

RESOLUTION
of The Cumberland County Agriculture Development Board
concerning the Right to Farm Conflict Resolution Public Hearing for
the Misner Farm t/a R.E.M.'s Spotted Saddle Horse Farm

WHEREAS pursuant to the Right to Farm Act, N.J.S.A. 4:1C-10.1 et seq. and the State Agriculture Development Committee Right to Farm rules, N.J.A.C. 2:76-2.10, a complaint was received by the Cumberland County Agriculture Development Board about an electric fence on the Misner farm identified as block _____ Lawrence Township, Cumberland County. That complaint, dated December 18, 2002, was submitted by neighboring property owner, Roy M. Hindermeyer of Cedarville, NJ;

AND WHEREAS the Cumberland County Agriculture Development Board, at their regularly scheduled meeting held on January 21, 2003, determined that the Misner farm was a commercial farm operation subject to the protection of the Right to Farm Act;

AND WHEREAS the Board also determined that there were no adopted agricultural management practices for reviewing the electric fence, and therefore the Board forwarded this complaint to the State Agriculture Development Committee in accordance with N.J.A.C. 2:76-2.10(c);

AND WHEREAS the State Agriculture Development Committee also determined that the Misner farm is a commercial farm operation subject to the provisions and protections of the Right to Farm Act. The Committee held a public hearing on May 27, 2003, and adopted findings on September 25, 2003, which held that the electric fence conformed with generally accepted agricultural practices;

AND WHEREAS the Board held a public hearing at their regularly scheduled meeting on October 21, 2003, to review the findings of the Committee and receive testimony of the parties involved.

AND WHEREAS after review of the Committee's actions and the testimony presented at the public hearings, the Board findings and recommendation are in agreement with the Committee's.

THEREFORE BE IT RESOLVED that the Board finds that the electric fence on the Misner farm conforms to generally accepted agricultural management practices.

Motion made by:

Motion seconded by:

11/18/03

DATE

Albert Johnson, Chairman

This resolution was duly heard and approved at a publicly advertised meeting of the Cumberland County Agriculture Development Board held on November 18, 2003.