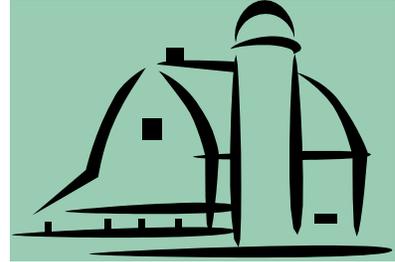


Greene County Farmland Preservation
19 South Washington Street, Suite 150
Waynesburg, PA 15370
724-852-5278



GREENE COUNTY FARMLAND PRESERVATION
MINUTES
May 15, 2013

I. CALL TO ORDER AND INTRODUCTION OF GUESTS

The meeting was called to order by Chairman Bill Cree at 6:05 p.m. in the Mezzanine Conference Room, 19 South Washington Street, Waynesburg, Pennsylvania.

Board members present were Bill Cree, Chairman; Dave Shipman, Vice Chairman; Rick Thistlethwaite, Treasurer; Charles Day, Secretary; Jim Willis, Director; and Richard Belding, Director.

Staff: Lisa Snider, District Manager; Laurel Rush, Ag Technician, Robbie Matesic, Economic Development.

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 April 17, 2013 meeting. Jim Willis seconded. (Motion Passed)

IV. TREASURER'S REPORT

Treasurer Thistlethwaite read the Treasurer's Report as follows:

FLP Board Fundraising Account - \$6,930.16

Easement Funds – Dept. of Agriculture & County of Greene - \$206,165.99

Ms. Rush noted that the FLP Board Fundraising Account included the following expenditures.

Check # 119 – Observer Reporter – Public Meeting Notice - \$45.30

Check # 120 – Laurel Rush – Mileage to PFPA Mtg. - \$185.32

A motion was made by Dick Belding to accept the treasurer's report. Charles Day seconded. (Motion Passed).

Board of Directors: William Cree III, Chairman; David Shipman, Vice-Chairman; Richard Thistlethwaite, Treasurer; Charles Day, Secretary; Richard Belding; James Willis; Corby Orndorff; Commissioner Archie Trader

V. CORRESPONDENCE

Ms. Matesic distributed an article published in the Observer Reporter, "Drilling Boom Complicates Clean and Green". The Clean and Green Program provides a tax reduction to landowners with more than 10 acres of land that is used for agriculture, forests, or open space. In 2010, the law, Act 34, was amended so that land used in gas and oil drilling is no longer eligible for the program. And owners would be responsible for paying the difference between the higher tax rate and the reduced amount from as early as 2007. The implementation of the amendment may be difficult for County Tax Assessors, as they will need to determine the location of gas wells on properties in the program and calculate the rollback tax. Ms. Rush noted that the Farmland Preservation Program receives a portion of the rollback taxes.

Ms. Matesic presented a draft copy of maps prepared by David Craft, Greene County GIS Coordinator, which highlighted the many properties enrolled in the program in Greene County and the well sites. She noted that Greene County Tax Assessor, John Frazier, would most likely welcome the GCFLP Board's input on this matter.

VI. OLD BUSINESS

1. ASA - Franklin and Jefferson Townships

Franklin Township – As noted at the last GCFLP meeting on April 17th, 2013, the soils inventory was completed for the ASA application submitted by Mr. Corbly Orndorff. It is not known if the application was presented to the Franklin Township for consideration.

Jefferson Township - The ASA is nearly complete. The Township was uncertain of the necessary paperwork required by the Greene County Register and Records Office. A copy the resolution was submitted, however, it was not notarized.

VI. New Business

1. 2012 FLP Agricultural Easements

a. James Willis, (53 ac) Cumberland Twp – (on-hold)
Clear title is still being pursued.

b. Charles Harry, Morgan Twp - **Pending**

- 1) High rank & appraisal release letter (Completed)
- 2) Title Search (Completed) - At the last GCFLP meeting on April 17th, 2013, the Board voted to accept the Title Search Report completed by Attorney Greg Hook with a stipulation that he verify, in writing, the clear ownership of the surface coal. Since that time, Attorney Hook has provided a revised letter that referenced clear ownership of the surface coal.

A point brought forward in Attorney Hook's Title Search letter and discussed at the last GCFLP meeting on April 17th, was the Life Estate of Thelma Harry. Since Ms. Harry is still living, her signature would be required on the easement. Ms. Rush is working with Mr. Harry to address this matter.

