

Graybeal:

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increased over the years to the present 380 milk cows and corresponding young stock.

The heifers are housed on various barns on the farms, and the cows are housed in free stalls. A computerized double eight milking parlor automatically identifies each cow at milking, and the DHIA test weight comes within one tenth of one percent of the bulk tank shipment weights.

"The system is incredibly accurate and makes the process of going to computers worth the effort," Graybeal said. Now the information on the cows is available, and I don't have to fight for it. The management is so much easier."

Graybeal does fault the milking machine companies who each have their own computer programs that will not speak to the DHIA DRCP systems.

"The companies need to study how helpful they are being with the DRCP's and have their programs communicating better. Programs should be helping dairy farmers get on and stay on official test rather than take them away from it just to keep their own little niche in the market. We need computer programs like hydraulic hoses. They all must be compatible."

According to Graybeal, the farm generates a lot of cash flow, and many companies want to get in on this flow by selling their products. And that is expected. But that isn't Graybeal's purpose. He wants to keep the cash flow at home. That's why he has not gone to TMR mixing.

On the Graybeal farms, a self-unloading wagon is used in place of a TMR mixer. Haylage and corn silage is put on the wagons together at a ratio of two to one, and concentrate is placed on top. The feed is somewhat mixed in this way, but not as well as TMR.

"Maybe a TMR mixer would be what we need to raise our level of production over the 21,000 lb.

mark," Graybeal said. "But the mixer wagon is a lot more expensive. And you need a back up in case one breaks down. "We have not seen the justification for complete blending."

As for BST, Graybeal thinks it will not have much use in their herd. "If cows are under stress now, they don't need extra stress unless someone sees a way to manage it that I don't," Graybeal said. "The extra milk is nice, but I think we are reaching a plateau with our nutrition. BST steps beyond that, and I'm not sure the nutrition needs of extra milk production from BST can be easily met. I don't want to put more expensive feed into the cow unless I can make a better bottom line."

The day of this farm visit, Harold Lindicamp, Lancaster DHIA tester, was on the job. Lindicamp said Lancaster's change to Raleigh and the computers involved with the change has gone well for him. At the time, Lindicamp had all his herds changed over to computer except the herds with more than one group. As of press time, 60 percent of all cows in Lancaster County were on Raleigh's computer system with more added weekly.

Graybeal is Lancaster DHIA's representative on Raleigh's DRCP committee. "I'm very pleased with what they (Raleigh) are doing," Graybeal said. "They are on top of things. Their board of directors is a cross section of dairy farmers from across the nation. Board members have a lot of ability and anywhere from 2500 cows to 60 cows in their herds at home."

"In Lancaster County it's going good. We are working toward 100 percent on computer by June. I give the supervisors a lot of credit. They have taken on a monumental task to learn something so quickly.

"Lancaster DHIA is trying hard to give the supervisors all the support they can," Graybeal said. "And Raleigh's program is keyed from the supervisor right into their mainframe computer in South Carolina. I think Lancaster DHIA is on the right track."



Robert Barr, president of 21st Century Appraisals, explains the ramifications of joining Clean and Green tax abatement program to 125 Dauphin County landowners who either are part of the program, or are eligible. This is one of three meetings Dauphin County held to correct a 6-year-old tax assessment mistake on Clean and Green participants.

Farmer Action Corrects

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dairy farm family, whose farmlands are located between Harrisburg and Hershey.

At heart of the issue was that county officials operated under the philosophy that every landowner should be treated equally; ignoring the fact that the constitution of Pennsylvania had been changed to allow preferential treatment through reduced taxation, paving the way for the Clean and Green Act.

The apparently successful battle led by Russel Cassel (Cassel said the case is not completely over) has been lauded by the Pennsylvania Farmers Association and the state Department of Agriculture as key to keeping any farmland as farmland.

The key protection under Clean and Green land is that it is valued according to its ability to produce — not according to real estate market value.

Without the support from the county courts to reinforce this distinction, officials worried that all the millions of dollars county and state government has paid for development rights would become wasted.

According to Cassel, Fred Wertz, director of the state Farmland Preservation Program for the PDA, "helped out a lot."

Cassel said Wertz not only gladly testified after getting a subpoena to free him from work, but indicated that should Cassel fail, the state's farmland preservation program "could be out the window. The key thing is that there is no commonwealth ruling. There still is no state ruling on land use assessment," Cassel said.

The need for a ruling may or may not become evident. It depends on how other counties treat Clean and Green properties.

