

OHIO FARMLAND PRESERVATION ADVISORY BOARD

MINUTES OF BOARD MEETING

Ohio Department of Agriculture
Reynoldsburg, Ohio

June 17, 2009
Minutes taken by Kate Bush

*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 10:05 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, John Detrick (left at 1:45), Jay Rausch, Doug Givens, Thomas Mazur, Lucille L. Hastings, Harold Wehl, Theresa Strickler, Kurt Updegraff, Brian Williams, and Roger Rhonemus.

ODA Staff members present: Kristen Jensen, Program Manager, Joel O'Connell, Assistant Attorney General, Jody Fife, Executive Secretary, Cindy Shy, and Kate Bush

Visitors: Rob Krain from Black Swamp Conservancy, Jonathon Ferbrache from Fairfield County Soil and Water Conservation District, Larry Frimerman from Three Valley Conservation Trust, and Michelle Burns from Tecumseh Land Trust

1) Opening Remarks

- a) Mark Forni called the meeting to order at 10 AM. Housekeeping, M. Forni.
 - i) * **MOTIONS** Hastings moved, seconded Mazur, approved unanimously the minutes of the November 12, 2008. Remarks about changes to staff at ODA.

2) Public Comments

- a) J. Ferbrache: urged board to consider rules and regulations as they affect the local agencies on the ground.
- b) R. Krain: Move forward with applications as anticipated, expressed surprise at last years changes, wants consistency
- c) L. Frimerman: Use a scoring system that you set in place at beginning of the process, last year with only one being funded was a surprise, ethical responsibility to go forward with original process that was started.
 - i) D.Given notes his dissent with these comments.

3) Office Updates

- a) 3 new donations, with more in the process
- b) 2007 AEPP- all closed except for one, with Tecumseh Land Trust. The language needed to be changed, and hence the delay, but the expectation is to close it soon.
- c) 2008 AEPP- FRPP changes require that farms requesting to receive matching grants need to be submitted to FRPP earlier. Seventeen of 18 farms were matched

by FRPP. The last farm was too small a payment to make sense to apply for federal funds.

- d) 2009 FRPP- Due to FRPP deadlines changing, ODA would not have the farms chosen for the 2009 funding round by the beginning of June. Although there was no way around missing the deadline, USDA is trying to look into other options so that ODA can capture the available funds.
- e) Upcoming events:
 - i) Annual Report will be available on the Web site on July 1.
 - ii) Farm Science Review: The Farmland Preservation will participate, once again.
 - iii) Outreach booths are expected to be at the winter conferences for both the Township Trustees and County Commissioners Conferences. OFP is also available to come to events in other areas that will be well attended; contact the office to place a request.
 - iv) 10th Annual Ohio Farmland Preservation Summit is November 5. Katherine Merrigan, from USDA, has been invited to be the keynote speaker, Gordon Gee will welcome.
 - (1) Over the summer, AEPP participants will be surveyed about the impact of participation. The results will be available at the Farmland Preservation Summit.
 - v) Subdivisions, CAUV, & Other concerns- M. Forni
 - (1) Farm that has some land not in CAUV can apply for just the part that is in CAUV, leaving out the not eligible land?
 - (2) Subdivision is currently not allowed in the ODA deed, but should it be? When there is a reservation for a home, it usually is for a family member. The landowner must sign for a loan if a house is to be built on that reservation. If the house is for the family member, the landowner may not want to sign the loan on behalf of the family member.
 - (3) Dir. Boggs requested an opinion from the Attorney General on offering a grant program for another ranking system, side by side with the conventional AEPP. Generally, the AEPP supports a certain type of farm and the opinion of the AG was to determine if under the ORC there was the authority for OFP to create another program to target a different type of Ohio farm. The opinion determined that statute would need to be changed in order to create a second program.
 - (a) This is not the block grant program that has been spoken of before.
 - (b) The advisory board's long-term subcommittee report has been given to the Governor's office and discussed with his policy advisor.
 - (4) Sign Policy
 - (a) Written policy- one sign per farm unless your farm is 3 times the average Ohio farm, then you could receive two. Some expressed concern over legal issues, right of way, sight, etc. Most are not concerned and feel this responsibility falls on the landowner erecting the sign.

- (5) * **MOTION** Policy should be put in place as written, with Kristen and Joel to look over legal issues that may need addressed separately. Motion for approval by K Updegraff, seconded by Givens, all in favor.

