

AD HOC COMMITTEE ON MINERAL RIGHTS
MEETING MINUTES
FRIDAY, FEBRUARY 20, 2009

The Ad Hoc Committee on Mineral Rights of the Broome County Legislature met on Friday, February 20, 2009 in the Legislative Conference Room, Sixth Floor, Edwin L. Crawford County Office Building, Binghamton, New York.

Members Present: S. Herz (Chair), M. Diffendorf, R. Keibel, M. Nirchi, D. Reynolds, Legislature; K. Keough, RPTS; R. Behnke, County Attorney's Office

Members Absent: T. Cleary

Others Present: M. Whalen, S. Messina, J. Marinich, E. Denk, G. Regensburg, C. Hall, Legislature

The Committee meeting was called to order by the Chairman at 1:35 pm.

Mr. Diffendorf made a motion, seconded by Mr. Keibel to accept the February 13, 2009 meeting minutes. Motion carried.

Mr. Keough provided a memorandum (attached with the minutes) regarding the hardship criteria for sell backs to former owners. He stated that these are general reasons and that each property and owner has specific and unique issues that are reviewed on an individual basis and all cases require a letter of hardship and an in person meeting with the property owner.

Mr. Keough stated that there are 99 properties in foreclosure and 13 of them have 5 or more acres. Mr. Keibel asked how many of the properties are vacant. Mr. Keough did not have that breakdown available at this time.

Mr. Herz suggested that on properties that go to auction there could be deed restrictions so the mineral rights went with the land but the County would receive a percentage of the royalties. The committee did not agree with Mr. Herz's suggestion.

Mr. Nirchi talked about the value of the land and the value of mineral rights. He said at this time it is too complicated a matter and there are too many unknowns. He objects to blindly selling property to speculators and recommends that the County keep the mineral rights on all properties that are sold at auction.

Ms. Messina had concerns about the condition of the land when they are done. It was stated that there can be language in the contracts that requires restoration of the property.

Mr. Keibel stated that it is premature at this time to make a decision and feels the County should hold all vacant land.

It was the consensus of the committee that the County should not sell any vacant land at auction and the County will hold the land as long as the property does not require any substantial maintenance or have a substantial liability. It was also the consensus of the committee to review this decision again in the first quarter of 2010.

The next meeting is scheduled for Thursday, March 12, 2009 at 3:00 pm.

There being no further business to come before the Committee the meeting adjourned at 3:00 pm.