If Cassel would have lost his legal battle, the scenario which caused dread among those seeking ways to keep prime farmland in farming was that landowners who had sold development rights to the local governments would have the land taxed according to market value.

Since the market value of farmland is usually higher than the land's ability to produce, those who would try to make a living farming would be hit with high taxes, which is converse to the intent of the farmland conservation laws.

The only drawback to the entire Cassel lawsuit is that it didn't go to a state-level court to arrive at the same decision. It would have served as a stronger precedent for future battles to maintain preferential tax treatment for Clean and Green properties."

However, the case is symbolic of an increasing rift between understanding by agricultural people and non-agricultural people.

This situation and others points to the need for those engaging in

agricultural activities to at least stay in touch with local government operations and decision making.

For Russel Cassel, the Dauphin County problem was one in which he was involved in local government, but at the time wasn't in a position to stand up to county government as effectively as he said he would have liked.

"At the time of the reassessment, I was chairman of the conservation district board and we knew the reassessment was coming and we knew how it was being done, maybe a week before it was coming out," Cassel said.

"And I brought it out to the commissioners that it wasn't right and they said they agreed, but when the assessment came out that's the way it was," he said.

"I convinced the (conservation) board to fight about it, but at that time we were trying to build the natural resources building. We were in a position of saying, 'You're not giving (agriculture) enough money, but you're taxing us too much.'"

According to Cassel, the natural resources building had to come first. His personal disagreement with taxing had to wait until he could separate himself from his other community obligations.

At first the battle to correct the tax assessment got off to a bad start. He said he got some advice about filing a suit, and thought that once he initiated it, he could later transfer the case to a class-action suit.

With a class action suit, all landowners would have received the same final judgement that Cassel apparently has received — reduction in tax assessment based on value of the productivity of his farmland, and he would receive payment of all taxes paid at the wrongfully higher rate.

However, since the filing of the suit was done the way it was, Cassel is the only one to receive back taxes. The judge ruled that Cassel was the only one to reap the benefits of the individual suit.

However, Cassel didn't force a court showdown with government officials until exhausting the regular avenues of appeal.

"If we used our farm and won the appeal (through the assessment appeal board), the county would have based" the other Clean and Green properties the same way," Cassel said. "So we appealed it to the board of assessment appeals and were turned down.

"The more research I did, the more I felt that something should be done," he said.

According to Cassel, he tried to get the county conservation board to file a lawsuit on behalf of the Clean and Green participants, but the board was not in a position to hire an attorney.

"So our family decided to go ahead and do this and see what happened and that's when we got an attorney."

That was in 1986. In 1993, the county is finally taking action.

"At this point, we're not exactly sure we will get anything back. Our taxes here have been going up about \$1,000 a year with the increase in school taxes and everything. There's a lot more wrong in Dauphin County than this, but it boiled down to Act 319 takes precedence."

The county finally came around to understanding the intent of Clean and Green, and when faced with a court order to correct its reassessment procedures, stalled at first. Cassel, through his attorney, complained about the lack of action and the courts found the county in contempt of its order. The county took action.

Cassel's actions and the benefit to the rest of his countians may largely go unnoticed. County officials hired a mass tax appraisal and reassessment service to change the taxing rate, but there has been no publicity that each and every landowner under the Clean and Green could also file suit for back taxes.

Just because the judge found for Cassel only, doesn't mean the same decision should not be held for others in the same position. However, the cost to the county, in legal fees and in back taxes would be large compared to the way it is being handled.

In order to prevent that kind of chaos, the county hired the mass reappraisal and reassessment business and is not publicizing the result of the lawsuit.

So far it appears that their actions will end the 6-year dispute amiably.

However, Cassel warns all landowners and agriculturalists to keep their eyes open — especially those in Lancaster County.

"Lancaster County assessments are low compared to the rest of the state. They're going to get a reassessment."

The saga for Cassel isn't over. Change is inevitable and he sees more coming.

Born on a farm where his father lives, and that was included in the suit, Cassel said he doesn't know how much longer the area will be compatible with agriculture.

"When I went to high school, there were only seven of us who rode the school bus. Now I don't know how many school bus routes there are. And there used to be a regular milk route through the valley. Now we're the only ones in the township shipping milk."

However, Cassel said that all farmers should keep a vigilance, even though it gets more difficult all the time to stay in touch with the operations of local officials.

"Too often the public doesn't know what's going on. I guess it gets too hard to get farmers to do much more right now, with prices low and everybody stretched to the limit. It's hard to get them to meetings anymore.

"But you should be involved and anything that you're not in agreement with, you should definitely appeal."



Joan Sheets works with the milking machines.