

ADAMS COUNTY AGRICULTURAL LAND PRESERVATION BOARD
Minutes of Regular Meeting
June 4, 2025 at 7:00 pm

Attendance:

Members - Attending In-person:

Dave Wenk, Tyler Nell, Doyle Waybright, and Sidney Kuhn (arrived at 7:08 pm)

Members - Attending by phone:

Craig Yingling and Ben Mearns

Absent:

George Weikert, Dave Boyer and George Taughinbaugh

Staff-Attending In-person:

Ellen Dayhoff, Mark Clowney, Kelly Koch, and LeighAnn Abraham

County Staff-Attending by phone:

Sherri Clayton-Williams, Sean Mott, Adams County First Assistant Solicitor

Staff - Absent:

None

Guests: Roy Pool, Kellie Kavanaugh, Phil Kline and Jared Krieger, KG Strategic Consultants, and Nick Wagman, Wagman Engineering, LLC

The June 4, 2025 meeting of the Adams County Agricultural Land Preservation Board commenced at 7:03 pm in the Planning Conference Room at the Adams County Agricultural & Natural Resources Center. Vice President Dave Wenk called the meeting to order at President Craig Yingling's request.

I. Board Business

A. Approval of April 2, 2025 Meeting Minutes

Mr. Waybright made a motion to approve the April 2, 2025, ACALPB minutes; Mr. Nell seconded the motion. Motion was approved unanimously.

B. Public Comments/Updates/Announcements

1. The Board as well as the guests present introduced themselves, including the individuals on the phone (Craig Yingling, Ben Mearns, Sherri Clayton-Williams and First Assistant Solicitor Mott).

2. Ellen announced there is a public auction June 17, 2025 on the Rohrer preserved farm with 186 preserved acres in Straban Township. 133 of these acres are preserved with the County Program, and 53 acres of woodland preserved with the Land Conservancy. Ellen has been in contact with the auctioneer and will be attending the public sale as will Sarah Kipp from the Land Conservancy.

C. New Business - none

D. Legislative Updates/Issues

1. PA Farm Bureau Updates (Mark Clowney, Dave Wenk) – A bill to repeal Sunday hunting passed the State House. The bill allows the PA Game Commission to include Sundays during various hunting seasons. Farm Bureau originally opposed this bill, but supported it after more strict trespassing laws and deer control language was added. It is now in the Senate for consideration.
2. Clean and Green Issues (First Assistant Solicitor Mott) – First Assistant Solicitor Mott gave an overview of the Clean and Green Act. He stated there are three general categories: Agriculture, Agriculture Reserve and Forest Reserve.

Tax Services is fielding various questions regarding orchard blocks that are less than 10 acres and are not in production because of the normal farming practice of pushing out fruit trees as part of their growing cycle. During this time, they are not producing fruit and therefor the landowner cannot prove the \$2,000/year income that is mandatory to continue receiving the benefit of reduced taxes via Clean and Green. Discussion on options for the land during this fallow period of time, to grow another crop, etc. Board members expressed their concerns that these options may not be feasible. Several Board members with less than 10-acre properties noted that they have never been asked to prove the \$2,000/year until recently. It was noted that changes in technology and staffing capacity are allowing for better tracking of these properties to ensure compliance with the law.

First Assistant Solicitor Mott recommended having any affected landowners contact the Tax Services Department directly with specific questions. He also suggested to petition our local legislature to get an exception or to change this law.

II. Updates

A. Township Updates – none

B. LCAC Updates (Mark) – Waybright (Brad and Kimberly) Farm settled using Federal and Green Space money.

C. Parks, Recreation and Green Space Grant Program

Adams County Parks, Recreation and Green Space Grant Program is now accepting applications for both Park and Rec projects as well as land preservation projects. The new round opened Monday, June 2nd and will be open through August 29th.

D. Ag Discovery Center (Mark) – Design work is being done as well as an agreement of sale for the property behind the Gettysburg Outlets covering approximately 22 acres.

