



# **Adams County Parks, Recreation, And Green Space Grant Program**

PROGRAM GUIDELINES

OCTOBER 18, 2023

# **Adams County Parks, Recreation and Green Space Grant Program**

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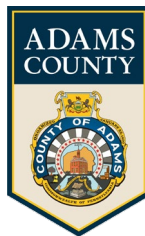
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# 1. INTRODUCTION

Adams County is fortunate to have many unique natural and cultural resources that contribute to the County’s rural, scenic, economic and historical heritage. These unique resources are important factors to the quality of life that makes Adams County a great place to live, work, and play. To preserve these special features for current and future generations it is essential the County plan and provide for the protection of its natural and cultural resources.

In addition, it is also important for Adams County to provide recreational enjoyment for its residents in the form of park, recreation and trail opportunities.

To date, planning efforts that address unique resources and recreational opportunities in Adams County have included:

- the Adams County Comprehensive Plan,
- the Adams County Vision for Parks, Recreation, and Open Space Plan,
- the Adams County Green Ribbon Commission Report,
- the Adams County Greenway Plan,
- the Adams County Water Supply and Wellhead Protection Plan,
- the Natural Areas Inventory,
- the Adams County Storm Water Management Plan,
- the Conewago Creek River Conservation Plan,
- the Land Conservancy of Adams County Strategic Plan, and
- the South Mountain Landscape Initiative Strategic Plan.

Each of the above plans have stated the need for the development of Parks and Recreation areas, the preservation of agricultural, forestlands, and open space land, and the protection of the County’s natural resources, in particular water resources; if the county is to maintain and improve the quality of life for current and future residents.

## 1.1 Program Objective

The Program seeks to protect and fund projects for agricultural preservation, open space preservation, parks, trails, historical or cultural resources preservation and the development of recreational opportunities.

The Program shall provide financial assistance to municipalities, Recreation Authorities and not-for-profit organizations with tax exempt status for the purpose of the protection of land within Adams County (i.e. the purchase of land and/or placing of Conservation Easements on eligible properties) and the development of Park and Recreation Projects (See: Sections 3 and 4).

## 1.2 General Program Guidelines

- Any proposed project shall be consistent with the goals and objectives of all county and municipal comprehensive plans.

- All Program Guidelines and requirements may be reviewed and revised as necessary from time to time; however, any proposed revisions shall be approved by the Commissioners.
- The Committee shall act as a recommending body to the Adams County Commissioners. All Committee decisions and/or recommendations shall be presented to the Commissioners for their formal review and action.

## 1.3 Definitions

### Acronyms:

- ACALP – Adams County Agricultural Land Preservation
- ACC – Adams County Board of Commissioners
- ACOPD – Adams County Office of Planning and Development
- LCAC – Land Conservancy of Adams County

Active Recreation - Facilities or lands which generally include uses that support sports or fitness activities, such as baseball, soccer, basketball, tennis, jogging and walking, or provide for traditional children’s playground activities such as swings and climbing equipment.

Adams County Parks, Recreation and Green Space Advisory Committee (Committee) – Consists of a committee of voting and non-voting members, appointed by the Adams County Board of Commissioners.

Adams County Parks, Recreation and Green Space Technical Sub-Committee (Technical Sub-Committee) – Non-voting Committee members charged with assisting the Program Coordinator with the review of applications and Project Ranking.

Adams County Parks, Recreation and Green Space Grant Program (Program) - A competitive grant program sponsored by the Adams County Board of Commissioners and administered by the Committee offering financial resources to support permanent land preservation efforts and the development of Parks, Recreational and Trail projects in Adams County.

Adams County Parks, Recreation and Green Space Grant Program Guidelines (Guidelines) – Provide the program requirements and forms necessary to apply to the Adams County Parks, Recreation and Green Space Grant Program.

Agricultural Land Preservation – The preservation of lands which are well suited for agricultural purposes and which sustain the agricultural economy of Adams County and local municipalities.

Conservation Easement – An interest in land which interest represents the right to restrict the development or improvement of a parcel for any purpose other than that which is specified.

County – The County of Adams, Pennsylvania.

Cultural Land Preservation – The preservation of lands which provide an understanding about the human aspects that occurred there within the context of the past.

Deed – The written instrument recorded in the Adams County Recorder of Deeds Office by which the transfer of a Fee Simple Acquisition is evidenced.

Deed of Easement – The written instrument recorded in the Adams County Recorder of Deeds Office by which a Conservation Easement is granted and conveyed by the original owner(s) unto the Grantee or the Grantee’s designee.

Educational Uses – Any project that serves to demonstrate, educate and communicate the significance and value of natural and cultural resources in a way that increases the understanding and enjoyment of these resources. May include uses such as interpretive signage, wayside exhibits, etc.

Exhibit “A” – Shall be submitted with the Pre-Application form and outlines the proposed schedule of covenants, conditions, restrictions and permitted uses to be included in the Deed of Easement or Fee Simple Deed.

Façade Easement – A property interest in the exterior of a building, home or structure, which may include any portion of such exterior, including, but not limited to, the walls, elevations, roof lines, colors, building materials, windows, doors, or other component, and intended to preserve said portions in perpetuity due to the historic, architectural, or cultural importance of the exterior.

Facilities – See Active Recreation Facilities and Passive Recreation Facilities.

Feasibility Study - is a professionally prepared study to determine community support, market characteristics, physical/structural assessment and the legal and financial capability to acquire, develop or rehabilitate, manage and sustain a recreation or park facility.

Fee Simple Deed – Full deeded title to the subject parcel(s) of land acquired from the landowner that transfers ownership and associated stewardship and management responsibilities to the municipality, authority, or not-for-profit organization.

Grant Agreement – A legally-binding contract between the County of Adams and Grantee, inclusive of the Scope of Work, that: (1) outlines the terms and conditions for the project and Grantee’s participation in the Program; (2) indicates the amount of Program funds which shall be paid to the Grantee for the project activities described in the Grant Agreement; and (3) outlines the contract activity period during which the Program activities shall be completed and the grant funds expended. (See: Appendix “C1”).

Grantee - The recipient of a grant approved through the Program.

Green Project - A “Green Project” preserves and restores habitat, saves water and/or energy and/or creates a healthier living environment, while embodying innovative ideas for sustainability. Such initiatives could include or be a combination of: rain barrels, rain garden, riparian buffers or practices which may contribute to a Leadership in Energy and Environmental Design (LEED) certification, composting toilets, pervious surfaces, etc. *(Each initiative shall be scored separately)*

Greenway - A linear corridor of open space varying in scale; from narrow ribbons of green that run through urban, suburban, and rural areas; to wider corridors that incorporate diverse natural, cultural, and scenic features. They can incorporate both public and private property, and can be land-based or

water-based. They may follow old railway corridors, canals, or ridge tops, or they may follow stream corridors, shorelines, or wetlands. Some greenways are recreational corridors or scenic byways, others function almost exclusively for environmental protection and are not designed for human passage.

Historical Land Preservation – The preservation of lands which provide an understanding about the events that occurred there, within the context of the past.

In-Kind – Labor, bartered items, personal property, or objects or services of value, but excluding funds, donated land values or Conservation Easement values, as included in the term “Match”.

Land Acquisition – The acquisition of land for some public purpose by a Government agency or qualified non-profit organization from willing landowners.

Master Site Plan - are site-specific studies that include, site information and analysis, and analysis of activities, facilities, maintenance, and operations. These studies lead to completion of a site development drawing in conformance with current design standards and cost estimates for the full development or re-development of a park or other recreational-use site.

Match – Funds generated internally by the applicant, funds applied for from other public or private Partner, organizations, foundations, grant funds from state and federal agencies, donated land value or Conservation Easement value, certain In-Kind contributions, and similar sources of funds.

Multiple-Municipal Project – A project consisting of two (2) or more participating Municipalities, whether Townships, Boroughs or a combination thereof. An Authority is considered a “Partner”, not a Municipality for the purposes of this Program.

Multiple-Partner Project – For a Conservation Easement or Land Acquisition project: a project consisting of at least one (1) Municipality and one (1) or more participating Partners, whether Townships, Boroughs, Authorities, organizations or individuals or a combination thereof.

*Note: For Parks and Recreation projects: a project consisting of one (1) Municipality and one (1) or more participating Municipalities or Partners, whether Townships, Boroughs or established recreation authorities or a combination thereof.*

National Pollution Discharge Elimination System (NPDES) – A permitting program which controls water pollution by regulating point sources that discharge pollutants into the water of the United States.

Open Space Land Preservation - The preservation of lands to provide the protection of wildlife habitat, water resources, stream corridors, forestlands, scenic vistas, landscape features and other similar resources.

Park and Recreation Facilities or Development Projects - Public facilities, whether Active or Passive, used for recreation, providing people with formal and informal gathering places to be physically active, socialize, relax, build community and connect with the natural world. These facilities include development of amenities that may include site work, parking lots, bicycle trails, greenways, exercise pathways, hiking trails, non-motorized trails, picnic areas and include playgrounds, ball fields, tennis courts, basketball courts, etc.

Parkland – Refers to the land area upon which recreation facilities are placed or which are intentionally preserved as open space. These lands can be used as sub-regional Parks, community Parks, and neighborhood Parks or for similar Active or Passive Recreation purposes.

Partner – To be considered a Partner, such organization or entity shall be required to contribute a minimum of 5% cash match of the total proposed Project Match.

Passive Recreation – Facilities or lands which support outdoor activities that create opportunities for independence, closeness to nature and a high degree of interaction with the natural environment. Passive recreational lands generally do not have extensive equipment or facilities, other than those that may be necessary to protect the natural environment. Passive recreation activities or uses include strolling, bird watching, photography and educational uses. (To clarify: sometimes, active recreation activities such as bicycle, jogging, walking and horse riding can be accommodated on passive recreation lands, with the proper protections in place.)

