

Lancaster County Agricultural Preserve Board
Meeting Minutes
Thursday, January 24, 2019

Present: Mr. Jeffrey Frey, Chairman
Mr. H. Eugene Garber
Mr. Edward C. Goodhart III
Mr. Andrew Lehman
Mr. Roger Rohrer
Commissioner Dennis Stuckey
Mr. Matthew Young
Mr. Daniel Zimmerman

Absent: Mr. Gary Landis, Vice Chairman

Staff: Mr. Matthew Knepper, Director
Mr. Kevin Baer, Farmland Preservation Specialist
Ms. Noelle Fortna, Farmland Preservation Specialist
Ms. Jessica Graham, Farmland Preservation Specialist
Ms. June Mengel, Farmland Preservation Specialist

Guests: Jeb Musser, Director of Land Protection, Lancaster Farmland Trust

I. Call to Order

Mr. Jeffrey Frey called the meeting to order at 8:00 a.m.

II. Review of Mission Statement

Mr. H. Eugene Garber read *“To forever preserve the beautiful farmland and productive soils in Lancaster County and its agricultural heritage; and to create a healthy environment for the long-term sustainability of the agricultural economy and farming as a way of life.”*

III. Announcements

Executive Session: The Agricultural Preserve Board (also: APB and Board) met in Executive Session on January 24, 2019 to discuss real estate matters and potential litigation regarding the following matters: Hottenstein and Fryberger.

Mr. Knepper shared with the Board that Mr. Richard (Dick) Shellenberger passed away on Monday, January 21st. The Board shared fond memories of Mr. Shellenberger and all agreed that he was a true friend of agricultural preservation. While he was County Commissioner, he took a leadership role to ensure substantial funding for farmland preservation efforts in the County.

Mr. Garber shared that Mr. John Hess passed away after a skid loader accident on Friday evening, January 18th. Mr. Hess was a farmer in East Donegal Township and the same age as Mr. Shellenberger. Mr. Hess preserved two farms with the County in the earlier days of the program. His farms helped establish the growth area outside of Maytown.

Mr. Rohrer took a moment to remind the Board of the harsh reality that farming is the second most hazardous occupation after logging.

There was some discussion about how supportive the various County Commissioners have been towards the farmland preservation program over the years. Commissioner Stuckey commented that his fellow Commissioners are supportive of the program and he believes that the anticipated Republican candidates for Commissioner are also of the same mindset. He further stated that the way in which the County funds the program now is sustainable because cash on hand is utilized and money does not need to be borrowed.

Mr. Garber wondered if it would be appropriate for the Agricultural Preserve Board to reach out to the candidates to stress the over-riding success of the program and the need for continued support. Commissioner Stucky suggested waiting until after the primary elections are held and then perhaps invite the candidates to a Board Meeting, which are open to the public regardless.

Mr. Rohrer took a moment to thank Commissioner Lehman who serves on the Lancaster County Conservation District (District) and Commissioners Parson and Stuckey for finding money in the County's budget to help the District with a budget shortfall in 2019.

IV. Approval of Minutes

Motion to approve the December 20, 2018 meeting minutes made by Mr. Roger Rohrer and seconded by Mr. Andrew Lehman.

MOTION CARRIED UNANIMOUSLY

V. Business from Guests

On behalf of the Lancaster Farmland Trust, Mr. Jeb Musser thank the County Commissioners for the challenge grant that was approved in the 2019 Budget. The Lancaster Farmland Trust continues to be grateful for the funding and the support of the County.

VI. Old Business.

- **NO OLD BUSINESS**

VII. New Business

- **NO NEW BUSINESS**

A. Request for Subdivision/Land Development –

- **NO REQUESTS FOR SUBDIVISION OR LAND DEVELOPMENT**

B. Request for Rural Enterprise –

- **NO REQUESTS FOR RURAL ENTERPRISE**

C. 2019 Funding

Mr. Knepper reported the following:

New County Funds = \$1,500,000.00

Clean and Green Rollback = \$100,018.35

Municipal Revenue = \$135,850.00

Prepaid IPA Interest = \$24,771.00

The total amount funds for County Certification = \$1,760,639.35

The County Commissioners also awarded \$250,000.00 (Act 13) funds for the grant to the Lancaster Farmland Trust.

Mr. Knepper reminded the Board that while this funding is being certified for the State match, it will not be available for expenditure until 2020. The Board runs a year behind on when the funds are put forth for a match and when they can actually be utilized for agricultural conservation easement purchases.

Mr. Knepper stated that while he wouldn't turn down additional funding for the program, he is thankful for the level of funding. It would be a challenge to try to spend down \$8 million, as in the mid 2000's and also provide sound levels of stewardship of the almost 1,000 preserved farms. If the program were to see a substantial increase in funding for easement acquisitions, the structure of office would have to be evaluated.

