**Agricultural Advisory Committee Meeting Minutes**

**April 19, 2016**

**Attendees:** Linda Lewis, Debbie Benson, Chuck Schuster, Dennis Kamber, Dave Weitzer, Eddie Kuhlman, Jane Evans, Peter Driscoll, Paula Linthicum, Aliza Fishbein

**Staff:** Jeremy Criss, Josh Penn

1. **Meeting called to Order at 7:04 pm and Introductions.**
2. **Approval of the January 19, 2016 AAC meeting minutes-Please note there was no meeting in February and due to the joint meeting of the AAC and APAB on March 15, 2016 the minutes still need to be approved.**

Accepted as presented. (Lewis/Linthicum)

1. **Approval of the March 15, 2016 AAC meeting minutes**

Accepted as presented. (Lewis/Driscoll)

**Presentation by Aliza Fishbein- JD/Masters of Public Health student at the Johns Hopkins University and the University of Maryland. Aliza is conducting research on the background of and current status of composting in Montgomery County, Maryland. The ultimate goal is to come up with recommendations for expanding composting in the County. Aliza was born and raised in Montgomery County and this research will be presented to the Montgomery Food Council. Aliza is also involved in the county's agricultural community.**

1. **Update on the Office of Agriculture-OAG**

**On April 27, 2016 the PHED Committee will hold a work session to discuss the FY17 Operating Budget for the Office of Agriculture-OAG.**

**The Office of Agriculture is allocated a total of $1,671,967 in County funding and consists of 9 positions-people that total 8.5 FTE.**

**Source of Funding Personnel Costs Operating Costs Totals FTE**

**General Fund 636,560 365,397 1,001,957 4.15**

**Water Quality Prot 217,199 102,801 320,000 2.1**

**Capital Fund 245,409 104,591 350,000 2.25**

**Totals 1,099,168 572,789 1,671,967 8.5**

**OAG will not function independently until DED is closed sometime this coming spring.**

**The Agricultural Services will continue to operate under the DED until it closes. *Please note the last Jeremy Criss heard the DED will not be closing down until June 30, 2016.***

**The Ag Pres CIP program proposed appropriation for FY17 is $1.1 million for easement acquisitions. The OAG has been following up on the Ag Pres Advisory Board request for new funding from the WQPC. The DEP is not recommending WQPC funding for the FY17 cycle and has asked for additional time to explore how a partnership with OAG can be achieved. The OAG will inform the APAB and AAC on the recommendations from the DEP.**

What is not included in the budget above are those employees who get partial funding from OAG and partial funding from other departments (DHHS, USDA, NRCS, UMD) and are not counted here. There are 27 people (25.2 FTEs) in the building, for all programs. The funding requested by APAB is not recommended for FY17.

Water Quality Protection Charge funds – instead of 10 years DEP wants the implementation of SCWQP reduced to 5 years and DEP would like farms be scheduled for a baseline assessment for the beginning stages of nutrient trade. The SCD would come out, look at the farm, assess the best management practices, and establish a nutrient baseline for the property. It would need to be consistent with the Total Max Daily Loads (TMDLs) and the Watershed Implementation Program (WIP).

1. **Briefing with the Planning Board on the Building Lot Termination Program**

**The Planning Board conducted a briefing for the BLT program on April 7, 2016. The OAG staff attended the briefing and informed the Planning Board on the progress with the program. A total of 3,475 acres of TDR easement properties have been further protected terminating a total of 41 rooftops-BLTs (30 Public and 11 Private) and an additional 6 projects involving partial BLTs have being processed. The Planning staff announced there are several projects in various stages and phases of approval that will result in a total demand of 74 BLTs for BLT incentive density.**

This is very good news. Developers are using BLT incentives for higher buildings and expanding their square footage-floor area ratio-FAR. The County has so far acquired 30 BLTs, 11 private, and some involving partial BLTs. 1 BLT is equivalent to additional square footage of space; there is no dividing up BLTs from the Sending Area. No one has ever used a TDR for anything less than one dwelling from the Sending Area to a Receiving Area. The demand for BLTs is increasing through redevelopment – tearing down what was built in the 1940s/50s/60s and building upwards. The program has already eliminated 41 roofs in the AR.

There was some concern in the County about down-county priorities taking precedent over paying for farm preservation areas up-county. There may be some pushback in the future.

1. **New Improvements and Communication Systems at the AHFP**

**New communication systems are still in the works for the ag agencies in Derwood.**

**The Access Agreement was held up in Parks legal office because they wanted language in the Contract that would allow termination with Comcast at any time with no liability. Comcast found this language unacceptable given their $40 K investment to run the cable up the driveway.**

**All of the utilities have been surveyed and marked.**

**The existing Verizon phones will be replaced with Comcast Business Service.**

**All phone numbers for agricultural agency staff will be the same.**

**The existing Verizon T-1 lines will be replaced for OAG, UM-Extension and the MSCD.**

**The FSA, NRCS and MDA will maintain their existing Verizon T-1 lines.**

This is a snag that may be a deal breaker. P&P won’t sign the access agreement unless there’s a hold harmless from liability clause if P&P were to cancel the contract with Comcast. Comcast isn’t agreeing to this since they’re paying $40k of their own to run the cable up the driveway, which they were willing to do, knowing of the income potential down the line. Stay tunned.

