



Fargo-Moorhead Metropolitan Council of Governments

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To: Cass Clay Food Commission
From: Cass Clay Food Partners
Fargo-Moorhead Metropolitan Council of Governments (Metro COG)
Date: July 6, 2017
RE: Cass Clay Food Commission Agenda and Correspondence

**15th Meeting of the
Cass Clay Food Commission**
July 12, 2017 10:30 am – 12:00 pm
Location: Fargo City Commission Chambers

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|----------|---|
| 10:30 am | 1. Welcome <ul style="list-style-type: none">a. Approve Order & Contents of the Overall Agendab. Review & Action on Minutes from May 10, 2017 (Attachment 1)c. Commission Check-In |
| 10:35 am | 2. Gleaning Blueprint Discussion & Vote for Approval (Attachment 2) – Adam Altenburg |
| 10:45 am | 3. Prairie Roots Food Co-op (Attachment 3) – Jodi Regan |
| 11:05 am | 4. Commission Survey & One-on-One Conversation Results (Attachment 4) – Adam Altenburg |
| 11:20 am | 5. Cass Clay Food Partners: New Structure and Strategic Plan (Attachment 5) – Kim Lipetzky |
| 11:30 am | 6. Case Study: Backyard Chickens in Fargo (Attachment 6) – Kim Lipetzky |
| 11:40 am | 7. Public Comment Opportunity – Chair Rasmussen |
| 11:45 am | 8. Commission & Steering Committee Roundtable |
| 11:50 am | 9. Commission Action Steps <ul style="list-style-type: none">a. Next Meeting – September 13, 2017 |
| 12:00 pm | 10. Adjournment |

Cass Clay Food Commission meetings are taped and rebroadcast on cable channel TV Fargo 56 each Friday at 11:00 am. People with disabilities who plan to attend this meeting and need special accommodations should contact Savanna Leach at Metro COG at 701.232.3242. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements. Meeting minutes are available on the Cass Clay Food Partners website at www.letseatlocal.org and Metro COG's website at www.fmmetrocog.org.

A PLANNING ORGANIZATION SERVING
FARGO, WEST FARGO, HORACE, CASS COUNTY, NORTH DAKOTA AND MOORHEAD, DILWORTH, CLAY COUNTY, MINNESOTA

Attachment 1

**14th Meeting of the
Cass Clay Food Commission
May 10th, 2017
Fargo Commission Chambers**

Members Present:

Arland Rasmussen, Cass County Commission, Chair
Mike Thorstad, West Fargo City Commission
Jenny Mongeau, Clay County Commission
Jim Aasness, Dilworth City Council
John Strand, Fargo City Commission
Jon Evert, At-Large Member
Mindy Grant, At-Large Member
Chris Olson, At-Large Member
Kayla Pridmore, At-Large Member
Dana Rieth, At-Large Member

Members Absent:

Heidi Durand, Moorhead City Council

Others Present:

Megan Myrdal, Project Coordinator
Kim Lipetzky, Fargo Cass Public Health
Hali Durand, Cass County Planning
Rita Ussatis, North Dakota State University Extension Agent – Cass County
Abby Gold, Cass Clay Food Systems Initiative
Joleen Baker, Cass Clay Food Systems Initiative
Adam Altenburg, Fargo-Moorhead Metropolitan Council of Governments

Chair Rasmussen called the meeting to order at 10:30 AM.

1(a). Approve Order and Contents of the Overall Agenda

A motion to approve the order and contents of the overall agenda was made by Mr. Evert and seconded by Mr. Aasness. The motion was voted on and unanimously approved.

1(b). Review and Action on Minutes from March 8, 2017

A motion to approve the minutes was made by Ms. Mongeau and seconded by Mr. Thorstad. The motion was voted on and unanimously approved.

1(c). Commission Check-In

Chair Rasmussen informed the Commission that members would have an opportunity to give an update on any news or events happening in the community.

Ms. Lipetzky stated that the One Vegetable One Community (OVOC) program, a partnership between the University of Minnesota, Fargo Cass Public Health, Clay County Public Health, and the Cass Clay Healthy People Initiative, is now in its fifth year. She explained that OVOC uses the distribution of an annually selected vegetable to unite the Fargo-Moorhead community in a discussion about food and nutrition. She stated that kale has been selected for 2017 and that

starter packets include seeds, growing information, facts about cooking, and nutritional value. She explained that there is also a Facebook page where people can find more information.

Ms. Gold stated that all 115 plots had been rented out at Probstfield Farm and that 80 gardeners were involved in its community gardening operations.

Ms. Baker informed the Commission that she had recently been hired as the Produce Manager for the new Prairie Roots Co-op in downtown Fargo.

Mr. Olson stated that the next Heart-n-Soul Community Café would be on May 14 at Josie's Corner.

Mr. Strand provided the Commission information on the latest discussions on urban chickens following ordinance readings on the issue in Fargo.

Ms. Myrdal informed the Commission on recent events and happenings including Terra Madre at Trollwood Center for Performing Arts in April, which had over 1,000 attendees. She also indicated that Peter Schultz, who presented at the Commission in March, would be transforming his front yard into a community orchard and that people were encouraged to visit to learn more about best practices in front yard gardening.

2. Approve Appointment of New At-Large Member – Kayla Pridmore

Mr. Altenburg explained that, in March, Stephanie Reynolds signaled she would be stepping down from the Commission to focus on Clay County Solid Waste's conversion to single-sort recycling. He explained that the Steering Committee reviewed at-large member applicants on-file and ranked each candidate according to expertise, how they would fill potential gaps as they relate to food systems issues, time commitment, and advocacy.

Mr. Altenburg stated that with the completion of this process, the Steering Committee recommends the appointment of Kayla Pridmore as new at-large member to the Commission.

A motion to approve the the appointment of Kayla Pridmore to the Commission was made by Ms. Mongeau and seconded by Mr. Aasness. The motion was voted on and unanimously approved.

3. Residential Gardening Blueprint Discussion & Vote for Approval

Chair Rasmussen asked Ms. Baker if there were any updates or revisions made to the residential gardening blueprint. Ms. Baker informed the Commission that she included additional information on soil conservation districts in Cass and Clay Counties for residents interested in establishing pollinator habitats.

A motion to approve the residential gardening blueprint was made by Mr. Evert and seconded by Ms. Mongeau. The motion was voted on and unanimously approved.

4. Issue Brief: Food & Real Estate

Ms. Myrdal informed the Commission that, based on discussions at the prior meeting involving residential growing, two issue briefs that had been prepared: one from a real estate and development perspective, and the other focusing on urban agriculture for apartment living. She stated that much of the Steering Committee's research came from the Urban Land Institute and its report *Cultivating Development – Trends and Opportunities at the Intersection of Food and Real Estate*.

Ms. Myrdal informed the Commission that there were several different types of food real estate developments. She explained that agrihoods are single-family, multifamily, or mixed-use communities built with a working farm as a focus. She stated that food-centric residential development are single-family or multifamily developments built around community gardens or restaurants that have a strong food identity. She explained that next-generation urban markets are food halls that employ innovative food sourcing concepts to encourage food entrepreneurship and support other components of mixed-use developments. She stated that food-centered retail and mixed-use developments are projects with restaurants and food stores as central development components. She explained that food hubs and culinary incubators serve as regional processing and distribution centers that give food-based entrepreneurs access to commercial kitchens and retail and institutional customers. She concluded by explaining that different types of innovations and innovators encompass policies, approaches, and investors that promote sustainability, healthy food access, and economic development.

