

**Lancaster County Agricultural Preserve Board
Meeting Minutes
Thursday, January 25, 2018**

Present: Mr. Jeffrey Frey, Chairman
Mr. Gary Landis, Vice Chairman
Mr. Edward C. Goodhart III, Secretary
Mr. Gene Garber
Mr. Roger Rohrer
Mr. Daniel Zimmerman

Absent: Mr. Andrew Lehman
Commissioner Dennis Stuckey
Mr. Matthew Young

Staff: Mr. Matthew Knepper, Director
Mr. Kevin Baer, Farmland Preservation Specialist
Ms. June Mengel, Farmland Preservation Specialist

Guests: Mr. Jeffrey Swinehart, Deputy Director, Lancaster Farmland Trust
Mrs. Michelle Knoll, Stewardship, Lancaster Farmland Trust
Mr. Scott Augsburg, Laurel Ridge Farm, West Cocalico
GreenHarvestOne / GreenHarvestAugsburger:
Charles Smith
Tyrone Taylor
Bob Pelc
Scott Whitney
Mary Lou Barton

I. Call to Order

Mr. Jeffrey Frey called the meeting to order at 8:15 a.m.

II. Review of Mission Statement

Mr. Jeffrey Frey proclaimed that Mr. Eugene Garber would be the permanent reader of the Mission Statement. Mr. Eugene Garber read, *"To forever preserve the beautiful farmland and productive soils in Lancaster County and its agricultural heritage; and to create a healthy environment for the long-term sustainability of the agricultural economy and farming as a way of life."*

III. Announcements

Executive Session: The Agricultural Preserve Board (APB) met in executive session on January 25, 2018 at 7:15 am to discuss real estate matters and potential litigation regarding violations of agricultural conservation easements.

Commissioners Appointment of Chairman to APB: Mr. Jeffrey Frey thanked the Lancaster County Commissioners for appointing him to the position of Chairman for the APB. He and the other Board Members took time to thank Mr. Eugene Garber for his service and enthusiasm. It was stated by all that it was because of leaders like him that had the vision and commitment that the farmland preservation program is so successful and well supported.

IV. Approval of Minutes

Motion to approve the December 21, 2017 meeting minutes made by Mr. Roger Rohrer and seconded by Mr. Gary Landis with a correction made to the attendance portion clearly identifying Mr. Matthew Young as absent.

MOTION CARRIED UNANIMOUSLY

V. Board Elections

Mr. Jeffrey Frey nominated Mr. Gary Landis as Vice Chairman, Mr. Roger Rohrer seconded. No other nominations were made. Mr. Edward C. Goodhart motioned to close the nominations for Vice Chairman, Mr. Daniel Zimmerman seconded this motion.

MOTION CARRIED UNANIMOUSLY – Mr. Gary Landis, Vice Chairman

Mr. Gary Landis nominated Mr. Edward C. Goodhart as Secretary/Treasurer, Mr. Roger Rohrer seconded. No other nominations were made. Mr. Jeffrey Frey motioned to close the nominations for Vice Chairman, Mr. Daniel Zimmerman seconded this motion.

MOTION CARRIED UNANIMOUSLY – Mr. Edward C. Goodhart, Secretary/Treasurer

VI. Business from Guests

- **NO BUSINESS FROM GUESTS at this time during the Meeting.**

VII. Old Business.

- **NO OLD BUSINESS**

VIII. New Business

(this portion of the meeting was altered from the Agenda order to accommodate guests)

A. GreenHarvestOne / GreenHarvestAugsburger

Members of GreenHarvestOne/GreenHarvestAugsburger introduced themselves:

Charles Smith, Tyrone Taylor, Bob Pelc, Scott Whitney, MaryLou Barton, and preserved farm owner, Scott Augsburger of Laurel Ridge Farm in West Cocalico.

Mr. Charles Smith provided the APB with an hour-long presentation, which began with the first phases of Green Harvest One (presented to APB in late 2010) and then all the growth that has occurred over the past six years at the site.

Some of the many points covered by Mr. Charles Smith include, but are not limited to:

- Agriculture stores manure and then spreads manure
- Chesapeake Bay negatively impacted by components in manure
- Biogas facilities (digesters) can help treat manure and capture gas to produce energy for the farmer, but do not address excessive nutrients. But an incredible land base is needed to address the residual nutrients in the manure.
- Much technology has been put into feed, but many of the highly engineered materials in the feed pass through the animal in manure and ultimately are deposited in the soil and are carried away by water.
- Phosphorus is more of a problem than nitrogen because it does not go away.
- Distributed Energy Resource System – Liquid and Solid Waste goes into the system and everything that comes out must have value (carbon, water, phosphorus, energy, water, etc.)
- Mass Balance of materials that can be beneficially used is crucial.
- Gasification (part of the process of this overall project) is a chemical reaction that result in conversion of hydrocarbons are converted to gas and the production of bio-char. This bio-char contains all the nutrients that can be easily exported and used for energy or land application where such nutrients are needed.

- GreenHarvestOne/GreenHarvest Augsburg is in Phase II of a three phase project. Phase III will commence in 2018. The project will model the Distributed Energy Resource System and utilize manure from Laurel Ridge's hog manure and a neighboring dairy farm's manure (there will be capacity to add animal units from other farms as well) to have an all-encompassing system that results in economically valuable outcomes. There will be two greenhouses added so that plants can utilize water from the process and remove any remaining nutrients. The whole system, when complete will employ roughly 20 people.
- Phase III is estimated to cost \$36 million. PennVest funding is being sought for portion of this budget. Phase III will result in 18+ months of construction.
- 5 acres is leased from the Augsburgs/Laurel Ridge, currently about two acres is utilized, once Phase III is complete all five acres will be utilized.
- This scale of a project won't be replicated. It is "model/demonstration" site. It is a hub and spoke design, intended to have multiple farm's benefit. Ultimately, this type of facility will be useful through the Mid-Atlantic and do not necessarily have to be on farms, but should be close to farms, where manure can be easily collected, possibly by pipelines. This is a way to truly address the high nutrient levels in our soils that travel to water bodies.
- APB will be invited to tour the facility at some point in 2019.