- (i) Funded through the interest on the \$ 6.25 million.

4) 2009 Clean Ohio AEPP Application- K Jensen

- (1) Very few changes to the actual application from last year; fewer computer/programming issues than last year.
- (2) Jensen worked with local groups to reach out to each quadrant of the state. Programs included OFP staff, local land trust or sponsor who discussed tax incentives, and an AEPP participant from as near to the areas as possible. The outreach was well attended and thought to be successful on all sides. Additionally, the OFP went to other areas as requested.
- (3) For the second year, the office hosted a meeting for local sponsors. The meeting was a training that went step by step through each part of the application. This year, there was also a handbook available for local sponsors located on the Web site for those who could not attend.
- (4) 205 applications came in this year.
- (5) Major difference- 29 and 30 counties applied in 2007 and 2008 respectively. This year there were 40 participating counties.
 - (a) No application issues or disqualifications.
 - (b) Discussion of how to continue to encourage other counties to apply
- ii) What applications did the advisory board read over?
 - (1) Average and median Tier 1 scores were ~62.5:
 - (a) At least three from each county, if available,
 - (b) If there were more from the county than three, you could read up to six, but also considered were any farms with Tier 1 scores within 1 point of the 6th farm.
 - (c) Using this system there were 116 Tier IIs to read. This is more than last year, but there is twice the amount of money available this year to purchase easements.
 - (d) Depending on what scenario is chosen, there may be a few more narratives to review.

5) Scoring

- i) From the OAC consideration may be given to- 901-2-01 (BB) “Regional Balance” is based upon, but not limited to: 1) the number of applications received from a region in proportion to the total number of applications submitted; and 2) The total amount of funds a region has previously received in proportion to the total amount of funds distributed.
- ii) Five blank maps were handed out for the board to review, based on the Ohio landforms, the MORPC zones, and the County Commissioners Association of Ohio (CCAO) map.
 - (1) Discussion of regional balance as it affects the area zones. There is concern that predetermined quads with equal portions of the fund going to each may be unfair because application balance would change. General discussion about the history of what farms are selected due to the constraints of the state setup, and legislative intent.

- (2) The CCAO quads have different numbers of counties within each. The application certainly favors a certain type of farm, regardless how the state is divided for funding purposes. CCAO map has been used for many years, seems neutral.
- iii) * **MOTION** Detrick moves to accept CCAO quadrant map as guideline in perpetuity and Strickler seconds. Clarification that this means the map division as it stands now. **Motion carries 12-0**
- (1) Next, the group discussed how to divide the available \$6.25 million; by applications submitted, by dollars requested, another way? Alternatively, you may divide it simply by quadrant. The quadrants by application numbers are NW 61, NE 45, SE 46 and SW 53. Could there be a “cut-off” for any farms that fall below the median? The driving force for the quadrants has traditionally been the numbers of submitted applications. Does the board want to continue to have that driving force? Is there any way to make this “fair” or more “equitable”?
- iv) * **MOTION** Rhonemus moves, Givens seconds dividing into quadrants by application, 2 in favor, 6 oppose, **motion fails**.
- (1) The applicants may expect that the number of applications would drive the quads since it has in the past.. Or by setting quads ahead of time, would it eliminate local sponsor’s time for putting in applications to just get more money to their quad?
- v) * **MOTION** Detrick moves that we divide the amount of available funds equally for one year, and then revisit next year, seconded by Updegraff. 8 in favor 2 opposed 2 abstentions. **Motion Passes**.
- (1) Discussion of limiting the funding to one farm per county; it allows for the funding to be spread evenly, but concern that lower scoring farms will be funded. Would that create a low threshold for getting funded? Would manipulate the funding for farms too much? The farms submitted will never all fit into the same system- they are too varied.
- vi) * **MOTION** Mazur moved that we use only one farm per county. It was discussed that we said in the guidelines we would not fund just one per county. No second. **Motion fails for lack of second**,
- b) The federal match money has at times rolled back into next year’s funding. OFP is now considering use of federal matching funds be used for an alternate agricultural easement purchase program.
- 6) **Agenda Setting**
- a) Meeting in August on the 19th.
- b) * **MOTION** Rhonemus moves, Givens seconds to adjourn the meeting as the last person leaves. **Motion passes**.