Ms. Myrdal stated that benefits for food-related real estate developments include: opportunities to create a sense of attachment to development projects, establishing a unique community identity, and fostering stronger community social ties, as well as increasing access to healthy food options, incorporating amenities such as wellness clinics and food co-ops, and providing nutrition and cooking education programs. She explained that these types of developments may also help to attract and retain new residents to the Fargo-Moorhead area, which currently has a worker shortage and approximately 4,000 to 4,500 open jobs.

Ms. Myrdal further explained that food-related developments also help to preserve farmland, which increases food security and community resilience. She also stated that food-centric real estate projects create the ability to grow, produce and distribute, and dispose of foods in smaller geographic areas, which helps address issues such as food waste, climate change, and environment stresses.

Ms. Myrdal described several examples of food real estate projects in the United States including: Serenbe in Chattahoochee Hills, Georgia; Agritopia in Phoenix, Arizona; Oxbow Public Market in Napa, California; Via Verde in South Bronx, New York; and Summers Corner in Summerville, South Carolina.

Ms. Baker provided the Commission information on apartment living and urban agriculture in the Fargo-Moorhead area. She explained that there are over 42,000 renter households in the area, with over 24,000 in Fargo alone, and that these numbers represent a number of people without easy access to grow their own food if they were to choose to do so. She explained that there are ten community gardens in the area that do provide gardening outlets and that many promote shared space, partnership, and community.

Ms. Baker provided examples of urban residences and apartments designed around urban agriculture including Urby in Staten Island, New York; Stack House in Seattle, Washington; and The Plant in Toronto, Ontario.

Mr. Strand stated that these were intriguing concepts and that he would like to see someone approach developers to see what their initial thoughts would be on incorporating food-centric concepts in residential developments in the area.

Ms. Gold iterated that the soil in the Red River Valley is some of the most fertile in the world and that it would be good to take steps to preserve agriculturally-productive land in the metro area.

5a. Education: Gleaning

Michelle Gleason and Anna Johnson provided the Commission information and education on gleaning practices.

Ms. Johnson stated that both the EPA and USDA have definitions for gleaning which include the collection of crops from fields that have already been mechanically harvested or the act of collecting excess fresh foods from farms, gardens, farmers markets, grocers, restaurants, and other sources. She explained that the general process for gleaning typically include donors providing information on estimated harvest times and yields, volunteers signing up and completing liability waivers, and transportation coordination.

Ms. Johnson explained that gleaning is important because it prevents food waste, in which up to 40 percent of food in the United States is uneaten; and food insecurity, which affects 9.6 percent of residents in Cass County and 15.4 percent of residents nation-wide. She stated that food recovery can come from field gleaning, wholesale produce salvage, perishable and prepared food rescue, and non-perishable food donations. She added that there are very few regulations that address gleaning in North Dakota.

Ms. Johnson stated that the benefits of gleaning include increased consumption of local foods, reduction of food waste, increased physical activity, reduction of greenhouse gases, and improved access to healthy foods. She explained that risks do include potential injuries to volunteers, damage to private property, and food safety violations.

Mr. Strand asked whether hunting could be considered as part of gleaning practices. Ms. Johnson replied that she was unsure whether other parts of the country have integrated excess field game in gleaning practices. Ms. Gleason responded that food safety would be the most important component of any potential field game gleaning. Ms. Lipetzky stated that field game is required to be processed in a licensed facility in North Dakota. Mr. Strand that very few licensed processors exist in rural areas, which would have an impact on facilitating distribution of field game to others. Ms. Myrdal stated that the North Dakota Game and Fish Department has a Sportsmen Against Hunger chapter that raises money for processing of donated deer and goose meat, and coordinates distribution to food pantries in the state. She further stated that the Minnesota Department of Natural Resources has information on what types of game meat can and cannot be donated and how that can be processed safely.

Ms. Gleason provided several examples of gleaning operations in the United States including: Harvest Sacramento in California, Second Harvest Heartland in St. Paul, and the Society of St. Andrew with locations in nine states throughout the south. She explained that produce in demand in North Dakota includes: beans, beets, carrots, cucumbers, onions, peas, peppers, tomatoes, and watermelon. She concluded with a list of food donation sites in Cass and Clay Counties, as well as barriers to success for gleaning operations such as: short harvest seasons, weather, reliance on volunteers and donors, funding for tools, transportation costs, and organization.

Mr. Evert asked how the gleaning barriers to success were determined. Ms. Gleason responded that it came from other gleaning operations' websites, along with considering factors that would be applicable to North Dakota and Minnesota.

5b. Gleaning Blueprint

Ms. Baker informed the Commission that the Steering Committee had developed a new urban agriculture blueprint examining gleaning. She stated that gleaning networks have sprung up around the country in rural and urban areas to help increase food access and reduce the impact

of food deserts in communities. She explained that gleaning is one of the most efficient ways to reduce food waste, second only to source reduction. She stated that volunteers and donors involved in gleaning operations are protected by the Bill Emerson Good Samaritan Food Donation Act, which encourages food donation by protecting donors from liability when donating to a non-profit for distribution to individuals in need. She explained that, because of this act, there are currently not many regulations at the state or local level.

Ms. Baker explained that tax incentives such as the PATH Act exist for farms and businesses to encourage food donation. She stated that this includes enhanced tax donations, increased charitable contribution caps, and defining a fair market value for food. She explained that other food policy councils have begun to develop their own policies and incentives.

Ms. Baker explained the framework for evaluating gleaning including health, environment, social, and economic aspects. She explained several benefits of gleaning include greater access to locally produced foods, a reduction in greenhouse gasses produced in food transportation, a reduction in food waste, creating places for people to connect through an organized volunteer network, and tax incentives for farmers and businesses. She explained that concerns include the risk of foodborne illnesses, risk of injury to volunteers, potential for damage to private property, and potential loss of revenue for farms and businesses because of donations.

5c. Community Perspective

Ms. Myrdal informed the Commission of three speakers were asked to comment on gleaning: Nancy Carriveau of the Great Plains Food Bank, Leola Daul of Heart-n-Soul Community Cafe, and Kayla Pridmore of Woodchuck Community Farm.

5c(i). Great Plains Food Bank

Nancy Carriveau, Food Resource Manager for the Great Plains Food Bank, provided the Commission information on its organization and its programs and partner network in North Dakota and Clay County, Minnesota.

Ms. Carriveau stated that the Great Plains Food Bank is a member of Feeding America, the nation's leading hunger-relief charity, with over 200 food banks nationwide. She explained that the organization serves as a distribution center that can handle bulk food donations and can distribute it quickly and efficiently through use of its three refrigerated semi-trucks. She stated that Great Plains Food Bank also works with the Farm to Food Shelf program in Minnesota which reimburses growers and processors for produce that would otherwise go unharvested or be discarded.

Ms. Carriveau explained that the food bank mostly receives non-perishable items but is striving to increase the amount of fresh produce it takes in. She stated that in 2016, she worked with community service organizations such as the Boy Scouts to assist in gleaning efforts on area farms where growers had extra produce but limited amounts of time to harvest. She explained that a number of growers began expressing interest in gleaning efforts as word-of-mouth traveled about the Great Plains Food Bank's work. She stated that in 2017, she has worked to develop a strategic process that better matches volunteers with potential gleaning operations.

5c(ii). Heart-n-Soul Community Cafe

Leola Daul explained that the Heart-n-Soul Community Café became interested in gleaning as a way to help get excess food out of the field, foster community connections by going out to farms, and ultimately helping those who may be food insecure in the metro area. She stated that neighborhood associations could be looked at as a potential source for volunteers for

future gleaning projects. She explained that gleaning efforts could be tied into future cooking and basic food preparation education.

