

DIRECTOR'S FARMLAND PRESERVATION ADVISORY BOARD

MINUTES OF BOARD MEETING

Ohio Department of Agriculture
Reynoldsburg, Ohio

August 23, 2006

Howard Wise, Chairman of the Board, called the meeting to order at 10:07 a.m. in Conference Room 308 of the ODA Bromfield Administration Building.

Advisory Board members present: John Detrick, Glenn M. Myers, Lynne J. Erickson, Lucille L. Hastings, Roger Wolfe, Larry Libby, Brian Williams, Roger Rhonemus, Harold Weihl, and Brock Wanless who arrived at 11:25a.m.

Advisory Board members absent: Ed Meyers.

ODA Staff members present: Howard Wise, Michael Bailey, Kelly Carneal, Jody Fife, and Lori Payne, Associate Assistant Attorney General.

Minutes: The minutes of the April 19, 2006 meeting were approved. Larry Libby made the motion with Roger Rhonemus seconding to approve the minutes as read. A unanimous vote of approval was cast of 9 to 0.

News and Updates:

New Board Members - Howard Wise introduced and welcomed two new board members, John Detrick and Glenn M. Myers, to the Advisory Board and recapped the selection process. Both new members shared a brief biography of their backgrounds and experiences.

New Staff Member – The Chairman also introduced Farmland Preservation's new Executive Secretary, Jody Fife, to the board.

Seventh Annual Ohio Farmland Preservation Summit – Kelly Carneal brought the board up-to-date on the progress of the summit planning and distributed an introductory flyer for the summit. In general:

- Event will be held on November 2, 2006 at the Ohio Department of Agriculture
- Key guest speaker, Ralph Grossi, President of American Farmland Trust & three panelists
- Will include a review of the past seven years
- Breakfast, lunch & a bluegrass band as part of the package
- Estimate of \$40/person registration fee

Additionally, Chairman Wise acknowledged sponsorship for the summit is currently around \$1,500 as a result of his and Brian Williams' recruiting efforts.

Farm and Ranch Land Protection Program (FRPP) - Howard Wise discussed the new requirements for National Resources Conservation Service Cooperative Agreement (NRCS Cooperative Agreement) as co-guarantor which includes using only "Yellow Book" appraisers, their review of the title search, as well as an environmental review. Staff expressed their collective concerns of the negative impact of these changes. Additionally, the board was presented copies of two letters representing 10 other states agricultural departments' reservations about the NRCS changes. Copies of three recent *Farmland Preservation Report* newsletters were circulated for the board to review at the meeting echoing similar concerns.

Agricultural Security Areas (ASA) – Michael Bailey reviewed ASA spreadsheet reflecting 11 current security areas encompassing 8,700 acres including a new area in Logan County as well as one in process in Tuscarawas County. John Detrick voiced his concerns about the Environmental Protection Agency's (EPA) new law that takes effect in January 2007 with tighter restrictions on septic tanks and wells.

Review 2006 Agricultural Easement Purchase Program (AEPP) Funding Round

Mr. Bailey presented spreadsheets reflecting Tobacco, Donation and Clean Ohio Easement programs. He cited the 24 offers pending for AEPP 2006 as well as the four additions to the donation program combined totaling over 6,200 acres of preserved farmland. Discussion of specific obstacles that arose during recent easement was discussed and Howard Wise reiterated the need to continue to follow the law, rules, guidelines, and procedure without diversion. Dr. Larry Libby stated that he believed that recent incidents were handled based on facts and commended the department for its approach. Brian Williams agreed and also added that anything less might have weakened our program as well as others. Mr. Bailey added that all guidelines to local officials are now sent Certified Mail to avoid any future confusion.

The general status of the donation and AEPP programs came under discussion. John Detrick commented that a newsletter from the department might expand donation participation especially when tax incentives were emphasized.

Chairman Wise stated that one goal at the Office of Farmland Preservation is to create a brochure outlining the tax advantages of the programs. An additional objective is to see AEPP funds continue and increase when Clean Ohio funding ends in 2008. It will be up to the next Governor, Agricultural Director, and Legislature to make that decision.

Lunch break – returned from lunch at 12:20 p.m.

Statutory Changes

The meeting opened with discussion of approved changes to the Ohio Revised Code 901.23 replacing the Natural Resources Conservation Service (NRCS) seat previously held by Julia Hinders appointable to a Soil and Water Conversationalist. Additionally, proposed changes to the Ohio Administrative Code 901.2.1 were highlighted including clearer definitions to key terms, stronger guidelines to extinguished easements, and discretion of the director to preserve natural resources.

Update of AEPP Closing Process

Michael Bailey reminded the board that the new process of deducting the appraisal, recording, title, insurance premium costs, etc., from the final payment was going smoothly. Program Manger, Kelly Carneal, stated that closings were complete on over one-half of easements and without issue.

Suggested Changes to 2007 AEPP Application

Discussion opened about the second year for online applications. Chairman Wise commented that the Technical Committee that met earlier in the month had no real suggestions for changes to the Tier I section of the application. However, the committee made several suggestions for changing the Tier II section.

1:40 p.m. – Dr. Larry Libby needed to leave to make another appointment.

Upon leaving Dr. Libby announced that he will be retiring on December 31, 2006. Chairman Wise thanked him for his service and valuable contribution to the board and wished him well in his future endeavors.

On the Tier II section a motion was made by Lynn Erickson to remove the attachment of optional exhibits and standardize the submission to a hardcopy of an aerial photograph of the property obtained from Farm Service Agency; motion seconded by Harold Weihl and the motion carried with a unanimous vote of 9-0. Additionally, it was determined that the Regional Balance (Quad System) would remain unchanged for the upcoming year. Howard Wise stated that this was a crucial issue that he and Director Daily testified

to the Ohio Legislature. They testified that the department would make every effort to fairly distribute Clean Ohio Funds across the state.

During this portion of the meeting, a lively debate of the point values for different questions was discussed. Ultimately, no changes were recommended for the upcoming application year.

The discussion transitioned to scoring applications and the next meeting. Roger Wolfe suggested that each board member could pre-score 50 applications at home; the board agreed to this proposal. Additionally, Brian Williams suggested that new board members might find it helpful to review applications from last year in preparation for this coming year.

Lucille Hastings made a motion that the meeting be adjourned which was seconded by Brian Williams. Motion carried unanimously 9-0.

Howard Wise adjourned the meeting