

**New Castle County Land Preservation Task Force
Meeting Minutes
Thursday, March 25, 2020 4:30PM
Microsoft Teams Meeting / Conference Call**

Land Preservation Task Force Members in Attendance:

Task Force Members:

Councilman Tim Sheldon
Councilwoman Janet Kilpatrick
Sherri Evans Stanton
Jeff Downing
Elena Stewart
Stewart Ramsey
Austin Short
Jim White
Jim Metzger
Lee Jarmon
Michelle Giofre Pyle
Betsy Hatch
Kendall Sommers

New Castle County Staff:

Richard Hall
Tracey Surles
Marco Boyce
Andrea Trabelsi

The following members of the public were in attendance:

Councilwoman Dee Durham
Councilman David Carter
Peggy Schultz
Gary Warren
Bill Powers

I. Housekeeping Items

Meeting Minutes – February 6, 2020 Task Force

On a motion made by Elena Stewart and seconded by Janet Kilpatrick, the Land Preservation Task Force voted unanimously to approve the February 6, 2020 meeting minutes.

Future Meetings & Meeting Logistics

Betsy Hatch went through the draft work plan for the upcoming months. The Land Preservation Task Force is expected to deliver a report by September 2020. Due to the concerns regarding the COVID-19 Outbreak, the Task Force will plan to meet through virtual meetings and conference calls. All information for meetings will be shared with the Task Force and on the Land Preservation Task Force website.

Betsy Hatch gave a summary of what upcoming efforts will include and will be shared with the Task Force, including a draft existing conditions section, maps, etc. The Task Force will be expected to review, comment, and continue working on establishing criteria and recommendations for land preservation initiatives to be included in the report.

II. Subcommittee Reports

Funding Subcommittee (Jeff Downing, Chair)

The funding subcommittee did not meet between the last two full Task Force Meetings, however Jeff Downing recommended that the Funding Committee convene and iron out what funding sources should be prioritized and recommended.

Open Space (Sherri Evans Stanton, Chair)

The open space subcommittee did not meet, as the committee was waiting for the results of the survey.

Agricultural Subcommittee (Stewart Ramsey, Chair)

Stewart Ramsey updated the Task Force on the most recent Farm Bureau Bus Tour that occurred in the weeks prior:

The Greer Farm – Young 3rd generation farmers trying to create critical scale in his operation to support his family:

One of the biggest challenges Ryan Greer faces is with the State of DE (DNREC) buying farm land that he currently rents – at full (100%) market value without local farms having a shot at buying them – beyond that the state in most instances has dramatically expanded the amount of wildlife and plant habitat reducing the land for farming by 50 to 75% - one example was a farm that went from 96 farmed acres before to about 30 acres after – Ryan now has to find another 69 acres to make up for the loss – Ryan's farm is also a property that will be hurt by the counties proposed down-zoning/septic ordinance

Puglisi Egg Farms – the Puglisi family has a large scale egg laying operation (the only one left in the state) their farm is located on the western edge of NCC – between the town of Middletown and the MD State Line:

Their greatest challenge/concern is that the recent annexation of the Money Farm and others will put high density housing/people in close proximity to their livestock complex – this is not good for the people that will buy those homes nor the Puglisi Farm – Flies, odor, biosecurity ... and the list goes on - the Puglisi's would love to work with the county and others to preserve the land adjacent to their property – to provide a buffer for all the reasons mentioned earlier – the property is very valuable but could be a critical factor in protecting a significant force in NCC and DE agriculture – The Puglisi's have significant investments to make in their business and need some certainty that they will not be forced out of business by their soon to be new neighbors

Clay Farm – Middletown DE - The Clay Farm on the west side on Middletown – Dennis, his son Mike, and Dennis’s brother Morgan are grain farmers owning land in both DE and MD – their farm was preserved specifically by New Castle County – it was the first farm in the program and represents some of the most agriculturally rich land in the State of Delaware – An area called the “Levels” – the Town of Middletown has grown into their back-yard:

Dennis mentioned a often overlooked aspect about preserving farms that is important – Farmer that preserve their land – often reinvest the money received into other farms – often nearby – in the Clay’s situation they bought and preserved the farm that adjoined theirs – many families that own agricultural assets/land would love to see their land preserved – but for many reasons cant discount their development easement value. The Clay farm is a receiver of waste water from Middletown and is a valuable partner in the community for that. Dennis mentioned that the Rt 301 highway has not come without some costs to them – in some situations the ability of large trucks that haul manure, compost, and other Ag products are challenge to get to and from his property – one example was the sweet corn processing company they sell to paid nearly \$1500 in tolls to get on 301 on the DE/MD state line for his harvest over a 6 to 12 hour period – their alternative would be to use very small/narrow country roads.