5c(iii). Woodchuck Community Farm

Kayla Pridmore stated that it has been a goal of Woodchuck Community Farm to not waste food but has faced barriers when they do not have time to harvest all of their produce. She explained that the partnership between the Great Plains Food Bank and Heart-n-Soul Community Café has helped reduce food waste and explained that she could envision future partnerships with other growers in the area.

6. Fargo South DECA Students Food Waste Presentation

Abbie Sherva and Drew Brown of Fargo South High provided the Commission information on their research on food waste.

Mr. Brown stated that 40 percent of food in the United States is wasted, and that food waste is apparent in every part of the food system from agriculture, processing and distribution, retail, food service, and households.

Ms. Sherva explained that food waste has impacts on economics, ethics, and the environment. She stated one in seven people in the United States is food secure, even as Americans throw away \$165 billion worth of food each year. She further explained that food waste has impacts on land effects, water consumption, energy consumption, and greenhouse gas emissions.

Mr. Brown explained that they tracked student food waste during a one-week period and found that, on average, households wasted 9.2 lbs of food. He stated that this food waste represented approximately 6,226 calories.

Ms. Sherva informed the Commission that the USDA has a goal of reducing food waste by 50 percent by 2030, and that some communities are setting their own goals and targets. She explained that one method for reducing food waste could include a citywide education campaign through radio, digital, and print advertising. She stated that similar campaigns in Great Britain, including Love Food Hate Waste, reduced food waste by 35 percent. Mr. Brown also advocated for changes in schools including extended lunch periods, renaming foods, share tables, and increased student awareness. Ms. Sherva concluded that other solutions include city composting, rewards for businesses who use locally grown food, and incentives for farmers to harvest and sell 'ugly foods'.

Ms. Reith informed the Commission that the West Fargo School District has begun instituting share tables in cafeterias where students can donate unwanted or uneaten food to hungry classmates. She stated that four schools currently have share tables, with hopes of expanding to all 17 West Fargo schools during the 2017-2018 school year. She explained that efforts had been made to normalize share tables so that students don't feel self-consciousness about taking extra food if they need it. She stated that the program was approved by the county health inspector and that the district made a plan for how it would discard shared food after each school lunch period.

7. Public Comment Opportunity

Chair Rasmussen informed the Commission that time would be allotted for public comments.

Verna Kragnes, FARRMS and Growing Together, informed the Commission of additional local examples of food real estate developments including: Troy Gardens in Madison, Wisconsin; Fields of St. Croix in Stillwater, Minnesota; and Prairie Crossing in Grayslake, Illinois. She stated that any potential project should ensure that there is housing on-site for farmers and growers, as well as the infrastructure

needed for storage and preparation. She further stated that the Land Trust Alliance has additional educational resources.

8. Commission and Steering Committee Roundtable

Chair Rasmussen asked for the Commission and the steering committee to share any additional updates.

No additional comments were made.

9. Commission Action Steps

Ms. Myrdal asked Commissioners to complete a brief survey regarding issues that have been discussed, the importance of food and agricultural issues, and readiness to address issues included in blueprint documents.

Chair Rasmussen clarified that the next meeting would be held on July 12, 2017.

Chair Rasmussen adjourned the meeting at 11:59 AM.

Gleaning

This issue brief will provide background information related to gleaning and address the common concerns and benefits from a health, environmental, social, and economic standpoint. Appendices have been provided to share how regional jurisdictions are managing gleaning, example policy language from other jurisdictions, as well as a listing of current food donation locations in the Fargo-Moorhead metro area.

Background

Over 1.3 billion tons of food - one third of the entire food supply - are wasted across the globe annually, affecting not only the economy to the tune of \$250 billion, but also harming the environment. Producing food that doesn't reach our plates takes the same amount of resources of that which does. It is estimated that food waste is responsible for 35 million tons of greenhouse gasses per year, 25% of all freshwater use, and 300 million barrels of wasted oil annually.¹

Simultaneously, about 49 million people are at risk of going hungry.² Food insecurity affects 15.8% of people nationally, meaning they do not have sufficient access to healthy, nutritious, and affordable food. The rate of food insecurity in North Dakota is 8%, and is 9.6% in Cass County.³ One way to bridge this divide is through gleaning - the "act of collecting excess fresh foods from farms, gardens, farmers markets, grocers, restaurants... in order to provide it to those in need."⁴ Gleaning networks are springing up all across the country in rural and urban areas with a mission to increase food access and reduce the amount of food deserts in our communities. This coordination between volunteers, business owners, farmers, shelters, and food pantries provides a vital resource to those who are hungry.

¹Payne, Kyra. "The Consequences of Food Waste." *Inquiries Journal*. 2014. <http://www.inquiriesjournal.com/articles/890/the-consequences-of-food-waste>

² "Let's Glean: United We Serve Toolkit." United States Department of Agriculture.

³ "Food Insecurity in the United States" Feeding America. 2017. <http://map.feedingamerica.org/>

⁴ "Let's Glean: United We Serve Toolkit." United States Department of Agriculture.

Food and resources can come from a variety of places. The Environmental Protection Agency produced a Food Recovery Hierarchy which displays the most efficient ways to reduce food waste (Figure 1).⁵ This hierarchy begins on the production level, but second to that is donating excess food to those who need it. Networks of volunteers can collect food from farms and places of sale (i.e. grocery stores, farmer’s markets, etc.) for appropriate distribution. These volunteers and donors are protected by the Federal Bill Emerson Good Samaritan Food Donation Act, which encourages food donation by protecting donors from liability when donating to a non-profit for distribution to individuals in need.⁶ The biggest barrier for the success of gleaning networks is the ability for businesses to get the food to those in need. Large, dedicated networks of volunteers are needed to properly allocate that food.



Further, gleaning networks are at work in farmer’s fields across the country, collecting imperfect, damaged, or otherwise neglected produce for donation to food pantries, shelters, and other establishments that can provide food to the hungry. The Society of St. Andrew connects farmers to gleaning networks across the United States. In 2015 they collected over 25.5 million pounds of produce from “spent” fields in Minnesota and North Dakota and distributed that food to shelters and hungry people around the states.⁷

Tax incentives for farms and businesses are also available to encourage food donation. In 2015, the PATH Act was passed providing companies with enhanced incentives for donating extra food, including enhanced tax deductions, increasing charitable contributions caps, defining a fair market value for food, and more (Donation centers in the Fargo Moorhead area can be found in Appendix C).⁸ In Los Angeles County, California, the Los Angeles Food Policy Council actively advocates for food recovery projects by providing resources for the community. On the county’s public health website (publichealth.lacounty.gov), gleaners can find information about organizations that rescue food, liability information, and more. Further, the food policy council promotes food recovery through a food recovery working group whose mission is to “Eliminate the one million tons of food waste that is sent to LA’s landfills every year through policy strategies that address the recovery of food resources for consumption (source reduction and improving food security), livestock feed, energy and compost, while supporting high environmental, social and worker standards and our local urban farms and soils.”⁹ California also provides incentives for food recovery through tax deductions and incentives, as described in Appendix B.

