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PROCEEDINGS

DR. FRERICHS: Good evening. Let's call this meeting to order. I am going to read my statement. I don't want to be misquoted again.

Good evening, and thank you very, very much for attending our meeting this evening. For the past several months, the Master Facilities Committee has been meeting to discuss the district's future facilities plans.

After studying the district's projected enrollment and assessing its facilities' needs, the district has placed an offer on the 44 acres between Manor Middle School and the property it owns on Charlestown Road.

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This evening, we will hear from one of our attorneys, Rhonda Lord, who will detail the reason for this evening's meeting and summarize the property and acquisition terms. We will then hear from Mr. Hal Hart, our architect, who will present the site analysis report.

After the presentation, members of the board and the public will be invited to make comments. We ask you to hold your comments until Ms. Lord and Mr. Hart have made their presentations.

So with that said, Attorney Lord.

MS. LORD: Good evening. As Mr. Frerichs discussed, this hearing is a hearing on the purchase of a proposed site of land beside the Manor Middle School which is currently owned by Christian Willis Herr.

We are holding this meeting to comply with the terms of the Pennsylvania Board of Education and in order to obtain site reimbursement for the acquisition.

The Pennsylvania Department of Eduction has several rules that we must comply with. I need to tell you about them before we have the hearing. The first is that this meeting needs to be advertised in accordance with the rules of the Department.

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Many of you probably saw the advertisement placed October 2nd in the Lancaster Newspapers, which I notified you about this meeting and the purpose of the meeting, which was to hear about the proposed purchase, the reasons for the purchase, and to give the public the opportunity to make comments about the purchase.

What we are going to talk about tonight is the actual purchase. I am going to summarize some of the terms of the purchase. We are going to go over the site acquisition justification of comparative site evaluation and some other pertinent terms.

After we are through going over that information, we are going to open the floor for public comment. This is not going to be a question and answer period for board members to answer questions. Rather, it's a time for you to give comment and for the board to consider your comments before the purchase.

With that, I am going to turn to an explanation of the actual proposed purchase. As I mentioned, it's currently owned by Christian Willis Herr. On your agenda, you can see the location of the property in between two currently owned properties at the school district.

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It is approximately 44.48 acres of land.

It's currently zoned low density residential. And the purpose of the purchase is to be used for future school district facilities, buildings, and athletic fields.

The purchase price of the -- the proposed purchase price is \$3,875,000. That price is within the range of two appraisals the school district did obtain. One appraisal was from Angela Tracey of Tracey Appraisal Services. Her appraisal was for \$4 million.

The other appraisal was by Gregory Snyder of Snyder Appraisal Associates. His appraisal was \$3,558,400. The purchase will by deed in lieu of condemnation.

The settlement, which is to occur by the end of this year, is subject to certain conditions for the school district. We have to have all necessary government approvals, which includes the Pennsylvania Department of Education approval. We are doing some environmental testing and some other due diligence including the title report and summary.

With that, that's the general terms of the agreement. I will turn it over to Mr. Hal Hart who is with the architectural firm of Crabtree and Rohrbaugh and Associates.

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MR. HART: Thank you, Rhonda.

Good evening. I am going to go through some required Pennsylvania Department of Education plancoms, what they call their planning and construction workbook. It's an acronym, plancom.

These are elements that are required to be reviewed at this public meeting.

First of all, in a nutshell, here is an aerial photograph of the site. It reflects the plan. This is the Manor Middle School site for frame of reference. North is about 1 o'clock up and down the page. This is Charlestown Road.

This is the current district-owned property formerly the Fisher farm. It's 26.3 acres.

This is the property being looked at to be purchased by the school district. Approximate 44.2 acres between the two district-owned parcels of ground.

Just a little site overview and schematic. The purchase of the land is being considered as an ideal location between two parcels already owned by the district.

This would represent about 120 total acres. All three parcels really would provide ultimate flexibility for the school district in managing future facility needs, 10, 20, 30 plus, 40 years in the future.

