

ADAMS COUNTY AGRICULTURAL LAND PRESERVATION BOARD
Minutes of Regular Meeting
November 1, 2023 7:30 pm

Attendance:

Members -Attending In-person:

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

Members -Attending by phone:

Ben Mearns, George Weikert

Absent:

George Taughinbaugh, Doyle Waybright, and Dave Boyer

Staff -Attending in-person:

Ellen Dayhoff, Mark Clowney

Staff -Attending by phone:

Kelly Koch

Staff - Absent:

LeighAnn Abraham

The November 1, 2023, meeting of the Adams County Agricultural Land Preservation Board commenced at 7:42 pm in the Planning Conference Room at the Adams County Agricultural & Natural Resources Center.

I. Board Business

A. Approval of September 6, 2023, Meeting Minutes

George Weikert made a motion to approve the September 6, 2023, ACALPB minutes; Sidney Kuhn seconded the motion. Motion was approved unanimously.

B. Public Comments – there were no public comments

C. New Business - No new business.

D. Legislative Updates

1. PA Farm Bureau Updates

Dave and Mark noted that Farm Bureau was invited to attend a lunch with Representative Torren Ecker. A large part of the discussion revolved around the large commercial solar arrays popping up in central Adams County. While there is concern for the loss of agricultural land, everyone was not convinced the proposed Mastriano Bill would properly solve the issue.

2. Mastriano Bill #798 (solar not permitted on Class I and II soils)

Ellen and Mark recently had a discussion with Solicitor Mudd regarding the Mastriano solar bill. After reviewing the limitations proposed in the bill it would ultimately limit almost the entire agricultural ground remaining in Adams County. The Planning Office feels this bill creates what is called exclusionary zoning and could easily be challenged in court. The Planning Office has worked with various municipalities to legally approve ordinances that limit solar to various zoning districts.

3. Future Bill (Note: this is now HB1713)

This bill would permit a 2-acre residential subdivision for every 80 acres of preserved land. Both the House and Senate are not currently moving this bill. Chairman Yingling suggested that we send a letter opposing this bill. Since it is not moving, Ellen will keep an eye on this bill and if it seems to begin to get traction, we will then send a letter in opposition.

- E. Announcement: The three citizen and one contractor positions are open for reappointment or election of new representation in January 2024. Ellen asked those currently in the position to think about whether they would like to stay on the Board or not and let either her or Leigh Abraham, Secretary, know their decision. George Weikert, Ben Mearns, and George Taughinbaugh have agreed to another term on the board. Chad Collie informed the board he was grateful for his time on the Board but feels it's time for him to step down. He has agreed to help find a replacement. Chad will contact Ed Steinour and Ellen will contact Ross Brownley to see if they would be interested.

II. Updates

A. Township Updates

1. Mt. Joy – Ellen was informed that a Mount Joy Township preserved farm landowner was inquiring about subdividing. This farm is a township preserved farm and Ellen directed the landowner to them.
2. Straban - Straban has publicly committed \$100,000 towards farmland preservation in a recent meeting. Ellen and Sarah Kipp will meet with officials to discuss their plans.
3. Conewago – a representative from the township has asked Ellen about the next farms that will be preserved through our program. They remain interested in helping to preserve the farmland in their township and plan to have a line item in their 2024 budget for this purpose.

B. LCAC Updates – No new business.

C. Parks, Recreation and Green Space Grant Program Update

Kelly informed the board that the Green Space Committee met in September and approved five projects for the 2023 cycle.

D. Eisenhower Drive Extension Project – the project is still ongoing.

E. PA Ag Discovery Center

Mark received an update from Jayne Sebright in September. A feasibility study was completed. The next step is to search for a Project Development Director who will lead the project. The update was sent out to the ACALP Board as well as all of the agricultural/business partners that lent letters of support.

F. Amish Sales Report

Mark has been tracking resales of farmland in Adams County for years. Of particular interest, since 2018, the Amish have purchased over 2,200 acres of farmland for \$26.5M. This equates to almost \$12,000/acre. Interestingly, a preserved farm doesn't seem to lower the purchase price like once thought. The average price for non-preserved farmland in Adams County prior to these sales was somewhere in the \$5-8,000/acre range. The staff discussed the possible impact on appraisal values. The appraisal's "restricted values" are inching closer to the appraisal's fair market values thus keeping the difference or "easement value" from increasing dramatically.

Executive Session Opened – 8:35 pm

III. Round 14 - Please refer to Round 14 Financial/Status Report

- A. XIV- 54 – In process to State – December 10th State Board
- B. XIV- 41 – Issue with a right-of-way
- C. XIV-11 – In process to State – December 10th State Board
- D. Cumberland Township Special Project – waiting for State checks to go to settlement.

IV. Round 15 - Please refer to Round 15 Ranking Report

- A. XV-22 – Offer made, waiting for landowner decision
- B. XV-21 – Offer made, waiting for landowner decision
- C. XV-39 – Appraisal ordered
- D. XV-38 – Appraisal ordered
- E. XV-19 - Appraisal ordered
- F. XV-09 – Special Project/Cumberland Township. Offer accepted. Survey ordered.
- G. XV-35 – Special Project/Brown Estate. Commissioners to approve 11/15.

Executive Session Closed and Call for Action as Needed – 8:41 pm

V. Executive Session Action Items

A. Special Project - XV-57 – Special Project/Brown Estate.

Sidney Kuhn made a motion to approve the Special Project purchase of application XV-57 for \$2,808/acre; Dave Wenk seconded the motion. Motion was approved unanimously.

VI. Inspections, Transfer, Subdivision, Rural Enterprise Applications, Other Issues

A. Clowney (1992-AG-01-) – approval of final plan for additional house subdivision.

Dave Wenk made a motion to approve the final plan showing the subdivision of 1.76 acres and location for the additional house of the Tom Clowney Farm; Chad Collie seconded the motion. Motion was approved unanimously.

B. Discussion regarding moving through the next few farms.

Mr. Wenk made a motion for staff to move forward on the next two farms ranked in Round 15 applications (XV-11 and XV-34); Mr. Collie seconded. Motion carried unanimously.

C. Discussion regarding to continue the postcards in the annual inspection letters to keep landowners notified of what is permitted, what isn't permitted, etc. regarding their easement. Ellen mentioned that we always wanted to do an annual report but to date that has not happened.

VII. Program Guideline Changes

A. Discussion/clarifications regarding Unique Purchase Situations – Ellen supplied a handout with the Program Guidelines language. Tabled until the next meeting.

VIII. Adjournment

Dave Wenk made a motion to adjourn the November 1, 2023 ACALPB meeting at 9:08 pm; Chad Collie seconded. Motion was approved unanimously.

Respectfully submitted,



Mark Clowney, Assistant Secretary