⁵ “Food Recovery Hierarchy.” United States Environmental Protection Agency. 2017. <https://www.epa.gov/sustainable-management-food/food-recovery-hierarchy>

⁶ “Federal Bill Emerson Good Samaritan Food Donation Act.” Feeding America. 2017. <http://www.feedingamerica.org/ways-to-give/give-food/become-a-product-partner/protecting-our-food-partners.html?referrer=https://www.google.com/>

⁷ “Food Distribution Report.” Society of St. Andrew. 2015. <http://endhunger.org/distribution-report/>

⁸ “United States Tax Benefits” Food Donation Connection. 2015. <http://www.foodtodonate.com/Fdcmain/TaxBenefits.aspx>

⁹ “Food Resources Recovery Working Group.” Los Angeles Food Policy Council. 2017. <http://goodfoodla.org/policymaking/working-groups-2/food-resource-recovery-working-group/>

Organizations are hard at work allocating food from fields, but there are also networks of hunters and fishermen who are donating food they reap. The North Dakota Game and Fish Department paired up with the Community Action Partnership to create Sportsmen Against Hunger, a program that connects hunters to certified processing facilities that will then donate their meat to food pantries across the state.¹⁰ Minnesota has a program that is a product of collaboration between the Minnesota Department of Agriculture and the Minnesota Department of Natural Resources, called the Minnesota Hunter Harvested Venison Donation Program. This program provides resources to processors about donating and certification requirements, and a reimbursement of \$70 per deer processed.¹¹ Programs like these allow not only for less waste of hunted animals, but also more fresh, local meat in food pantries, helping to relieve food insecurity in our states. More information on both programs can be found in Appendix C.

Local jurisdictions have the ability to promote food recovery through policies such as the tax incentives in California, but also in other ways. Through partnerships with local food recovery organizations, communities can create accessible maps, volunteer guides, workshops, and other resources for community members to meet food recovery goals for their jurisdictions.

Table 1. Summary of gleaning legislation in local jurisdictions

Moorhead	Dilworth	Clay County	Fargo	West Fargo	Cass County
Not addressed	Not addressed	Not addressed	Not addressed	Not addressed	Not addressed

Table 2. Framework for evaluating gleaning

DOMAIN	BENEFIT	CONCERN
Health	Increased access to fresh, healthy, local food Increased physical activity	Risk of foodborne illness Risk of injury to volunteers
Environment	Reducing food waste Reduction of greenhouse gasses produced in food transportation	

¹⁰ "Sportsmen Against Hunger" Community Action Partnership. 2017. <http://www.capnd.org/what-we-do/statewideprograms/sportsmen-against-hunger/overview.html>

¹¹ "Hunter Harvested Venison Donation." Minnesota Department of Agriculture. 2017. <https://www.mda.state.mn.us/licensing/inspections/meatpoultryegg/venisondonation.aspx>

Social	<p>Connecting consumers with farmers to reduce hunger in a community</p> <p>Creating places for people to connect through an organized volunteer network</p>	<p>Potential for damage to private property</p> <p>Gleaning networks rely on volunteers</p>
Economic	<p>Reducing food waste</p> <p>Tax incentives for farmers and businesses</p> <p>Increasing food access to those in need</p>	<p>Potential for lost revenue for farms and businesses with donation</p> <p>Cost of liability insurance for farmers</p>

Resources

If you have questions, please contact Kim Lipetzky with the Fargo Cass Public Health Office at 701-241-8195 or klipetzky@cityoffargo.com.

Appendix A: Gleaning in Regional Jurisdictions¹²

Minnesota

MINN. STAT. § 604A.10 (1998).

Title: Liability of food donors. This law protects a food manufacturer, distributor, processor, or a person who donates food to “the state, a political subdivision, an institution or facility operated by the state or a political subdivision,” or nonprofit charitable organization, and a food bank or nonprofit charitable organization that collects, receives, and distributes such donated food at no charge, from liability for any injury arising out of the condition of such food, except in cases of gross negligence, recklessness, or intentional misconduct.

North Dakota

N.D. CENT. CODE § 19-05.1-03 (1983).

Title: Charitable or nonprofit organization liability for injury. This law protects a charitable or nonprofit organization that receives or distributes food at no charge from criminal or civil liability for injuries resulting from the condition of the food, except in cases of gross negligence or willful conduct.

N.D. CENT. CODE § 19-05.1-02 (1983).

Title: Donor or gleaner liability for injury. This law protects a donor or gleaner who donates any perishable food to a charitable or nonprofit organization for free distribution from criminal or civil liability for injuries arising from the condition of the food, except in cases of negligence or willful conduct.

N.D. CENT. CODE § 50-06-35 (2009).

Title: Department of human services food assistance contracts. This law provides that the North Dakota Department of Human Services can “contract with a statewide charitable food recovery and distribution organization to develop and implement new methods of delivering charitable food assistance services in underserved counties.” The law includes additional provisions that the Department can implement in regards to expanding food recovery in the state.

Nebraska

NEB. REV. STAT. § 25-21,189 (1989).

Title: Food; donations; limitations on liability. This law protects any person who donates any prepared or perishable food or raw agricultural products to a charitable or nonprofit organization, and a charitable or nonprofit organization that receives and distributes such food without charge, from civil liability for any injury or death arising from the condition of such food, except where the injury directly results from in cases of gross negligence, recklessness, or intentional misconduct of the donor. A charitable or nonprofit organization that receives and distributes such food without charge is relieved from civil liability based on the theory of strict liability unless the injury directly results from gross negligence, recklessness, or intentional misconduct of the organization.

¹²“The National Gleaning Project.” Vermont Law School. <http://forms.vermontlaw.edu/farmgleaning/indexnew.cfm?id=cat&&no=2>

South DakotaS.D. CODIFIED LAWS § 39-4-22 (1981).

Title: Donation of food--Immunity from civil and criminal liability. This law protects a donor or gleaner who donates any perishable food to a charitable or nonprofit organization for free distribution from criminal or civil liability for an injury arising from the condition of the food, except in cases of gross negligence, recklessness, or intentional misconduct.

S.D. Codified Laws §39-4-23 (1981)

Title: Liability for receipt of perishable food by charitable organization. This law protects charitable or nonprofit organizations that receive and distribute food at no charge from criminal or civil liability from injury resulting from the condition of the food unless the injury results from gross negligence, recklessness or intentional conduct.

Appendix B: Example Ordinances¹³

California

CAL. CIV. CODE § 846.2 (1988).

Title: Invitees on land to glean food for charitable purposes; limited immunity. This law protects an owner, tenant, or lessee who allows gleaning of “agricultural or farm products for charitable purposes” from liability for any person who is injured on the land while gleaning, except in cases of gross negligence or willful and wanton misconduct. Further, the immunity “does not apply if the owner, tenant, or lessee received any consideration for permitting the gleaning activity.”

CAL. FOOD & AGRIC. CODE § 49001 (2015).

Title: Creation of Office. This law establishes the Office of Farm to Fork to work with organizations “involved in promoting food access to increase the amount of agricultural products available to underserved communities and schools in this state,” including the agricultural industry, nonprofits, academic institutions, and local, state, and federal government agencies. The Office, in part, will provide assistance for collaboration among farmers, food banks, agencies, and nonprofits in the “gleaning, collection, and distribution of agricultural products for the purposes of reducing hunger and increasing access to healthy foods.”

CAL. FOOD & AGRIC. CODE § 58503 (1977).

Title: Surplus food collection and distribution centers. This law allows the board of supervisors of any county to establish a surplus food collection and distribution system and a 24-hour information and food collection center. The center would provide information to connect where agricultural products are available and what organizations need such donated agricultural products and for “collecting, receiving, handling, storing, and distributing donated agricultural products.”

CAL. FOOD & AGRIC. CODE § 58505 (1977).

Title: Liability for injuries; counties or donors. This law protects any county, county agency, or person who donates any agricultural product from liability for any injury in connection with such donated product, except in cases of gross negligence or willful act.

