



PENNSYLVANIA FARMLAND
PRESERVATION ASSOCIATION
2016 FALL BUSINESS MEETING

Seven Springs Mountain Resort, Somerset County
Susan Moon, Somerset County, (Host)
October 12, 2016

ATTENDANCE

Executive Committee:

Matt Knepper Lancaster County – President
Ellen Dayhoff, Adams County – Vice President
Sarah Walter, Centre County – Treasurer
Maria Bentzoni, Northampton County - Secretary
Donna Fisher, Blair County – Member-at-Large

Guests:

Dep. Secretary Smith-Brubaker, Dept. Secretary of PA Dept. of Agriculture
Doug Wolfgang, Director, Bureau of Farmland Preservation
Stephanie Zimmerman, Asst Director, Bureau of Farmland Preservation
Dawn Patrick, Admin Officer II, Bureau of Farmland Preservation
Andy Loza, PA Land Trust Association
Elizabeth Emlen, Guest (Former Montgomery County Administrator)

County Administrators and County Staff:

Cindy Sanderson, Adams County
Mark Clowney, Adams County
Jessica Schaub, Armstrong County
Amanda Burkhard-Sell, Berks County
Rich Huether, Blair County
Mary Ann Bower, Clinton County
Dick Deiss, Crawford County
Adam Cotchen, Indiana County
Angie Foltz, Lebanon County
Sue Moon, Somerset County
Caroline Sinchar, Washington County
Betty Reefer, Westmoreland County
Patty McCandless, York County
Eric Naylor, York County

OPENING

Matt Knepper, President, called the meeting to order at 9:00 AM. He welcomed everyone and thanked them for attending the meeting.

MILESTONES/UPDATES

1. York County is working on collaboration with all of their County's open space programs.
Armstrong County has a new program and a new program administrator, Jessica Schaub.
2. Indiana County has a new program administrator, Adam Cotchen.

3. Berks County celebrated reaching 70,000+ acres preserved this year.
4. Northampton County received the Lehigh Valley Planning Commission's Open Space Preservation Project Award.
5. Lancaster County is hiring an administrative assistant to help with their workload.

LOCAL HERO AWARD

Local Hero Award. AFT was unable to be here to present the award to recipient David L. Mankamyer, Somerset County District Director. He was honored for his 35 year commitment and leadership to the Conservation District and its mission to improve water quality, reduce soil erosion and ensure the continuation of farmland protection in Somerset County.

ROLL CALL

Maria Bentzoni did a roll call of the entire membership. 14 voting members (two proxies) were present, determining a quorum. *Donna Fisher made a motion to accept the roll call, motion was seconded by Angie Foltz, all those in favor, motion carried.*

APPROVAL OF THE MINUTES

Matt presented the minutes from the 2016 Spring Meeting 5/18/2016, held in State College. *Patty McCandless made the motion, Donna Fisher seconded the motion to accept the minutes, all those in favor, motion carried.*

TREASURER'S REPORT

The Treasurer's Report was provided to the membership by Sarah Walter. The true balance of the account at this time is \$2,134.88, prior to the conference attendance deposit and expenses. *Patty McCandless made a motion to accept the Treasurer's report, Ellen Dayhoff seconded the motion. All those in favor, motion carried.*

MEMBERSHIP REPORT

Ellen Dayhoff gave the membership report: We currently have 57 PA counties with a preservation programs (Delaware withdrew). We have one new memberships in 2016, Clearfield County. Currently we have 30 voting memberships, 26 non-member counties, six outside memberships, two contributing memberships, and one sponsor. Ellen thanked Cindy Sanderson for putting together the membership report. *A motion was made by Patty McCandless to approve the membership report and the motion was seconded by Angie Foltz. All those in favor, motion carried. Ellen Dayhoff nominated Elizabeth Emlen to the position of Director Emeritus. The motion was seconded by Patty McCandless, all those in favor, motion carried.*

COMMITTEE REPORTS

1. Executive Committee

- A. No new business.

Public Relations Committee

2. PFPA Website, Presented by Donna Fisher, Blair County

- A. The website is current and up to date. The membership directory is now shown on the home page. Past meeting materials are all being uploaded as they are received. The map will be updated and put on the website. If any member would like to have photos posted to the website, they are to send them to Donna. We are looking at putting meeting registrations on the website. The Rack Cards discussed at previous meetings are being worked on. They will be produced so we can use the same cards, but put our own county's information on them.

