

**ADAMS COUNTY AGRICULTURAL LAND PRESERVATION BOARD**  
***Minutes of Hybrid Meeting (In-Person/Virtual/Conference Call)***  
**August 4, 2021**

**Attendance:**

***Members – Attending in-person:***

Chair Craig Yingling, Vice-Chair Dave Wenk, Sidney Kuhn, George Taughinbaugh, Doyle Waybright, George Weikert

***Members – Attending by phone or computer:***

Ben Mearns

***Absent:***

Dave Boyer, Chad Collie

***Staff – Attending in-person:***

Ellen Dayhoff, Mark Clowney, Kelly Koch, Cindy Sanderson

***Staff – Attending by phone or computer:*** None

***Absent:*** None

***Guests:*** None

The August 4, 2021 meeting of the Adams County Agricultural Land Preservation Board commenced at 7:35 p.m. in the Adams County Agricultural & Natural Resources Center lower-level meeting rooms for in-person attendees and via conference phone.

**I. Board Business**

**A. Approval of June Minutes**

- \* Mr. Mearns noted a grammatical error (this has been corrected.)

**Mr. Wenk made a motion that the ACALPB approve the June 2, 2021 Minutes, as amended. Mr. Weikert seconded the motion; motion was approved unanimously.**

**B. Public Comments – none present**

**C. New Business**

**1. Correspondence**

- \* Ellen noted, many flyers have come into the office in various forms – numerous, duplicate copies have been received by several Planning staff. Most of these appear to come from the same sender (no name included, no return address, mailing labels are formatted the same, etc.) and are mainly regarding the Eisenhower Extension Project.
- \* Ellen reviewed another flyer sent from Steve Smith, also regarding the Eisenhower Extension. In this letter he mentions the Conewago Chapel farms that were preserved several years ago; one of which he owns. For clarification, Ellen explained how the County excluded land from these easements in case the road/extension would come to fruition. Mark will send a map of the two Conewago Chapel farms to the Board.

**D. Budget**

**1. Legal Defense Fund**

- \* Possible line item in the Planning or Solicitor Budgets.
- \* Ellen & Molly are meeting later this month to discuss several topics, one of which will be funding needs for possible legal issues.

**2. 2022 Allocation**

- \* Refer to the ‘Annual Allocations’ handout (blue highlighting) for a comparison of where funding for preservation has come from over the years.

- \* Sherri needs to know how much funding this Board/Program would like her to request in the 2022 County Budget so she can try to include it in the Planning Dept Budget Request – last year’s request/award was \$350,000.

#### Much Discussion

- \* In 2020, the Board requested an annual increase of \$25,000.
- \* Land/farm prices are increasing.
- \* The previous Rounds have consistently had many new applicants applying to the Program.
- \* Less preservation may be accomplished if funding does not keep up with the costs associated with farming and the interest of farmers.
- \* Ellen will send Board Members information on the Bond that was on the ballot several years ago.

**Ms. Kuhn made a motion that the ACALPB recommend Sherri request \$400,000 from the 2022 General Fund Budget for Ag Land Preservation efforts. Mr. Wenk seconded the motion; motion was approved unanimously.**

#### E. Program Guidelines

##### 1. Updates – Solar, Additional/Replacement Houses/Subdivision

- \* Ellen will discuss these with Molly before any decision/action is necessary.
- \* Mr. Yingling noted, he is still receiving calls regarding solar, and insinuating that the easement restrictions are in process of being over-turned. Ellen will check with Doug Wolfgang and Kerry Golden at the State Office to see if there is any proposed legislative changes.

##### 2. Green Card Retention

- \* Ellen reviewed details regarding Adjacent Landowner Notifications of State Board approval of pending easements; Notifications must be sent via Certified, Return-Receipt mail (the green cards are signed by the recipient and sent back to the office as proof of delivery.)
- \* In the past, the green cards were copied to the State and the actual cards were placed in the easement folder. Sometimes they can be very bulky, in the case of numerous adjacent landowners.
- \* Recently, staff learned that several other counties keep the hardcopy green cards for 3 years and then discard them – noting that all counties now have electronic copies of these cards, as well as the State receives an electronic copy and those will be kept indefinitely.
- \* In order to cut down on the bulk in the folders, staff would like to keep the green cards in a file box for 3 years, then discard them after verifying an electronic copy has been made/filed.