Cal. Food & Agric. Code § 58505-6 (1977)

Title: Donations of Food. This law protects anyone who engages in selling, distributing or processing agricultural products and donates those products free of charge from liability from injuries resulting from the donated product except where the injury results from gross negligence or a willful act. This law does not protect non-profit charitable organizations from liability for injury.

CAL. HEALTH & SAFETY CODE § 114376 (2015).

Title: Community food produces or gleaners; authority to directly sell or provide whole uncut fruits or vegetables or unrefrigerated shell eggs; requirements; registration. This law authorizes a community food

¹³ The National Gleaning Project.” Vermont Law School. <http://forms.vermontlaw.edu/farmgleaning/indexnew.cfm?id=cat&&no=2>

producer or a gleaner to “sell or provide whole uncut fruits or vegetables, or unrefrigerated shell eggs, directly to the public, to a permitted restaurant, or a cottage food operation,” if the community food producer meets all of the specified requirements within the statute and any additional requirements adopted by a local jurisdiction.

CAL. HEALTH & SAFETY CODE § 114376.5 (2015).

Title: Operations inspections of community food producers or gleaners in response to a food safety recall or food safety complaint; costs; cease and desist orders; penalties for violations of Section 114376. This law authorizes an enforcement officer to inspect the operations of a community food producer or gleaner in response to a food safety recall or complaint and to issue the appropriate order for any violations.

CAL. REV. & TAX. CODE § 17053.12 (1996).

Title: Donated agricultural products; credits for transportation costs. This law allows a tax credit for a taxpayer who transports any donated agricultural product in accordance with the Food and Agricultural Code, of an “amount equal to 50 percent of the transportation costs paid or incurred by the taxpayer in connection with the transportation of that donated agricultural product.”

CAL. REV. & TAX. CODE § 23608 (2000).

Title: Donated agricultural products; credits for transportation costs. This law allows a tax credit for a taxpayer who transports any donated agricultural product in accordance with the Food and Agricultural Code of an “amount equal to 50 percent of the transportation costs paid or incurred by the taxpayer in connection with the transportation of that donated agricultural product.” The law also provides additional provisions in regards to the above tax credit.

Appendix C: Food Donations Centers in Fargo-Moorhead¹⁴

North Fargo/Downtown

FACILITY	CONTACT	PHONE	ADDRESS	EMAIL	DROP OFF TIMES	SPECIAL INSTRUCTIONS
Connection Food Pantry	Loida Mance	701-429-4779	909 19 th Ave N Fargo, ND 58102	loida.mance@yahoo.com	Fridays 1-3pm	
Peace Lutheran Church	Betty Patterson	701-235-2494	1011 12 th Ave. N Fargo, ND 58102	betty.patterson@ndsu.edu	Monday-Thursday 9am-4pm Fridays 9am-12pm	
Tri-city Haitian Ministry	Paul Aladin	701-540-1383	730 27 th St N Fargo, ND 58102			Call before delivering to set up a time.
St Anthony's Church	Deacon Stuart Longtin	701-237-6063	710 10 th St. S. Fargo, ND 58103		Monday-Friday morning	Call ahead to make sure someone is there to receive it.
Emergency Food Pantry	Linda Clark and Greg Diehl	701-237-9337	1101 4 th Ave N Fargo, ND 58102	fmfoodpantry@gmail.com ; greg@emergencyfoodpantry.com	Monday-Friday 8am-12pm and 1pm-4pm	Come to side door by garage door by the sign that says "Donations"
Salvation Army	Cassidy	701-356-2687	304 Roberts St. S Fargo, ND 58102	cassidy.belland@usc.salvationarmy.org	Monday-Friday 8am-3pm	Go to Back door (westside) downstairs (outside).

¹⁴ Fresh Produce Donation. City of Fargo. <https://www.cityoffargo.com/attachments/2a8bc241-6cbd-4de6-805b-d588b140c010/Fresh%20produce%20donation%20list.pdf>

Great Plains Food Bank/Daily Bread Program	JoAnn Matthews	701-232-6219	1720 3 rd Ave N. Fargo, ND 58102	jmatthews@lsnd.org	Monday-Thursday 8am-12pm, 1pm-5pm; Friday 8am-12pm	Drop off by the loading dock for receiving.
Gladys Ray	Leah Siewert	701-364-0116	1519 1 st Ave. S. Fargo, ND 58103	lsiewert@cityoffargo.com		Call before donating.
Diversity Development		701-412-5525	612 23 rd St. S. Fargo, ND 58103			
Family Worship Center Food Pantry	Melodee Hooper	701-235-0115	1419 17 th St. S Fargo, ND 58103	purfectharmonee@aol.com	The 2 nd and 4 th Mondays around 12pm.	Call ahead for bigger donations.
New Life Center	Julie, head cook	701-235-4453 Ext. 111	1902 3 rd Ave N Fargo, ND 58102		Serve meals daily noon and 5pm	Call ahead for bigger donations.
SENDCAA Food Pantry	Bonnie G.	701-232-2452 Ext 123	3233 S. University Dr. Fargo, ND 58103	bonnieg@sendcaa.org	By appointment only	Call ahead before donating.
ND Sportsmen Against Hunger	Martha Moe	701-232-2452 Ext 125	various	programs@caond.org	various	See website for certified processors

South Fargo

FACILITY	CONTACT	PHONE	ADDRESS	EMAIL	DROP OFF TIMES	SPECIAL INSTRUCTIONS
YWCA	Susan Hammel	701-232-3449	3000 University S. Fargo, ND 58103	shammel@ywcaassday.org	Monday-Friday 8am-5pm; Saturday-Sunday 3pm-5pm	Front door is locked on the weekends, but the intercom will let you in.

Moorhead Area

FACILITY	CONTACT	PHONE	ADDRESS	EMAIL	DROP OFF TIMES	SPECIAL INSTRUCTIONS
Dorothy Day Food Pantry	Jim Manly	218-284-8895	1308 Main Ave. Moorhead, MN 56560	fmddh.foodpantry@702com.net	Monday/Wednesday 12pm-5pm; Tuesday/Thursday/Friday 9am-12pm	
Permanent Supportive Housing	Kim Fritel	218-284-3250	3048 18 th St. S Moorhead, MN 56560	kfritel@creativecare.org	Monday 9am-12pm, Tuesday 8-10am, Wednesday 8-11am	
Gateway Gardens	Kim Fritel	218-512-3100	1817 1 st Ave. N Moorhead, MN 56560	kfritel@creativecare.org	Wednesday 11am-3:30pm	
River Valley Church	Jack Henrichs	218-233-3875	1716 Central Ave W Dilworth, MN 56529	jrichhen@gmail.com		Call before to set up a time.

Churches United for the Homeless	Julio Villamil	218-236- 0372	1901 1 st Ave. N. Moorhead, MN 56560	jvillamil@churches-united.org	Weekdays 10- 11am, 1-4pm are best but accepting 7 days per week 8am to 8pm	Call if donating large quantities.
REACH	Melissa Keith	218-483- 3145	421 5 th St. Hawley, MN 56549	familysupport@ruralenrichment.org	Monday - Thursday 8:30 am-5pm Friday 8:30am - 2pm	
MN DoA Hunter Harvested Venison Donation	Nicole Neeser	651-201-6225	various	nicole.neeser@state.mn.us	various	See website for certified processors

PRAIRIE ROOTS FOOD CO-OP

WHY THE CO-OP MATTERS



2010: AN IDEA

2011: A NAME

2013-2014: AN ONLINE MARKET

2016: A GENERAL MANAGER + STORE

2017: A GRAND OPENING

HISTORY



1213

ORGANIC FOOD

NATURAL FOOD

WE OWN IT!

WE OWN IT!

WE OWN IT!

