

**HALFMOON TOWNSHIP OPEN SPACE PRESERVATION BOARD & BOARD OF
REGULAR MEETING- MINUTES
NOVEMBER 8, 2023**

1. CALL TO ORDER

Chair Reed Moyer (present at the Municipal building) called the meeting to order at 6:58 p.m. Other members present were D. Christine Bracken-Piper (present at the Municipal building) Patti Hartle (present at the Municipal building), Mark Hartle (present at the Municipal building), Jim Smith (present at the Municipal building), Ron Hoover (present at the Municipal building) and Joanne Fisher (present at the Municipal building). Staff present was Amy Smith, OSPB Administrator (present at the Municipal building), and Rebekah Laird, Recording Secretary (present at the Municipal building). The audience present at the Municipal building were two Penn State Students.

2. PLEDGE OF ALLEGIANCE

3. CITIZEN'S COMMENTS

There were no citizen's comments.

4. MINUTES

- ***MOTION: Ms. Hartle moved to approve the meeting minutes of October 11th, 2023 as submitted; Mr. Smith seconded; Vote 7-0-0; Motion carried.***

5. LEASE LAND RATING SYSTEM & PERMANENT EASEMENT RATING SYSTEM DISCUSSION

Mr. Moyer asked the board if there was value in having two different rating systems. Ms. Hartle replied that there was value because the lease rating system was governed by an ordinance and is state regulated. Ms. Hartle further stated that there is value in the permanent easement scoring system because it includes points for partnerships that are not a factor in the lease rating scoring system.

There was discussion about some discrepancies between what had been discussed in a previous meeting regarding the criteria in the permanent easement rating scoring system and the version that is currently being used. This was corrected by revising the scale with information retrieved from a review of previous minutes. Mr. Hartle also recommended putting a date at the bottom of the version copy for the eventuality of any future revisions to the scale.

Mr. Hartle stated that the lease land rating scale formula didn't make sense because smaller properties at some point could receive higher ratings based on size than properties that had more acreage. Mr. Moyer asked if it might just be simpler to use the rating for size that was developed for the permanent easement scale to which some board members agreed. There was some brief discussion about the property size formula and what reasoning might have been behind its creation. Mr. Hartle volunteered to review the formula to see if there was a way to revise it so that it would be workable.

Mr. Hartle commented on the fact that in the lease land rating scoring system, a parcel of land could lose points for having hydric soils, but then regain those points under merit points and is contradictory. The board agreed and suggested removing the negative point for hydric soils.

6. DRAFT LANGUAGE FOR DENYING APPLICATIONS

Mr. Moyer brought up a question on the intent of language in the selection process portion of the ordinance (163-5(2)(a)[1]). After some discussion and review the board could not decipher the intended meaning and Ms. Smith will research that there is no issue to remove it from the ordinance.

Ms. Smith stated that the solicitor reviewed the ordinance and drafted language regarding the denial of prospective applications. Ms. Smith then stated the solicitor clarified some additional language concerning timeline for a title search to occur and obtaining title insurance on a property. There was discussion on why there needed to be the extra step and cost of getting title insurance on a property and the possible history of the inclusion. The OSPB decided to wait for further discussion of this proposed language until further clarification and review could be obtained from the solicitor.

7. DEADLINE FOR OBTAINING TITLE INSURANCE & SUBORDINATION AGREEMENTS

The deadline discussion has been tabled until solicitor review can be completed as per earlier discussion on ordinance language.

8. CENTRE COUNTY LAND PRESERVATION PROGRAM PRESENTATION

Mr. Hoover presented information about the Centre County Preservation Program. The county program focuses more on tillable farmland (Class I & II soils) as opposed to general open space. The reason being that preserving the best quality land would ensure a method for future generations to have a food supply. Mr. Hoover reviewed some statistics and a map of current land preservation across the county from various programs including the county preservation program. Mr. Hoover stated that their process is similar to the open space program in terms of applying for acceptance and reviewed some criteria for acceptance. The funding for preservation comes from the state, a little might come from the individual counties as well. There was some discussion about the number of properties that are entered into the program each year and acceptance rates. There was a question about how common partnering with the counties was for funding to which Mr. Hoover stated it happens but is not really common. There was then discussion on past partnerships with the county and options for future possibilities for partnership.

9. FISHER PERMANENT CONSERVATION EASEMENT TRIALS AND TRIBULATIONS

Ms. Fisher ran through a timeline of her experiences with the OSPP and the County program for eventual permanent easement. Ms. Fisher highlighted some of the following points about the process that future potential applicants for this process should know:

- There needs to be an NRCS Conservation Plan in place for the PACE program.

- There is a list of required steps needed to be completed to meet federal funding requirements within a specific funding window.
- Need for registration with the Farm Services Agency which can be done at the NRCS office in Mill Hall. Ms. Fisher had to fill out a total of four forms for this.
- NRCS CPA-41 parcel application needs to be signed by various parties.
- The 99-year lease from the OSPP needed to be dissolved so a termination agreement had to be completed. Ms. Fisher commented that she had to pay solicitor fees to draw up a termination agreement and she did not think that was fair that she had to pay for something that could be used by others. Ms. Smith stated the ordinance requires that the landowner pays for the costs of the termination of the lease and the ordinance would need to be changed if the board felt that was too onerous. Ms. Smith added that the OSPB could request that the Board of Supervisors consider reimbursement to Ms. Fisher for the monies paid for the termination if they felt this was not the intent of the ordinance.
- After discussions of complications of putting two easements on property, one for ag land and one for woodland the eventual decision was to donate the woodland to the County.
- Due to federal funding appraisal on property cannot be considered complete until the NRCS reviews the applications and approves it, which can take anywhere from 30-60 days.
- Will receive a 1099 after all sales are paid to her.

After the process Ms. Fisher said she would hesitate to recommend applying for federal funding to other landowners for preservation. There was discussion amongst the board about costs incurred during the process and communication of some of the process nuances for future applicants. Ms. Hartle questioned that due to the termination step of the 99-year lease would it be better to ask properties not already in the OSPP that are applying for the county program to consider a partnership as it would help with permanent easement of properties and eliminate a costly step in the process. The board discussed this and further possibilities to work on smoother partnerships with the county program based on this information presented.

10. OTHER BUSINESS

There was no other business.

11. ADJOURNMENT

The meeting was adjourned at 8:38 p.m.

- ***MOTION: Mr. Hoover moved to adjourn the meeting at 8:38pm; Mr. Smith seconded; Vote 7-0-0; Motion carried.***

Respectfully Submitted,



Rebekah Laird
OSPB Recording Secretary

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