Project – A planned undertaking, whose purpose, objectives, scope and funding are consistent with the Adams County Parks, Recreation and Green Space Grant Program Guidelines and Procedures.

Project Ranking System – A multi-variable ranking system utilizing various weighted selection criteria to calculate the relative ranking of a project. (See: Appendix “B1-B7)

Public Access – A means of physical approach to and along the property available to the general public in a manner consistent with the purposes of which the land or project was funded.

Recreation Structures and Equipment – Refers to such things as: buildings, playground equipment, storage facilities, pools, pavilions, picnic tables, restrooms and site furnishings which would include such things as benches, water fountains, bike racks, etc.

Scope of Work - An accurate, detailed, and concise description of the work to be performed by the applicant(s) to complete a project which provides such details such as deadlines, specific tasks and an itemized budget.

Special Project Grant Award – An award granted outside of the Program. Such Projects should significantly further the goals of the Program. Special Projects will be coordinated through Adams County Office of Planning and Development and must be approved by the Commissioners on a case-by-case basis.

Stewardship – The management or maintenance by the Grantee or its designee of a facility, project, property and/or Conservation Easement.

Stewardship Endowment - Funds set aside in a restricted account to provide for the future costs of monitoring, maintenance, administration, or enforcement of a Project.

Sustainable Trail Design - Incorporates the core elements of protecting the environment, meeting users’ needs and expectations and requiring minimal maintenance.

Universal Design – Refers to the creation of structures and programs that can be used by people of all ages and abilities.

## 1.4 Program Administration

### 1.4.1 Name of Program and Committee

The name of this program shall be the Adams County Parks, Recreation and Green Space Grant Program (“Program”). The name of the Committee shall be the Adams County Parks, Recreation and Green Space Advisory Committee (“Committee”).

### 1.4.2 Authorization

The Keep Adams Green initiative was begun in 2005 to encourage the Adams County Commissioners (the “Commissioners”) to adopt a funding strategy to provide for the preservation of natural and cultural resources. In September 2006, the Commissioners formed the Adams County Green Space Advisory Committee to develop the Adams County Green Space Grant Program.

The Program was formally adopted on May 21, 2007, through Resolution No. 3 of 2007 (See: Appendix “E1”). Having been amended from time to time pursuant to the approval of the Commissioners, the Program Guidelines outline the requirements and administration of the Program. The Program is administered by the Adams County Office of Planning and Development. In 2014 the Adams County Commissioners initiated a program revision process to incorporate a new funding stream, Act 13 of 2012, the Unconventional Gas Well Impact Fee Act, codified at 58 Pa. C.S. § 2301-3504. This law authorized the Commonwealth to impose drilling impact fees on unconventional gas well producers in Pennsylvania. The fee revenues are collected and distributed annually to state agencies, counties and municipalities based on formula allocations. There are two established funds from the impact fee distribution: the Unconventional Gas Well Fund, which is distributed only to counties and municipalities with wells; and the Marcellus Legacy Fund which is distributed to all counties with or without wells. At this time, Adams County qualifies for Marcellus Legacy Funds. These fees may be used for the acquisition and development of parks and recreation projects, and preservation of open spaces, farmland and natural areas. At this time the Adams County Commissioners have prioritized the development of Parks and Recreational projects as the recipient of these Act 13 funds. To reflect this program change, the title of the Adams County Green Space Grant Program has been changed to the Adams County Parks, Recreation and Green Space Grant Program (“Program”), the current version of which is incorporated herein by reference.

The County of Adams (the “County”) has the legal authority to acquire interests in lands within the boundary of the county for numerous conservation purposes, including, but not limited to, preserving natural and scenic resources, protecting scenic areas for public visual enjoyment, preserving open spaces, protecting and conserving farmland, protecting water resources, providing for recreational needs and for numerous other purposes. See: 32 P.S. §5005; §5002. Such authority is also provided to townships and boroughs. See: 32 P.S. §5002; 3 P.S. § 914.1.

## 1.5 Purpose & Objectives

The Program seeks to identify and protect locally significant lands for agricultural preservation, open space preservation including water or other natural resources, historical and/or cultural resources preservation, parks and recreation facilities development.

The Program will provide financial assistance to municipalities, recreation authorities and qualified not-for-profit organizations in Adams County for the purposes identified above. (See: Section 3 and Section 4).

## 1.6 Committee Membership

The **membership** of the Committee shall consist of no less than nine (9) and no more than eleven (11) Voting Members and no more than eight (8) Non-Voting Members, all of whom shall be appointed by the Commissioners in accordance with the criteria set forth in Subparagraph E. herein below. The term of each of the Voting Members of the Committee shall be for four (4) years, or until his/her successor is appointed. Terms of the Voting Members first appointed shall be so fixed that no more than five (5) shall be so reappointed or replaced during any future calendar year. An unlimited number of County staff members and/or affiliated agency personnel may be appointed by the Commissioners to serve in an advisory capacity.

The **Coordinator** of the Committee shall promptly notify the Adams County Commissioners concerning vacancies in the Committee, and such vacancy shall be filled for the unexpired term. If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment for the unexpired term according to the terms of this Article.

**Voting Members** shall be solicited so as to cause the Committee to be comprised of persons geographically representing the entirety of Adams County. The Committee may recommend to the Adams County Commissioners the names of any potential new Committee members each year. All members of the Committee shall reside within the County of Adams, Pennsylvania.

Based upon recommendations by the Committee, the Commissioners may remove a Committee member, without further/advance notice, in the event that he/she has three (3) unexcused absences from duly convened Committee meetings during any calendar year. Any member of the Committee may also be removed from office for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Commissioners taken after the member has received fifteen (15) days' advance written notice of the intent to take such action. A hearing shall be held before the Commissioners prior to any removal action if the member in question shall request such hearing in writing within no more than seven (7) calendar days subsequent to the date of the aforementioned fifteen (15) days written notice. Any appointment to fill a vacancy created by removal shall be only for the unexpired term.

Program staff support will be provided by the Adams County Office of Planning and Development

### 1.6.1 Composition of Committee:

**Voting Members** - No less than 9, no more than 11

- 1-2 Township Officials (minimum of 1)
- 1-2 Borough Officials (minimum of 1)
- 1 Realtor
- 1 Park and/or Recreation Practitioner
- 2 Farming Community (1 preferably from the Fruitbelt Region)

The following organizations shall recommend to the Commissioners a designee to fill the following positions on the Committee.

- 1 Member of Adams County Agricultural Land Preservation Board
- 1 Member of the Watershed Alliance of Adams County (WAAC)
- 1 Member of the Adams County Builders Association
- 1 Member of the Adams County Farm Bureau
- 'At Large' Members as needed

**Non-Voting Members** - No more than 8. Non-Voting Members may be represented from any of the following Agencies with no more than one from any one agency.

- Gettysburg National Military Park
- Penn State Cooperative Extension
- Adams County Conservation District (ACCD)
- Land Conservancy of Adams County (LCAC)
- Healthy Adams County
- Representative of Adams County School Districts
- Gettysburg Adams Chamber of Commerce
- Adams County Economic Development Corporation (ACEDC)

### 1.6.2 Committee Officers

The **Officers** of the Committee shall consist of the Chairman and Vice-Chairman. Officers shall be elected by voting members and shall serve annual terms, based upon the calendar year, and may succeed themselves.

The **Chairman** shall preside at all meetings and hearings of the Committee and shall have the duties normally conferred by parliamentary usage upon such officer. At each meeting, he/she shall submit such recommendations and information as he/she may consider proper concerning the business affairs and policies of the Committee.

The **Vice-Chairman** shall act for the Chairman in his/her absence. In the event of the resignation or incapacity of the Chairman, the Vice-Chairman shall perform such duties as are imposed on the Chairman until such time as a new Chairman shall be elected by the Voting Members of the Committee.

The **Coordinator** shall appoint a County Staff Member to act as Secretary for the Committee, who shall take and maintain the minutes and records of the Committee. Under the direction of the Chairman and in consultation with the Committee's Solicitor, the Coordinator shall prepare and forward the



correspondence of the Committee and carry out such other duties as may, from time to time, be directed by the Chairman.

### **1.6.3 Sub-Committees**

Sub-Committees for specific purposes and considered necessary may be created and appointed at any time by the Chairman on an as-needed basis or as circumstances require. Such Sub-Committees will be advisory in nature only.

The Program **Technical Sub-Committee** shall consist of the Coordinator, the Director and the Rural Resource Division Manager of the Adams County Office of Planning and Development and no more than three (3) Non-Voting Members of the Committee, and other County staff members on an as-needed basis.

### **1.6.4 Committee Meetings and Voting Procedures**

Unless otherwise specified, a modified Robert's Rules of Order shall govern the procedures during the meetings of the Committee; provided, however, that the Chairman shall have the discretion to dispense with strict compliance with such parliamentary rules as circumstances may dictate and for voting and discussion protocols that take new technologies into account.

All meetings or portion of meetings at which official action is taken or deliberations regarding official action occur shall be open to the general public and conducted in accordance with the Pennsylvania Sunshine Act, Act 93 of 1998, P.L. 729, codified at 65 Pa. C.S. § 701-716 as amended, provided, however, that the Committee may meet in executive session for discussion of those items allowed under the Sunshine Act, 65 Pa. C.S. § 708, during which no official action shall occur.

Regular Committee meetings shall be held as called by the Coordinator and Chairman. Meeting notices shall include the meeting's location, time and a general statement of business to be conducted.

Committee meeting agendas shall be prepared by the Coordinator and Chairman.

A quorum of the Committee, for the purpose of conducting business and taking action at any Committee meeting, shall require the attendance of a majority of the Committee's then-incumbent Voting Members.