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A little bit about the property. Again, here is a north arrow. This is your north/south line. There is a drainage swale that bisects. The site prevailing winds come from the north and the west.

The high point of the site sits about this location to the south with about a 3 to 5 percent gradient toward Charlestown Road. It's very buildable. It's flat by all accounts. There would be some rough grading required likely to do some fields or facility. But it's a very manageable, buildable site. This is a township park. You are familiar with that.

So it really creates a nice campus. It's a good sight distance east and west on Charlestown

Road, which is probably the main access to the site.

There's also access off Donnerville Road across the district-owned land formally the Fisher's property as well.

I apologize if this is hard to read.

This is the Department of Education plancon forms.

This is form T02. It's project justification. What we are really saying on this form is that this district is purchasing the land, this paragraph right here.

As a result of completing the in depth district-wide facility master plan study, that the facilities being considered for future development, this site would facilitate really ranges across the table. And you can see anything from elementary, secondary facilities, athletic fields, community fields, even an athletic stadium.

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So the possibilities with a 120 acre campus are really endless. It gives the district a lot of flexibility.

This is the main property, the Willis

Herr property purchased, and the idea is to settle by

the end of December 2010.

Across the bottom, these questions basically ask, Does the county have a comprehensive plan in which this site is located? Has the local

municipality adopted a zoning or subdivision ordinance?
Which Lancaster County and Manor Township have. And is
this project consistent with those ordinances and
county plans?

As a land purchase zoned residential, this partial is, in fact, compliant with all current ordinances and requirements for zoning relative to a land purchase.

Another requirement of plan conform is really just a summary of district-owned lands. This indicates the school district facilities. These are the elementary buildings, middle schools, the high school, district office and maintenance building.

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Since this is a purchase of land only, not related to a project, the disposition on the right, there is no change. This purchase will not change the disposition of the current facilities.

Currently, within the district, there is an elementary school, Central Manor, which is going through a renovation project scheduled to be completed in 2011. Really not effected by the purchase of this land.

The Department of Education is asking a few questions on these forms about the site. The location, Manor Township at the top. Size of the site,

44.2 acres. Is this site adequate for present and future facilities? The answer is yes to all three.

percent of the site is wooded. There is natural drainage as indicated on the plan. Really no potential for flooding. Wetlands is unknown at this time. It's one of the due diligence environmental issues being looked at. Phase 1 site assessment came back as no wetland suspected.

The adjacent property to the north, we have agriculture. We have the school, Manor Middle School, to the east. To the south is agriculture. To the west is a combination of residential and agricultural land.

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The vehicular access is local roads with good sight lines. Pedestrian access is limited at this time. As you are aware, there's no residential development adjoining to have sidewalks. The ordinances within the township would require sidewalks to be part of any future development.

Again, the Department is asking a little bit about the substratus soil type which we have identified.

Are there any mine oil wells? Any deleterious conditions, objectionable noise,

objectionable odors, high voltage lines, high traffic?
The answer is no.

Municipal sewer. There really isn't a building. So there is no length of lateral at this time. Distance between municipal water and gas is questionable.

Electricity. So we have all utilities accessible to the site. There's access to the site. The site would require some rough grading to be developed. Parking would be required. It would support athletic facilities. And the site will support storm water management.

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So that's just the general overall site characteristics that the Department is asking. You can see here there's three columns. Typically, when a school district purchases land, you compare a minimum of three sites.

When the land the school district is looking to purchase is directly contiguous to a site they already own, the Department waives that requirement because they understand that typically makes a lot of sense to purchase land that's right adjacent to property you already own.

So we have identified for the property in question the purchase price of \$3,085,000. There's

title insurance, recording and transfer costs, \$9,128
Legal costs, \$3,500. Appraisal fees, \$2,500. \$6900
for survey, for the boundary survey. \$1475
miscellaneous costs relating to the acquisition. So
total site acquisition costs are estimated at this
point to be \$3,898,503. That total is at the bottom.