Cook Farm – Newark/Bear DE - Steven Cook, his sisters, mother Martha, and brother-in-law Richard greeted the bus. The Cook farm was a dairy until recently – they currently raise dairy replacement cattle for the University of Delaware, Woodside Creamery, and Emerson Dairy in Middletown. They also have several Agri-Tourism/Agri-Education aspects of the farm – Selling Farm fresh Ice-Cream and hoisting 4H projects for many youths in the area:

Steven told the group how at the dead-end streets in the adjacent developments – they had signs that said – this road leads to future development (i.e. the Cook Farm). The Cooks described how being surrounded by housing makes their farm valuable for more houses but at the same time – more valuable for preservation. The members of the community feel that the farm is in some ways – “Their farm also”. Steven described their family situation which makes it nearly impossible to preserve their land under the current state program and its discount structure – a significant dialogue unfolded by those on the tour about how the Cook Farm could be an ideal test for the use of a Transfer of Development Rights program – the main reasons being the very high easement values but at the same time being in an area where the value of relocating density could help underwrite the cost of preservation.

III. Survey Results

Ms. Hatch went through the survey results with the Task Force. The following discussion followed:

- Gary Warren & Dave Carter commented on their surprise on response rate low from south of canal; differences in opinion and perspectives from those north of the canal; suggested looking at cross-tabulation for zipcodes north of the canal and south.
- Stewart Ramsey suggested consolidating the open-ended by grouping into those that are saying the same thing.
- Sherri Evans-Stanton commented on the surprising amount supportive of raising taxes; suggested Council is going to need to work toward adjusting some of County budget
- Tim Sheldon commented he would love to put the tax question on the tax bill to get a more thorough response to rely on for this issue of tax increase; could also look at the responses that are in favor of tax increase by zipcode
- Dave Carter was encouraged by the willingness of respondents for a tax increase ; if tax increase is the task force’s recommendation as best way to get revenue stream, then recommend it.
- Stewart Ramsey stated some amount of realty transfer tax does not go toward funding things where it is desired to be spent on

- 1.5% of County RTT goes directly to NCC (but it's required to be spent on certain things, per state law, e.g. pay down the debt and use it for public safety; it doesn't just go into the general fund as extra money)
- Gary Warren discussed issue of unequal distribution of RTT \$ from what county' pays in to State Ag pres program and what comes back to NCC
 - Janet Kilpatrick stated that's a recommendation, which would be targeting state policy/state legislators
 - Dee Durham suggested a recommendation for state funding toward a third pot of money for NCC open space preservation (NCC representatives are generally in support, have a white paper to share), which could go to ag or open space
 - Richard Hall stated this kind of information and recommendations are what we want to capture in the report.
 - Gary Warren asked about creating a resolution
 - Dave Carter suggested a recommendation for increasing County \$ for land preservation to match state money so we get more out of State money (both ag and open space); it's hard to succeed in approaches that pit Counties against each other; would support a resolution for increasing \$ for open space.
 - Janet Kilpatrick stated all our task force report will go before Council at which point they will review and approve.
- Sherri Evans-Stanton reminded that the Task Force needs to go back into the other literature and add that data into our existing conditions to help inform us as we move toward recommendations
- Janet Kilpatrick discussed a potential 3rd pot of money among state reps and heard it was for small pot of money for viewsheds
 - Dee Durham stated it has yet to be fully determined
 - Janet Kilpatrick stated she heard at the bus tour about farmers needing more land for nutrient management; could state work in support of farmers to help in a way that supports nutrient management?
 - Dave Carter –State does this to some degree already; challenge is that funding sources have limits on this; need to prioritize areas for ag land to address this.
- Peggy Schultz spoke to getting more money in NCC for ag land (and would also like to hear Austin's comments); principle of State Ag program is that we are supporting ag at state level; we don't have as much farming in NCC as Kent and Sussex, which is why we don't get as much money.
 - Austin Short responded and voiced his concern about allocating funds to the counties based on the source of the realty transfer funds, as other state revenues are not allocated based on where they are generated. Austin advocated for maintaining, and if possible, increasing the total allocation of funds to the Aglands Preservation Program although the Coronavirus impact may affect short-term funding. Does the County intend to put \$1million toward ag as it does in previous years?
 - Richard Hall – we have a target of \$1 million / year, but what we spend depends on what is worth buying and what we get in partnering with the State on. \$1 million is a target.
 - Is it in the draft budget for this year?
 - There's authorization, but it becomes a cashflow issue
 - Dave Carter stated if this committee should recommend \$1million per year as a separate budget line every year; this ongoing commitment will help ensure farmers will opt in to bidding confidently; need the consistency; have any previous year's money rolls over (so pot can grow over time)
 - Richard Hall agreed that consistency and predictability for \$ for ag pres and purchase.
 - Janet Kilpatrick added that the Task Force could make recommendation for consistent funding

- Sherri Evans-Stanton suggested two or three subcommittee meetings to digest the material; help staff do the work to ensure we move forward in timely way to deliver recommendations and report.
- Janet Kilpatrick stated that the Task Force needs to move into putting the information on paper and transitioning to getting criteria defined and recommendations drafted for us all to review, edit, etc.

IV. Next Steps & Task Force Action Items

1. Doodle Poll Surveys for next Subcommittee Meetings
 - a. Subcommittee meetings will need to convene and discuss content for the report as well as developing criteria for the next Task Force Meeting.
 - b. Staff will ensure that all meeting information is publicly available
2. Additional Survey Analysis
 - a. Cross-Tabulation of survey results by zip code
 - b. Compilation of existing survey information for background to be included with current survey in Task Force report
 - c. Explore sharing survey in NCC Tax Bills
3. Draft report content to be shared with Task Force