E. PFPA Conference May 12th and 13th – State-wide association for farmland preservation was held in Adams County. The tour included Beyond the Battle Museum, a stop at Bea Waybright’s Mary Penn B&B, Hanover Shoe Farms, Conewago Chapel and Half Pint Creamery. Ellen stated it was a successful and well-attended conference.

III. Executive Session is not needed at this time; however, will keep the option open through the rest of the meeting.

IV. Round 15 and Round 16 - Please refer to Round 15 and 16 Financial Status Reports

Ellen reviewed both reports and updated the Board on the status of the farms in process.

V. Inspections, Transfer, Subdivision, Rural Enterprise Applications, Other Issues

A. Waybright, Bea – Ratification of Email Vote

Easement located at 716 Mason Dixon Road - additional house and possible subdivision of easement for the one permitted residence – ACTION to approve general location of additional residence and approval of easement subdivision for the purpose of the additional residence. Specific information including a map was emailed to the Board on May 6, 2025. An email vote was taken and approved.

Mr. Waybright made a motion to ratify the email vote; Ms. Kuhn seconded. Motion approved.

B. Waybright, Bea – Easement located at 1030 Mason Dixon Road, Cumberland Township. Discussion. Proposed Rural Enterprises. See handouts. Possible action item.

Representatives of “Barns and Meadows” (potential buyers, consultants and engineer) were in attendance to discuss various options for the Bea Waybright preserved farm. They submitted a “Permitted Use Notification or Application for Consideration of Rural Enterprise” application to get a read on what might be possible on this preserved farm. Mr. Wagman, their Engineer, reviewed the Barnes and Meadows rural enterprise proposal.

It was noted that the purpose of the Agricultural Land Preservation Program is to preserve active agricultural land and that the Board is interested in preserving not only the land, but the farmer as well. The Board cannot guarantee that the types of uses they

are proposing will be approved. There is language to accommodate Rural Enterprise type uses as long as they remain secondary to the overall farm operation. Copies of the Act, Regulations and Program Guidelines have been made available to the potential buyers and Solicitor Mott once again encouraged them to have their Attorney review these rules and regulations. The Board explained that they will discuss this further during their Executive Session and will respond within 30 days. The guests then left the meeting.

Open Executive Session

Vice Chairman Wenk opened the Executive Session at 8:48 PM.

After much discussion, First Assistant Solicitor Mott advised that the Board should deny the application on the basis that Barnes and Meadows are not the owners of the property and thus do not have standing to submit such an application.

Sherri asked First Assistant Solicitor Mott to draft a response letter to Barnes and Meadows that per policy, we cannot accept the application as they are not the legal owners, but that they can reapply once they are the titled owners.

C. King Farm (Horner Farm) – Update on current situation

Significant information was received that it appears someone is living in the new barn. At this time, they are not in violation of the Deed of Easement. Cumberland Township has stated that the owners were told they cannot live in barn. Code Enforcement Officer for Cumberland Township has visited the farm and has spoken to the owner's son. Staff will keep the Board updated on this situation.

Close Executive Session

Vice Chairman Wenk closed the Executive Session at 9:13 PM and called for a vote regarding the Barnes and Meadows Rural Enterprise application.

Ms. Kuhn made a motion to deny the Barnes and Meadows Rural Enterprise Application based on standing; Mr. Nell second motion. Motion carried.

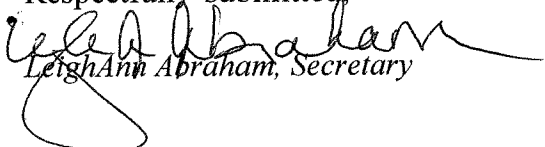
VI. Program Guideline Changes

A. Discussion/Changes to Unique Purchase Situations Language – oh hold, no discussion

VII. Adjournment

Ms. Kuhn made a motion to adjourn the June 4, 2025 ACALPB meeting at 9:15 pm; Mr. Mearns seconded. Motion was approved unanimously.

Respectfully submitted,


LeighAnn Abraham, Secretary