

ADAMS COUNTY AGRICULTURAL LAND PRESERVATION BOARD

*Minutes of Regular Meeting*

July 6, 2022

**Attendance:**

***Members -Attending In-person:***

Craig Yingling, David Wenk, Dave Collie, and Sidney Kuhn

***Members -Attending by phone:***

George Weikert

***Absent:***

Dave Boyer, Ben Mearns and George Taughinbaugh

***Staff -Attending in-person:***

Ellen Dayhoff, Mark Clowney, Kelly Koch, and Leigh Abraham

***Staff -Attending by phone:***

None

***Staff - Absent:***

None

***Guests:***

None

The July 6, 2022 meeting of the Adams County Agricultural Land Preservation Board commenced at 7:33 pm in the Planning Office Conference Room at the Adams County Agricultural & Natural Resources Center.

I. Board Business

A. Approval of June 1, 2022 Meeting Minutes

**Mr. Waybright made a motion that the ACALPB approve the June 1, 2022 minutes as written. Mr. Weikert seconded the motion; motion was approved unanimously.**

B. Public Comments

1. None

C. New Business -There is no new business.

D. Legislative Updates

1. **HB1984-** This Bill would require county farmland preservation programs to provide for subdivisions of less than 10 acres if the subdivided piece is transferred to an adjacent preserved farm. No updates lately.
2. **SB64** - regarding Land Trust Reimbursements - This bill was amended on June 15<sup>th</sup>. The amended bill would provide \$1 million or 80% of the unencumbered funds

(*whichever is greater*) for the purpose of reimbursing Land Trusts for easement purchases, with a per acre cap of \$2,500/ acre (state funds) or 50% of the appraised value, whichever is less, and raise the amount for expenses incurred from \$5,000 to \$10,000/easement.

Mr. Waybright asked Ellen why only 50% of appraised value would be eligible. Ellen explained that this is normal when a non-profit applies for grants; they have to have some cash to contribute.

In addition, it will raise the amount for transaction expenses from \$200,000/year to \$200,000 plus 20% of the unencumbered funds.

To qualify it must be a perpetual easement, a minimum of 10 acres, 50% or 10 acres of harvested cropland, pasture or grazing land, must be in an ASA and must have 50% class I-IV soils. There was discussion on pros and cons, specifically an easement of at least 10 acres.

Mr. Waybright asked Ellen to follow up with State Representative Dan Moul and inquire if we could increase the minimum amount of 10 acres.

**Mr. Yingling made a motion to accept Senate bill 64 as amended; seconded by Ms. Kuhn; motion carried.**

3. **SB1232** - This is a new bill from Senator Mastriano which proposes to increase the dedicated annual state funding by adding 10% from the collected realty transfer tax. This bill also reduces the minimum subdivision size for a preserved farm from 50 acres to 25 acres. This bill also allows parcels less than 10 acres that are adjacent to preserved land or used to produce crops unique to the area to be eligible for the easement program. No updates.

## II. Updates

### A. Township Updates

#### 1. Cumberland Township

No updates. \$30,000 slotted for 2022. Need to determine how to use these funds. Discussion to utilize these funds for Round 14 applications instead of waiting for Round 15. Staff will look into the possibilities.

#### 2. Mt. Joy Township – Mr. Yingling has discussed the possibility of the Township participating in Farmland Preservation. He will continue the discussions and set up a meeting at a later date.

#### 3. Reading Township - Will touch base with LCAC regarding supplying Reading Township information regarding past bond referendums in Adams Co.

### B. LCAC Updates

1. HSF supplemental appraisal under review at the national HQ. NRCS staff shortages are delaying progress.

### C. Parks Recreation and Green Space Grant Program Update

1. 2022 application round is currently open from June 1 – August 29, 2022.
2. Kelly noted the following:
  - a. Guidelines will be streamlined in the near future to better match other grant programs.

- b. Outstanding grants – municipal projects are going way over budget. The time to complete the projects is taking longer than expected.
- D. Eisenhower Drive Extension Project - No decisions until Fall 2022.
- E. PA Ag Discovery Center – Update  
Mark noted that the Ag Discovery selection committee is in ongoing negotiations with a local landowner.

