

**HALFMOON TOWNSHIP OPEN SPACE PRESERVATION BOARD  
REGULAR MEETING – MINUTES  
MARCH 26TH, 2009**

**1. CALL TO ORDER**

Chair Lee Pressler called the meeting to order at 7:00 p.m. Other members present were Bob Eberhart, Ben Pisoni, Ron Hoover, Jerry Brown, Dennis Thomson and Andy Merritt. Staff present was Greg Love. No Audience present.

**2. PLEDGE OF ALLEGIANCE**

**3. MINUTES**

Mr. Pressler introduced Mr. Merritt to the OSP Board.

● ***MOTION: Mr. Thomson moved to approve the minutes of February 15th, 2009 subject to providing a comma after occur and changing the word than to then on page one; Mr. Pisoni seconded; Vote 6-0-0; Motion Carried.***

Mr. Eberhart questioned whether there was any feedback from the residents regarding the OSPP information and statistics. Mr. Love and Mr. Pisoni were not aware of any feedback.

**4. DISCUSSION FOR FINANCIAL ITEMS FOR WILDLIFE CORRIDOR**

Mr. Pisoni provided a spreadsheet that provided two options for payment of the Wildlife Corridor. The spreadsheet provided an estimate of what the funds would look like in 2009 and 2010. Mr. Pisoni stated he did not know whether the Township would make payment for the Wildlife Corridor in 2009 or 2010 so that is why both years have been provided. The 2009 spreadsheet shows a fund balance of \$387,144 as of 12/31/2008, \$239,551 for expenses for 2009 (includes leases and advance payments), \$75,820 is for the projected income for 2009 OSPP for 1.12 mils - .88 mils of the 2 mils collected for the OSPP will go to the General Fund in 2009 with a balance of \$126,627 at the end of 2009. Mr. Pisoni explained the budget error. The ending balance of the OSPP fund will be \$126,627. Mr. Pisoni explained the spreadsheet shows that 25% (cap limit) of the fund balance of \$387,144 is \$96,786, .88 mils of \$59,573 from the General Account and \$43,641 would come from the General Account and would be paid back from the Open Space Fund in 2010 through tax mills. This totals \$200,000 for the Wildlife Corridor.

Mr. Pisoni reviewed the payment option for 2010. Mr. Pisoni explained the beginning balance for the OSPP fund would be \$223,413, \$67,876 for estimated expenses (Mr. Love stated he did not think there would be any advanced payments), \$50,772 from .75 mils (1.25 mils go into the General Account for the Wildlife Corridor), \$55,853 for 25% (cap limit) of \$223,413, with \$150,456 as the estimated balance at the end of 2010. Mr. Pressler stated that was not very much money left in the end of 2010. Mr. Pisoni explained payment for the Wildlife Corridor in 2010 would be \$55,853 (which is 25% of \$223,413), \$59,572 (.88 mils from 2009 General Account), and \$84,574 for 1.25 mils from the General Account. This totals the \$200,000 needed for the Wildlife Corridor. The estimated balance for the end of 2010 is \$150,456.

Mr. Pressler stated if an application comes in and there are not enough funds than the Wildlife Corridor was not worth it. Mr. Pisoni stated it is preserved forever. Mr. Pisoni stated it is cheaper to purchase the permanent easement outright than to lease it for 99 years. Mr. Eberhart reminded the OSPB that they have the option of turning applicants down. Mr.

Brown stated that does not get the OSPP anywhere and that concerns himself and Mr. Pressler. Mr. Pisoni stated speaking for himself if it comes to the point in 2010 that there is not enough money to for a lease application but it was close he would not have a problem transferring monies from the General Account and have it paid back in a couple years. Mr. Pisoni stated at some point the number of applicants will decrease so the monies will start to build back up. Mr. Pressler stated if an application comes in that needs more than \$150,480 than it the purchase of the 40 acres sacrificed the OSPP. Mr. Eberhart stated the Township is spending \$5,000 an acre now but if the 40 acres was put in the lease program than it would cost \$3,000 an acre for 99 years in today's CPI rate. The total would be much more when adjusted. Mr. Pisoni stated if the 40 acres was preserved for 99 years with no advanced payment the Township would payout roughly \$200,000 in 62<sup>nd</sup> year of the 99 year lease so anything above that is costing more than \$200,000. Mr. Thomson reminded the Board that if an application came in and requested an advanced payment than it could be paid out over a two or more year period if the funds were not available. There was discussion on capital gains. Mr. Eberhart thanked Mr. Pisoni for providing the figures.