Each Voting Member shall be entitled to one (1) vote on matters coming before the Committee for action. The Voting Members present at any meeting, regular or special as defined and described above, shall be entitled to cast the votes.

The outcome of any vote by such required quorum shall be determined by majority vote of such Voting Members. Voting shall be normally by voice vote, or by roll call vote if requested by the Chairman or any Voting Member. Absent members may vote only if participating in the discussion and voting by video or by phone. A record of the results of any roll call and any other vote shall be kept as part of the minutes

In the event of a tie vote, the motion does not pass.

The Chairman may decide whether a particular action should be taken by email/written consent or at a committee meeting. If the matter is routine or has already been discussed and widely agreed upon, an

action by email/written may be appropriate. All such actions/votes shall be recorded in the minutes of the committee at the next meeting.

The Chairman or Coordinator may call special meetings. It shall be the duty of the Chairman to call a special meeting when requested to do so by a majority of the then-incumbent Voting Members of the Committee.

The order of business during meetings of the Committee, unless directed otherwise by the Chairman, shall be:

- Roll call
- Approval of minutes of previous meeting
- Public Comments
- Reports of Officers and Sub-Committees
- Old Business
- New Business
- Member Comments
- Adjournment

Conflict of Interest - After reviewing the agenda, or upon discovery during said meeting, each voting member shall note for the record any personal, professional or other organizational membership/affiliation conflict that he/she may have relative to the matters to come before the Committee during such meeting. Any Voting member noting a conflict of interest shall not cast any vote or participate in the Committee's discussions relative to such conflicted matter(s)/issue(s).

### 1.6.5 Amendments

The Program Administration may be amended from time to time during any regular or special meeting by a majority vote of all of the then-incumbent Voting Members of the Committee. Members will be given thirty (30) days prior notice to the meeting at which the amendment(s) will be considered. All Committee decisions and/or recommendations shall be presented to the Commissioners for their formal review and action.

## 1.7 Projected Annual Timelines

Revise Program Guidelines	Staff and Committee	As needed
Approve Revised Guidelines	Commissioners	As needed
Municipal Outreach	Committee	Ongoing
Grant Preparation Workshop(s)	Committee	As needed

### 1.7.1 Park and Recreation Projects

Grant Application Announcement - Assemble and distribute Grant Package to applicants	Committee	On or about June 1 annually, as funds are available
Grant Submittal Deadline	Applicants	On or about September 1 (90 days following Grant Application Announcement)
Recommend Grant Approvals	Committee	On or about November 1 (60 days following Grant Submittal Deadline)
Announce Grant Awards	Commissioners	On or about January 30 (90 days of Grant Approvals)

### 1.7.2 Conservation Easement or Land Acquisition Projects

Grant Application Announcement - Assemble and distribute Grant Package to applicants	Committee	Shall be determined annually as funds are available
Grant Submittal Deadline	Applicants	90 days following Grant Application Announcement
Recommend Grant Approvals	Committee	60 days following Grant Submittal Deadline
Announce Grant Awards	Commissioners	Within 30 days of Grant Approvals

## 2. ELIGIBLE APPLICANTS AND ELIGIBLE PROJECTS

### 2.1 Eligible Applicants

The following entities are eligible to apply for funding under the Program:

- Any municipality in Adams County - Multi-municipal applications are eligible, strongly encouraged and shall receive higher priority in the Project Ranking System
- Not-for-profit organizations with tax exempt organization status - Must have an identified focus in their corporate purpose or mission statement on agricultural preservation, open space and natural resource preservation, or historical/cultural land preservation, parkland, Active or Passive Recreation or trail development
- Recreation Authorities

Public and private sector entities with an interest in land preservation, conservation and/or recreation are encouraged to partner with any Eligible Applicant.

Except for the purpose of providing match funds, Federal and State entities are ineligible to apply to the Program.

## 2.2 Eligible Projects

- Land – a Conservation Easement or Land Acquisition Project (See: Section 3)
- Park and Recreation - Park and Recreation Facilities or Development Projects (See: Section 4).

## 3. LAND - CONSERVATION EASEMENT OR LAND ACQUISITION PROJECTS

The Program provides grants for the purchase of Conservation Easements and the purchase of Land Acquisitions that provide benefits within one or more of the four (4) categories listed below.

- Agricultural Land Preservation – lands which sustain the agricultural economy of Adams County and a local municipality. [See: Section 3.1: Agricultural Land Preservation (Conservation Easement Acquisitions).]
- Open Space Land Preservation – lands that protect our working forest economy, water or other natural resources or provide wildlife habitat. [See: Section 3.2: Open Space Land Preservation (Conservation Easement or Land Acquisition).]
- Parkland, Active or Passive Recreational Land or Land for Trails Preservation – lands such as sub-regional Parks, community Parks and neighborhood Parks or lands that provide Active or Passive recreational opportunities such as trails for current and future generations. [See: Section 3.3: Parkland, Active or Passive Recreational Land or Land for Trails Preservation (Conservation Easements on Existing Parks or Trails; or Land Acquisition for New Parks or Trails).]
- Historical or Cultural Resources Land Preservation – lands listed in or deemed eligible for listing in the National Register of Historic Places. Other lands that are determined by the Committee to be historically or culturally significant may also be considered eligible for Program funds. [See: Section 3.4: Historical or Cultural Resources Land Preservation (Conservation Easement or Land Acquisition Projects).]

Conservation Easement language regarding the level of restrictions, covenants, and conditions and permitted uses shall be negotiated on a project-by-project basis and shall be contained in the Deed of Easement.

A Land Acquisition shall include restrictions, covenants, conditions, and permitted uses in the recorded Fee Simple deed.

In all cases, the Program’s covenants, conditions and restrictions shall be imposed upon all properties purchased by Conservation Easement or Fee Simple Deed with County funds so as to prohibit in perpetuity any change in use other than the uses allowed under the Program.

In the case of a Conservation Easement, the owner of the subject parcel of land shall enter into an agreement of sale for a Conservation Easement with the Eligible Applicant. The original owner shall maintain ownership of the land and the Conservation Easement shall protect the land in perpetuity.

Good stewardship of the land is paramount to the success of the Program. All Conservation Easements shall follow Best Management Practices (“BMPs”) as identified by the Natural Resource Conservation Service (“NRCS”) Field Office Technical Guide (“FOTG”), or other technical guidance documents, and the terms of the Deed of Easement. A Conservation Plan Agreement is required for all Agricultural Projects. If a forest management plan is needed, one shall be developed by a forester either from the PA Bureau of Forestry or on the Bureau’s list of consultant foresters.

Applications shall be submitted by category. A single property may be submitted under multiple categories if necessary to leverage additional match funds from other sources (for example, State or Federal programs or private foundations). If an applicant has a project which might encompass more than one of the categories listed above, the applicant shall clearly note this on the application, and every category type proposed shall be checked (See: Appendix “A5” Application Form: Section 1, page 2: General Project Information). Note: multiple category applications shall be reviewed and approved on a case by case basis.

**Land Projects** from a single eligible applicant require a 50% minimum Match. Multi-Partner projects require a 40% minimum Match from the applicants. The only exception is an application for a Conservation Easement Acquisition for an EXISTING Parkland, Recreational Land or Land for Trails Project, which requires a 70% minimum Match for a single applicant and a 60% minimum Match for a multi-partner application. (See: Section 5.6. Eligible Project Match).

Each Multi-Municipal Project application shall be clearly defined in terms of scope, funding and specific municipal participation. Participating municipalities shall agree to the proposed work program and provide individual letters of support for the Project. The Municipal endorsement letters shall be attached to the pre-application form. A lead Municipality shall be designated and be responsible for the administration of the Project agreement. All communications and transactions shall be directed through the lead Municipality.

## 3.1 Agricultural Land Preservation: Conservation Easement Acquisition

### 3.1.1 Eligible Projects

Specific project eligibility shall be determined on a case-by-case basis considering the Conservation Easement Acquisition for: **Active Agricultural Lands**

- The Project shall conform to the Adams County Agricultural Land Preservation Program (the “ACALP”) Minimum Criteria and Guidelines. (Note: a copy of these Criteria and Guidelines and further information regarding the ACALP Program may be obtained from the Adams County Office of Planning and Development),

- Public Access is not required,
- A Resource Management System (“RMS”) level Conservation Plan is required for the Agricultural Land Preservation Program and shall be completed prior to settlement. A Conservation Plan Agreement (See: Appendix “A8”) shall be recorded with the Deed of Easement,
- Agricultural Land Preservation projects which meet the ACALP Criteria and Guidelines may be submitted by municipalities, other eligible entities, organizations or any combination thereof,

### **3.1.2 Ineligible Projects**

- Projects located on brownfield or superfund sites; however, an exception may be made if the Committee determines that the project has significant agricultural conservation, restoration or preservation value,
- Lands identified within a development project as agricultural land.

### **3.1.3 Administrative Guidelines**

There is not a maximum Grant Award for a Land Project; however, funding decisions will be made based on the availability of funds and the benefit of the proposed project,

Agricultural Land Preservation projects which meet ACALP Minimum Criteria and Guidelines shall be reviewed by the ACOPD and ACALP Board as needed,

If a project does not meet the ACALP Criteria and Guidelines, it shall be referred to the Open Space Land Preservation Category,

If the ACALP Board recommends additional Program funds for a Special Project Grant Award, it shall forward a request to the Committee for its approval and recommendation to the Adams County Commissioners,

For projects involving a Conservation Easement, the applicant shall identify an appropriate party to hold and maintain the Conservation Easement. Appropriate parties may include municipalities, the Land Conservancy of Adams County, or any other entity which is expressly approved by the Committee,

The County of Adams may hold Agricultural Land Conservation Easements acquired through this Program.

