

DIRECTOR'S FARMLAND PRESERVATION ADVISORY BOARD

MINUTES OF BOARD MEETING

Ohio Department of Agriculture
Reynoldsburg, Ohio

December 12, 2007
Minutes taken by Kristen Jensen

*Disclaimer: Many individual opinions have been captured by the recorder but do not necessarily reflect the opinions of the entire Advisory Board.

Mark Forni, Chairman of the Board, called the meeting to order at 10:12 a.m. in the Conference Room 308 of ODA's Bromfield Administration Building.

Advisory Board members present: Mark Forni, Chair, Jill Clark, Vice-Chair, Glenn Myers, Brian Williams, Jay Rausch, Doug Givens, Thomas Mazur, Lucille L. Hastings, Harold Wehl, Roger Rhonemus.

Advisory Board members absent: Open position representing Development Interests, Roger Wolfe, and John Detrick.

ODA Staff members present: Kristen Jensen, Program Manager and Joel O'Connell, Assistant Attorney General.

*Changes were suggested to last meeting's minutes by Doug Givens and with those changes approved by the Board. Approval of the Minutes: The motion to approve the minutes was called by Doug Givens, seconded by Roger Rhonemus, and passed by the board.

ORAL VOTE: PASSED

A review of the office's current projects was given by Mark:

*2006 Federal Farms-All farms receiving federal funds should be completed (except for Brunk) by the end of the year. NRCS was the main hold-up as well as getting the checks cut with the new state system. NRCS through federal legislation is a co-holder of the easements which in turn creates additional requirements. There is a new staff person with NRCS now and it is believed that this year things may run much more smoothly and NRCS will be more of a pass through and not so involved in the agricultural easement intricacies. States have interpreted the federal legislation differently as to the amount of federal involvement needed. Vermont and Massachusetts use more of a pass-through model with NRCS. As for the checks, this should not be a recurring issue.

The federal farm bill, both the senate and house versions do not have NRCS as a co-holder on the easements. State requirements would be stringent enough to earn federal funding. This would speed up the process for closing on the farms.

Doug Givens mentioned that when these farms are held up though the closing process for an extended period of time, money is lost. He estimates 10% interest on the Rose Wolfe farm was lost because of how long it took to close on the farm. Also, those farms who receive federal funds and therefore must have an appraisal done also get the short end of the stick. Appraisals have to be 60

days old or less. Rose Wolfe had to pay extra because after the first appraisal over 60 days passed and then she had to pay for an update. It was also pointed out that sometimes the county auditor's appraisals are different from ODA's points based appraisal. Should every farm be required to do an appraisal? If the deed is extinguished then the base value is documented for all legal purposes... there are pros and cons to this.

*2007 AEPP Farms- We do not know what farms NRCS has chosen for next year's federal farms, that decision is currently at their desk. Since Babcock and Sunny Lane Farms are completed they cannot be chosen.

*Donations- There are lots of donations on their way through. We believe this to be because of the landowners' emotional connection to the land. It takes approximately three months to accept a donation. Board members requested to see the expected list of donated farms to be closed through this program. Mark will gather this information and send it to the members.

*Present Condition Reports (PCRs)- we are encouraging those who create these documents to reevaluate the number of pictures they are including in the document. Recording costs can be expensive (approximately \$8.00 per page). Farms should be documented for future monitoring and a quality baseline obtained but not an over extensive amount of pictures need to be taken in order to do this.

*Questions regarding the necessity of title insurance came up. Joel informed the Board that according to state statute title insurance is required because of the risk involved. If something happened the state would need to recoup their money.

*Kristen Jensen discussed the successful 2007 annual Summit. The planning committee for the summit is looking for input and suggestions for next year; future speakers, summit themes, and break-out session ideas. Suggestions were given to look at past farms through ODA's programs, their reinvestment and job creation/expansion. It is important to show both the intrinsic and extrinsic values of preserving land. One example may be Tim Norris' farm. If ODA goes to local sponsors to collect this information, ODA should look toward other states' forms which look for this information or AFT or our own agencies (ODOD). The public gets the land forever which is a true value and the farmer's subsidize this. Also, include the township level and other grassroots opportunities, nuts and bolts, more motivation and excitement. Data and technical sessions also should be added. It would be great if we could identify environmental planners to attend. Planning offices may not be staffed well enough to discuss agricultural issues. While Franklin County planners may earn \$200,000/year others may only make \$12,000 annually. Education, knowledge, and experience may be lacking in the counties that are not able to afford a greater salary for their planners. The summit is not marketed to farmers as well as it could be. It would be great to show governments the cost of poor planning like through the cost of community services study but in order for one to be done it costs a community approximately \$30,000.

It was great to invite the younger crowd especially through the art exhibit. Maybe a different school could be highlighted each year... Wooster, Kenyon, or high schools because most smaller colleges have a much higher population of students that are from places and states other than Ohio. In the past, there was a speech contest for the lunch portion of the day with cash prizes. Maybe a literary contest? College students are interested in ag development and innovation. Ex: CWRU students who developed the web based method to link farms and restaurants.