Mr. Pressler stated the Board of Supervisors rejected the Wildlife Corridor Acquisition Application at their meeting on March 12<sup>th</sup> but passed it at a special meeting on March 18<sup>th</sup>, 2009. Mr. Pisoni explained there was not a full board at the March 12<sup>th</sup> meeting. Mr. Pressler requested Mr. Merritt explain what his decision was based on. Mr. Merritt explained it is economic sense it makes more sense to own than to lease. Mr. Merritt stated since the land will be permanently preserved that it becomes a selling point for the community. Mr. Merritt discussed the controlled burn that will be done and about the wildlife that will be traveling back and fourth. Mr. Merritt stated Mr. Hilshey made perfect sense that the Township is maintaining and not creating anything new. Mr. Eberhart stated technically the only thing the Board of Supervisors was to be looking at was administrative correctness of the Application and not whether they agreed with the transaction. Mr. Eberhart stated that vote was inappropriate based on what was expected of the Board. Mr. Brown stated this program was not set up originally for permanent purchases. Mr. Pressler stated Mr. Hilshey commented that the Township would be paying 1/3 of the Wildlife Corridor at the BOS meeting and that was the first time he had heard that figure. Mr. Merritt stated that was based on the appraised price. Mr. Pisoni explained that is what the BOS, by approving the Acquisition application, started the appraisal process. Mr. Brown questioned what happens if the appraisal comes in at \$10,000 an acre. Mr. Pisoni stated the Ordinance states the Township can not pay more than \$5,000 an acre. Mr. Pressler stated the Township will not own the property but only own the easement.

Mr. Pressler questioned what the next step for the OSPB is and whether they get the option of approving or rejecting this application. Mr. Love stated the OSPB will receive the property survey, appraisal and the Phase I Environmental Study within the next 90-120 days. Mr. Pressler questioned whether the Board gets the opportunity to reject or approve the whole application. Mr. Love stated the OSPB will get to make a recommendation based on those documents. Mr. Pressler stated the BOS will not spend any money on this project until the OSPB makes a recommendation as per Mr. Pisoni. Mr. Pisoni stated the OSPB will have an opportunity to make a recommendation. Mr. Love provided the draft conservation easement for the Wildlife Corridor that is being proposed. Mr. Love stated there is no action needed on this draft and will not even be finalized until September. Mr. Eberhart questioned why the OSPB would not be asked to comment on the draft conservation easement. Mr. Love stated the OSPB can comment on the draft but was not meant for tonight's meeting. Mr. Eberhart stated the letter from Clearwater Conservancy regarding the Conservation Easement should have been sent to the OSPB. Mr. Thomson stated this should be an agenda item for the next meeting. Mr. Pressler stated the whole package should be in hand before reviewing the

conservation easement. Mr. Thomson questioned whether there is any reason not to proceed with the review pending submission of documentation. There was discussion on the restrictions. Mr. Merritt stated Mr. Hilshey stated it would be for passive recreation. There was discussion on whether horseback riding was permitted on the Wildlife Corridor and the State Gamelands. Mr. Love referenced the public restrictions for the OSPB to review at the next meeting. The Board discussed possible restrictions that could be placed. Mr. Pressler questioned whether there was any compensation for the 4 acres that will be farmed. Mr. Love stated he did not know. Mr. Eberhart stated that is a legitimate question and it should be asked. Mr. Pressler stated the conservation easement is not enough and he has more questions. Mr. Pisoni questioned whether Mr. Pressler wanted to hold up the easement because his questions have not been answered. Mr. Pisoni stated questions should not hold up the OSPB reviewing the information that was provided. Mr. Brown stated this whole process is very confusing. There was discussion when a subdivision will be completed. Mr. Love reviewed the process. Mr. Merritt questioned whether the OSPB would be out of line to mark up the draft and send it back to Clearwater Conservancy. Mr. Love stated the OSPB's comments would go back to the BOS and the Solicitor. Mr. Love stated it is still a draft document until after September. Mr. Love stated the OSPB should not go back and rewrite a document that has already been approved. Mr. Hoover questioned what the underlined items were in the conservation easement document. Mr. Love stated those are items the Clearwater Conservancy has filled, edited or deleted. Mr. Love provided blank conservation easement documents for the Board to compare to the draft conservation easement provided by Clearwater Conservancy. Mr. Love explained the Township will enforce the restrictions if Clearwater Conservancy does not. Mr. Love stated the document explains who enforces the restrictions.

#### **5. OTHER BUSINESS**

Mr. Love stated he needs a volunteer to attend a meeting regarding the Hall Estate possibly applying to the OSPP on Friday, April 17<sup>th</sup> at 2:00 p.m. Mr. Thomson and Mr. Pressler volunteered. Mr. Love stated this parcel is approximately 100 acres. Mr. Love stated the Lease Applications public hearings will be on the BOS Agenda on April 23<sup>rd</sup>, 2009.

#### **6. CITIZEN'S COMMENTS**

There were no citizen comments.

#### **7. ADJOURMENT**

The meeting was adjourned at 8:25 p.m.