1. **We are still looking for more new farmer members to serve on the AAC to replace the following folks: Drew Stabler, Jane Evans, David Heisler**

**David Weitzer requested a waiver for a third term**

**Eleanor Leak requested a first term**

We currently have a conservationist on AAC (Drew) and an Ag economist (Dave). The income requirement for recruiting new farmers is a challenge.

1. **Please see the article and picture in the MCFB newsletter on the County Council Proclamation for National Agriculture Day. Presented by Council members Berliner, Rice and Navarro.**

Proclamation for the National Agriculture Day as March 15.

1. **The Council is looking for new Planning Board member to replace Amy Presley (Republican or Independent) and deadline to apply is April 20, 2016.**

Looking for either a Republican or an Independent.

1. **ZTA 16-02 Agricultural Zone-Transferable Development Rights Requirements.**

**Follow up from the PHED Work Session March 21, 2016 on the ZTA.**

**Do to the push back from MCA and SCA the ZTA 16-02 was sent back to the Planning Bd.**

**There will also be an amendment to the subdivision regulations for the covenant recorded on the farm remainder of the subdivision when a farm tenant dwelling exists.**

**Follow up from April 7, 2016 meeting with George Leventhal, APAB and MAP. George suggested the agricultural community needs to talk with MCA and SCA to discuss a possible legislative solution.**

The proposed language would say that a farm tenant dwelling shall remain accessory to farming and not require a retained TDR. This proposed language would in inserted in the Zoning Code and on the record plat of subdivision. The MCA and Sugarloaf Citizens Association-SCA felt the amended wording was too open ended and would create opportunities for abuse. They wanted to have a limit on the number of farm tenant dwellings a farmer can have – They recommended a standard which is the same as Ag Preservation (100 acres per dwelling). Jeremy will forward the letter from SCA stating their position on the ZTA 16-02 and the Plowing New Ground sections pertaining to farm tenant dwellings.

AAC will write a letter to send to P&P that we don’t need TDRs for tenant dwellings and decisions have been made by farmers based on that understanding. There is a 1982 Plowing New Ground detailing the rules. Motion to write a letter passed. (Kuhlman/Linthicum)

1. **Ag Education Outreach Team**-**Gene Kingsbury, Greg Glen, Caroline Taylor, Doug Tregoning and Jeremy Criss are working with high school students. Poolesville High School- January and Damascus High School and Sherwood High Schools-March. Field trips to farms for Damascus students is scheduled for April 20, 2016 and Sherwood High School students for May 3, 2016. The students will be visiting Rock Hill Orchard, Laytonsville Landscaping and Sod and Ruppert’s Nursery.**
2. **Follow up from the MSCD Pasture Walk and training-April 6, 2016. 25 folks attended.**

It was a very good program with new equine outreach coordinator, Shelly Ingram.

1. **Recommendations from the AAC Sub-committee:**

**A. Micro-Alcohol Production Facilities- Fruit and Grain based Alcoholic beverages.**

1. **Limited Use Standards for Private Events on farms including food.**
2. **Food trucks-trailers prohibited on farms due to Transitory Uses restricted under Section 3.1.5 TDR Prohibitions. *Please note that Council member Hans Riemer asked Council Staff Attorney to draft a ZTA that would permit food trucks on farms that are encumbered by TDR easements.***

Hans Reimer has proposed to remove the restriction on food trucks and food trailers and the ZTA will be introduced soon.

1. **Rustic Roads Advisory Committee-RRAC Proposed Language for Farmer members**

**Follow up from the March 15, 2016 joint meeting of the AAC and APAB. The groups did not support the proposed language for farmer members on the RRAC. The AAC recommended the County revisit the policy that requires members of Boards and Committee to only serve on one board or committee at a time. A letter from the AAC to the Executive Staff will be handed out at the meeting.**

1. **3 members who are owner-operators of [[commercial]] agriculturally-assessed farmland earning [[50 percent]] $10,000 annually (in 2015 dollars) or more of their gross income from farming, one of whom is a representative of the Agricultural Advisory Committee;**

Consider changing the criteria of what constitutes a farmer, since they’re having a hard time recruiting farmers. The MNCPPC recommended that instead of 50% or more of the income, they reduced it to $10,000. Jeremy drafted a letter that is included in the agenda packet for this evening’s meeting. The letter was approved with three changes. (Kuhlman/Kamber)

1. **Update on the Sugarland Road Pilot Project for Broad Band-March 21, 2016 meeting**

Dave and Dennis met with County Cable Office to develop a pilot for AR area that would bring broadband internet. Most people are using antiquated DSL lines or satellites that have limitations. They are working with Comcast and the County. Comcast has now defined an area they’re willing to support and have given a cost on a declining scale depending on the number of people who would subscribe (90+/= homes/lots) 70 people have committed so far. They will be proposing to Comcast that they build the infrastructure at no cost to the residents. This model/pilot can be exported to other parts of the county and state.

1. **Motion to adjourn at 9:07 passes.** (Kuhlman/Schuster)

**May 10th will be the next AAC Meeting.**