

Greene County Farmland Preservation
19 S. Washington St., Suite 150
Waynesburg, PA 15370
724-852-5278
724-852-5341 fax



GREENE COUNTY FARMLAND PRESERVATION
MINUTES
DECEMBER 13, 2011

I. CALL TO ORDER AND INTRODUCTION OF GUESTS

The meeting was called to order by Chairman Bill Cree at 5:45 p.m. at Thistlethwaite Vineyard, 136 Thistlethwaite Lane, Jefferson, Pennsylvania. Those present were Bill Cree, Chairman and wife Ami; Dave Shipman, Vice Chairman and wife Marilyn; Rick Thistlethwaite, Treasurer; Charles Day, Secretary and wife Beth; Corbly Orndorff, Director and wife Christie; Pam Snyder, Commissioner Chairman and husband Jack; Archie Trader, Commissioner; Robbie Matesic, Executive Director, Economic Development; Bradley Eisiminger, Chairman, Greene County Conservation District and wife Shirley; Bill Cree, Sr., Guest and wife Lura Ann; Lisa Snider, District Manager, Greene County Conservation District; and Laurel Rush, Ag Technician, Greene County Conservation District and daughter Leah.

Attorney Hook was not present.

II. PUBLIC COMMENTS

There were no Public Comments.

III. APPROVAL OF MINUTES

A motion was made by Corbly Orndorff to approve the Minutes of the November 16th, 2011 meeting. Dave Shipman seconded. (Motion Passed)

IV. TREASURER'S REPORT

Treasurer Thistlethwaite presented the Treasurer's Report as follows:
General GCCD FLP Account - \$3,900.30
FLP Board Fundraising Account - \$2,688.12
Easement Funds – Dept. of Agriculture & County of Greene - \$112,202.00

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

V. CORRESPONDENCE

There was no correspondence to be brought before the board.

VI. OLD BUSINESS

James F. Willis and Pearl Willis Living Trust Easement 101 acres (Parcel #2)

- a. Title Search Results Review – This matter was discussed at length at the meeting held on November 16th, 2011. Since there were no questions, they proceeded to the next item.

VII. NEW BUSINESS

James F. Willis and Pearl Willis Living Trust Easement 101 acres (Parcel #2)

- 1) Appraisal Report Acceptance and Payment - Copies of the Appraisal Report conducted by York Realty were distributed to the Board. The Appraisal Report was reviewed and found complete by Ms. Rush as per the Farmland Preservation Program requirements. Ms. Rush noted that page 6 of the report contains the comparables used to evaluate the appraisal of the property as a whole. Page 8 of the report explains the procedures used to determine the easement value.

To determine the easement value Mr. York shows the value of land, if subdivided, to be \$3,502.00 per acre. This is the highest and best use determined for the parcel. The value of land, if left vacant or whole, as required by the Farmland Preservation Program, is \$2,897.00 per acre. The easement value is the difference of the highest and best use and vacant land value, which was determined to be \$605.00 per acre.

At the time of the appraisal conducted by Mr. York an exact acreage had not been determined. An approximate acreage value was given from the recorded deed for his use. It was discussed that the exact acreage for the parcel was determined by Miles Davin which is now 100.762 acres, this will be the acreage used to determine the actual easement value. This change is reflected on the cover letter given by Mr. York for the appraisal. The total easement value for the 100.72 acres at \$605.00 per acre was determined to be \$60,961.01.

A motion was made by Dave Shipman to accept the easement value. Corbly Orndorff seconded. (Motion Passed).

Ms. Rush also requested payment of the appraisal report conducted York Realty in the amount of \$1800.00.

A motion was made by Dave Shipman to approve the payment of \$1,800 to York Realty for the appraisal. Corbly Orndorff seconded. (Motion Passed).

- 2) Deed Description Plot Acceptance and Payment – At the November 16th, 2011 meeting, Ms. Rush was authorized to contact Surveyor Miles Davin to plot the parcel using the description in the deed at an approximate cost of \$50. The Deed Description Plot was completed by Mr. Davin and the parcel was found to meet the allowable closure. The exact acreage of the parcel being 100.762 acres.

A motion was made by Corbly Orndorff to accept the Deed Survey Plot completed by Mr. Davin and also authorize payment of \$50.00. Charles Day seconded. (Motion Passed).