### **3.1.4 Ranking Guidelines for Agricultural Land Preservation Projects**

- Projects from a single eligible applicant require a 50% minimum Match,
- Multi-applicant Projects require a 40% minimum Match
- See Appendix “B1” for the Agricultural Land Preservation Program Project Ranking Criteria, which outlines the point values given to the seven (7) ranking categories below:

1. The highest priority shall be given to an applicant who has already secured direct cash and/or donated land value match for their project,
2. Priority ranking shall be given to those applicants supplying a higher percentage match,
3. Project cost/acre shall be taken into consideration, and projects which cost the Program less money per acre shall be ranked higher,
4. The total Land Evaluation/Site Assessment (LESA) score of the project shall be considered. The higher LESA scores shall be ranked higher,
5. Projects utilizing Multi-Municipal participation shall be ranked higher than Multiple-Partner participation or Single Entity application. All participating partners shall be required to contribute a minimum of five percent (5%) Cash Match (5% of the total Proposed Project Match) for any proposed project,
6. Projects submitted which are protecting land adjacent to any permanently protected land (County, State, Township, Land Conservancy of Adams County, Federal, etc.) shall be ranked higher,
7. Projects submitted which are within the High Priority Area of the Adams County Agricultural Preservation Priority Area Map shall be ranked higher.

## 3.2 Open Space Land Preservation: Conservation Easement or Land Acquisition

### 3.2.1 Eligible Projects

Specific project eligibility shall be determined on a case-by-case basis considering the Conservation Easement Acquisition or Land Acquisition for: **Agricultural Lands** (if it does not qualify for Agricultural Land Preservation), **Forestlands, Wetlands/Riparian buffers, Critical Habitat Areas** (natural features of special concern and areas supporting the presence of any state, federal, rare, threatened or endangered flora or fauna), **Nature Preserves, Greenways, Municipal source water supply and recharge areas, Scenic byways and vistas, Trails, Other lands** as determined to be eligible by the Committee

- Public Access for Conservation Easements or Land Acquisitions shall be consistent with the purposes for which the land or Conservation Easement was acquired. When Public Access is being considered, the exact nature of the Public Access shall be provided to the Committee when the application is filed. Public Access is not required in all cases. The Program is seeking as much public value as possible, while retaining flexibility to address special site conditions and respond to local needs on a case-by-case basis. Public Access must be balanced against sustainable timber production, environmental, historical, cultural, safety, water quality and other considerations,
- Prior to the approval of the application by the Committee, County Staff shall meet with the landowner or their designee to inspect the property and submit a Site Review to the

Coordinator which would identify and document any obvious potential problems regarding the property's compliance with the Program Guidelines or applicable storm water, soil conservation, NPDES permitting, or other similar statutory or regulatory requirements. Applicants or their designee(s) are expected to ensure that landowners address these concerns. A Resource Implementation Schedule (See: Appendix "A9") outlining these concerns shall be completed prior to settlement and a Resource Implementation Schedule Agreement (See: Appendix "A10") shall be signed and recorded with the Deed of Easement or Fee Simple Deed. Please contact the Adams County Office of Planning and Development for technical assistance,

- Open Space projects shall be a minimum of five (5) contiguous acres.

### **3.2.2 Ineligible Projects**

- Projects located on brownfield or superfund sites; however, an exception may be made if the Committee determines that the project has significant conservation, restoration or preservation value,
- Lands identified within a development project as open space and/or recreational use.

### **3.2.3 Administrative Guidelines**

In the case of projects involving a Conservation Easement, the applicant shall identify an appropriate party to hold and maintain the Conservation Easement. Appropriate parties may include municipalities, the Land Conservancy of Adams County, or any other entity which is expressly approved by the Committee. The County of Adams will not hold or own Open Space Conservation Easements or Open Space Fee Simple Deeds purchased through this Program.

### **3.2.4 Ranking Guidelines for Open Space Land Preservation Projects**

- Projects from a single eligible applicant require a 50% minimum Match,
- Multi-partner Projects require a 40% minimum Match
- See Appendix "B2" for Open Space Land Preservation Program Project Ranking Criteria, which outline the point values given to the seven (7) ranking categories below:
  1. The highest priority will be given to an applicant who has already secured direct cash and/or donated land value match for their project,
  2. Priority ranking shall be given to those applicants supplying a higher percentage match,
  3. Project cost/acre shall be taken into consideration, and projects which cost the Program less money per acre shall be ranked higher,
  4. Projects providing for Public Access shall be ranked higher,
  5. Projects utilizing Multi-Municipal participation shall be ranked higher than Multiple-Partner participation or Single Entity application. All participating partners shall be



required to contribute a minimum of five percent (5%) Cash Match (5% of the total Proposed Project Match) for any proposed project,

6. Projects submitted which are protecting land adjacent to any permanently protected land (County, State, Township, LCAC, Federal, etc.) shall be ranked higher,
7. Projects providing for protection of water resources, plant or wildlife or significant natural, scenic, historic or cultural resources shall receive a higher ranking.

## 3.3 Parkland Land Preservation: Conservation Easement or Land Acquisition

New Projects will be ranked and funded differently from Existing Projects.

- Conservation Easements on a New or an Existing Park or Trail
- Land Acquisition for a New Park or Trail Project

### 3.3.1 Eligible Projects

Specific project eligibility shall be determined on a case-by-case basis for the purchase of a Conservation Easement or Land Acquisition resulting in a Fee Simple Deed on:

- Lands for Parks or Recreational purposes (applications shall be accepted for both Passive and Active Recreational uses, including trails)
- Nature Preserves (both new and existing which provide public access)
- Greenways (both new and existing which provide public access)
- Existing unprotected recreational land or trails
- Other recreational lands as determined eligible by the Committee

Public Access for Conservation Easements or Lands acquired through this Program shall be consistent with the purposes for which the land or Conservation Easement was acquired. Public Access is required for all land acquired, developed or rehabilitated for Park and Recreational purposes with Program funds. Any reasonable restrictions on the time and manner of Public Access, as well as temporary limitation of Public Access, shall be negotiated on a case-by-case basis. When Public Access is being proposed to a limited portion of the underlying property, the exact nature of these limitations shall be provided to the Committee when the Application is filed. The Scope of Work shall provide an outline describing the details of the Public Access, including a timeline for Public Access to be available,

Prior to the approval of the application by the Committee, County Staff shall meet with the landowner or their designee to inspect the property and submit a Site Review to the Coordinator which would identify and document any obvious potential problems regarding compliance with the Program Guidelines or applicable storm water, soil conservation, NPDES permitting, or other similar statutory or regulatory requirements. Applicants or their designee(s) are expected to ensure that landowners address these concerns. A Resource Implementation Schedule (See: Appendix "A9") outlining these concerns shall be completed prior to settlement and a Resource Implementation Schedule Agreement

(See: Appendix “A10”) shall be signed and recorded with the Deed of Easement or Fee Simple Acquisition Deed. Please contact the Adams County Office of Planning and Development for technical assistance,

Parkland and Active or Passive Recreation Land Projects may NOT receive funding at settlement unless all components of the Scope of Work have been completed and approved, including, without limitation, the Public Access requirement. (See: Section 8: Project Implementation and Disbursement of Grant Funds)

### 3.3.2 Ineligible Projects

- Acquisition of land for municipal buildings, fire or police stations, public works or utilities, maintenance yards, man-made flood control facilities or infrastructure,
- Recreational use and/or open space as part of a site development project.

### 3.3.3 Administrative Guidelines

In the case of projects involving a Conservation Easement, the applicant shall identify an appropriate party to hold and maintain the Conservation Easement. Appropriate parties may include municipalities, the Land Conservancy of Adams County, or any other entity which is expressly approved by the Committee,

The County of Adams will not hold or own Conservation Easements or Fee Simple Deeds resulting from a Land Acquisition Project for Parkland, Active or Passive Recreational Land or Land for Trails purchased through this Program.

### 3.3.4 Ranking Guidelines for Parkland Preservation Projects

**New Projects:** Ranking for Land Acquisition or Easement Purchase for new Parkland, Active or Passive Recreational Land or Land for Trails:

- Projects from a single eligible applicant require a 50% minimum Match,
- Multi-partner Projects require a 40% minimum Match.
- See Appendix “B3” for NEW Parkland, Recreational Land Preservation or Land for Trails Program Project Ranking Criteria, which outlines the point values given to the six (6) ranking categories below:
  1. The highest priority shall be given to an applicant who has already secured direct cash and/on donated land value match for their project,
  2. Priority ranking shall be given to those applicants supplying a higher percentage match
  3. Project cost/acre shall be taken into consideration, and projects which cost the Program less money per acre shall be ranked higher,
  4. Projects utilizing Multi-Municipal participation shall be ranked higher than Multiple-Partner participation or Single Entity application. All participating partners shall be

required to contribute a minimum of five percent (5%) Cash Match (5% of the total Proposed Project Match) for any proposed project,

5. Projects located in an area identified as insufficient in meeting the park and recreational needs of its residents shall be ranked higher,
6. Multiple Active Use Projects (ie all uses are Active Uses) shall receive the highest ranking. Multiple Use Projects (ie uses can be a combination of Active, Passive and/or Educational Uses) shall be ranked higher than Active Single Use Projects and Passive Recreation Use Projects.

