

**HALFMOON TOWNSHIP OPEN SPACE PRESERVATION BOARD
REGULAR MEETING-MINUTES
JULY 10, 2019**

1. CALL TO ORDER

Chair Lorin Nauman called the meeting to order at 7:02pm. Other members present were James Smith, Reed Moyer and Joe Tylka. Staff present was Susan Steele, Township Manager, Amy Smith, OSPB Administrator, Jeff Stover, Township Solicitor and Rebekah Laird, Recording Secretary. No audience was present.

2. PLEDGE OF ALLEGIANCE

3. MINUTES

- ***MOTION: Mr. Moyer moved to approve the meeting minutes of April 3rd, 2019 as submitted; Mr. Smith seconded; Vote 4-0-0; Motion carried.***

4. PRESENTATION BY TOWNSHIP SOLICITOR

Chapter 163-4: Terms and conditions of conservation and preservation easements

Mr. Stover stated that the debate in the previous meeting about whether language should read 10 acres or 11 acres, through historical research completed by Ms. Smith, that the language should read 11 acres. Mr. Stover also stated that the draft version he had worked from, at a previous meeting, to make suggestions, was not an updated version of the ordinance so the copy used tonight reflects the changes discussed using the updated version of the Code. Mr. Stover stated that with the updated version he moved caveat language to new subsection E(1)(h) and a reference to caveat language was added to section D(3). The OSPB agreed with the discussed changes from previous week in updated copy of ordinance.

Chapter 163-5: Review process

Mr. Stover stated that other than the already discussed changes, at the previous meeting, the only language that was added was to subsection B(1)(d) that states an applicant to the OSP must disclose if they are applying simultaneously to another program. The OSPB agreed with discussed changes from previous week and new language that was added.

Chapter 163-9: Termination of easement

Mr. Stover stated that other than changing typo errors and other language discussed at previous meeting he added language to section E to state that price for easement on land was agreed upon according to guidelines found in 163-15. The OSPB agreed with discussed changes made to this chapter.

Chapter 163-15: Allocation of funds

Mr. Stover stated that this chapter only included Section A(1) before but language was added to this section to differentiate pricing between tillable and non-tillable land and that a price would need to be inserted for non-tillable land.

There was a discussion on where the \$4000 per acre price had originally been decided upon, to which it was stated that it was based on talks with other local county programs. There was discussion on how they might be able to word the pricing in way that is flexible as time goes on as dollar values might change in future. The OSPB discussed

changing the language to read that the amount should not exceed the appraised value of the property as given by an appraiser procured by the Township. The OSPB agreed that it was best to strike the \$4,000 per acre from section 163-15(A)(1)(a) and add not to exceed appraised value as given by an appraiser procured by the township and to reference the procedures documented in chapter 163-9 on appraising the property.

There was a brief discussion about whether fee-simple purchases should be included since the program is set up to lease properties and the township can't own property longer than two years and must partner with another entity to maintain ownership of the permanent conservation easement while the other entity would own the property. There was debate about situations that might warrant a fee-simple purchase and difficulty of defining some of these situations such as financial hardship. Mr. Stover stated he did not see a potential issue with being able to sell within allotted time and the option exists for an emergency situation, not to be the norm, and it gives flexibility for unforeseen situations.

Mr. Stover reviewed language added for section B and subsequent subsections to which the board agreed with added language. The Board agreed to add the \$4,000 per acre in section 163-15 (B)(1)(a) for tillable land. There was discussion on finding out possible dollar amounts to be added for non-tillable land, possibly to ask a realtor, local counties or the Western Pennsylvania Conservancy. Staff will research possible dollar amounts to present to board at the next meeting.

There was a discussion about future review of lease agreements as language concerning CPI needs changed as multiple indexes are referenced. There was also discussion that once an index is decided upon that the way in which to calculate should be outlined as well. Ms. Steele stated that there was one used most consistently in past so changed language should be what needs to be discussed.

5. OTHER BUSINESS

There was no other business.

6. CITIZEN'S COMMENTS

There were no citizen's comments.

7. ADJOURNMENT

The meeting was adjourned at 8:33pm.

- ***MOTION: Mr. Moyer moved to adjourn the meeting at 8:33pm; Mr. Tylka seconded; Vote 4-0-0; Motion carried.***