed To Receive 17 Yes Votes Needed

Winker		YES
Haas		NO
Jobs		YES
Schlenvogt		NO
Clark		NO
Nelson		NO
Becker		NO
Larson		NO
Grabow		NO
Melotik		YES
Wolf		NO
Richart		YES
Vacant		ABSENT

Rishel		YES
Geracie		YES
Whitworth		NO
Irish		NO
Stelter		YES
Ross	M	YES
Godden		YES
Strom		EXCUSED
Holyoke		YES
Henrichs		YES
Braverman		YES
Frohman		YES
Minkel-Dumit	S	YES