**Existing Projects:** Ranking for Land Acquisition or Easement Purchase on existing Parkland, Recreational Land or Land for Trails Projects:

- Projects from a single eligible applicant require a 70% minimum Match,
- Multi-partner Projects require a 60% minimum Match
- See Appendix “B4” for EXISTING Parkland, Recreational Land Preservation or Land for Trails Program Project Ranking Criteria, which outline the point values given to the six (6) ranking categories below:
  1. The highest priority will be given to an applicant who has already secured direct cash and/or donated land value match for their project,
  2. Priority ranking will be given to those applicants supplying a higher percentage match
  3. Project cost/acre shall be taken into consideration, and projects which cost the Program less money per acre shall be ranked higher. Projects will be ranked accordingly for an Easement Project vs a Land Acquisition Project:
    - a. Example for an Easement: An existing park which is not protected applies to place an Easement on this parkland.
    - b. Example for a Land Acquisition: An existing park which is not protected is proposed to be purchased by an entity/entities. An easement must be in place at time of settlement.
  4. Projects utilizing Multi-Municipal participation shall be ranked higher than Multiple-Partner participation or Single Entity application. All participating partners shall be required to contribute a minimum of five percent (5%) Cash Match (5% of the total Proposed Project Match) for any proposed project,
  5. Projects located in an area identified as insufficient in meeting the park and recreational needs of its residents shall be ranked higher,
  6. Multiple Active Use Projects (ie all uses are Active Uses) shall receive the highest ranking. Multiple Use Projects (ie uses can be a combination of Active, Passive and/or Educational Uses) shall be ranked higher than Active Single Use Projects and Passive Recreation Use Projects.

## 3.4 Historical or Cultural Resources Land Preservation: Conservation Easement or Land Acquisition resulting in a Fee Simple Deed

### 3.4.1 Eligible Projects

Specific project eligibility shall be determined on a case-by-case basis for the purchase of a Conservation Easement or Land Acquisition on:

- Lands listed in or deemed eligible for listing in the National Register of Historic Places,
- Other lands that are determined by the Committee to be historically or culturally significant.

Projects allowing Public Access shall be ranked higher. When Public Access is being considered, the exact nature of the Public Access shall be provided to the Committee when the application is filed.

Prior to the approval of the application by the Committee, County Staff shall meet with the landowner or their designee to inspect the property and submit a Site Review to the Coordinator which would identify and document any obvious potential problems regarding the property's compliance with the Program Guidelines or applicable storm water, soil conservation, NPDES permitting, or other similar statutory or regulatory requirements. Applicants or their designee(s) are expected to ensure that landowners address these concerns. A Resource Implementation Schedule (See: Appendix "A9") outlining these concerns shall be completed prior to settlement and a Resource Implementation Schedule Agreement (See: Appendix "A10") shall be signed and recorded with the Deed of Easement or Fee Simple Deed. Please contact the Adams County Office of Planning and Development for technical assistance.

### 3.4.2 Ineligible Projects

- Façade Easements
- Landscape restoration

### 3.4.3 Administrative Guidelines

In the case of projects involving a Conservation Easement, the applicant shall identify an appropriate party to hold and maintain the Conservation Easement. Appropriate parties may include municipalities, the Land Conservancy of Adams County, the Gettysburg Foundation, Civil War Preservation Trust, Gettysburg National Military Park, Historic Gettysburg-Adams County, Inc., or any other entity which is expressly approved by the Committee,

The County of Adams will not hold or own Conservation Easements or Fee Simple Deeds resulting from a Land Acquisition Project for Historical or Cultural Resources Conservation Project purchased through this Program

### 3.4.4 Ranking Guidelines for Historical or Cultural Resources Land Preservation Projects

- Projects from a single eligible applicant require a 50% minimum Match
- Multi-Partner Projects require a 40% minimum Match
- See Appendix “B5” for Historical or Cultural Resources Land Preservation Program Project Ranking Criteria, which outlines the point values given to the seven (7) ranking categories below:
  1. The highest priority shall be given to an applicant who has already obtained direct cash and/or donated land value match for their project,
  2. Priority ranking shall be given to those applicants supplying a higher percentage match,
  3. Project cost/acre shall be taken into consideration, and projects which cost the Program less money per acre shall be ranked higher,
  4. Projects submitted which provide Public Access shall be ranked higher,
  5. Projects utilizing Multi-Municipal participation shall be ranked higher than Multiple-Partner participation or Single Entity application. All participating partners shall be required to contribute a minimum of five percent (5%) Cash Match (5% of the total Proposed Project Match) for any proposed project,
  6. Projects submitted which are protecting land adjacent to any permanently protected land (County, State, Township, LCAC, Federal, etc.) shall be ranked higher,
  7. Projects submitted which have significant historical or cultural value as outlined in the eligibility guidelines shall receive a higher ranking (See: Section 3.4.1: Eligible Projects)

## 4. PARK AND RECREATION PROJECTS

The Program provides a maximum \$25,000 grant for the planning and development of Projects on properties that provide benefits as outlined within the two (2) categories listed below:

- Park and Recreation Facilities or Development Projects (See: 4.1 and Exhibit B6)
- Master Site Plan or Feasibility Study Projects (See: 4.2 and Exhibit B7)

### 4.1 Park and Recreation Facilities or Development Projects

Specific project eligibility shall be determined on a case-by-case basis. For project match requirements See: Section 5.6 Eligible Project Match.

- Park and Recreation Facilities or Development Projects require a 50% minimum Match

- Park and Recreation Facilities or Development Projects which are upgrades or renovations to an existing Park or Recreation Facility require a 70% minimum Match

#### **4.1.1 Eligible Projects**

Park and Recreation Facilities or Development Eligible Projects (50% Match Required).

Projects such as, but not limited to:

- Athletic field construction
- Roads, parking areas and site development
- Fishing access areas development
- Landscaping
- Educational Uses
- Construction and/or Purchase of Recreation Structures and Equipment such as
- Signage
- New Lighting
- New restrooms
- ADA Compliance projects
- Playground equipment
- Picnic Tables or Park Benches
- Acquisition of Right-of-way easements
- Trail construction for projects such as hiking, biking, mountain biking, equestrian, cross country ski, snowshoe trails and other such trails for non-motorized use (with the exception of ADA approved power driven mobility devices).

Park and Recreation Facilities or Development Projects which are upgrades or renovations to an existing Park or Recreation Facility Eligible Projects (70% Match required). Projects such as but not limited to:

- Improvements to Existing Trails
- Upgrades to existing lighting
- Resurfacing of tennis or basketball courts
- Expansion to existing parking lots
- Upgrades to existing restroom facilities

#### **4.1.2 Ineligible Projects**

- Facade Easements
- Construction of trails for motorized uses such as ATV, Snowmobile Trails, etc. or routine maintenance of such trails
- Administrative costs related to the property development or rehabilitation
- Design or development for motorized uses such as ATV, Snowmobile trails, etc.
- Routine maintenance of trails

### **4.1.3 Administrative Guidelines**

The maximum Grant Award for a Park and Recreation Facilities or Development Project will be \$25,000.

The applicant shall provide a management plan establishing expectations for the operations and maintenance of the new facilities and/or rehabilitated facilities and/or trails,

The applicant must demonstrate control of the property that will be developed, rehabilitated or for which a Site Development Drawing will be completed. Property that is not owned by a Fee Simple Deed must be controlled through a permanent easement, deed restriction, long-term right of way or long-term lease agreement (minimum of 25 years) to protect facilities for their useful lifetime. All facilities and property funded through this Program must be accessible to the public for uses consistent with the purposes for which it was acquired. The permanent easement, deed restriction, long-term right of way or long-term agreement shall be in place prior to the application being filed.

The Grantee assumes liability for all work in this project and can best protect itself by using design criteria, construction techniques, and materials that are in accordance with accepted standards for the work to be completed,

The Grantee shall ensure that, throughout its useful life, the site is:

- Maintained properly and in accordance with applicable state and local requirements,
- Held in reasonable repair so as to prevent undue deterioration and dangerous conditions and to encourage public use, and
- Held open and accessible to the public at reasonable hours and times of the year consistent with the nature and intended use of the site. The term “site” refers to the properties and facilities, including any portion which was designed, engineered, planned, acquired, rehabilitated, or developed under this Grant Agreement. The Grantees responsibilities under this Grant Agreement with respect to the site continue beyond the Grant Agreement period.

All applicants must provide documentation of trail access, either through the means of acquisition, access easements or rights-of-ways, or long-term easements with the application to the program.

The applicant shall develop a trail management plan establishing expectations for the operation, maintenance and security of the trail. Trails shall be maintained to be safe and usable. All sensitive areas (wetlands, seeps, etc.) shall be avoided so as not to impact these resources. Applicants are encouraged to use Sustainable Trail Design.

### **4.1.4 Ranking Guidelines for Park and Recreation Facilities or Development Projects**

- Park and Recreation Facilities or Development Projects require a 50% minimum Match
- Park and Recreation Projects which are upgrades or renovations to an existing Park or Recreation Facility require a 70% minimum Match
- Maximum Grant award is \$25,000

- See Appendix “B6” for Park and Recreation Facilities or Development Project Ranking Criteria, which outlines the point values given to the eight (8) ranking categories below:
  1. The highest priority shall be given to an applicant who has already secured direct cash match for their project,
  2. Priority ranking shall be given to those applicants supplying a higher percentage match,
  3. Multiple Active Use Projects (ie all uses are Active Uses) shall receive the highest ranking. Active Single Use Park or Trail Projects shall receive the next highest ranking. Passive Use or Educational Use shall be ranked higher than Site Development Projects.
  4. Projects submitted shall be ranked according to level of public access,
  5. Projects utilizing Multi-Municipal participation shall be ranked higher than Multiple-Partner participation or Single Entity application. All participating partners shall be required to contribute a minimum of five percent (5%) Cash Match (5% of the total Proposed Project Match) for any proposed project,
  6. Priority ranking shall be given to areas in the County with recreational deficiencies,
  7. A higher priority ranking shall be given to a new Project (whether within a new Facility or in an existing Facility) and a lower priority ranking will be given to a Project involving upgrading, replacing or renovating facilities, equipment, etc. within an existing Park or Trail,
  8. Projects utilizing Green Project initiatives shall receive a higher ranking.