3. PFPA Display/Ag Progress Days

- A. Sarah was unable to tally the number of visitors at APD.
- B. Rack Cards were a success and found to be very useful. Sarah asked if there can be more space available on the rack card for more information. She also asked if the shifts could be shortened up. Elizabeth commented on the table banner as it looks very professional.
- C. Having the large map was very helpful.
- D. Counties are encouraged to bring their own county map for display.
- E. Ag Progress days next year are August 15 to 17th, 2017.

4. Conference/Workshop Committee

- A. Spring Conference will be held Wednesday May 3, 2017. PALTA will be held May 4-6, 2017. We are doing our own conference this year.
- B. As for future conferences, we need more counties to step up and volunteer. The same counties keep hosting and we need others to agree to host.
- C. A discussion was held regarding future conferences: Some stated they like the variety as they get to see other's counties, some stated they liked it being held in the center of the state. Dick Deiss stated that rotating it provides more interest. It was discussed that we keep one in the center of the state and the other could be held in accordance with the State Board. Betty Reefer suggested that we have the October meetings at the state meeting room in the afternoon or perhaps another venue after the state meeting. Ellen will discuss options with Doug. It was also discussed that one county be a permanent location in the spring and the fall conference will rotate. Further investigation is needed.

5. Realty Transfer Tax Issue

- A. Six counties said they have had RRT effected farms. Lancaster has provided options to their landowners. Matt will distribute to other administrators a fact sheet of comments on advising landowners.
- B. HB2370 was submitted for retroactively amending the change in the law for those farms from 2015 through September 13, 2016. Legislation is to be considered by the full House on October 18th. There may be enough session days that it may have time to make it to the Senate.
- C. Appeals or exemptions may still need to be filed. Petitions for refunds will still need to be filed regardless of the legislation change. If a landowner doesn't appeal, interest rates will continue to accrue.
- D. BFP seems to indicate that there is a lot of momentum behind this bill and there is hope, due to it not being opposed, there could movement through the House and Senate. Betty suggested PA Farm Bureau could be helpful in this discussion and the appeal process.
- E. Action Items: Get committee names from Ellen of those to contact. Contact State Representatives and Senators to get this out there. Contact your local landowners that may be effected by this issue. As a preventative measure, keep them in the loop of what is going on and alert to what is going on. Get list of all those supporting this legislation, PSATS, CCAP, FB, PALTA, LAND TRUSTS AND CONSERVANCIES.
- F. If county boards would approve it, could a county submit it to the state as an added related incidental cost? Lebanon County is submitting to the state as an added incidental cost.

6. Policy Committee

- A. York County has asked to be added to the Policy Committee.
- B. HB 806 Act 89: May 1st land use values locked in base year figure every year. Only change is with county-wide reassessment.
- C. New Legislation: A bill allowing for a subdivision on a preserved farm for the 2nd house: add language for landowners to relinquish the right or the 2nd house right will be submitted for consideration next year. Looking for a legislator to sign on to introduce.
- D. See attached list of Legislation Update.

7. Executive Committee Wrap-up

- A. Mary Ann Bowers, Clinton County will replace Sue Foust on the Public Relations Committee.
- B. Matt Knepper thanked Ellen Dayhoff and Cindy Sanderson for all the hard work they do for the conference committee.
- C. Regarding the PFFA clothing, it was suggested that Ellen Check into additional clothing items for purchase.
- D. No further updates from the other committees.

OLD BUSINESS

- 1. None.

NEW BUSINESS

- 1. No new business was discussed.

