

ADAMS COUNTY AGRICULTURAL LAND PRESERVATION BOARD
Minutes of Regular Meeting
January 3, 2024 at 7:00 pm

Attendance:

Members -Attending In-person:

Dave Wenk, George Taughinbaugh, George Weikert, Dave Boyer, Doyle Waybright, Sidney Kuhn and Ben Mearns

Members - Attending by phone:

Craig Yingling joined the meeting at 8:06 pm

Absent:

Chad Collie

Staff -Attending in-person:

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

Staff -Attending by phone:

Staff - Absent:

None

Vice President Wenk called the January 3, 2024, meeting of the Adams County Agricultural Land Preservation Board to order at 7:00 pm in Mr. Yingling's absence. Meeting was held in the Planning Conference Room at the Adams County Agricultural & Natural Resources Center.

I. Board Business

A. Approval of December 6, 2023, Meeting Minutes

Mr. Waybright made a motion to approve the December 6, 2023, ACALPB minutes; Mr. Boyer 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 – no updates

2. HB 1713 – Stambaugh – retroactive, optional, 1 house for each 80 acres. One additional residence may be constructed on no more than two acres, plus on two additional acres for every 80 acres by which the land exceeds 130 acres. York County Ag Land Preservation Board letter was reviewed. The ACALPB is not in favor of this bill.

Mr. Waybright moved to have Ellen Dayhoff write a letter for Mr. Yingling's signature, stating that this Board opposes Bill 1713; Mr. Weikert seconded the motion. Motion approved.

Mark will get specific Adams County numbers for Ellen.

3. HB 1777 – Brennan – Unencumbered funds to go toward Land Trusts.
In addition, this bill would increase the amount a Land Trust can get reimbursed for expenses from \$5,000 to \$10,000. Bill did pass in the House by a vote of 155/48. There has been discussion about setting a cap of \$1 million; however, this has not been proposed to date. With the \$1 million cap, all counties would lose some money. Adams would lose approximately \$24,000/year. Ellen stated that she felt that the Land Conservancy of Adams County would definitely recoup these funds as they always have projects they could apply for. It was mentioned that possibly someone from LCAC should address the Board. In general, the Board is supportive of the increase in expense reimbursement.

Mr. Boyer made a motion to not support this bill; no second motion was received.

Mr. Wenk stated we will revisit this bill each month and staff will keep an eye on any movement at the State level.

4. SB798 – Mastriano – solar not permitted on Class I and II soils. Bill is not moving forward.
5. SB288 – Mastriano – Would lower the state minimum criteria from 50 acres to 25 acres; and permit a tract of less than 10 acres to be subdivided only if it is being merged with an adjacent preserved farm. This bill also asks that 10% of the Realty Transfer Tax to go toward the agricultural conservation easement program.

Bill is not moving. This is something the staff suggested we support as we have had a situation of this nature in the past. The Realty Transfer Tax piece of this legislation will hold it up, as that is very difficult to get through.

- E. Announcement: One contractor position is open for new representation. Ellen plans to contact Ross Brownley in the immediate future. Mr. Wenk offered to solicit potential candidates. We may need to advertise the position.

II. Updates

A. Township Updates

1. Straban – January 29th Ellen and Sarah Kipp will meet with Straban Township to discuss the preservation program. Funds have been allocated for preservation in their budget.

B. LCAC Updates

1. Land Conservancy did very well during the 2023 Annual Giving Spree. Final donations totaled \$114,102.

C. Parks, Recreation and Green Space Grant Program Update

Four draft agreements are written and have been sent to our solicitor for review.

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

E. PA Ag Discovery Center – nothing new.

Executive Session Opened

III. Round 14 - Please refer to Round 14 Financial/Status Report – No action is needed; no change.

- A. XIV-54 and 11 - approved at December State Board meeting.
- B. XIV-41 – right of way issue. Approved at December State Board meeting.
- C. XIV-25 - Cumberland Special Project – State checks have been received and settlement is scheduled for January 17, 2024.

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

- A. XV-19 - appraisal received
- B. XV-11 - appraised received
- C. XV-21 and 22 - landowner would like to alter application to put exclusion back in. Mark ran test LESA reports. No change in ranking. Discussion regarding an updated appraisal reflecting this which the landowner has offered to pay.
- D. XV-33 - Conservation plan and ranking discussion – solicitor request
- E. XV-38 – waiting for appraisal; moving forward
- F. XV-57 - Hilbert- do not need a survey. A 1968 copy of survey was located. Will move forward.

Executive Session Closed and Call for Action as Needed

V. Executive Session Action Items

A. XV-19

Ms. Kuhn made a motion to offer \$3,000/acre, which is our cap, and is 80% of the easement value; seconded by Mr. Boyer pending Tax Service office review of appraisal. Motion approved unanimously.

B. XV-11

Mr. Boyer made a motion to offer \$3,000/acre, which is our cap, and is 82% of the easement value; seconded by Ms. Kuhn pending Tax Service office review of appraisal. Motion approved unanimously.

C. XV-21

Mr. Taughinbaugh made a motion to grant the adjustment request by the applicant without the exclusion and have landowner pay for updated appraisal; Mr. Waybright seconded. Motion carried.

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

- A. Scott Farm – public sale occurring 1/20/24. The office was contacted by a potential buyer who is not a farmer and would use the property for hunting, Kelly informed him of the need to either find an operator to maintain the existing orchard or to remove the fruit trees and plant and maintain a crop. The potential buyer could plant and maintain deciduous and conifer trees, according to state guidelines.
- B. Horner Farm – Ellen will compose a letter to the landowner regarding their plans for the barn, as they have submitted a plan which includes a new septic system along with the new barn.

VII. Program Guideline Changes

- A. Discussion/clarifications regarding Unique Purchase Situations. Much discussion regarding how to handle farms in the top 50% that meet the requirements for a Unique Purchase. Concerns regarding the fact that farms that rank in the 30's are getting as much if not more per acre than the top ranked farms. Staff will draft alternative language to present to the Board for further discussion.

Language would be effective for the Round 17 in 2026, as we would not be able to get County and State approvals in time for Round 16.

VIII. Adjournment

Mr. Waybright made a motion to adjourn the January 3, 2024 ACALPB meeting at 8:31 pm; Mr. Mearns seconded. Motion was approved unanimously.

Respectfully submitted,


LeighAnn Abraham
Secretary