

Lancaster County Agricultural Preserve Board
Meeting Minutes
Thursday, January 27, 2022

Present: Mr. Jeffrey Frey, Chairman
Mr. Edward C. Goodhart, III, Secretary
Mr. Jered Hess
Mr. Andrew Lehman
Mr. Daniel Zimmerman
Mr. Matt Young
Mr. Roger Rohrer
Mr. Gary Landis, Vice Chairman
Commissioner Ray D’Agostino

Absent: None

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

Guests: None

I. Call to Order

Mr. Jeffrey Frey called the meeting to order at 8:05 a.m.

II. Review of Mission Statement

Mr. Jeffrey Frey requested that all Board members read the Mission Statement: *“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

The Agricultural Preserve Board met in Executive Session on January 27, 2022, at 7:15 a.m. to discuss the purchase of real estate and potential violations of agricultural conservation easements.

IV. Approval of Minutes

Motion to approve the November 18, 2021 meeting minutes made by Mr. Edward C. Goodhart, III and seconded by Mr. Roger Rohrer.

MOTION CARRIED UNANIMOUSLY

V. Business from Guests – None

VI. New Business

A. Requests for Subdivision/Land Development

Mr. Welsey Funk, owner of a 66-acre farm subject to an Agricultural Conservation Easement in Manor Township contacted Mr. Kevin Baer to discuss a potential Lot Add-On to a parcel of farmland preserved by Lancaster Farmland Trust (LFT). Mr. Funk was informed that APB Lot Add-On guidelines require that the receiving parcel be preserved/subject to an Agricultural Conservation Easement held by the APB or APB & LFT jointly.

A proposal that meets APB Lot Add-On guidelines is possible, but would result in an odd and potentially problematic configuration. A more logical option would require a waiver from APB Lot Add-On guidelines. Specifically, Mr. Funk sought feedback on a Lot Add- to send 15 acres of his APB preserved farm to an adjacent parcel of land currently subject to an LFT Conservation Easement. That same parcel also includes 19 acres of unreserved land (acquired after LFT preservation) that is not adjacent to the 15 acres considered for Lot Add-On. The recipient of Lot Add-On is willing to preserve the 19 acres with APB at a 50% bargain sale and may be willing relinquish the additional permitted residential structure, and forego any future subdivision of the 19 acres from the remainder of the farm. This would create a parcel that would be subject to two APB Agricultural Conservation Easements and an LFT Agricultural Conservation Easement. There were also other conditions discussed.

The Board concurred with this concept and agreed to provide the landowner(s) with this direction.

Mr. Roger Rohrer abstained from discussion to avoid a potential conflict of interest as he is friends with one of the parties.

B. Requests for Rural Enterprise – No Rural Enterprises

C. Board Reorganization

Mr. Matt Knepper reviewed the upcoming Board positions that need to be filled, Chairman, Vice Chairman, and Secretary. The Board recognized and commented on the insight and value that the current members have brought to the positions in which they served. Motions were made with the following results:

Motion to recommend the County Commissioners appoint Mr. Roger Rohrer as Chair made by Mr. Edward C. Goodhart, III and seconded by Mr. Jeffrey Frey with Commissioner D'Agostino abstaining.

MOTION CARRIED UNANIMOUSLY

Motion to nominate Mr. Daniel Zimmerman for Vice Chair was made by Mr. Jeffrey Frey and seconded by Mr. Edward C. Goodhart, III.

MOTION CARRIED UNANIMOUSLY

Motion to nominate Mr. Jeffrey Frey for Secretary was made by Mr. Edward C. Goodhart, III and seconded by Mr. Roger Rohrer.

MOTION CARRIED UNANIMOUSLY

D. Statement of Financial Interest

Mr. Matthew Knepper reviewed the need for the Board members to complete the Statement of Financial Interest form that was provided in the packet that was mailed to their homes.

E. Easement Values and Purchase Prices

Mr. Matthew Knepper shared data that provided detail over the past three years of Easement Purchase Summary Statistic, actual purchase prices, along with Easement Purchase Payment Caps. And at this meeting, Mr. Matthew Knepper provided a more detailed and comprehensive look at values that went back as far as 2011 to give the Board a 10 year look back.

This data was provided to the Board to continue the discussion from last month's meeting about changing or keeping the current Easement Purchase Payment Cap of \$4,000/acre and if the bargain sale formula should be deducted from the Appraised Easement Value OR the Easement Purchase Payment Cap.

After reviewing the data, the Board was reluctant to raise the cap of \$4,000/acre.

Commissioner D'Agostino stated that what is missing from the current dialogue is why current applications are declining option to move forward and if the Payment Cap, and/or the bargain sale deduction from Payment Cap versus Appraised Easement Value are reasons for critically located farms from not applying and if so, what can be done to solicit applications from these potentially valuable farms?

This prompted some conversation about the County Planning Departments Places 2040 and objectives of the Comprehensive Plan. Mr. Matthew Knepper expressed that the ranking system, which evaluates and prioritizes farms does incorporate Places 2040 data to award greater points to those farms that are considered a priority. This transitioned into a discussion about marketing the preservation program and/or targeting those farms that are deemed highly valuable to preserve.

It was agreed that the cap should be evaluated annually.

Motion to keep the Easement Purchase Price Cap at \$4,000/acre for the current ranking cycle was made by Mr. Roger Rohrer, and seconded by Mr. Matthew Young.

MOTION CARRIED UNANIMOUSLY

Mr. Matthew Knepper reintroduced the topic of bargain sales / tiered pricing. Historically, when a landowner elects a tiered pricing option AND his/her farm appraises above the Agricultural Conservation Easement Payment Cap of \$4,000/acre – the Board's offer is reduced to the cap of \$4,000 and the tiered pricing is taken from the \$4,000/acre. Staff recommends that the Board consider modifying this approach. Staff believes it is more equitable and more understandable to take the tiered pricing from the Appraised Easement Value even in those cases where the Payment Cap is met or exceeded. If after the percentage of donation is calculated and the Payment Cap is still exceeded, the offer would be reduced to the Payment Cap.

The Board postponed any decision until the following meeting.

F. 2022 County Funding

The 2022 Resolution that the County Commissioners will be asked to approve, will authorize a total of \$1,783,355.55 of easement purchase funds. This amount will be used as a match to solicit State funds.

VII. Adjourn The meeting adjourned at 9:40am.

The next scheduled meeting of the Agricultural Preserve Board

Thursday, February 24, 2022, at 8:00 a.m.

Lancaster County Public Safety Center

101 Champ Blvd. Manheim, PA 17545