WE OWN IT!

prairie-roots.coop

prairie-roots.coop

prairie-roots.coop



WHAT'S IN STORE

- ▶ LOCAL PRODUCE
- ▶ BULK
- ▶ READY TO EAT
- ▶ KOMBUCHA ON TAP
- ▶ SNAP BENEFITS
- ▶ SPONSORED MEMBERSHIPS



**THIS FARM IS OUR FORM OF
QUIET ACTIVISM.**

Amber Lockhart of Heart and Soil Farm

ECONOMIC IMPACT

- ▶ JOB CREATION
- ▶ SUPPORTING LOCAL
- ▶ A VIBRANT DOWNTOWN
- ▶ TACKLING FOOD DESERTS
- ▶ SUSTAINABILITY







**HEALTHY FOOD
COMMUNITY SPACE
LOCAL VENDORS
MEMBER OWNED
ALL ARE WELCOME**

Cass Clay Food Commission

Survey & Interview Results
Future Blueprint Direction

July 12, 2017



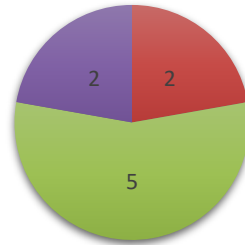
CASS CLAY
FOOD
PARTNERS

Overview

- Survey results from the May 10 Commission meeting
- Key takeaways from the one-on-one meetings
- Review of Metropolitan Food Systems Plan
- Recommended future direction for Commission blueprints

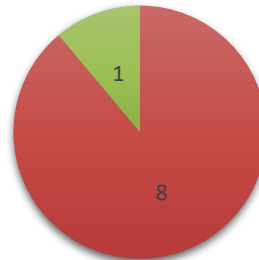
Survey Results

2. When I first began my appointment on the Cass Clay Food Commission, I would say my understanding of urban agriculture issues and practices was:



■ Very Knowledgeable ■ Knowledgeable ■ Slightly Knowledgeable ■ No Knowledge

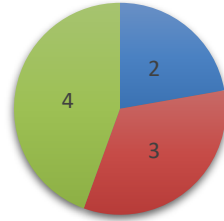
3. I would say my current understanding of urban agriculture issues and practices is:



■ Very Knowledgeable ■ Knowledgeable ■ Slightly Knowledgeable ■ No Knowledge

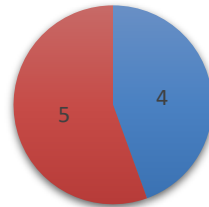
Survey Results

4. When I first began my appointment on the Cass Clay Food Commission, the food and agriculture issues discussed were:



■ Very Important ■ Important ■ Slightly Important ■ Not Important

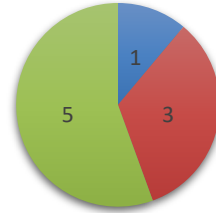
5. Having served on the Cass Clay Food Commission, I would now say the food and agriculture issues discussed are:



■ Very Important ■ Important ■ Slightly Important ■ Not Important

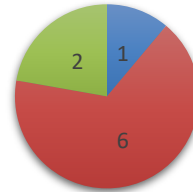
Survey Results

6. How important do you think the issues discussed at Cass Clay Food Commission meetings are to other policy makers in your jurisdictions?



■ Very Important ■ Important ■ Slightly Important ■ Not Important

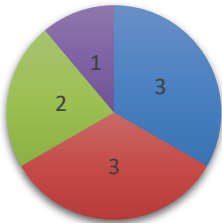
7. How important do you think the issues discussed at Cass Clay Food Commission meetings are to your constituents?



■ Very Important ■ Important ■ Slightly Important ■ Not Important

Survey Results

8. I would say my jurisdiction is ready to adopt one or more of the blueprint ideas.



■ Agree ■ Disagree ■ Do not know ■ No response

Which blueprint(s) do you see your community moving to adopt (select all that apply)?

Blueprint	Responses
Community Gardens	4
Backyard Beekeeping	2
Backyard Chicken Keeping	2
Backyard Composting	3
Farmers Markets	4
Municipal Composting	2
Cottage Food Laws	4

Interview Results

- Key takeaways regarding the overall Commission function:
 - The blueprints are very valuable; share them with jurisdictions
 - The education has been invaluable and should continue
 - We need to discuss how to move from planning and education to action and implementation; most Commissioners felt this needs to be driven by active community members, not Commissioners
 - Need to involve and engage youth in these conversations
 - Need to involve and engage minority groups with the Commission

Interview Results

- Key Themes/Potential Blueprint Topics
 - Hunger
 - Food skills
 - Food waste
 - Food access in low-income and rural areas (rural grocery stores)
 - SNAP/WIC education
 - Farmland preservation
 - Agritourism
 - Pollinator health

Metropolitan Food Systems Plan Implementation

- **Actions Completed:**
 - **#1: Development of a Metropolitan Food Systems Council**
 - Completed: fall 2014 through a Joint Powers Agreement between the City of Fargo and Clay County forming the Cass Clay Food Commission
 - **#6: Urban Agriculture**
 - Create best practices for zoning and ordinance related to urban agriculture
 - 9 blueprints voted and approved by the Commission
 - Urban Chicken Keeping ordinance passed in Fargo spring 2017

Metropolitan Food Systems Plan



October 2013



Prepared by the Fargo-Moorhead Metropolitan Council of Governments (Metro COG)
In cooperation with North Dakota State University Center for Social Research & Cass Clay Food Systems Initiative

Metropolitan Food Systems Plan Implementation

- **#2: Economic Development**
 - Create and support a “Corner Store Initiative” that connects small farmers to corner stores, providing opportunities to buy and sell healthy and local food in neighborhood scale stores.
 - Support the creation of a local food hub.
 - Establish cooperatives for local foods.



Metropolitan Food Systems Plan

Implementation

- **#3: Food Access**
 - Support and promote charitable food programs which encourage donations of healthy foods and excess fresh and local food products.
 - Remove barriers to accepting SNAP at farmers market through paper script, token, or receipts. Increase the impact by soliciting funds to provide “bonuses” to SNAP users. Develop incentives for farmers to sell in low-income markets.
 - Implement healthy and sustainable food service guidelines that align with the Dietary Guidelines for Americans in Public Institutions.

Metropolitan Food Systems Plan Implementation

- **#4: Food Infrastructure**
 - Evaluate permanent locations for a farmers market. Permanency will increase visibility, stability, and provide an opportunity include culture events, infill, and redevelopment.
 - Increase food-processing capacity in the region.
 - Improve aggregation of local food to increase distribution efficiency and access to volume consumers.
 - Establish a Metro Food Systems Profile that is updated annually.

Metropolitan Food Systems Plan

Implementation

- **#5: Outreach and Education**
 - Develop a comprehensive marketing plan utilizing all forms of media to increase knowledge about local food benefits and availability.
 - Create an expansive education program that would offer gardening, handling, preparation, and preservation classes.
 - Integrate Farm to School Programs into curriculum.
 - Provide education on food safety regulations to increase consumer safety.
 - Establish community kitchens that utilize existing licensed kitchen facilities.

Cass Clay Food Partners Steering Committee Recommendation

- **#3: Food Access**

- Potential blueprint/discussion topics:

- Rural grocery stores
- Healthy corner store initiatives
- Food deserts
- Food source proximity to schools
- SNAP/EBT acceptance
- Mobile food markets
- Healthy food guidelines for public places



CASS CLAY
FOOD
PARTNERS

QUESTIONS?