## 4.2 Master Site Plan or Feasibility Study Projects

### 4.2.1 Eligible Projects

Planning Projects such as:

- Park or Trail Master Plans
- Feasibility Studies
- Planning Engineering and Site Design

### 4.2.2 Ineligible Projects

Administrative costs related to plan development.

### 4.2.3 Administrative Guidelines

There is a grant award cap of \$25,000 for Master Site Plan or Feasibility Study Projects, with no exceptions.

- Planning work and studies shall be conducted by qualified professionals, who have previously conducted such plans and studies. Plans or studies done by individuals not having proper qualifications will not be accepted.



- Design work shall be under the seal of a licensed professional who is authorized by Pennsylvania law to apply the seal. No value for drawings or specifications will be accepted for work or plans done by individuals not meeting these qualifications and licensure requirements,
- Designs shall integrate Universal Design strategies into the design process. The design work shall be under the seal of a licensed professional who is authorized by Pennsylvania law to apply the seal. No value for drawings or specifications will be accepted for work or plans done by individuals not meeting these qualifications and licensure requirements.

#### **4.2.4 Ranking Guidelines for Master Site Plans or Feasibility Study Projects**

A 70% minimum Match is required.

Maximum Grant Award is \$25,000

See Appendix “B7” for Master Site Plan or Feasibility Study Projects Ranking Criteria, which outline the point values given to five (5) ranking categories are listed below:

- The highest priority shall be given to an applicant who has already secured direct cash match for their project,
- Priority ranking shall be given to those applicants supplying a higher percentage match (70% is required),
- Projects utilizing Multi-Municipal participation shall be ranked higher than Multiple-Partner participation or Single Entity application. All participating partners shall be required to contribute a minimum of five percent (5%) Cash Match (5% of the total Proposed Project Match) for any proposed project,
- Priority ranking shall be given to areas in the County with recreational deficiencies,
- Priority ranking shall be given to a Park or Trail Master Plan or Planning, Engineering and Site Design Project which shall rank higher than a Feasibility Study Project.

## **5. THE APPLICATION PROCESS**

Applicants shall comply with all components of the application process in order to be eligible for funding. There are no application fees. The applicant shall refer to the appropriate Program Applicant Procedural Checklist (“Applicant Procedural Checklist”) to ensure that its application is complete. (See: Appendix “A1a” or “A1b” depending on the type of Project).

### **5.1 Mandatory Pre-Application Meeting**

Applicants shall schedule a mandatory pre-application meeting with the Program Coordinator or a member(s) of the Technical Sub-Committee, as designated by the Program Coordinator, to discuss the

Scope of Work and intent of the proposed project to ensure that it is an eligible project before submitting an application (Please refer to Sections 3 and 4 for Project Eligibility). This will ensure that all parties are fully aware of the project requirements and administrative procedures before any work begins, or expenses are incurred.

- Pre-application meetings shall be scheduled no less than ten (10) days prior to the grant application deadline.
- The Mandatory Pre-Application Meeting Form (See: Appendix “A2”) which includes a general Scope of Work, as well as Section I of the Application Form (See: Appendix “A5”), shall be completed to the best of the applicant’s ability prior to this meeting. A locational map of the property shall be included with these forms. Please refer to Section 5.2.4: Available GIS Data, for information on how to obtain a locational map.
- Additional requirements may be imposed by the Committee or other funding entity, which shall be incorporated in the final, approved Scope of Work.
- After the pre-application meeting, the proposed project will be reviewed by the Comprehensive Planning Division of the Adams County Office of Planning and Development for consistency with the Adams County Vision for Parks, Recreation and Open Space Study, the Adams County Greenways Plan and any other pertinent county plans or policies, as well as a Municipalities Recreation Plan if one exists.
- In the event that the proposed project is not consistent with the above mentioned studies, plans or policies, the project will be deemed ineligible for Program funding.

## 5.2 General Information

The Program’s general timeline is set forth in Section 1, Introduction. Applicants shall use the most recently updated Program Application Form Sections I and II (“Application Form”) (See: Appendix “A5-A7”). Please note there are two different Section II’s depending on your Project – one for Conservation Easements or Land Acquisition Projects and one for Park and Recreation Projects. Applications may be secured by contacting the Adams County Office of Planning and Development at (717) 337-9824 or via the County website.

The Adams County Parks, Recreation and Green Space Grant Program Fund (“Program Fund”) shall be announced as funds are available and allocated by the ACC.

When a project is approved and the Grant Agreement has been fully executed, monies shall be held in escrow until the required completion date of the project, unless an extension for the completion of the project is requested and granted. To request an extension, see Section 8.3, Project Extension Request.

### 5.2.1 Preservation Methods and Land Ownership

All interests in land acquired through this Program shall be acquired via a Conservation Easement or through a Land Acquisition resulting in a Fee Simple Deed which shall outline provisions and restrictions as agreed upon.

Program funds cannot be used to acquire lands subject to an eminent domain proceeding or land required for dedication through a land development process.

Grants shall be made to purchase Conservation Easements or Land Acquisitions resulting in a Fee Simple Deed that are appropriately priced. The applicant may consider bargain sales, installment purchases or other legal and financial mechanisms. A life estate may be granted, but shall need to be considered in the appraisal and purchase process.

All Conservation Easements or Land Acquisitions resulting in a Fee Simple Deed purchased through this Program shall be owned by or be held by a municipality, a qualified not-for-profit organization or an appropriate party. A letter of intent is needed from such entity and shall be submitted with the Application.

The County of Adams may hold Agricultural Land Conservation Easements acquired through this Program.

The County of Adams will not hold or own Conservation Easements or Fee Simple Deeds for the following:

- Open Space
- Parkland
- Active or Passive Recreational Land
- Land for Trails
- Historical or Cultural Resources

### **5.2.2 Use of Land**

By submitting the application, the applicant acknowledges and agrees that all Conservation Easements and Fee Simple Deeds resulting from a Land Acquisition Project purchased with Program funds shall be encumbered with and by the Program's perpetual covenants, conditions and restrictions, so as to prohibit any change in use inconsistent with the uses approved by the County.

When Public access is being considered, the exact nature of the public access shall be provided to the Committee when the application is filed. (Please refer to Sections 3 and 4)

### **5.2.3 Stewardship Matters**

Each application shall describe how the applicant shall maintain and monitor the Conservation Easement or Fee Simple Deed.

Generally, a Stewardship Endowment shall be required for any Conservation Easement or Fee Simple Deed purchased with Program funds. The applicant must demonstrate how they shall fund the Stewardship of the Conservation Easement or Fee Simple Deed including the source(s) of the Stewardship Endowment, and the manner in which the adequacy of such Stewardship Endowment shall be assured and maintained.

The application shall also set forth the entity, which may be the applicant, assigned to monitor compliance with the Conservation Easement and/or maintain the Fee Simple Deed.

Each project shall require a different level of Stewardship, which shall be determined on a case-by-case basis, and shall be specifically set forth in the Conservation Easement, Fee Simple Deed or Management Plan, as the case may be.

Typically, these stewardship activities involve maintaining compliance with all applicable regulations and restrictions, covenants, conditions or permitted uses, monitoring the property on an annual basis for consistent and inconsistent property uses and enforcement of those restrictions.

- Land Acquisition Projects resulting in a Fee Simple Deed - Stewardship activities for a Land Acquisition Project resulting in a Fee Simple Deed may, as determined by the County on a case-by-case basis, also include: payment of all applicable taxes and fees, maintaining adequate and proper liability insurance, maintaining or increasing public access, creating standards for improvements, the preservation or enhancement of resources and establishing or budgeting permanent funds for such activities.
- Open Space Projects - resource management issues associated with the property's significant natural features shall be addressed, including how the applicant intends to address the resource management issues, noting any plans that have been initiated for the management, preservation or protection of the property's resources.
- Park and Recreation Projects - if a project is to maintain its value to the community it must be maintained beyond the Project Agreement period. Since Stewardship is an essential element of any Parks and Recreation program, a management plan must be included within the application describing how the property, facility or trail is to be managed including a description of how the project will be overseen, how the completed project area will be managed, operated and maintained. Budget plans regarding funding the long term operation and maintenance of the project must be included in the narrative. A successful grant applicant will be contractually bound to the County to maintain the Project improvements for a minimum of 25 years.

#### **5.2.4 Available GIS Data**

Adams County shall make the following GIS data available free of charge to each applicant:

- Locational Map (Tax Parcel Map)
- Geology
- Woodlands
- Steep Slopes
- Natural Area Inventory
- Hydrology, Floodplains and Streams
- Wetlands
- Soils
- Protected Lands Map
- Agriculture Preservation Priority Map
- Agricultural Security Areas
- Roads
- Municipal Boundaries
- Historical Site Survey

Contact the Adams County Office of Planning and Development. A minimum two-week turn-around time is required for the production of GIS data.

### 5.3 Project Description – Scope of Work

The applicant shall provide a detailed description of the proposed project, which, at a minimum, demonstrates how the project is consistent with the objectives of the Program. If a Multi-Municipal Project, each Municipality's involvement shall be clearly outlined within the Scope of Work.

A detailed Scope of Work which shall include, without limitation, an estimated timeline or project schedule, project tasks detailing the description of the specific services to be performed, deliverables, and final products and an itemized budget to include the fee for each major task, work product and deliverable.

If required, an Exhibit "A" (which, in final form, would be incorporated into the final Deed of Easement or Fee Simple Deed when applicable) shall be attached to the Application and shall be presented in draft form at the Mandatory Pre-Application Meeting.