Mr. Matthew Knepper reminded the Board that in 2010, the APB decided that the proposal at that time was agricultural production and not a rural enterprise. It may be that APB needs to evaluate the project in its new manifestation to determine if it is still agricultural production or if there are some components that should be considered a rural enterprise.

The Board Members thanked the representatives of GreenHarvest for their thorough presentation. Mr. Edward Goodhart commended Mr. Charles Smith for being exceptionally succinct and clear in his talk as he did not have the benefit of the visual presentation (he was calling into the meeting) and could easily follow what was being explained.

B. Requests for Rural Enterprise

Request for Rural Enterprise

1. Other/Ag Accessory Use: Jonas B. and Sylvia S. King, Rapho Township, Acq 0328, 150.64 acres.

Landowners are requesting permission to construct Milton Grove Amish Parochial School on their farm. The proposed schoolhouse area will occupy approximately 2 acres, which will contain access, play area, rest rooms and the school structure. It will be located immediately adjacent to some residential lots along Sunnyside Road.

Staff is recommending Preliminary Approval because the Board has commonly permitted Amish Schoolhouses, which are viewed as an "accessory use" when specific conditions are met. Staff should be authorized to grant Final Approval after all conditions, specifically the reverse subdivision and subsequent Township Approval.

Recommended conditions of approval:

- School will be authorized by lease only.
- Letter of Acceptance to be signed by property owner(s) and School Trustees.
- Building and grounds are to be used solely for school purposes.
- School Size, dimensions as identified on Plan and Lease Agreement, is approximately .70 of an acre.
- Location of proposed site will not change.
- Terms and conditions of ACE will be abided.
- No subdivision of the site is permitted.

- This approval is contingent on, at all times, verification by the Lancaster County Conservation District or a certified conservation planner (technical service provider) that the farm is following a Conservation Plan that is current and being / has been implemented according to schedule.
- All other requirements that may be imposed by the Township or any other regulatory body must be met. This would include any additional approvals that may be needed to accompany the addition for special needs children.
- All provisions of the Application and this approval shall be binding on the applicants, the owner of the land subject to the Agricultural Conservation Easement, and their respective heirs, successors and assigns.
- No restriction limiting agricultural production is permitted.
- APB Staff authorized to provide Final Approval after reviewing final Plan as submitted to Township/County & confirmation that the verification of implementation of conservation plan has been completed

Director, Staff & APB Comments

- Mr. Matthew Knepper reminded APB that while there is no specific language in the Program Guidelines/Rural Enterprise Guidelines, Amish Schools have been permitted on numerous occasions in the past.
- At the August 2017 APB Meeting, Mr. Roger Rohrer suggested that such schools should be permitted as “cultural exceptions.”
- In the mid- 1990s, Attorney Samuel A. Goodley, Jr. provided an opinion that an Amish Parochial School is an agricultural customary use.

Motion to award Preliminary Approval of the proposed Milton Grove Amish Parochial School as it was presented by Mr. Roger Rohrer and seconded by Mr. Daniel Zimmerman.

MOTION CARRIED UNANIMOUSLY

C. Request for Subdivision/Land Development No such Requests

D. 2017 Year in Funding

Mr. Matthew Knepper provided two different handouts to APB members, that highlighted some of the 2017 preservation achievements.

Preservation Projects approved by the County Commissioners in 2017 (not necessarily finalized/settled transactions in 2017):

- Total Farms Approved for Preservation/Easement Purchase: 24
- Total Acres Approved for Preservation/Easement Purchase: 1,609.69 acres
- Total Appraised Easement Value - \$6,220,464
- Total Easement Value (Consideration) - \$5,335,796 {what was paid to the landowner}
- Total County Contribution - \$2,143,328 {what the County paid towards these easement purchases}

E. 2018 Funding

The County Commissioners unanimously passed a funding Resolution for Agricultural Easement Acquisitions of \$1.5 Million new money.

The Resolution states, “The County of Lancaster, Pennsylvania, appropriate agricultural conservation easement purchase funds for Fiscal Year 2018 in the amount of \$1,735,652.56, which is inclusive of \$1,500,000 of new County funds through the Farmland Preservation Fund, \$45,881.56 of Clean & Green rollback tax interest as required by Act 156 of 1998, \$24,771.00 of other County Funds reserved exclusively for easement purchase, and \$165,000.00 of local government funds used for the acquisition of agricultural conservation easements”

Further expressed, “the above funding is available as of January 1, 2018.” ... “\$45,881.56 of Clean & Green rollback tax interest will be used to monitor and enforce agricultural conservation easements.” ... “\$250,000 50% matching challenge grant is hereby awarded to the Lancaster Farmland Trust.”

Mr. Matthew Knepper explained that the appropriation of \$1.5 million is the same amount as was allocated last year. Additionally, he shared that from a cash flow standpoint for the County, while this money is available January 1, 2018, in practice, it is not to be spent until 2019. Since at least 2012, the County has awarded the money in this fashion. Funds are awarded one calendar year, but are not spent until the following year.

IX. Adjourn

The meeting adjourned at 9:35 a.m.

The next scheduled meeting of the Agricultural Preserve Board

Thursday, February 22, 2018, at 8:00 a.m.
Lancaster County Government Center
150 North Queen Street, Room 104
Lancaster, Pennsylvania 17603