Mr. Zimmerman announced that a long-term sustainable funding source must be identified. As has become apparent, the County contribution will decline, albeit has been holding steady. He acknowledged that he understands why the Commissioners are funding the program as they are; however, only a 1/3 of the farms are being preserved that were in the past and the applications have held steady at right around 200. Townships need to participate and a dedicated revenue source must be developed.

Mr. Goodhart said that he believes that one of the more challenging aspects to securing Township support is the high rate of turnover of elected officials at the local level. It's an on-going process of educating and re-educating.

Some take home messages from the discussion:

- Agricultural preservation is just as critical as it always has been for all the same reasons, including but not limited to: food production, water quality and infrastructure costs to the public.
- Farmland preservation is still popular and supported by the general public
- Purchasing Agricultural Conservation Easements will not get cheaper as time passes
- While funding has been steady and the County leadership is to be commended, it is not enough to address the need or the interest
- Townships need to be encouraged to participate, they need to understand the longer term benefit (infrastructure, MS4, etc.)
- Dedicated source of funding needs to be identified.

D. Conservation Plan Discussion

Mr. Knepper reminded the Board of a directive given to staff many months ago: to provide a mechanism by which applicants to the program would have some level of conservation practices in place prior to the permanent preservation of the farm.

As background, Mr. Knepper explained that applicants receive extra points in the ranking system if they submit a copy of their Conservation Plan (Plan.) Prior to preservation, the property owner must sign a Conservation Plan Agreement and must demonstrate that they have a Plan for the property. However, there is no mechanism or review to verify that the Plan is actually being implemented. Presently, the Board requires verification of implementation of a conservation plan if the landowner makes a request of the Board for permission to do something, such as a subdivision or a rural enterprise. If a landowner does not have a Plan and/or is not following a Plan, the only recourse the Board has is to file suit.

For the Board's consideration, staff is proposing:

- Minimum criteria for an easement application to be accepted, the property owner must submit a copy of the his/her Plan.
- If the landowner would like to receive additional points, he/she at their own expense, may also submit a "verification of implementation of conservation practices."
- Prior to preservation, after the appraisal has been initiated, it must be confirmed that a landowner's Plan is being implemented according to the schedule outlined in his/her Plan.
- In an exercise to evaluate what the ramifications of these proposed changes may have, Team Ag will be asked to perform verifications on the top 10 – 15 ranked farms that will be pursuing preservation, or alternatively, the top farms from the 2017 round could be evaluated.

Mr. Zimmerman again asked if this process could somehow be dovetailed into all the other efforts occurring throughout the region, so that Townships and the Conservation District and the Department of Environmental Protection (DEP) would not have to duplicate the same exercise?

Mr. Knepper said that he has been in touch with Steve Tagland of DEP and Chris Thompson of the Lancaster County Conservation District to discuss the possibility of information sharing, with the landowner's permission. At this juncture DEP would like to make their database of conservation practices, "Practice Keeper" available to consultants but it is not yet at that stage. Mr. Knepper said that the goal is to document the information from visits and if the landowner is agreeable, make it available in some form to other agencies to hopefully eliminate duplication of visits, etc.

The Board expressed support of this proposal and the exercise of having Team Ag do a "test-run" on the top-ranking farms to determine impacts.

At this point, Mr. Knepper suggested that any farms that are preserved by the Lancaster Farmland Trust that utilize the County's grant funds should be required to have a Conservation Plan and should have similar language incorporated into their Agricultural Conservation Easement document. In this manner, the Lancaster Farmland Trust farms that are preserved with County funds would have to meet the same standard as those preserved by the County. This concept seems logical. Mr. Musser indicated that Lancaster Farmland Trust is in agreement with this suggestion.

Motion to recommend to the County Commissioners that it be a requirement that any farms preserved with County grants funds have a Conservation Plan in place prior to preservation. And, their Conservation Easement document should have similar language to that incorporated in the County's Agricultural Easement document addressing Soil and Water Conservation. This motion was made by Mr. Roger Rohrer and seconded by Mr. Edward C Goodhart.

MOTION CARRIED UNANIMOUSLY

E. 2018 Year in Review

Mr. Knepper presented a spreadsheet to the Board which outlined those farms approved for preservation by the County Commissioners in 2018. Highlights are:

- Easement Acres = 1,751
- Average Purchase Price = \$3,300/acre
- More State funded acquisitions than County in 2018
- Excellent return on investment = over \$6 million of investment in easement purchase total with less than 20% of that being a County funds.

VIII. Adjourn

The meeting adjourned at 9:30 a.m.

The next scheduled meeting of the Agricultural Preserve Board

Thursday, February 28, 2019, at 8:00 a.m.

Lancaster County Government Center

150 North Queen Street, Room 104

Lancaster, Pennsylvania 17603