- 3) Offer Amount to Applicant – As stated in the bylaws the offer must be based on the appraisal amount. In this case, \$605 an acre. Based on 100.762 acres the easement value, if offered at 100 percent, would be \$60,961.01. Ms. Rush provided a breakdown

of the funding to be used for the purchase of this easement, if the board agrees to pay at 100 percent.

PA Farmland Preservation State Funds - \$51,224.01 (including incidental costs)
County of Greene Funding - \$13,737.00

The Bureau of Farmland Preservation recommended that County Funds designated to the Farmland Preservation program from 2005-2007 be used toward the purchase of the James F. and Pearl Willis Living Trust easement. Ms. Rush noted that \$36,339.00 of PA Farmland Preservation state funding from 2010 must be encumbered by December 31, 2011 ensuring that the funds allocated to the Greene County program are not reverted back to the PA Farmland Preservation Program for use in other counties.

A motion was made by Corbly Orndorff to set the offer amount at \$605.00 per acre (100 percent) for the James F. and Pearl Willis Living Trust easement of 100.762 acres. Dave Shipman seconded.

- 4) Offer Letter Approval Pending Attorney Hook's Review - Due to the December 31, 2011, encumbering deadline, Ms. Rush prepared a draft offer letter based on 100% of the easement value, as outlined in the appraisal. The offer letter includes payment of \$605 per acre, or 100 percent, for a total cost of \$60,961.01 for the James F. and Pearl Willis Living Trust Easement for Parcel #2, 100.762 acres with a deadline to accept or reject the offer by December 30, 2011. Ms. Rush noted that typically, applicants are given a 30 day time period to review the offer, due to the program time constraints, a shorter deadline was set. The letter will also need to be reviewed by Attorney Greg Hook prior to presenting to the Willis Trustee.

Pending the review by Attorney Greg Hook, a motion was made by Dave Shipman to authorize the staff to send the offer letter to James F. Willis, Trustee. Charles Day seconded. (Motion Passed)

Ms. Rush noted that Attorney Hook has been contacted and is expecting the Offer Letter.

- 5) Agreement of Sale Review and Approval – A draft of this document was also prepared based on offering 100 percent of the easement value. Ms. Snider noted that this includes an Addendum written by Greene County Solicitor Cheryl Cowen, on behalf of the County, which must be brought before the Board of Commissioners. The addendum has been reviewed and approved for use by the PA Farmland Preservation Program.

Pending the review of County Solicitor, Cheryl Cowen and Attorney Greg Hook, a motion was made by Dave Shipman to approve the Agreement of Sale and obtain the necessary signatures from the FLP Board Officers. Corbly Orndorff seconded. (Motion Passed).

- 6) Title Insurance Commitment – Attorney Hook has conveyed that he will complete this document now that the easement value is established and upon receipt of a copy of the offer letter.
- 7) Submission of Year End Encumbering Package – In addition to the previously discussed items, the package also includes a draft of the deed of easement, a farm summary, a copy of the application, the ranking information, and various maps.

A motion was made by Corbly Orndorff to approve the submission of the encumbering package and obtain the necessary signatures of the FLP Board Officers. Dave Shipman seconded. (Motion Passed)

VIII. DISCUSSION OF STAFF REPORTS

There were no Staff Reports brought before the board.

Commissioner Trader inquired about applications for the 2012 program. Ms. Snider indicated that the Halstead application was in the preliminary stage. He cautioned about the considerable amount of time it takes to complete an easement.

Ms. Rush said that information regarding the application period (April 15th through June 15th) appeared in the Fall Newsletter of the Greene County Conservation District. She also said that while there is an official application period, interested parties are encouraged to submit in an application at any time.

She also said that she has every indication that Mr. Willis and his attorney are working to clear the title issues and move forward with the 53 acre parcel.

Although progress has been made to promote the program, partly through presentations to the Farm Bureau etc, Commissioner Trader would like to see wider participation.

IX. NEXT MEETING

The next meeting will be January 18th, 2012 and will be the reorganizational meeting.

X. ADJOURNMENT

With no further business to discuss, a motion was made by Dave Shipman to adjourn the meeting at 6:10 p.m. Charles Day seconded. (Motion Passed)

Transcribed from recorder by,

Rebecca K. Salosky
Fiscal Officer