**Mr. Yingling made a motion, pending Solicitor review, that the ACALPB approve staff keeping the Green Notification Signature Cards for three (3) years before destroying them, and an electronic copy will be kept indefinitely. Ms. Kuhn seconded the motion; motion was approved unanimously.**

#### F. Legislative Issues

##### 1. Farm Bureau

- \* Mark gave a few updates from the recent summer-recess newsletter.
- \* HB101 (Agritourism) passed the House & Senate, and the Governor signed it; it has become Act 27. This Act protects farms/farmers from situations out of their control when conducting Agritourism activities.
- \* The Adams County Farm Bureau will host Legislators on September 1<sup>st</sup>.  
~ A few of Adams County farms will be visited.

##### 2. SB64 / Land Trust Bill – Nothing new at this time

## II. Updates

#### A. Township

##### 1. Mt Joy Twp

- \* Mr. Yingling noted, the Township Meeting has been postponed due to the upturn in COVID-19 cases. This is to be a workshop to discuss changes needed which will allow Solar in other Zoning Districts.

## B. LCAC

- \* Mark gave a review of some current statistics –
  - ~ 175 LCAC Easements – 12,112 acres preserved
  - ~ The LCAC is 6th in the State for the number of easements and land protected by a land trust
  - ~ They have 4,876 donated easement acres and 7,075 purchased easement acres
  - ~ Their average purchase price per acre is \$1,600
- \* Ellen noted, when the Ag Program uses Federal funding, those funds come from a different ‘pot’, so the amount available to the LCAC is not affected by this Program’s allotments.

## III. Round 13 (refer to the Round 13 Final Worksheet)

A. Resh #3, Rex & MacBeth have all settled.

B. Lobaugh settlement will take place August 12<sup>th</sup>.

- \* This will close out Round 13.

Executive Session opened at 8:36 p.m.

## IV. Round 14

A. Refer to Round 14 Financial Reports

1. Mummert Farms

- \* Appraisal Received

2. Township Discussions

a. Union (HSF)

- \* Ellen will send them information on a possible partnership

b. Conewago (HSF)

- \* They were very interested at the meeting. Ellen is waiting to hear back from their Sub-committee.

c. Remaining Townships

- \* Not much response at this time.

3. Hanover Shoe Farms, Federal Applications

- \* All 4 HSF applications sent to the Federal Program have been approved for Federal funding.

## V. New Round of Federal Funding

- \* Ellen reviewed additional Federal funding possibilities.

## VI. Easement Donation/Bargain Sale

- \* Instead of a full donation, this would be handled as a \$1.00 Bargain Sale.
- \* With a fully donated easement, the easement/farm/acreage amounts would not count towards County totals. If any funds are used, even a \$1.00 Bargain Sale, the numbers will count towards in County totals.

Executive Session closed at 9:25 p.m.

## VII. Motions on Discussions during Executive Session

IV, A, 1 – Mummert

**Mr. Waybright made a motion that the ACALPB approve an offer of 90%, pending Tax Services review, for XIV-68, for a total of \$1,989/acre. Ms. Kuhn seconded the motion; motion approved unanimously.**

## VI – Easement Bargain Sale

**Ms. Kuhn made a motion that the ACALPB accept the offer of a \$1.00 Bargain Sale to place an Easement on the Doyle and Jennifer Waybright 125-acres property located at Barlow and Sentz Roads. Mr. Wenk seconded the motion; motion passed, with Mr. Waybright abstaining.**

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

- \* Kelly & Mark reported they have completed approximately 80 inspections and have around 70 remaining. It may take another 4-5 days to complete them all.
  - \* So far, one location had an inhabitable house demolished, otherwise nothing major has been identified.
- A. LCAC Trail Project
- \* Nothing new at this time.

## IX. Staff Updates & Comments

- \* Cindy noted, A1 and A2 meeting rooms may not be available this fall for ACALPB meetings due to other previously scheduled functions. She will confirm what room(s) the ACALPB meetings will be located in, prior to each meeting.

## X. Adjournment

**Mr. Weikert made a motion to adjourn the meeting at 9:40 pm. Mr. Wenk seconded the motion; motion was approved unanimously.**

Respectfully submitted,

*Cindy Sanderson, Secretary*