

RESOLUTION NO. 11 OF 2017

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF MOUNT JOY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA,
CONSOLIDATING THE AGRICULTURAL SECURITY AREAS IN THE
TOWNSHIP INTO A SINGLE AREA**

WHEREAS, Pennsylvania's Agricultural Area Security Law (Law), Act of June 30, 1981, *as amended*, 3 P.S. §§ 901-915, provides for the establishment of one or more agricultural security areas (ASA) by a local municipality; and

WHEREAS, the Law imposes procedural and substantive requirements for the establishment of an ASA; for addition/removal of property from an established ASA; and for the statutorily-required review and renewal of an ASA; and

WHEREAS, based on certain Township records and the representations of the County, the Township understood it had lawfully established three ASA areas (Areas 1, 2 and 3); and

WHEREAS, upon investigation of Township Ordinances, Resolutions and Minutes, consultation with the Township's ASA Committee and the County and review of correspondence and information provided by the County, it was determined that only Area 1 was established in full compliance with the Law and that Areas 2 and 3 were administratively created by the County (possibly in consultation with the then current Township staff); and

WHEREAS, over time properties have been placed within a given ASA Area without consideration of their physical proximity to other designated properties and by rotation among the Areas as determined by the County; and

WHEREAS, the Township's ASA Committee, by official action taken at a noticed public meeting on December 29, 2016, expressed support for the consolidation of all current ASA properties (Areas 1, 2 and 3) into a single ASA Area; and

WHEREAS, owners of existing ASA properties were notified in writing of the Township's proposal for consolidation of Areas 1, 2 and 3 into a single ASA Area, and reasons therefore, and no owner expressed objection to the proposed consolidation; and

WHEREAS, public notice of the Township's proposal for consolidation of Areas 1, 2 and 3 into a single ASA Area was published and a public hearing was held on June 15, 2017 to receive public comment on the proposed consolidation, and no member of the public expressed objection to the proposed consolidation; and

WHEREAS, consolidation of Areas 1, 2 and 3 into a single ASA Area would relieve the Township of significant administrative burden and expense relating to procedural and substantive requirements of the Law and related record-keeping for three discrete ASA areas.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Mount Joy Township that, by adoption of this Resolution, it:

- i. approves the consolidation of ASA Areas 1, 2 and 3 into a single ASA Area to be known as the Mount Joy Township ASA Area;
- ii. determines that those properties listed in the **APPENDIX A** and depicted on **APPENDIX B** (titled *Mount Joy Township ASA* dated October 27, 2016, prepared by ACO PD) to this Resolution are the properties in Mount Joy Township that

have been designated as Agricultural Security Areas by prior official acts of the Board of Supervisors taken by authority of the Law; and

- iii. includes the properties listed in **APPENDIX A** and depicted in **APPENDIX B** to this Resolution in the consolidated Mount Joy Township ASA Area;
- iv. directs that the Township Secretary and Solicitor recommend a date for the required 7-year renewal of the ASA designations for all properties in the Mount Joy Township ASA Area to the Board of Supervisors for its consideration and action at the regular scheduled meeting of the Board following the date of this Resolution; and
- v. directs the Township Secretary to file **APPENDICES A** and **B** with the Adams County Recorder of Deeds, and also to provide a copy of **APPENDICES A** and **B** to the Adams County Planning Department and the Township Planning Commission, on or before 10 days following the date of this Resolution.

ADOPTED this ___ day of _____, 2017.

ATTEST:

Sheri L. Moyer, Secretary

MT. JOY TOWNSHIP

By: _____
John Gormont
Chairman, Board of Supervisors

I, Sheri L. Moyer, Secretary for Mount Joy Township, do hereby attest that the foregoing Resolution No. _____ was voted upon and approved by _____ vote of the Board of Supervisors on the ___ day of _____ 2017.