

Greene County Farmland Preservation  
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GREENE COUNTY FARMLAND PRESERVATION  
MINUTES  
DECEMBER 15, 2010

I. CALL TO ORDER AND INTRODUCTION OF GUESTS

The meeting was called to order by Chairman Bill Cree at 1:25 p.m. at Hot Rod's House of Barbeque, 46 South Morris Street, Waynesburg, Pennsylvania. Those present were Bill Cree, Chairman; Dave Shipman, Vice Chairman; Rick Thistlethwaite, Treasurer; Charlie Day, Secretary; Archie Trader, Commissioner; Corbly Orndorff, Director; Jim Willis, Director; Lisa Snider, District Manager, Greene County Conservation District; and Laurel Rush, Ag Technician, Greene County Conservation District.

II. PUBLIC COMMENTS

There were no Public Comments.

III. APPROVAL OF MINUTES

**A motion was made by Dave Shipman to approve the Minutes of the November 17<sup>th</sup> meeting. Jim Willis seconded. (Motion Passed)**

IV. TREASURER'S REPORT

Treasurer Rick Thistlethwaite presented the Treasurer's Report as follows:

Checking Account - \$5,024.25

Easement Funds - \$96,794.00, which includes the county and state contributions.

**A motion was made by Corbly Orndorff to accept the Treasurer's Report as presented. Charlie Day seconded. (Motion Passed)**

V. CORRESPONDENCE

- a. Laurel presented information and distributed correspondence covering the items discussed at the last Farmland Preservation State Board meeting, including a summary of easements by county (attached). Pennsylvania leads the nation in the number of farms and the acres preserved; in 22 years 4,096 farms comprising 444,647 acres have been preserved. A press release regarding some of the farms that were recently preserved and a schedule of the 2011 State Agricultural Land Preservation Board meetings was included with the reminder that the meetings are open to the public.

- b. Correspondence was presented from Doug Wolfgang, Executive Director of the Bureau of Farmland Preservation of the Pennsylvania Department of Agriculture, regarding proposed federal "Estate Tax Relief". He is urging everyone to contact their congressional leaders to support meaningful estate tax relief to prevent the devastation of family farms. Anyone needing additional information may contact Laurel.

Commissioner Trader noted that the US Senate has passed the proposal with a 35 percent tax rate and \$5 million dollar exemption level, but the US House of Representatives have not acted on the proposal to date.

- c. Correspondence from Doug Wolfgang was received regarding funding for the 2011 Federal Farm and Ranch Land Protection Program. This funding can be used for easement purchases, in conjunction with state funds, providing there is an eligible applicant. However, the Federal program calls for additional deed restrictions and a number of additional requirements that must be met above and beyond the state requirements, including provision of income information.
- d. Correspondence was received from Doug Wolfgang reminding the FLB that the certification of county funds for the Farmland Preservation Program must be declared by January 31<sup>st</sup> for the program year 2011.

## VI. OLD BUSINESS

Lisa gave an update regarding the James F. and Pearl Willis Living Trust Easement. Results of the Title Search, conducted by Attorney Greg Hook, have shown that the surface coal rights are not held by the Trust. All of the coal rights are reserved, including surface coal rights, to now deceased owners who held a life interest in the rights. Since FLP regulations require the applicant to clear any discrepancies of ownership, Mr. Willis and his attorney, Jeffrey S. Proden, are currently researching the matter, and have identified estate information regarding the late owners or the rights. Based on emails from Mr. Proden on November 30 and December 1, 2011, he hopes to be able to establish clear title to the coal rights. However, the final decision will rest with Mr. Willis as to whether or not he will move forward.

Doug Wolfgang, Executive Director of the Bureau of Farmland Preservation, has explained that if this issue cannot be resolved by the end of the year, the 2009 funds of \$37,373.00 will be lost.

Mr. Wolfgang also indicated that if the matter is resolved after January 1, then the 2010 and 2011 funding could be used for this Easement. However, it will be necessary to freeze the 2011 application period until the Willis Easement is encumbered.

The Board requested that Mr. Willis have Mr. Proden address, in writing, to the Board whether he wishes to continue with this endeavor or if he desires to terminate the Title Search activity.

At the November meeting, the Board agreed to request that York Realty amend their appraisal, dated November 12, 2010, to include the availability of public water, electric and gas and provide an update of the Environmental Inspection Report, which was part of the original appraisal. According to the By-Laws, Mr. Willis should receive a copy of the appraisal and Laurel is to provide that to Mr. Willis after the amendments are made.

#### VII. NEW BUSINESS

There was no New Business discussed.

#### VIII. DISCUSSION OF STAFF REPORTS

Lisa recently participated in a conference call regarding House Bill 1394 that is intended to secure additional funding for Farmland Preservation program by affecting the Clean and Green Program. C&G affords landowners a reduced rate in property taxes. The bill, effective December 26, 2010, implements a rollback of the C&G tax reduction for enrolled parcels in the C&G program where Marcellus Shale gas drilling is being conducted. The rollback is limited to the dimensions of the areas that are used for production activities and those areas that cannot be reclaimed for agricultural land uses. This includes areas around gas and oil wellheads, access roads, impoundments and laydown areas etc. We anticipate an implementation plan from the Bureau of Farmland Preservation to eliminate a number of inconsistencies and establish a uniform system of program administration for oil and gas exploration sites.

#### IX. NEXT REGULAR MEETING

The next meeting will be the reorganization meeting on January 19<sup>th</sup> at 1:00 p.m. at the Conference Room of the Greene County Conservation District.

#### X. ADJOURNMENT

**With no further business to discuss, a motion was made by Dave Shipman to adjourn the meeting at 1:45 p.m. Rick Thistlethwaite seconded. (Motion Passed)**

Respectfully submitted,

Rebecca K. Salosky  
Fiscal Officer