Cass Clay Food Commission
Survey & Interview Results
Future Blueprint Direction

Cass Clay Food Partners

Restructure and Future Direction

July 2017



CASS CLAY
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Overview

- History of the Cass Clay Food Systems Initiative
- Cass Clay Food Commission
- Restructure to the Cass Clay Food Partners
- Future Direction

History

- Cass Clay Food Systems Initiative formed in 2010
 - Joint effort between Public Health and Extension in Cass and Clay counties
- Metropolitan Food Systems Plan
 - Completed in 2013 with the Fargo-Moorhead Metropolitan Council of Governments (Metro COG)
 - Baseline assessment and actions to improve the local food system
- Cass Clay Food Commission
 - Formed in 2015 through a joint powers agreement between the City of Fargo and Clay County



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Cass Clay Food Commission

- Formed in fall of 2014 through a Joint Powers Agreement between the City of Fargo and Clay County
- **Purpose:** To advise policy makers and elected officials in the Fargo-Moorhead Metropolitan Area on how to assure that residents have access to safe, nutritious and affordable food.



CASS CLAY
FOOD
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Cass Clay Food Commission

- **Voting Members:** Governmental members – six (6) appointed by the jurisdiction they represent
 - City of Fargo: John Strand
 - City of Moorhead: Heidi Durand
 - City of West Fargo: Mike Thorstad
 - City of Dilworth: Jim Aasness
 - Cass County: Arland Rasmussen
 - Clay County: Jenny Mongeau
 - At-large members: Jon Evert, Dana Rieth, Mindy, Grant, Chris Olson and Kayla Pridmore
 - **Ex-officio Membership:** Ex-officio (non-voting) membership shall be granted to Fargo Cass Public Health, Clay County Public Health, the Steering Committee and Metro COG.

Cass Clay Food Commission

Progress to Date

- First official meeting: March 2015
- **Urban Agriculture** was identified as a priority issue in the Metro by the food systems plan, Steering Committee and the Commission
- In June 2015, an online community survey was conducted to prioritize urban agriculture issues; community gardens was identified as the most important issue to F-M area residents
- Nine policy blueprints have been created, discussed, and voted for approval by the Commission:
 - Community Gardens, Urban Bees, Urban Chickens, Backyard Composting, Season Extenders, Farmers Markets, Residential Gardening, Municipal Composting, and Cottage Food Laws

Why A Restructure?

- Moved beyond an “Initiative”
- Best serve the needs of the community and to meet our mission
 - *Increasing access to safe, nutritious and affordable food*
- Create a pathway for this to be a community driven mission



Goals of the Restructure

- Recognize and embrace the strong evolution of the Cass Clay Food Systems Initiative to **best serve the needs** of the community
- Effectively engage interested community members in the mission of the Cass Clay Food Partners
- *Facilitate connections* between policy makers and constituents to **effectively implement** the mission of the Partners



CASS CLAY
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PARTNERS



CASS CLAY
FOOD
PARTNERS



CCFP
COMMISSION



CCFP
STEERING
COMMITTEE



CCFP
ACTION
NETWORK

Cass Clay Food Partners

Building a strong, healthy and vibrant food system

Mission: To improve all levels of our community food system to assure that residents have access to safe, nutritious, affordable and culturally-based foods.

Vision: All members of the community have access to safe, nutritious, affordable, and culturally-based food.



CASS CLAY
FOOD
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Cass Clay Food Partners Values

- We believe in an **inclusive, integrated, and equitable** food system.
- We believe in a food system that is **economically and ecologically resilient**.
- We believe in a food system where ***all cultures*** are respected.
- We believe in a food system that **supports and enhances quality of life** for all citizens.
- We believe in a food systems that **fosters successful entrepreneurship** and **sustainable innovation**.



Cass Clay Food Partners Statement of Approach

We approach the accomplishment of our stated goals and values by:

- Encouraging shared leadership throughout the Partners
- Engaging the citizens and key stakeholders of Cass and Clay counties to take action
- Fostering teamwork and shared responsibility
- Catalyzing systemic changes through food-related policy and environmental approaches





CASS CLAY
FOOD
PARTNERS



CCFP
COMMISSION



CCFP
STEERING
COMMITTEE



CCFP
ACTION
NETWORK

CCFP Steering Committee

- Purpose: an advisory committee comprised of key government organizations and food systems experts working to provide direction, organization and management to the CCFP, which includes the Cass Clay Food Commission and Cass Clay Food Action Network.
 - Members:
 - **Fargo Cass Public Health: Kim Lipetzky**
 - **Clay County Public Health: Gina Nolte**
 - **NDSU Extension Service - Cass County: Rita Ussatis**
 - **U of MN Extension: Noelle Harden**
 - **Metro COG: Adam Altenburg**
 - Area Planner: Hali Durand
 - Project Coordinator: Megan Myrdal
 - Blueprint Writer:
 - Food Systems Experts (up to 5): Abby Gold, Deb Haugen and Nikki Johnson
- *Bold indicates core sustaining member organizations



Cass Clay Food Commission

- **Purpose:** To advise policy makers and elected officials in the Fargo-Moorhead Metropolitan Area on how to assure that residents have access to safe, nutritious and affordable food.
- **Voting Members:** Governmental members – six (6) appointed by the jurisdiction they represent
 - City of Fargo: John Strand
 - City of Moorhead: Heidi Durand
 - City of West Fargo: Mike Thorstad
 - City of Dilworth: Jim Aasness
 - Cass County: Arland Rasmussen
 - Clay County: Jenny Mongeau
 - At-large members: Jon Evert, Dana Rieth, Mindy, Grant, Chris Olson and Kayla Pridmore
 - **Ex-officio Membership:** Ex-officio (non-voting) membership shall be granted to Fargo Cass Public Health, Clay County Public Health, the Steering Committee and Metro COG.



Cass Clay Food Action Network

- Purpose: To **facilitate connections** and **leverage capacity** of partners to increase access to safe, nutritious and affordable food for all residents of Cass and Clay counties.
- Quarterly meetings open to any individual or organization working to advance the mission of the Cass Clay Food Partners.
- Goals: Educate – **Engage** – Connect – **Coordinate**
- Shared Action



Moving Forward

- Present to participating jurisdictions about the restructure (July – September 2017)
- Organize the first Cass Clay Food Action Network Meeting: Goal October 2017
- Future Blueprints: Food Access



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Questions?

www.cassclayfoodpartners.com

@CassClayFoodPartners



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CASE STUDY:

CITY OF FARGO

BACKYARD CHICKENS

SPRING 2017

The City of Fargo (North Dakota) recently passed an ordinance to allow for the keeping of backyard chickens in the spring of 2017. The issue of backyard chickens received a lot of negative media attention when the issue was discussed in the neighboring city of Moorhead, Minn. in the fall of 2015 and other neighboring jurisdictions in recent years. The Cass Clay Food Commission executed a strategic plan when this issue was addressed in Fargo. This case study details the history and key steps/strategies taken in order to successfully move backyard chicken keeping forward in Fargo.



HISTORY OF THE CASS CLAY FOOD SYSTEMS INITIATIVE

- **2010:** Cass Clay Food Systems Initiative (CCFSI) formed with a mission to assure access to safe, nutritious and affordable foods for residents of Cass and Clay Counties
- **2012:** GO 2030 (Fargo's Comprehensive Plan) addresses access to healthy food as one of the Initiatives within the Health Chapter. Recommendations include writing a food systems plan for our region, forming a food policy council, enacting codes, zoning, and ordinances that support urban agriculture (land use), etc.
- **2013:** CCSFI partnered with Metro COG, local metropolitan planning organization, to write the Metropolitan Food Systems Plan which lays out a framework to move food systems work forward
- **2015:** Cass Clay Food Commission (CCFC) formed, a food policy council/network to addresses food systems related policy issues. Steering committee members presented at each local jurisdiction's Commission/Council meeting to explain the role of the group and obtain an appointed representative to serve on CCFC. To date this group has developed 10 "blueprint" documents on various food systems topics. The blueprints provide background, pros and cons, stipulations to consider, etc. should a jurisdiction intend to move an issue forward in their community.

