

**HALFMOON TOWNSHIP OPEN SPACE PRESERVATION BOARD
REGULAR MEETING - MINUTES
FEBRUARY 1ST, 2012**

1. CALL TO ORDER

Chair Ron Hoover called the meeting to order at 7:06 pm. Other members present were Bob Eberhart, Joe Tylka, Jerry Brown, and Andy Merritt. Staff present was Susan Steele, Manager; Amy Smith, OSPB Administrator, and Rebekah Seymour, Recording Secretary. No Audience present.

2. PLEDGE OF ALLEGIANCE

3. MINUTES

Mr. Merritt noted, in regards to the motion to change board member requirement from eight to seven in the January, 18, 2012 minutes, his vote was actually nay and that Jerry Brown had voted yea. Mr. Merritt stated that these two votes be switched to accurately portray the vote taken.

MOTION: Mr Tylka moved to approve the minutes from January 18th, 2012 with the noted changes; Mr. Merritt seconded; Vote 5-0-0; Motion carried.

MOTION: Mr. Merritt moved to approve the revised minutes from January 4th, 2012; Mr. Tylka seconded; Vote 4-1-0; Messrs. Merritt, yea; Hoover, yea; Tylka, yea; Eberhart, yea; Brown, nay; No abstentions; Motion carried.

4. ADVANCES

Ms. Steele stated that she sent out suggestions for the advanced payment option after the last meeting. Ms. Steele stated that there were not changes to the first opening paragraph because it is a description of the purpose of the program. Mr. Eberhart suggested deleting this sentence since it is repetitive throughout the ordinance several times and begin with the second sentence. Ms. Steele agreed with this suggestion and revised the notes accordingly.

Ms. Steele stated that the next recommendation was for the consideration of application for any advance payments be reviewed once every three years. Mr. Hoover stated that a new applicant then might not apply for the program if they see that they can only apply for advance payments every few years. Ms. Steele stated that, in a way, this was already done since the new applicant's application for advance payments won't get approved until the next fiscal year. Ms. Steele further stated that all applicants are told there is the possibility they will not receive the advance payments. Ms. Smith stated that no one has withdrawn an application for the reason of uncertainty about receiving the advanced payment that the withdraws have always been for other reasons. Ms. Steele stated that there is a lot of time spent each year to determine if there is money and who gets the

money and by the time they are done it is already time for the cycle to start over. Ms. Steele stated that the three years can help give a little flexibility for budget reasons (time to allow money to grow since auditors were saying that the program was going broke) on the fact that a lot can happen in the board within those three years. Mr. Hoover stated that he understood that the premise of this was to give flexibility and allow money to grow but he was trying to look at what the next few years might look like in terms of budget. There was a discussion about budget breakdown and how the current spending patterns needed to be revised (i.e. cleaning out the bank account each year). Mr. Merritt questioned if three years would be enough to look at expenses and make a determination. Mr. Brown stated that the up front payments had always been at the board's discretion and if people see it's only going to happen every few years it might put a damper on new applications. Mr. Hoover stated that the document would never be perfect and the best thing the OSPB could do was to move forward with what they are doing now.

Mr. Eberhart stated that if it is known who is applying when budgeting happens it is possible to still make money available for applicants. Mr. Hoover suggested maybe instead of every three years it should be every other year. Mr. Tylka stated there was no problem with every year it just can become hard. Mr. Brown stated that legal fees seemed to have become excessive. Mr. Hoover stated that maybe, if needed, they could ask for a 1 mil increase to help the program grow.

MOTION: Mr. Hoover motioned to amend the ordinance to accept requests for advance payments once in every 3 years; Mr. Merritt seconded; Discussion: Mr. Eberhart and Mr. Brown both stated that this could mean they lose a good property to the offer of a developer who can give them money up front. Mr. Hoover stated that Ms. Smith had already stated earlier that they are told there is no guarantee of an advance and they still applied with that knowledge. Ms. Steele stated she didn't feel it is ethical to send notices out to people who are eligible to apply for an advance but know there isn't going to be money for it. Mr. Brown stated that farmers go from year to year and he doesn't want to see the farms gutted. Mr. Hoover called for an end to discussion and a vote on this motion. ***Vote 2-3-0; Messrs. Hoover, yea; Merritt, yea; Tylka, nay; Eberhart, nay; Brown, nay; No abstentions; Motion not carried.***

MOTION: Mr. Tylka motioned to change the language of new addition Section B to read that the Board of Supervisors can have discretion on advance payments but subject to the prior advice of the OSPB; No second; Motion dies.

Mr. Eberhart and Mr. Hoover felt that using "recommendation" would be better than using the word advice. Mr. Merritt wanted it to say "in consultation" rather than advice. Mr. Brown stated the OSPB just want to be kept in the mix.

MOTION: Mr. Hoover moved to change language of the new addition Section B to read that the Board of Supervisors can have discretion on advance payments but subject to the prior recommendation of the OSPB; Mr. Tylka seconded; No discussion held; Vote 4-1-0; Messrs. Hoover, yea; Tylka, yea; Brown, yea; Eberhart, yea; Merritt, nay; No abstentions; Motion carried.

MOTION: Mr. Hoover moved to retain the language in Section C with staff recommendation revisions; Mr. Tylka seconded; No discussion held; Vote 5-0-0; Motion carried.

MOTION: Mr. Hoover moved to amend Sections D & E in accordance with staff recommendation and revision; Mr. Tylka seconded; No discussion held; Vote 5-0-0; Motion carried.

MOTION: Mr. Hoover moved to change lease application deadline to August 31st to match advance payment deadlines; Mr. Eberhart seconded; No discussion held; Vote 5-0-0; Motion carried.

MOTION: Mr. Tylka moved to make staff recommended deletions with the exception of the amount of advance payments that can be approved; Mr. Eberhart seconded; Discussion: Mr. Tylka stated that they needed to have something to tell people who applied for advance payments. Ms. Smith stated that they just needed the revision in there as well to be clear there is a 20 year cap on advance payments. Mr. Merritt and Mr. Eberhart both stated that this locks the Board of Supervisors into 5 year increments. Mr. Eberhart further stated that this would not allow for the Board of Supervisors to approve any payment amount. Ms. Smith stated that it would make the administration of these payments horrible to keep track of how many years someone has been approved for. Mr. Brown stated he thinks the 5 year increments are workable. Mr. Hoover called the discussion to an end and for a vote on this motion. Vote 4-1-0; Messrs. Eberhart, yea; Brown, yea; Tylka, yea; Hoover, yea; Merritt, nay; No abstentions; Motion carried.

MOTION: Mr. Hoover motioned to keep paragraph 2 as written and codified; Mr. Eberhart seconded; Vote 5-0-0; Motion carried.

MOTION: Mr. Hoover moved to amend paragraph 3 to read that the date of payment on advance payments shall be at the end of the fiscal year; Mr. Tylka seconded; Vote 5-0-0; Motion carried.

MOTION: Mr. Hoover moved to strike paragraph 4 from the code; Mr. Eberhart seconded; Vote 5-0-0; Motion carried.

5. OTHER BUSINESS

No other business discussed.

6. CITIZEN'S COMMENTS

There were no citizen's comments.

7. ADJOURNMENT

The meeting was adjourned at 9:40pm.

MOTION: Mr. Merritt moved to adjourn the meeting at 9:40pm; Mr. Tylka seconded; Vote 5-0-0; Motion carried.