The project is eligible for reimbursement by the Department of Education. That reimbursement really kicks in at a point in the future when the school district would implement a project.

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The reimbursement will vary depending on what project they would implement; however, the maximum reimbursement is about 45 cents on the dollar, .4470. The school district could be reimbursed 44.7 cents per dollar for the purchase of the land at a time in the future when they would develop that land into any type of project that would be reimburseable by the Department.

Finally, the Department of Education is asking for some comments on the comparative site evaluation. Again, since we are not comparing three sites, there's some comments listed here about the Willis Herr property.

Some of the advantages to the site that we see are the availability of public sewer and water,

its adjacency to an existing school facility. It's adjacent to the township park. And the fact that the site will provide flexibility to accommodate, not only the short-term needs, but long-range facility master plan needs well into the future.

There aren't a whole lot of negatives to the property. The natural drainage swale that bisects the site could be looked at as a negative. Although, storm water management is needed with a little bit of rough draining, we can use the swale to divert and create storm water retention for the site.

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Currently, the pedestrian access is limited. That could be deemed as a negative. However, there are really no adjacent residential developments. If those would be planned in the future, sidewalks would be required by the local ordinances.

Again, just one last look at the parcel in question. It's a 44.2 acre site right here in the center adjacent to the Manor Middle School, township park, and current owned district property.

DR. FRERICHS: Thank you, Mr. Hart. At this time, if there are any board members that would like to make a comment, please come up to the lectern there for your comment.

Any board members like to make a comment?

If not, I will turn it over to Attorney Lord for citizens' comments.

MS. LORD: As I mentioned earlier, we are going to now take public comment. It's not a question and answer period; but you can make any comments you want, and the board will consider those comments at a later time.

We ask you to state your name and address. And we are going to stick to the rules at a normal board meeting. So keep your comments, if you could, to five minutes or less.

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We will proceed from there.

Go up to the podium and state your name and address.

MR. JEFF MILLHOUSE: Thank you. My name is Jeff Millhouse. I presently live at 1472 Grassy Way, but I own several properties in Manor Township. One of them I lived at for 30 some years, 50 Penn Street, Washington Boro, right adjacent to the Central Manor Elementary School where they are doing the upgrade right now.

When the proposal hit the paper, I was approached by several of the local real estate agents, developers, people like me. I have been in real estate for 30 some years. Started out in 1978.

Three years ago, I left the farm where I live up here that I told you I lived and moved to East Hempfield.

But I was contacted by several of these people over the purchase of this property. And these people that come to me are the leaders, the trendsetters, the people who buy the real estate, the people who do the development.

They were very much concerned over the price of this property. We had several meetings over this. I have also talked to the superintendent and disclosed some of our concerns over this, the purchase price of this property is what we are talking about.

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The thing that really bothers me here is that this is zoned low density residential. We are paying -- I think it was, like, 87,000 an acre or something like that is what it come out to.

I will tell you that as a developer, also a person who financed development projects in the past, no bank, no reasonable developer would even look at a property like this the way its zoned at that purchase price.

We have also inspected, dissected your two proposals that you had and the appraisals of those proposals. No bank would finance them, including

myself, would even consider. I don't care if these appraisals are certified appraisals.

The comparisons are not direct comparisons. The numbers to purchase the property at this price do not make sense. No one would pay this kind of price for this property.

And I am telling you the people that are involved in this, I can tell you their name and everything -- that we met. They are the trendsetters. They are the people who do this every day. They are very concerned.

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I am asking the board at this point before they go through on this deal that they get more appraisals, local appraisals. I suggested people that are the people who do commercial real estate that do work in this area such as Mary Clinton. There's a guy William Smith, all in this area that see this property on a regular basis and get those comparisons.

I will be honest with you. I am a pretty shrewd businessman myself. I have done well in my life. It almost looks like you were presented a price for this land and you tried to justify it. And that bothers me. This is tax payers' money. And it ain't your money.

