

**CUMBERLAND COUNTY
AGRICULTURAL LAND PRESERVATION BOARD
MEETING MINUTES**

April 13, 2016

7:30 AM

Call to Order

The April 13, 2016 meeting of the Cumberland County Agricultural Land Preservation Board was held in Conference Room B, Cumberland County Service Center, 310 Allen Road, Carlisle, PA. Attendees included:

Present

Board members – Diane Stamy, Richard Leatham, Gary Martin, Boyd Weary, Denny McCullough

Advisory members – Commissioner Jim Hertzler, Dave Swartz

Staff members – Solicitor Rob Frey, Stephanie Williams, Kirk Stoner and BarbaraSue Hershey

Guests - None

Absent – Adam Dellinger, Kingsley Blasco

The meeting was called to order by Boyd Weary, Chairman, at 7:35 AM.

Board and Staff List

Boyd Weary asked everyone to review the board member and staff contact listings enclosed in the packet. Notify BarbaraSue Hershey if there are any changes.

Approval of Minutes

Diane Stamy requested a change be made to page 2 in the paragraph Stamy – Bargain Sale Offer, change the word “where” to “were”. Richard Leatham made a motion to approve the February 17, 2016 meeting minutes with the change, seconded by Denny McCullough. The vote was unanimous.

Public Comment

Jim Hertzler wanted to notify the board members that Boyd Weary’s appointment as Chairman of this committee was unanimous by all Board of Commissioners.

Communications

Stephanie Williams provided a copy of the agenda for the PFPA (Pennsylvania Farmland Preservation Association) spring meeting that she plans to attend in State College on May 18th. If anyone is interested in attending, please contact staff.

Stephanie noted that everyone was given a copy of the Cumberland County Planning Commission and Agriculture Land Preservation Board Annual Report. Please review at your leisure; it does a nice job at summarizing activities of the Planning Department, Planning Commission and Agriculture Preservation Board.

Solicitor's Report

None

Old Business

Status Update of 2014-2015 Farms / Piper Request

Stephanie Williams indicated that staff was able to close on 6 of the 8, 2014 farms. Deitch and Lebo should close in the spring.

Stephanie's goal is to have all the 2015 farms that are going to be State/County easements go to State Board by October. Her plan is to work towards two in June, two in August and two in October in order to spread out the workload.

Stephanie stated that she intends to process the small (14 acres) Stamy tract as County only and plans to settle in the spring. By processing at the county level it takes approximately six months off of the process and streamlines the paperwork.

Stephanie referred to a request in the packet regarding the Piper farm that underwent surveying this past winter. There was a need to look at surveying out the area to be excluded for a potential trail easement, as Cumberland Valley Greenway runs directly through the middle of their property.

Mr. Piper requested two additional exclusions from the easement, in the event there were issues in the future such as septic failure, etc.

- Approximately 1.5 acres around the existing Notz property along Kerrsville Road
- Approximately .4 acres along Clay Road between 2 existing homes

Stephanie noted that any additional costs to the surveyor would be at Mr. Piper's expense; she also informed the Board that this would not have an effect on the Piper's ranking. Staff opinion is that the additional exclusions are not detrimental to the agriculture easement.

Denny McCullough made a motion to accept the changes to the Piper application, seconded by Diane Stamy. The vote was unanimous.

PPL Cancellation

Stephanie Williams received notification from PPL in March that the proposed Williams Grove-Carlisle transmission line has been cancelled and PPL plans to reevaluate their needs and options for the future. However, the Williams Grove-Mechanicsburg project has not been cancelled, which will cross the Ruppert and Strock farms. The Strock farm is a federal easement where the language regarding utility right-of-ways is more stringent.

Stephanie updated the Board on a meeting with NRCS two weeks ago regarding the Strock farm. NRCS has requested that PPL justify the project, showing their analysis that they looked at other routes. All information is to be submitted to NRCS for their local review and then sent to their national office for their review. The anticipation is that this will take approximately three months before there is any kind of review and determination by NRCS. Stephanie announced that she be meeting with the Department of Agriculture regarding the use of ALCAB

(Agricultural Land Condemnation Approval Board) and what applicability it may have here or to some of the other right-of-way projects within the county. Stephanie indicated that it is the utilities responsibility to notify ALCAB that there is an issue for them to hear.

Sunoco Donation

Stephanie Williams indicated that we received a donation of \$35,000 from Sunoco. The donation was based on actual value of right-of-way granted on the Mary Deitch and Donald Strock properties where the Sunoco line will come through. This included both permanent and construction right-of-way. Those funds were certified to the State for 2016 to which we will be receiving matching funds. Sunoco is making similar donations statewide for all counties that they come through.

3/30/2016 Meeting with Congressman Scott Perry

Stephanie Williams reported to the Board that the County Board of Commissioners organized a meeting with Congressman Perry to discuss a number of federal programs. The Farmland Preservation program was one of the topics that Commissioner Hertzler requested on the agenda; this was a quick opportunity to express their appreciation for the program and relay some of the concerns with the program and encourage additional funding for future Farm bills.

