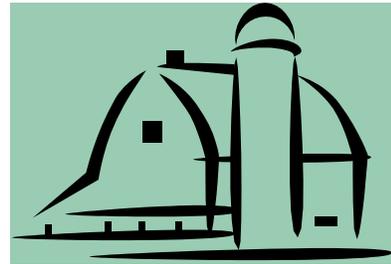


Greene County Farmland Preservation  
19 South Washington Street, Suite 150  
Waynesburg, PA 15370  
724-852-5278



GREENE COUNTY FARMLAND PRESERVATION  
MINUTES  
MARCH 19, 2014

**I. CALL TO ORDER AND INTRODUCTION OF GUESTS**

The meeting was called to order by Vice Chairman Dave Shipman at 1:05 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; Archie Trader, Greene County Commissioner; Dick Belding, Director; Corbly Orndorff, Director; and Jim Willis, Director.

**Staff:** Lisa Snider, District Manager; Laurel Rush, Ag Technician and Becky Salosky, Fiscal Officer.

Chairman Cree arrived at 1:10 p.m.

**II. PUBLIC COMMENTS**

There were no public comments.

**III. APPROVAL OF MINUTES**

***A motion was made by Jim Willis to approve the minutes of the February 19, 2014 meeting with one correction, as noted below. Dick Belding seconded. (Motion Passed)***

***Regarding the Treasurer's Report, it was incorrectly noted that check number 137 replaced check number 132. It should have stated that check number 138 replaced check number 132.***

**IV. TREASURER'S REPORT**

Treasurer Thistlethwaite read the Treasurer's Report as follows:

**FLP Board Fundraising Account - \$7,631.95**

**Easement Funds – Dept. of Agriculture & County of Greene – \$180,241.31**

**2014 funds:** County Funds: \$7,911.00 PABFLP: \$116,491.00

2014 Total: \$124,402.00 (\$40,490.31 to be encumbered by the end of 2014)

Ms. Rush noted that the original stop payment for the Gapen lost check has expired and, as recommended by First Federal, was extended for an additional six months. Mr. Thistlethwaite's signature is required to complete this action.

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

## **V. CORRESPONDENCE**

There was no correspondence to bring before the board.

## **VI. OLD BUSINESS**

### **1. Agricultural Security Area (ASA) - Franklin, Cumberland and Greene Townships**

Franklin Township – The Township continues to work to establish an ASA.

Cumberland Township – The Township has completed the process to add the additional 19 acres of Mr. Richard Phillips to the ASA.

Greene Township – The Township continues to work to add the parcel of Mr. Wilber Colvin in to the ASA.

### **2. Annual Inspections**

- a. William Cree (108 acres) 11:00 a.m.
- b. Jim Willis (100 acres) 9:30 a.m.

Ms. Rush accompanied by GCFLP board members, Dave Shipman and Rick Thistlethwaite, completed the inspections on February 21<sup>st</sup>, 2014. Both sites were found to be satisfactory.

### **3. East Dunkard Water Authority – Water Facilities Improvement Project**

At the last GCFLP meeting on February 19<sup>th</sup>, 2014, it was noted that additional site maps would be requested to assist in the evaluation of the project, regarding approved ASA's and agricultural easement in or near the project area. Since then, additional information was received and it was determined that there would be no direct impact to any ASA or agricultural easement.

## VII. NEW BUSINESS

### 1. 2012 GCFLP Agricultural Easements

- a. Charles Harry, (162.043 acres) Morgan Township  
The Easement was accepted by the PA Bureau of Farmland Preservation at their meeting held on December 12, 2013. It is expected that the checks will soon be received soon from the PA FLP Board and the closing will be scheduled.
  - 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 Determined)

### 2. 2013 GCFLP Agricultural Easements *listed in ranking order*

- a. Jim Willis (53 acres) Cumberland Township – (on-hold)  
Clear title still being pursued. At the last GCFLP meeting on February 19, 2014, it was announced that the boundary dispute regarding the property was resolved. Mr. Willis read a Court order, dated March 7<sup>th</sup>, 2014, from the Honorable William Nalitz. As a reference, a copy of this order will be placed in the file.

The surface coal rights issue remains. And, as stated at the February 19<sup>th</sup>, 2014 GCFLP meeting, following the 30 day appeal period for the boundary dispute, the Willis attorney plans to pursue a Quiet Title to resolve the coals rights issue.