It's taxpayers' money. Right now, this

school district cannot afford to make any stupid mistakes. They don't have money to waste.

It will be an insult to the teachers.

Because we both know in the next year or two, we are going to approach a wall that we cannot overcome. I don't know what is going to happen here.

I would probably suggest teachers and people that work for the school district are going to lose their jobs. I am not trying to give you a hard time over this.

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I am asking that you go back and get more appraisals to make sure that these numbers are correct. We talked as a group amongst us that are developers, the real estate agents and stuff that have a lot of experience in this, and we think it's the right thing to do to buy this land.

But we want you to really justify what you are doing here by getting a few more appraisals to make sure the numbers all look solid. You are talking about spending almost \$3.8 million here.

A certified appraisal cost in the neighborhood of \$1,200, which you got. Regular appraisals would cost in the neighborhood of 500. It would certainly make sense to me to go get -- they don't have to be certified because you are trying to

get more support to what you have in your certification.

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If the numbers come in dramatically different, they should really look at this and go back and really check their numbers, honestly. This almost looks like it is some kind of sweetheart deal because of the people involved here.

I am asking you, cover your bases and you get good solid support for your decision so it doesn't come back to haunt anybody. If that's what it comes back to, so be it. I am not against it.

But it doesn't -- the numbers don't look good to me. Because I will tell you what banks -- some of the bank people told me. They wouldn't even consider this deal. It's outrageous. The people that would finance this and buy a development project.

So I ask the board that they really go back and get more support on this before they move forward on this. Because I am going to tell you I believe the people that we support, we are going to go out and get appraisals.

If you go ahead on this deal and you didn't get additional support to confirm what you think you already know, it's not going to look good.

Thank you for your time.

MS. DOTTIE MILLER: My name is Dottie

Miller. I am a broker owner of Cardinal Realty. I

have been in the business for only eleven years, but

have been a resident or Manor Township for twenty

years.

This is absolutely hypocritical. It's a waste of tax dollars. The project itself is fine. You need to expand, fine. I have here copies of those appraisals.

If I were to take these appraisals, as this gentleman just said, to any bank, they would think I was senile.

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These appraisals do not even match up with this piece of land. \$87,000 an acre? The school district overpaid the \$57,000 an acre in the past. This is ridiculous.

Low density, we are not talking about that. The municipality can all do what they want to do. The location, great. The comment, well, would you rather see an apartment building? You know something, why not walk to school? Why not walk to school instead of take buses?

But if the school district needs this land to expand, \$87,000 an acorea is ridiculous. I say take it by eminent domain. Let the courts decide.

Because the court would even laugh at this. \$87,000 an acre?

I have heard rumor that a developer wanted to buy it. Believe me, there's not a developer in this county that's going to pay anywhere near that or is looking to develop.

This school district has got to stop blowing money and start concentrating on providing a good education for these students. And to build the Taj Mahal and to give somebody \$87,000 an acre?

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I made a notation here. Because I am going to write to the Board of Education. So Manor Township or Penn Manor School District is going to get 45 cents on a dollar some day when they decide to build.

Until then, my question is: Where is this money coming from right now to pay this seller by the end of this year? If this school district has this kind of money laying around with nothing else to do with it but buy up land at \$87,000 an acre, we are being over taxed. Thank you.

MR. GERALD HIGH: I live at 363 Rock Hill Road. I have lived in the Manor Township area for 45 years. I was at a sale last summer on Route 999 about a half mile from the township sheds.

That property had 40 acres to it. It went up at public auction. It sold for \$900,000, which it was a very reasonable price I thought. So when you are comparing apples to apples, 44 acres for almost \$4 million, it's really out of line.

I have a question for the board. The Fisher property, was that bought during the Herr presidency in the Manor School District? Do you know?

THE SUPERINTENDENT: 2006.

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MR. HIGH: Four years ago. So that's almost a conflict of interest as far as I am concerned. Sitting on a property in between and then buying the property on the end knowing that the school district wants it. He can steal it from them for whatever he wants to.