### 5.4 Eligible Project Costs

The following costs shall be eligible under this Program:

- Funds for the purchase of a Conservation Easement
- Funds for the purchase of a Land Acquisition Project resulting in a Fee Simple Deed
- Labor, materials and construction work for park, trail and greenway development
- Equipment and capital purchases for Park and Recreation Facilities or Development Projects
- Professional planning consultant fees for Park and Recreation Facilities or Development Projects

### 5.5 Ineligible Project Costs

The following costs shall not be eligible under this Program:

- Grant preparation costs
- Project administration, overhead and staff costs of applicant
- Rental or meeting facilities and costs
- Facility general maintenance costs and costs of equipment such as tractors, mowers, etc.
- Advertising costs

## 5.6 Eligible Project Match

### 5.6.1 Land - Conservation Easements or Land Acquisition Projects resulting in a Fee Simple Deed

Match may include funds generated internally by the applicant, grant funds from state and federal agencies, donated land value or Conservation Easement value, funds from funding partners such as public or private organizations and foundations, and similar sources of funds.

Documentation and proof of secured match funding or an application for the non-secured match funding shall be provided at time of application.

In-Kind contributions shall not be considered as an eligible match for a Conservation Easement or Land Acquisition resulting in a Fee Simple Deed; however, they may be considered as an eligible match on a case by case basis for Parks, Recreation Facilities or Trail Development projects (See: Section 5.6.2);

If the applicant is applying for match funding, the deadline for project completion will be three years from the date of Grant Award to implementation and completion of the proposed project; however, an extension may be requested. See Section 8.3 Project Extension Request.

The following eligible Project expenses (up to \$5,000), although not reimbursable, may be considered part of the required Match for the County grant:

- Legal fees, in connection with the Conservation Easement or Land Acquisition
- Appraisals (Note: at the discretion of the Technical Sub-Committee, appraisals may not be required for existing nature preserves or existing Parkland or recreational land)
- Boundary survey
- Title search
- Title insurance
- Stewardship Endowment

All components of the required Match shall be documented and/or specifically set forth in and upon the HUD-1 Settlement Statement, prepared in connection with the purchase of the Conservation Easement or Fee Simple Deed.

### 5.6.2 Park and Recreation Facilities or Trail Development

Match may be either cash or eligible In-Kind value.

Documentation and proof of secured match funding or an application for the non-secured match funding shall be provided at time of application. A grant agreement for the County funds will not be signed until proof of matching funds is secured by the applicant.

Cash match may include funds generated internally by the applicant, grant funds from state and federal agencies and/or funds from funding partners such as public or private organizations and foundations, and similar sources of funds;

In-Kind value may include limited in-house services, donated professional services, donated equipment use and/or volunteer labor. Volunteer labor costs shall be valued using the most current standards for “Value of Volunteer Time” for Pennsylvania. Eligible In-Kind match will need to be documented and approved on a case by case basis and must be directly related to performing the official Scope of Work. Example: In-Kind match cannot include routine maintenance such as a roof replacement, etc.

In order to determine required Match eligibility as noted below for Parks and Recreation Projects, complete Section II of the Application Form (See: Appendix “A7”) to document the source of such match.

### 5.6.3 Required Match

#### Land Projects (No limit on Grant Amount)

Project Type	Required Minimum Match	Cash	In-Kind	Land or Easement Value Donation
<b>Conservation Easement Purchase or Land Acquisition Project</b> (Ag Preservation, Open Space Preservation, Historic Land Preservation or New Land for Parks or Trails)	50% (Single Applicant) 40% (Multiple Applicants)	X		X
<b>Easement Acquisition on <u>Existing</u> Parkland, Recreational Land or Land for Trails Project</b>	70% (Single Applicant) 60% (Multiple Applicants)	X		X

#### Park and Recreation Projects (Maximum Grant Available is \$25,000)

Project Type	Required Minimum Match	Cash	In-Kind
<b>Park and Recreation Facilities or Development Project</b> (whether a <b>new project in an existing park</b> or a <b>completely new park or trail</b> )	50%	X	X
<b>Upgrading, Replacing or Renovating Existing Facilities</b>	70%	X	X
<b>Master Site Plan or Feasibility Study</b>	70%	X	X

**\*\* For assistance in calculating the Required Match, please contact Coordinator \*\***

## 5.7 Price of Land – Appraisal Process

Following the required **Mandatory Pre-Application Meeting, and after the applicant has been notified that the Project has been approved for a grant request** an application may be submitted and shall be accompanied by a self-contained appraisal report prepared by a Pennsylvania Certified General Real Estate Appraiser for each property.

Appraisals shall be required for both Conservation Easement and Land Acquisition Projects; however, at the discretion of the Technical Sub-Committee, appraisals may not be required for existing nature preserves or existing Parkland or recreational land.

The scope of the appraisal shall be determined relative to each specific project application. Appraisals shall be full narrative reports prepared in accordance with the Uniform Standards for Professional Appraisal Practice. The report shall be prepared in sufficient detail with full documentation to justify to the Program that the applicant is paying no more than the fair market value for the Conservation Easement or Land Acquisition Project. **The appraisal report shall separate out the value of substantial improvements on the land.**

The Committee reserves the right to review the applicant’s appraisal and/or perform an independent appraisal of the property at the County’s own expense. If an applicant purchases a Conservation Easement or Fee Simple Deed as a result of a Land Acquisition Project at a price in excess of the appraised value of the Conservation Easement or Land Acquisition Project as accepted by the Committee, the grant shall be based on the appraised value, not on the purchase price.

No part of the purchase price for the Project, or closing expenses related thereto, shall be borrowed, and no purchase money liens may be created or imposed upon the real estate, unless all such liens are subordinated, as a matter of record, to the Conservation Easement or the covenants, conditions, restrictions and permitted uses set forth in the Fee Simple Deed. This provision shall not be construed to prohibit the use of grant funds obtained from the United States of America or the Commonwealth of Pennsylvania for the acquisition of the Project real estate or Conservation Easement, and the imposition



of any related deed restrictions required by the Commonwealth in connection therewith shall not be considered to be a lien prohibited by this Paragraph.

## 5.8 Application Review Process and Review Criteria

Prior to submission of the application to the Committee, the Program Coordinator and Technical Subcommittee shall review the application for completion and eligibility. Please refer to the Grant Application Checklist (See: Appendix "A3"). Applicants shall be contacted with any questions or clarifications regarding the application. A site visit of the proposed project site may be scheduled at this time. The review process shall be outlined and deadlines shall be announced with each application cycle. The review process will take approximately three (3) months before grants are approved.

The Program Coordinator shall confirm the following criteria:

- Eligibility of the proposed project;
- Financial feasibility of the proposed project in terms of identifying and accurately estimating the project cost and the ability of the applicant to provide the required Match;
- Consistency of the project with the overall intent and requirements of the Program;
- Compliance with officially adopted comprehensive municipal, multi-municipal or county comprehensive plans;
- Benefits of the project to the implementing community and county as a whole;
- Degree to which a site is determined to have significant resources and includes a management plan for those resources;
- Detailed Scope of Work for all Projects, specifically noting, without limitation, if applicable, a timeline regarding public access.

Eligible applications shall then be submitted to the Committee for project ranking. Ineligible applications shall be returned to the applicant with an explanation as to why it was determined to be ineligible.

## 5.9 Project Ranking

The Program is a competitive grant program. Awards shall be made based upon a project's merit and consistency with the review criteria. The Program Coordinator, with assistance from the Technical Subcommittee, shall rank each project according to adopted ranking criteria previously approved by the Committee. These criteria, definitions and ranking worksheets are set forth in Appendix "B1-B7: Adams County Parks, Recreation and Green Space Grant Program Project Ranking Criteria. Rankings shall not be considered final, and grant awards shall not be recommended to the ACC prior to Committee review, approval and action.

## 5.10 Project Funding Recommendations

After all eligible Projects have been ranked funding recommendations shall be made by the Committee and forwarded to the ACC for approval. These recommendations are based on Project Ranking criteria and funding requests, as well as available Program funds.

The Committee may recommend changes to the allocation of these available funds among the various categories. Any funds not allocated to projects in any given application cycle shall revert back to the Program Fund and shall be re-allocated to future eligible projects.

Any funding approvals shall ultimately be made at the discretion of the ACC on a project-by-project basis. The ACC reserve the right to adjust the grant amount to be awarded for a Project.

## 6. GRANT AWARD PROCESS

### 6.1 Successful Applicants

Grant awards shall be publicly announced when Project Funding Recommendations are approved by the ACC.

#### 6.1.1 All Projects - Grant Agreement

All Successful applicants shall be notified in writing of a Grant Award.

A Grant Agreement (See: Appendix "C1"), shall be required for all projects receiving Program funds. A Grant Agreement will not be executed and no funds shall be dispersed until sufficient proof of match fund availability has been approved by the Coordinator. If matching funds are not secured within a three-year time period the applicant must reapply for the Grant.

Grantees of the Program shall comply with all applicable laws and regulations. It is ultimately the responsibility of the Grantee to meet local government ordinances and applicable laws of the Commonwealth and Federal Government.

It is the applicant's responsibility to be in compliance with all other granting entities they are involved with.

The Grant Agreement, when executed, shall identify the date the grant was awarded. If an extension beyond this expiration date is necessary, the grant applicant shall request an extension. (See: Section 8.3 Project Extension Request).

Once the applicant has their match funding in place, and the Grant Agreement has been executed by all parties, the applicant may then proceed with Project implementation as outlined in the Applicant Procedural Checklist (See: Appendix "A1").

The County reserves the right to make reasonable inspections and monitor the Grantee's performance under this Grant Agreement.

Timely completion of the Project and submission of required documents, including Project Progress Report Form (See: Appendix “D1”) and any other Final Reports when necessary, is expected. Failure to complete the Project as outlined in the Grant Agreement is a material breach of the Agreement. The responsibility for the implementation of the Project is solely that of the Grantee, as is the responsibility for any claim or suit of any nature by any third party related in any way to the Project.