It is important to present both the hard data (economic development, etc.) and the “romantic” aspects for motivation, excitement. It is good to have a “face” in the administration that is pro-farmland preservation, like with Frances Strickland. What other recognizable people can we recruit?

*Wind turbine language has been added to the deeds which is complimentary to the Governor’s renewable energy policy.

* Long term Subcommittee Report- The draft document was briefly reviewed. What is not addressed by the report but they hope to look at next, is the funding. First, the committee wanted to focus on the BEST program then look for funding instead of reversed so as to not hamper creativity. There is obvious need to for consistent funding through the proposed programs. If there continues to be inconsistent funding then the current AEPP program would be the best option to stick with. Possible suggestions: CAUV recoupment changes- but the money would stay local.

The proposed model looks like the new generation of programs- the need for local money similar to Virginia and Michigan. If the State does not have funding then this model will ensure the functioning of farmland preservation measures throughout the county level. The State may have interests contrary to the local governments; therefore the 88 unique counties may need to tailor the program to their needs. Ex: ODOT operations: regional districts provide support to counties with lesser capacity. Is there a way to provide counties lacking in internal capacity with support? How does the CCAO and Farm Bureau perceive a model like this? Rural counties with low population, and small funds, do not have the ability to fund farmland preservation... Ex: conveyance fees are maxed out and CAUV has a lot of loop holes. Maybe extension of CAUV recoupment may be an option. Leveling the playing field for rural counties might be a priority. Whoever receives the benefits should pay regardless of financial ability? Tax levies would not work in numerous counties.

Board members should submit comments on the long-term subcommittee report to Jill Clark by December 21st.

Within the report, the required match component seems ok but what about under eligibility, #11.... “proof.” Is that the right word? Maybe financial ability or certification? Land trusts need insurance because they do not always have stewardship pot. There is no clear law to define “Comprehensive plan” in Ohio. OPC has a movement to define it. Does this mean? A county-wide plan or township level? If a comprehensive plan is an eligibility requirement it will encourage and provide an incentive for counties to start thinking and planning. On the other hand, how many counties would then be eligible? Perhaps less than 25. Should there be a timeline (length or life) of a comprehensive plan? EPA’s standards are 10 years, average of 20 vs. 25 years or a 4 or 5 year plan. Oftentimes the plans go with funding/election cycles. How can we standardize? Could we accept individual plans (one item, specific) as parts to reference?

Where does the Board proceed with the report? The subcommittee suggests consensus from the Board regarding the long-term report and then for permission to take the document out to the key stakeholders for further review.

*Motion: To accept the long-term subcommittee’s report as a working report, made by Thomas Mazur, seconded by Harold Wehl and motion PASSES ORALLY.

*Motion: To grant authority to the long-term subcommittee to proceed with looking into the funding issues? PASSED by unanimous consensus.

Once the subcommittee makes changes, more information will be given to ODA administration. This is still a concept paper until stakeholders support it and there is consensus.

*The Ohio attorney general office's role is to serve the best interest of the State with every easement. Some local sponsors do not have great enforcement ability.

*The entire "2008 DRAFT Application Changes" was reviewed. Kristen Jensen combined comments and suggestions from concerned individuals and land trusts, questions and concerns from the technical meeting, and from previous advisory board discussions. Importance must weigh heavily on receiving a vivid picture of the farm as members score the essay portion of the application. What kind of property is it? Are we concerned with the parcel? What is on this tract of land? Acres farmed vs. acres owned. Changes within question 15 from the short-term subcommittee have made the questions more clear and explicit to the sponsors. Grammar is not a top priority, information is. Also instead of saying "farm," "the applicant property" is more descriptive and specific to what we are asking for.

*Motion: to accept and recommend changes to the rewording of questions within step #15 on the 2008 application. Doug Givens made the motion and Jill Clark seconded. Motion passed.

There is new soil information but there is not enough time to incorporate all the new information into the application.

Once the application has initial changes it may be a good idea to have fresh eyes look over the document for grammar and understandability to someone not immersed in the program year after year. Kristen will let the office of communication look over the application. Goal is to have the application released on February 1st. How many days would the application be open? Rules say no more than 90 days... 60-90?

*Comments/Announcements: Glenn Myers is running for the state board on the Ohio Township Association at the end of January. Clean Ohio update- the state is in fiscal straights and the borrowing cap is filled. Ambitious requests of groups advocating for the Clean Ohio Fund renewal may or may not receive executive support. There is a campaign with the League of Conservation Voters to create this as a ballot issue with approximately \$2 million more for farmland preservation per year. There will be a meeting at ODA's campus on January 25th. Contact the Conservancy Center for more information. There may be more FRPP money with fewer restrictions depending on what Congress does.

Harold Wehl moved to adjourn the meeting and Brian Williams seconded the motion.
ORAL VOTE: PASSED - Meeting closed at 2:38 P.M.

Mark A. Forni
Advisory Board Chairman, Mark A. Forni

Kristen Jensen
Meeting Secretary, Kristen Jensen