Thank you for your time.

MS. LUCY GILICHBAUER: 275 Schultz Road.

I am 100 percent opposed to this purchase. We are entering unchartered waters. This is the worst economic times possible. No one knows the outcome of the cliff that we are about to go off.

This is great vision. Totally irresponsible. No common sense behind it.

Incomprehensible. I have been asleep like many others over the two years. Longer -- this is decades. This

didn't happen overnight.

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Pennsylvania is one year behind

California in going bankrupt. Talk to your

legislators. Look it up. You can see. This is the

worst time to be even considering a purchase of this

property at this price.

This is horrible. I have a 38 acre farm that's currently up for sale myself. A little over 900,000. It's been sitting for a year. We don't know what the dollar is going to be like. We don't know what the dollar is going to be like here in a year or two from now.

We are headed January 2, 2011 for immense, huge tax increase, which many don't know. They don't realize what is coming.

I care about my community. I care about my neighbors. This will cause many foreclosures in our community. People will lose their homes over this.

January 2012, double digit tax increase for all of us. We have been asleep. We have been sleeping on this, guys. We are headed for some really bad times.

This isn't the time to be considering a project like this. I love my school district. I have lived here all my life. I graduated from Penn Manor.

I don't even know who my school board

people are. That's a shame. That's bad on my part.

But I am making it a point now to know who they are.

am appealing to you, please, look what this is going t
do to your neighbors, your friends. And like the
gentleman I believe had said earlier, they are going t
make hard cuts in Pennsylvania.

We have a great school system here. But they are going to lose jobs. This is irresponsible. can't stress that enough. I just plead to you -- and December '10 purchase price. Not good.

As for someone was saying about a developer interested in this land. If a developer is interested in this land, go for it. Do you know what? This is not the only property in Penn Manor School District. And if we are able to purchase another property 120, 150 acres for a price we don't even know what the dollar is going to be valued at, we could be making out in the long run.

This is irresponsible. And it is going to hurt many, many people. I just can't stress that enough.

Thank you.

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MR. DON STEWART: Hello, my name is Don Stewart. I live at 45 Whippoorwill Drive in Pequea Township, Lancaster, 17603. I wish to make three

comments.

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First of all, I am very familiar with the history of the district. And I am aware that in the past, previous boards have sold extremely valuable land both in Manor Township and land contiguous to the high school.

Since the sale of these lands, the district has been left with absolutely zero inventory of land for growth. And boards throughout the years have repeatedly regretted the action of previous boards when they stripped the district of any type of real estate property for potential growth.

on this issue so that Penn Manor will have the necessary acreage it needs to respond to anticipated growth. I say anticipated growth knowing that not only practical insight, but actually enrollment studies indicate that Penn Manor will experience significant growth, especially in the northern end in Manor Township.

Secondly, in terms of the timing of the purchase, I wish to affirm my belief that if this land is not purchased by the school district, it would very soon be purchased by some type of residential developer.

And I think it's crucial to point out that the development would generate enrollment increases, which will require significant district investments in both facilities and services to provide for those students coming out of that residential development. If the district doesn't move forward and purchase this land, they will have significant costs responding to that development.

Thirdly, while I am aware that the school districts all across the nation are going to be facing tough financial times, and that those challenges will come in the future, I support the board's effort to make prudent real estate decisions now unlike boards in the past so they provide for the future of the district and the future of the students of the district.

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MR. SCOTT CHARTY: 2535 Valley Drive.

Thank you for being here to explain the concept. I

understand the concept of the project. If I am to

assume that at some point in the future we are going t

matriculate some of the other elementary schools onto

this property for reasons of convenience and bussing

and so forth, is it possible to get those properties

now evaluated with the certified cost per acre to see

how close they come to \$87,000 an acre?

So that when we sell those properties, if

that's what we are going to do, if they sell those properties, we can help finance this one. Because I would be curious to see if that is part of the future plan to put a complex here for multiple elementary schools - Martic, Central Manor, Hambright, etc.