*Executive Session Opened.*

III. Round 14

- A. Township Involvement - nothing new at this time
- B. Federal Applications - All 4 farm appraisals have been approved by NRCS, XIV28 has been approved at the state board and should settle within the next 6 weeks. XIV27, XIV31 and XIV33 are in process and may possibly be utilized as Like-Kind Exchanges.
- C. Possible monetary donation to program – Ellen will contact Donor for an update.
- D. Appraisal Reviews and Offers  
Ellen reviewed appraisals for XIV34, XIV26, XIV35, XIV37 and XIV36; all are County/Township easements.

IV. Round 15

- A. Exclusion Approvals - review
- B. Determination on which farms in process to count as “preserved” for LESA to count toward the “Preservation Priority Map”
- C. Cutoff date for data to run LESA – staff proposes August 5, 2022

*Executive Session Closed and Call for Action as Needed*

- V. Round 14 Appraisal Reviews/ACTION to approve offers XIV26, XIV34, XIV35, XIV36, XIV37
  - A. Appraisal approvals
    1. XIV34 County and Union Township joint easement 69.35 acres, survey needed
    2. XIV26 County and Conewago Township joint easement 79.12 acres, survey needed.
    3. Discussion on abandoned rail and possibilities of a Rail Trail. Discussion if there was a law passed to permit trails on preserved farms. Also questions regarding who the owner of the actual rail line is. Ellen will follow up.
    4. XIV35 County and Union Township joint easement, 90.47 acres, survey needed
    5. XIV37 County and Conewago Township joint easement 55.74 acres, survey needed.
    6. XIV36 County and Union Township joint easement 32.72 acres, survey needed.

**Mr. Wenk made a motion to accept all 5 appraisals as presented and authorize Ellen to make offers; seconded by Mr. Collie. Motion carried per Tax Services review of appraisals.**



## B. Round 15 ACTION

### 1. Exclusion Report

**Mr. Wenk made a motion to approve all exclusions previously approved by this Board from past rounds (XV-05, XV-07, XV-34, XV-38). Mr. Waybright seconded; motion carried.**

Application XV-21 - approve exclusion as presented; however, the Board would like to exclude the row of houses as well. Ellen will contact landowner to discuss.

Application XV-12 – 10 acre exclusion.

**Mr. Wenk made motion to approve; Mr. Collie seconded; motion carried.**

Application XV-55 – 6 acre exclusion.

**Mr. Collie made a motion to approve the exclusion; Ms. Kuhn seconded; motion carried.**

Application XV-58 – 33 acre exclusion.

**Mr. Wenk made a motion to approve exclusion with donation of 33 acres; Ms. Kuhn seconded; motion carried**

2. Preserved Farms Layer – the Board will accept and include land as preserved if there is a signed offer letter by the specified cutoff date.

**Ms. Kuhn made a motion to accept parcels as preserved (for the purpose of scoring Round 15 applications with LESA) if there is a signed offer letter prior to the cutoff date; seconded by Mr. Collie; motion carried.**

3. Cutoff Date – Staff suggested 8/5/22 (Zoning changes, ag security areas, etc)

**Ms. Kuhn made a motion to accept August 5, 2022 as the cut of date for gathering data to score Round 15 applications; seconded by Mr. Collie; motion carried.**

## VI. Inspections, Transfers, Subdivision, Rural Enterprise Applications, Other Issues

### A. 2022 Inspections – Updates

1. Extensive amount of thistle was found on one property. Mark and Kelly assume there may have been some bad seed? The thistle looks like it was planted. Mark showed the Board a couple aerial shots of the field. The inspection report included documentation and guidance for removing it properly.
2. Clay shooting range complaint – A neighbor of Five Star Video/Cilento has contacted the Planning Office again regarding the size and noise of a clay shooting range on the preserved farm. Mark and Kelly recently visited the farm during inspections and took aerial documentation with the drone. The range was formally a grass area and small portion of a corner of a field. From their perspective all the shooting stations are not permanent. It is the opinion of the staff that currently this is not a violation of the easement. If this site would become a commercial operation the owners would need to fill

out a Rural Enterprises form. Ellen will follow up with the neighbors and Franklin Township and make them aware we received a complaint again.


B. Trail Project – No update.

VII. *Program Guideline Changes (Tabled)*

VIII. Adjournment

**Mr. Wenk made a motion to adjourn the July 6, 2022 ACALPB meeting at 9:26 pm.**  
**Mr. Waybright seconded the motion; motion was approved unanimously.**

Respectfully submitted,



*LeighAnn Abraham, Acting Secretary*