- 3) Appraisal Report – At the last meeting of the GCFLP, on April 17th, 2013, the Board granted approval to move forward with the Appraisal Report. Since, then a formal agreement has been submitted by Scott York of York Realty in the amount of \$2,500.

A motion was made by Dave Shipman to approve the contract, which will require the signature of Chairman Cree, with York Realty at a cost of \$2,500. Charles Day seconded. (Motion Passed)

- 4) Survey plot – Also, at the last GCFLP meeting on April 17th, 2013, approval was granted to move forward with Registered Surveyor, Miles Davin to complete the survey plot. Since some of the property will be excluded from the easement (approximately 29 acres which was sold to his brother and 3.44 acres which will be excluded), a new property description and plot will be needed at an approximate cost of \$100. Mr. Davin will notify Ms. Rush if any significant changes are needed.

A motion was made by Dick Belding to approve the completion of the survey plot by Miles Davin at an

**approximate cost of \$100. Dave Shipman seconded.
(Motion Passed)**

- 5) Offer letter – Changes to the Deed of Easement were proposed by Mr. Harry's Attorney. Although Ms. Rush was aware that the PA Bureau of Farmland Preservation (PFLP) does not allow changes to the Deed of Easement, she forwarded his correspondence to Director, Doug Wolfgang. Correspondence between the parties ensued and PAFLP indicated that the Deed of Easement is a standard document that has been used for over 4000 farms.

In light of this, Ms. Rush was concerned that Mr. Harry may be having reservations about entering into an easement without the proposed changes requested by his Attorney. During a subsequent phone conversation with Mr. Harry, he indicated that those things were not that important. He did not want that to delay participation in the program, he wanted to move forward and he was confident that he wanted to participate in the program.

- 6) Agreement of Sale
- 7) Closing

c. Harley & Janet Gapen, Greene Twp – **Approved**

This farm was approved for agricultural easement at the April 18, 2013 PFLP Board meeting.

- 1) High rank & appraisal release letter (Completed)
- 2) Title Search (Completed)
- 3) Appraisal Report (Completed)
- 4) Survey plot (Completed)
- 5) Offer letter (Completed)
- 6) Agreement of Sale (Completed)
- 7) Closing – To be announced. GCFLP continues to wait for the PA Department of Treasury to issue the Easement check.

2. 2013 Application period

As required by the program, the application period was published as a public notice in the Observer Reporter and all landowners located in an approved Agricultural Security Area (ASA) were notified by mail.

As a result, three new inquiries were received. One request for general information regarding the program and two application requests; from Albert Downer of Washington Township and Barbara Butler of Center Township were received.

Inquiries were also received from landowners who had previously applied in another application period. They include:

- Jim Willis, Cumberland Twp. - He may be interested in adding an additional 30 acres into the FLP.
- Tom Willis, Cumberland Twp. - He has expressed an interest to continue the ranking of his parcel.
- Richard Phillips, Cumberland Township - He has revised his application to include an additional adjoining parcel. Currently, that parcel is not included in the ASA and he is beginning that process.

To date, a total of three applications have been received. A second public notice will be placed in the newspaper, mostly likely after Memorial Day.

Ms. Rush will contact any of last year's applicants, who have not already responded, to confirm if they want to keep their application active for the 2013 ranking. (William Milesky, Center Twp.)

3. GCFLP Application Revision

The current application was developed at the inception of the Greene County Program and is not available in electronic form. Ms. Rush made revisions, using Washington County's application as a guide, and included the draft with the mailing of the meeting packets for board review. The major changes she noted include.

- The requirement to have the applicant include a copy of their receipts for the payment of property taxes was added.
- Regarding conservation plans. The following written statement; "in filling out this application, they are also authorizing the Natural Resources Conservation Service (NRCS) to release their conservation plan."
- One item included in Greene County's current application, but excluded from Washington County's was the requirement for the submission of a National Wetlands Inventory Map.

Following a brief discussion, a motion was made by Dave Shipman to accept the application as presented for the 2014 application period. Charles Day seconded. (Motion Passed).

4. Program Rankings

While this item did not appear on the meeting agenda, Ms. Rush brought it forward for discussion at this time. She requested that the Board consider appointing a committee to assist her with the ranking of the FLP applications. After a brief discussion, the Board agreed to participate in the rankings, by having at least two Board members participate, based on availability.

VII. Outreach

VIII. Discussion of Staff Reports

IX. Next Meeting: June 19, 2013 at 6:00 p.m. in the Mezzanine Conference Room

X. Adjournment

With no further business to discuss, a motion was made by Dave Shipman to adjourn the meeting at 6:40 p.m.