The second question I have for you is:

Are they willing to divide that property and, say, the entire 44 acres, we only get a parcel of that? Make it more cost effective.

I am going to agree with a lot of people.

87 grand an acre is absurd. That's way out of line
with any property anywhere close to here.

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With those same individuals' appraisal of the other properties -- Martic and Hambright -- and get close to that, I am going to get into real estate.

MR. JEFF KREIDER: I am Jeff Kreider from
13 Newswanger Road. I guess it's not a question and
answer thing, but I have one question.

Four years ago, we purchased the Fisher property. And I don't remember what that figure was when it was purchased. In comparison to the cost per acre versus what the school district is looking at now, how close are we on that? Is anybody available to answer that?

MS. LORD: I don't know that information

We can get back to you.

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JEFF KREIDER: Does anybody remember the total purchase price of the Fisher --

MAN FROM AUDIENCE: One point five.

JEFF KREIDER: One point five? It's only four years difference between the purchase of this. I would like to see how close we are on that. Even taking even consideration that real estate prices have seemed to regress some. So that's my question.

MR. FRANK GRIEST: My name is Frank

Griest, 1107 Little Brook Road. I am an old guy on a

fixed income. So I thought you might be interested in

what I thought or maybe I am representative of the

group. Maybe I am not.

I will tell you that I don't think it's a good idea. I think it's a great idea. In answer to I will tell you why briefly. I will say to Jeff Kreider, yes, the 26 acres on the Fisher farm was 1.5. That was agricultural. That was a rural property.

This property that the school board is looking at right now is the gem in Manor Township. If you look at some similar situation across the county, it's all over a hundred thousand dollars an acre.

I had the opportunity three years to sit in on the presentation by the developer. And the

number that he had was 5.1 million. I definitely had the feeling that 5.1 was a starting point. This guy was very anxious.

Folks who know the history here realize the Herr family gave property here for a park. And for that reason there was very little set aside for the green area of the development.

This would be very easy to get low density to a higher density. So, from my standpoint, am glad for 4 million rather than having to go to a developer and looking for about 24 million with the elementary school that would be required and we wouldn't have a place to put it because the land would be gone.

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So, yes, it's a tough economic time. But the right time to get land is when it's available. And everybody knows that's an asset they are not going to make any more of.

As a past school board member I will say that we should share some of the blame in the fact that we sold Woods Edge for next to nothing. And here we are. So we have to make this right. We have to move on.

Tough economic times. This is the thing to do. Thank you.

MS. CONNIE JACKSON: Connie Jackson, 348
West Charlotte Street. I thank the district for
investing in our kids because our kids are awesome.

The only thing that I just recently was made aware of -- and I don't know if you guys would even consider it -- is how about the 25 acres sitting right next to the high school that would provide us access to Comet Field? What about the 13 acres we are still trying to sell out there?

Like, I don't understand why there wasn't any site comparisons. I mean, this is a gem. This is a gorgeous view and everything.

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I also hesitate to go to a campus mentality. My husband graduated from Milton Hershey School. And some recent research is coming out that then campus way is not the way to go.

As far as the stadium, guys, we have got the best stadium in the state that we play at. I can timagine us building our own stadium.

So if the board could just take a little bit more time and make sure their I's are dotted and their T's are crossed. But as far as investing in the kids, don't stop there.

MS. LORD: Any other comments?
(No response.)

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I will turn it back over to Dr. Frerichs.
                  DR. FRERICHS: Thank you, Rhonda.
                                                       Thank
   you very, very much, everyone, for making your
   comments. The board will consider those comments. We
   thank you for attending. Please have a safe ride home.
                  (The hearing concluded at 6:15 p.m.)
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CERTIFICATE

I hereby certify that I was present upon the hearing of the above-entitled matter and reported stenographically the proceedings and the testimony produced; and I further certify that the foregoing is a true and correct transcript of my said stenographic notes.

Michelle S. Parke, Notary Court Reporter

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