New Business

Hoover-Rural Enterprise Request

Stephanie Williams reviewed a request from Curvin Hoover who is located in North Newton Township. Curvin M. Hoover submitted an application for rural enterprise to permit repair of agriculture equipment on his preserved farm. The enterprise will be conducted in an existing agriculture building (old chicken barn), encompassing approximately 4,032 square feet of floor space. The enterprise will be operated by the owner and Mr. Hoover will employ one employee, a family member. Hours of operation will be 8:00-5:30 Monday-Friday or by appointment. The applicant is seeking conditional use approval for the operation from the Township.

Stephanie reviewed the Evaluation Criteria per Section 208.B.3 of the Program Guidelines. Applications for rural enterprises shall be evaluated with the following criteria:

1. The rural enterprise shall remain incidental to the agricultural use and open space character of the farm; *Response* – The enterprise will be conducted within the existing building and curtilage and will not entail any new construction.
2. The location of the rural enterprise and improvements will not harm the economic viability of the preserved farm for agricultural production. *Response* – The enterprise will be conducted within the existing building and curtilage and is intended to help support the agricultural operation by supplementing the existing farm income.
3. The location of the rural enterprise and improvements shall be sited in a manner that protects the prime, unique, and important soils of the tract to the greatest extent practicable. *Response* - The enterprise will be conducted within the existing building and curtilage and will not involve any new improvements or disturbance of prime soils.

There was general discussion on the evaluation criteria. Board members expressed concern that over time the operation could expand beyond what is stated in the application.

Diane Stamy made a motion to approve the rural enterprise request for the agriculture equipment repair business, as presented. Approval is based solely on the uses that are in the application and if there are any changes or expansion in the operation of the facility, applicant will need to seek additional approval, seconded by Denny McCullough. The vote was unanimous.

2016 Ranking

Stephanie Williams indicated that Diane Stamy will excuse herself and abstain from voting since she has an application in the 2016 ranking. Stephanie gave a quick summary of applications received; 30 applications of which 18 were from last year and 12 new applications. Total they cover about 3,200 acres of farmland and represent 14 municipalities. In 2015, there were 26 applications covering 2,700 acres.

Stephanie reviewed the following items:

- Ranking criteria - 40% soils, 10% development potential, 20% farmland potential, 30% cluster potential
- Ranking map
- Ranking table without names
- 2016 Budget - Total funds for easement purchase = \$2,077,391

Stephanie presented the Committee's recommendations to select farms #1 – #5 for appraisal consideration to the Board. The budget for 2016 is \$2,077,391, which is estimated to cover the top 5 farms with some funds remaining. Once appraisals come back and offers have been finalized, the county will have the opportunity to extend additional offers and/or consider bargain sale opportunities as done in the past. Stephanie noted there may be federal funds in the future; however, it is too soon to factor those into the equation.

- Farm #1, Central Valley Farms, West Pennsboro, 153 acres
- Farm #2, John & Diane Stamy, Monroe, 77 acres
- Farm #3, Donald & Jamie Jones, West Pennsboro, 119 acres
- Farm #4, Lester & Lori Wenger, Southampton, 145 acres
- Farm #5, Earl & Marlene Lebo, Monroe, 10 acres
 - Total = 504 acres

Richard Leatham commended Stephanie for her effort and due diligence in compiling the information, making it easier for the committee to review and make a determination.

Stephanie informed the Board the next step is to authorize selections, notify the applicants that their farm has been selected at which point they have thirty days to decide whether or not they want to proceed; if they want to proceed they will need to submit an appraisal deposit of \$2,000 to cover the cost of the appraisal and a portion of the survey costs. If they proceed to settlement their \$2000 deposit will be returned to them, if not we keep the deposit to cover our costs.

Denny McCullough made a motion to accept the farms ranked #1 - #5, seconded Gary Martin. The vote was unanimous with one abstention (Diane Stamy).

Other Business

- Dave Swartz announced that Kirk Stoner and the Planning Department are assisting Monroe Township with their Comprehensive Plan update. Dave stated he was also involved, providing them with information regarding agriculture within the county and township.
- Kirk Stoner explained the new County Pay for Performance (P4P) Program which involves setting goals and objectives with staff and tracking those. Kirk stated that in the future he would like to get input from the Agriculture Land Preservation Board regarding Stephanie Williams and BarbaraSue Hershey's performance.

The next regular meeting of the Agricultural Land Preservation Board will be held on Wednesday, May 11, 2016 at 7:30 am at 310 Allen Road, Conference Room B.

The meeting was adjourned at 8:45am with a motion from Richard Leatham and seconded by Denny McCullough.

Respectfully submitted,

BarbaraSue Hershey
Administrative Coordinator