### **6.1.2 Park and Recreation Facilities or Development Projects – Grant Awards**

The maximum Grant Award will be \$25,000

### **6.1.3 Master Site Plan or Site Design Projects – Grant Awards**

Master Site Plan or Site Design Projects have an award cap of \$25,000, no exceptions.

### **6.1.4 Grant Award Insurance Requirements**

All Conservation Easements and Land Acquisitions purchased with Grant funds awarded through this Program shall be insured by a title insurance company duly licensed by the Commonwealth of Pennsylvania.

## **6.2 Unsuccessful Applicants**

### **6.2.1 All Projects**

All Unsuccessful applicants shall be notified in writing, with an explanation as to why the application was not approved.

If an eligible project is not approved for funding, the applicant may reapply to the next Grant Application Cycle without submitting a new application form; however, the applicant shall schedule another Pre-Application meeting to review the application. The applicant may be required to provide additional documentation, which could include an appraisal update.

### **6.2.2 Municipal Applicant Projects**

Appraisal Reimbursement - As funds are available, an appraisal reimbursement may be granted as determined by the Committee and ACC for a one time reimbursement to assist Municipalities with the cost of an appraisal. This reimbursement shall not exceed \$2,000 or 50% of the total cost of the appraisal, whichever is lesser.

Previously successful applicants for this appraisal reimbursement may not apply for this reimbursement, as it is a one-time reimbursement per Municipality.

This reimbursement shall only be made available to Municipalities if the project is not funded.

If an applicant withdraws its application for any reason, potential eligibility for such reimbursement shall be forfeited.

To apply, applicants shall complete and submit an Appraisal Reimbursement Form within 15 days of receipt of written notification that an application was not approved (See: Appendix “A4”).

## **7. SPECIAL PROJECT GRANT AWARDS**

Special Project Grant Awards may be awarded outside of the current funding or application cycle if the Project significantly furthers the goals of the Program. (See: Section 1.3: Definitions). The Committee would, in narrative form, make a recommendation to the ACC outlining why this project should be eligible for a Special Project Grant funding. Funding decisions and Special Project Grant Awards shall ultimately be made at the discretion of the ACC.

## **8. PROJECT IMPLEMENTATION AND DISBURSEMENT OF GRANT FUNDS**

### **8.1 Land - Conservation Easement or Land Acquisition Projects**

#### **8.1.1 Project Implementation and Project Progress Reports**

During the period of time between the County’s execution of the Grant Agreement and the disbursement of the Grant funds, the Grantee must submit a Project Progress Report Form (See: Appendix “D1”) every six months to the Program Coordinator to update the County on the status of the project.

The County reserves the right to withhold Program funds or obtain reimbursement of the grant award should the Project not proceed to completion, in strict accordance with the Scope of Work and within the required timeframe.

#### **8.1.2 Disbursement of Grant Funds**

Grant funds shall be disbursed at settlement, provided that the applicant has complied with all Pre-Settlement Requirements set forth in the Applicant Procedural Checklist (See: Appendix “A1”).

The County shall not fund any portion of the Project in excess of the Grant, and any cost overruns shall be the sole responsibility of the Grantee.

The Grantee may not assign, sell, or transfer land or a Conservation Easement purchased with Grant funds without the prior written approval of the County, which such approval shall not be unreasonably held.

The County reserves the right to review its contribution and reduce the Grant amount accordingly if the cost of the Project is substantially lower than originally estimated in the Grant Application.

Grant funds may not be used to acquire any real estate interest, in whole or in part, by the exercise of the power of eminent domain. In the event that other governmental agencies or utility companies

having eminent domain powers acquire the property or a portion of the properties or acquire areas which would negatively affect acquisitions made under the Program, the Grantee shall acquire additional property(ies) at its expense, which is equal to or greater in value than the original Project (and the County shall review and approve all substitutions in this regard) or, alternatively, reimburse the County, on a pro rata basis, from the eminent domain proceeds for the diminution in the subject property's then-current value, which reimbursement shall be allocated to the Adams County Parks, Recreation and Green Space Grant Program Fund.

### **8.1.3 Pre-Settlement Requirements**

Review the Applicant Procedural Checklist (See: Appendix "A1a") under the section titled Pre-Settlement Requirements for all documents required to be submitted to the Program Coordinator prior to settlement.

Following completion of these Pre-Settlement Requirements, the Grantee shall submit the Pre-Settlement Report Form (See: Appendix "D2") to the Program Coordinator for approval.

The proposed final language for the Deed of Conservation Easement or Deed for Fee Simple Acquisition, as the case may be, shall be approved by the County Solicitor prior to scheduling settlement.

The Grantee shall submit the required Request for Disbursement of Grant Funds (See: Appendix "D4") to the Program Coordinator, in accordance with said Applicant Procedural Checklist (See: Appendix "A1a").

### **8.1.4 Post-Settlement Requirements**

Within ten (10) days following settlement, the Grantee shall submit the necessary documentation in compliance with the "Post-Settlement Requirements" as outlined in said Applicant Procedural Checklist (See: Appendix "A1").

Projects will be inspected annually. Please refer to Section 10 Annual Inspections.

## **8.2 Park and Recreation Projects**

### **8.2.1 Project Implementation and Project Progress Report**

During the period of time between the County's execution of the Grant Agreement and the disbursement of the Grant funds, the Grantee must submit a Project Progress Report Form (See: Appendix "D1") to the Program Coordinator every six months to update the County on the status of the project until the project is completed.

The County reserves the right to withhold Program funds or obtain reimbursement of the grant award should the Project not proceed to completion, in strict accordance with the Scope of Work and within the required timeframe.

The County reserves the right to review its contribution and reduce the Grant amount accordingly if the cost of the Project is substantially lower than originally estimated in the Grant Application.

The County will retain ten percent (10%) of the funds available under the Grant Agreement until the following have occurred:

- The Project activities have been concluded, and a Project Completion Inspection Report (See: Appendix “D5”) has been submitted to the Program Coordinator.
- The Project has been inspected and approved by the County;
- The Grantee has submitted the final payment request and all documentation required by the County. A copy of all invoices documenting any in-house or donated services shall be included as part of this documentation and identify the specific work products, services or deliverables completed; and
- The County has approved said request and documentation.

### **8.2.2 Disbursement of Grant Funds:**

No funds shall be released until sufficient proof of match fund availability has been approved by the Coordinator.

The Adams County Commissioners may issue payments to the Grantee once the Grant Agreement has been executed as follows:

- Advance Payment Request (See: Appendix “D6”), Request for advanced payment of funds should be based upon the estimate of funds required to meet current needs;
- Partial Payment Request (See: Appendix “D7”) Request for a partial payment shall be made only after the Grantee has received written approval of specific eligible project costs incurred;
- Final Payment Request (See: Appendix “D8”). Request for final payment of funds shall be contingent upon completion of the Project Scope of Work and adherence to all Program requirements including the submission and approval of the completed Project Completion Inspection Report. (See: Appendix “D5”)

In the event an overpayment is determined to have been made, the Grantee shall refund to the County the amount overpaid.

Grant funds shall be expended within a three (3) year time period from the date of the Grant Award by the ACC. Extensions may be requested. Please see Section 8.3 Project Extension Request.

### **8.2.3 Pre-Project Completion Requirements**

Review the Applicant Procedural Checklist (See: Appendix “A1b”) under section title Pre-Project Completion Requirements for all documents required to be submitted to the Program Coordinator prior to receiving final payment.

If the completed Project does not conform to the required project tasks and deliverables as outlined in the Scope of Work, the ACC reserves the right to grant an extension, refuse reimbursement to the applicant for the project or request reimbursement of any partial grant funding made previously.

The Grantee shall submit the required Request for Disbursement of Grant Funds (See: Appendix “D4”) to the Program Coordinator, in accordance with said Applicant Procedural Checklist.

Prior to the final payment, a Project Completion Inspection Report (See: Appendix “D5”) must be completed. A Representative of County Staff and a Representative of the Grantee shall conduct a Project Site Review and a Resource Implementation Schedule Report shall be completed to determine if the Project is in compliance with all Program Guideline requirements, including, without limitation, the approved Scope of Work.

The Project may not receive full grant funding until all components of the Scope of Work are fulfilled, including, without limitation, the public access component.

#### **8.2.4 Post-Project Completion Requirements**

Projects will be inspected annually. Please See Section 10 Annual Inspections.

### **8.3 Project Extension Request**

The Grant Agreement shall identify the expiration date of the grant.

If an extension beyond this expiration date is necessary, the grant applicant shall contact the Program Coordinator ten (10) days prior of the expiration date, and submit an Project Extension Request Form (See: Appendix “D3”).

Extensions may be granted on a case by case basis; however, time extensions shall not be granted for more than a 6 month period per request.

In the event that the ACC deny a project extension, and/or such project is not completed within the required timeframe, those monies shall revert back to the Program Fund and may be awarded to other projects.

## **9. VIOLATION OF GRANT AGREEMENT**

If a provision of the Grant Agreement is violated, the Grantee shall do one or both of the following as may be determined and required by the County:

1. Repay to the County the amount paid under this Grant Agreement; and/or
2. Replace the disposed or converted property/equipment with other property/equipment that is determined by the County to be equivalent to the original property.

## **10. ANNUAL INSPECTIONS**

Monitoring of all funded projects shall be conducted annually to ensure compliance with all applicable restrictions and requirements.

The Grantee's on-going obligations shall be in perpetuity and shall survive the completion/termination of this Project Agreement unless otherwise identified in the Agreement.

Completion of the required Annual Inspection Report (See: Appendix "A11") and keeping and updating essential records and files, which may include an inventory of the conservation values associated with the property, is essential to the stewardship of the property.