- b. Jim Willis (30 acres) Cumberland Township (on-hold)
  - 1) High rank & appraisal release letter (Completed)
  - 2) Title Search – The surface coal issue and clear title is being pursued.
- c. Richard Phillips (127.4 acres) Cumberland Township
  - 1) High rank & appraisal release letter (Completed) -
  - 2) Title Search - On the original Easement application, Mr. Phillips offered 107 acres; and then on a second application added an additional 19 acres for a total of approximately 127 acres. The additional acreage improved his ranking score, making it the third ranked property under the 2013 rankings.

At the February 19<sup>th</sup>, 2014 meeting of the GCFLP, Ms. Rush presented the findings of the preliminary Title Search, conducted by Attorney Greg Hook.

Preliminary findings found a problem regarding the surface coal rights on the 19 acres, with those rights being deeded to the former owner Goldie Hixon. Under, initial review of the current deed for the 107 acres, it appears that the surface coal rights are owned by Mr. Phillips.

Following a lengthy discussion, at the February 19<sup>th</sup>, 2014 meeting, action was taken to notify Mr. Phillips of these findings and allow him 30 days to decide how he wanted to proceed regarding the 19 acres.

After meeting with Attorney Greg Hook and another attorney, Mr. Phillips decided to exclude the 19 acres from the easement and to pursue the easement on the 107 acres only. A letter with his intent was provided.

Ms. Rush presented the following information regarding the ranking order and the LESA scores.

	Acreage	Score
Richard Phillips	127.4 ac.	32.24
Richard Phillips	107 ac.	30.67

The larger tract, 127.4 acres was ranked in 2013 and the smaller tract 107 acres was ranked in 2012.

Ms. Rush reviewed the ranking differences and the reduction in points as follows.

- Less road frontage in the smaller parcel.
- The changes in the land use (cropland, pastureland, grazing land) netted a reduction of approximately 1 percent.
- In accordance with the GCFLP by-laws, tracts of 127 acres or more in size receives more points than smaller tracts; a reduction of 5 points.

To reflect this revision of acreage, following is the rankings and scores of the 2013 un-funded parcels.

1. Bill Milesky – 31.63
2. Tom & Karen Willis – 31.45
3. Richard Phillips – 30.67

A discussion ensued with the following points being made.

- Mr. Phillips paid the Good Faith Payment of \$2,000.
- Costs were incurred for this property.
- The need to encumber \$40,490.31 by December 31, 2014.

***In light of these factors, a motion was made by Dave Shipman to proceed with the easement on the 107 acres owned by Mr. Richard Phillips. Rick Thistlethwaite seconded. (Motion Passed) Even though this parcel was not the highest ranked.***

The next item brought before the Board was the invoice of \$150 from Attorney Greg Hook for the work he completed on the 19 acre parcel of Richard Phillips.

***A motion was made by Dave Shipman to approve the payment of this invoice. Charles Day seconded. (Motion Passed)***

- 3) Appraisal Report
- 4) Survey plot
- 5) Offer letter
- 6) Agreement of Sale

**3. 2014 Application period** (this was not listed on the original agenda but in light of the GCFLP board decision regarding Mr. Phillips easement it required an action)

***A motion was made by Corbly Orndorff to suspend the 2014 easement application period and notify the PA Bureau of Farmland Preservation in writing of this action. Dave Shipman seconded. (Motion Passed)***

Ms. Rush will continue working with Karen and Tom Willis and Bill Milesky to ensure that these applications are ready to move forward when funding permits.

## **VIII. OUTREACH**

- 1. GCCD Annual Report** – The GCFLP program will be included in the 2013 report to be printed by Direct Results.
- 2. Greene County Tourism** – As part of the GCCD ad, the GCFLP program will also be included in this brochure.

**IX. DISCUSSION OF STAFF REPORTS**

At the last GCFLP meeting on February 19, 2014, approval was granted to allow Ms. Rush to attend the National Farmland Preservation Conference, May 12-13, 2014, in Hershey, PA. Since that time, the agenda was received and was distributed to GCFLP Board members to review and select the workshops they feel would be beneficial to attend.

Ms. Snider noted that recently the Greene County Conservation District was featured in the Greene Saver publication. She asked GCFLP Board members if they would be willing to participate in interviews for a story on the GCFLP program in this publication. All were in agreement.

**X. NEXT MEETING**

The next meeting is scheduled to be held on **April 16, 2014 at 6:00 p.m.** The time change will be advertised in the newspaper.

*(NOTE – After the meeting a scheduling conflict was discovered and the Chairman requested that meeting be moved back to 1:00 PM.)*

**XI. ADJOURNMENT**

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