PDA UPDATE

- 1. Deputy Secretary Smith-Brubaker congratulated us all for the 5,000 farms achievement. County Board members are serving as champions for this program. PA is a national model for these efforts which include habitat protection and water quality protection.
- 2. The farmland backlog is now at 1,500 farms. We need to get creative on how we are leveraging the financial resources and other resources to the agricultural easement program.
- 3. Doug Wolfgang offered Congratulations on 5,000 preserved farms from the staff at PDA/BFP.
- 4. County certified funds due by January 31, 2017. Updated allocation sheets will be sent out. The 2017 funding will be the largest funding in more than 10 years.
- 5. 2017, this would be the best year for counties to certify funding as the state return will be significant.
- 6. Reminder, encumbering 2015 funds must be encumbered by December 31st.
- 7. Bond funding in 1988, was the source of seed money for 1999 GG1. GG2 in 2005, was generally supported by the legislature and the public. GG3 is proposed to be \$40 million. There is a coalition working on drafting an outline on what it will look like.
- 8. Eminent domain: ALCAB board approval required if Penn DOT condemns easements for improvements, responsible parties must pay for part of easement condemned for road improvement.
- 9. For those easements associated with agriculture structures and improvements, if NPDES permit is required it is not a violation of easement if construction activities are associated with improvements. Conservation practices must still be in place.
- 10. Chesapeake Bay Update: Letters went to landowners letting them know inspections will be taking place. Not all Conservation Districts accepted this. Let Doug know anyone has ideas.

Focus on water quality – if possibility to bring in other funding, for water quality, etc. Districts in the CB have signed on to SOP's regarding enforcement for inspections written by DEP.

11. There is a GIS person working on tagging on every farm in the state. Will be requesting GIS layers from the counties.
12. PA Farmland website, looking to update statewide farm list and financial tracking.
13. Working on phase II of PA Farmland. Information to follow.
14. Preserved Farms Resource Center, spread the word that there is funding available for those landowners transitioning their farms. Applications will need to be submitted for funding.
15. Working with PFFPA committee for updates on the regulations.
16. New press contact, Emily Dempsey doing much more social outreach - PDA, PA Preferred, will be getting the word out to those in the newer generation.
17. Discussions are taking place regarding advanced technics for farm inspections that we need to look to technology and how we can make what we do more efficient.

ROUND TABLE DISCUSSIONS

1. Violations to court, how and when? How are they processed?
2. Conservation plan implementation, how do we enforce?
3. Pollution in the stream? How do counties address it? Try to work it out – inspection letters ignored, time line established, to be filed in court.
4. Found 5 places in the easement where it refers to the conservation plan requirement.
5. How do you address owner operator situation?
6. Dairy operation: cows accessing the stream, no buffer; received money but didn't install all the required practices. What do we do?
7. Legal defense fund to defend agricultural easements; defined in the county policy. Counties should be considering putting funds aside to defend easements.
8. Cooperation from related agencies (FB, Conservation District, etc) needed. Better communication is needed.
9. Landowner wanting to preserve: soils not bad, was a strip mine, not a true reflection of the actual soils type. How do you know what the actual soils types are when it was a strip mine? County could require a change to their county policy that they require the land owner to pay for and plan for soils testing to verify the soils types.
10. Exclusion areas: how are they addressed in other counties?
11. Storm water easement or agreement? Can't have another easement on our easement, but you can have an agreement to discharge storm water as defined in the agreement.
12. School houses? Each county will determine the use as what their rural enterprise allows.
13. Renovation of an existing structure can be used as another use, but 138e.122. can be used for non-ag use.
14. Rural enterprise: processing of animal fiber would that be allowable? It would fall into the county's rural enterprise. Would be housed in an existing structure.
15. Manure digester: more than 50% would be coming off farm: a new structure would not qualify it under rural enterprise.
16. Adaptive reuse: barn to house; in this case, overkill, three-story elaborate estate, where is the line?
17. Engaging board members: they play an important role in the operation of your program. They need to be engaged and participate in the execution of the program.

18. Conservation plans: 50 % of the plans are new 50% are existing or old plan. York County is doing their own planning. What options do counties have?

Future meeting topics:

1. Farm no longer economically viable, who determines that?
2. Municipal planning code, how does that effects the easements?
3. ACRE program
4. Farm transitions
5. PA Farmland suppository for documentation. Someplace where we can all log onto for items to be uploaded.

Reminders:

The next meeting of the PA Farmland Preservation Association will be set for: Spring 2017 in Lancaster. Details to follow.

Angie Foltz made a motion to adjourn the business meeting; Sarah Walter seconded. All those in favor, motion carried. The business meeting was adjourned at 4:03 p.m.

Respectfully submitted,
Maria Bentzoni, Secretary