PROCESS FOR MOVING BACKYARD CHICKEN KEEPING FORWARD

There was significant discussion and thought that went into developing a plan to deal with the Fargo backyard chicken ordinance. This topic had been a volatile issue for a number of years in the city, stemming from conflicting ordinances in the Municipal Code; the health codes allowed the practice with very vague stipulations and the Land Development Code only allowed it in agriculturally zoned areas, thus technically, the practice was not allowed. In addition, over the last few years there were a number of negative media reports around the practice of backyard chicken keeping, igniting fuel to the issue and creating fear through misinformation and sometimes exaggerated concerns.

The backyard chicken blueprint (jurisdictional advisory document) was approved by the Cass Clay Food Commission in January 2016. This blueprint provides background information related to urban chickens, addresses the common concerns and benefits from a health, environment, social and economic standpoint, and provide model policy language from other jurisdictions. After approval by CCFC, it was time to determine how to utilize this resource in order to effectively implement policy change.

In the fall of 2016, the CCFSI steering committee began working with a Strategic Communications Strategist to develop a plan/process to utilize the blueprint and approach the issue. The process used is as follows:

1. Met with Elected Officials

- Since it was unclear what the City Commissioners and the Mayor's stance was on the issue, individual meetings were set up to make each aware of the backyard chicken keeping blueprint resource, provide education, answer questions, and determine potential support for an ordinance which allowed for chicken keeping in the city.
 - Result: Mayor and 2 Commissioners potentially in favor, 1 was neutral and 1 did not respond to the meeting request

2. Filed Official Request to the Fargo City Commission to work with City Attorney

- Approval must be granted from City Commissioners in order to enlist the help of the city attorney to draft an ordinance. With a potential majority, a request was filed to work with the city attorney's office to draft an ordinance allowing chickens in residentially zoned areas and defining stipulations around the practice.
 - Result: At the November 7, 2016 City Commission meeting the Commission approved the request

3. Drafting the Ordinance

- Using the backyard [chicken keeping blueprint](#), research on example ordinances from other cities, and several calls to University of Minnesota and Cass County Extension, we began the process of drafting an ordinance that would work for most citizens (those against, unsure, and those who already keep chickens or are interested in starting).
 - **Meetings Amongst City Staff starting December 2016**

- The City Attorney met with a small group of city staff from the 2 departments where the effected ordinances are housed: Public Health (Divisions of Health Promotion and Environmental Health) and the Planning Department to draft an initial document for reaction.
 - The next meeting was with city staff from all departments potentially affected by the ordinance (auditors office, police, inspections, public health, planning, and attorney).
- **Public Input**
 - We began an on-line input process through the letseatlocal.org website; the draft ordinance was posted and comments gathered (2/8/17-4/3/17). Telephone calls and email input received on the matter was also recorded.
 - Obtained input from the CCFSI steering committee and CCFC at spring meetings
 - Held an open house/public forum on 3/22/17 at Fargo Cass Public Health to provide education, review the ordinance draft, and allow opportunity for discussion and input on the draft. Presentation was provided by the City Attorney and the Fargo Cass Public Health Nutritionist.
 - Eight draft revisions were made to the ordinance based on input obtained

4. Planning Commission

- The ordinance needed to go through the Planning Commission since it involved an amendment to the Land Development Code (LDC). In February, we presented at the Planning Commission brown bag luncheon to provide education and inform the Commission about the ordinance. On 3/7/17, the Planning Commission voted to recommend the amended change to the LDC.

5. City Commission Meetings

First Reading: 4/10/17

- The proposed ordinance was brought to the City Commission meeting for a first reading and public hearing. A presentation was provided including the issue, history, education, process to develop the ordinance, and the draft ordinance; public was allowed to voice opinions. Video of presentation can be viewed at: <http://files.cityoffargo.com/content/fbd5a2f4f5caced94ea9af463d36e4616e8e91ac/151-re-Medium-v99.mp4> (starting at 18:46 minutes into video) or access through City of Fargo website, City Commission, meeting minutes and video archives.
 - Result: City Commission vote 4 – 0 (one member absent) to approve ordinance

Second reading 4/24/17

- The item was supposed to be on the consent agenda, but it was pulled to the regular agenda/public hearings because one resident requested to speak regarding the chicken issue – against it.
 - Result: City Commission voted 3-0 (2 absent) to approve ordinance as written.

Third reading 5/8/17

- Final reading and vote on Resolution Approving Fee for annual and renewal permit for the keeping of chickens (filed by Erik the city attorney)
 - Result: Ordinance becomes final and permit fee approved

MEDIA

There were numerous media interviews/stories that occurred as a result of the backyard chicken keeping ordinance. Most of the interviews happened after the press release went out for the open house and when the ordinance was heard at the Commission meetings. Here are links to a few of the online stories that were published throughout the process.

- Fargo forum articles and In-forum articles
 - March 21, 2017 [Backyard chickens to be discussed March 22 in Fargo](#)
 - March 25, 2017 - [Fargo pecks at policy that would clarify owning backyard chickens](#)
 - April 10, 2017 - [Fargo city leaders OK law allowing backyard chicken coops](#)
- April 11, 2017 [Minnesota Public Radio News Story](#)
- April 11, 2017 [KFGO Story](#)
- April 11, 2017 [AgWeek Story](#)

Kim Lipetzky, Fargo Cass Public Health Nutritionist, conducted dozens of interviews including several radio spots and a TV morning show interview with a chicken farmer AND CHICKEN in studio ([link below](#)). All TV stations in the metro area covered the open house held on 3/22/17. There were also a number of editorials written for and against the issue and much discussion on social media. Lipetzky shared that overall, the media interviews were positive and important for the success of this ordinance:

<http://www.kvrr.com/2017/03/24/fargos-feathered-friends>

“Doing the media interviews was a chance to explain the ordinance and the thought behind it and clear up misconceptions and untruths being said about backyard chicken keeping.”

IMPLEMENTATION

After the ordinance passed, several supporting documents were developed, including: a [FAQ sheet](#), the permit application, and the [final ordinance \(found on the letseatlocal.org website\)](#). Also, a meeting was held with all city staff involved so everyone was aware of the new ordinance stipulations, the permit application process, and which city departments have a role in enforcement.

KEY TIPS/THOUGHTS from Kim Lipetzky

- Meeting with elected officials ahead of time helped to determine the approach and preparation needed to move the ordinance forward.
- Having a committed ally to move this forward within the city (a city staff person) is essential to work through the process and the potential multiple layers/departments that may be affected by the ordinance.
- All of the media interviews, while stressful and time consuming, were likely worth the effort to alleviate some of the negative press that can potentially come along with this type of an ordinance.
- A lot of work went into the drafting of the ordinance, such as meetings with city staff, gathering public input, etc. Sharing the process and steps taken to create the draft with the City Commission was helpful in them passing the ordinance with very few questions or requests for additional information. Preparation and thought was key!
- Public input is a must. If done over again, public input would be obtained a little earlier in the process – maybe as follows: a small group which includes city staff representatives and the city attorney develop a preliminary draft, then the public input prior to the larger city group meeting. The majority of the public providing input were people knowledgeable about the practice of chicken keeping and they were a very valuable resource in coming up with a draft that worked for most people.

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