

**Agricultural Advisory Committee Meeting Minutes
November 15, 2016**

Attendees: Debbie Benson, Dennis Kamber, Dave Weitzer, Doug Lechluder, Pete Driscoll, Aliza Fishbein, Michele Cropp, Eleanor Leak, Linda Lewis

Staff: Jeremy Criss

Key: all “**BOLDED**” words are from original agenda

- 1. Meeting called to Order and Introductions**

- 2. Approval of the October 18, 2016 AAC meeting minutes**
Accepted as presented (Lechluder/Driscoll)

- 3. Funding for Farmland Preservation**

Follow up on the briefing with the CE from October 19, 2016.

The CE approved the OAG presentation to the Council.

DEP and OAG briefed the Council T&E/PHED Committees on October 20, 2016.

No new funding will be identified for the FY18 CIP.

Jeremy met with County Executive the day after our last meeting, to show him Jeremy’s presentation that was submitted to T&E and PHED committees. As of now there will not be any new public money for farm preservation in FY18. Not sure if this will change in the coming months; there are many people at the state level talking about nutrient trading and this may help DEP staff reconsider the use of Water Quality Protection funding for Farmland Pres.

Until there is a law in place, Jeremy and John Zawitoski proposed the pilot program that would not have commitments greater than five years. They did this because of concern from the ag community against nutrient trading. The Montgomery County Farm Bureau opposes it and is encouraging MDFB to do the same. *(Please note the MDFB retained existing policy to monitor nutrient trading policies rather than oppose it. The MDFB wanted to be sure they had a seat at the table for future discussions on nutrient trading at the State level.)*

In FY17 there are two properties being considered for easement acquisition and baseline assessments, as there is enough money for those easements. Doug asked whether Michael Jamison is involved, as he is the Chair of APAB (John Z. staffs APAB). Jamison may be putting together a coalition of MAP and MCFB, AAC, to try to get something in the regular budget. Jeremy spoke with Jamison briefly about this, and included MCA and SCA on it too. If they end up drafting a letter that would state the specific need for the funding at a time when there is more demand than available money, John and Jeremy would be available to check over the letter before the groups solicit signatures.

4. New Improvements and Communication Systems at the AHFP

**The new Comcast Internet system MSCD, OAG, & Extension is up and running.
The new Comcast Phone system is still not working in all areas of the building.
The new Comcast Internet system is frequently timing out during the day.
The Federal Gov. will migrate to Fiber and replace their T-1 lines and phones.
All phone numbers for ag agency staff will be the same with the exception of FSA.**

Finally, all the computers have migrated. Only a few phone lines are left. Verizon owns the phones. Waiting for Verizon to relinquish the rights to the phones to Comcast, which is taking time.

5. ZTA 16-02 Agricultural Zone-Transferable Development Rights Requirements

**The MNCPPC staff indicated a draft ZTA will be distributed soon to all stakeholders before the next Planning Board work session is scheduled.
The OAG may be asked to provide recommendations to the DPS and the MNCPPC on all requests for farm tenant dwellings.**

Still waiting on a draft from park and planning to address the concerns that were expressed back at the two separate meetings in April. Jeremy is checking in with P&P to make sure we get a chance to look at the proposal before it's put on the agenda before the Planning Board.

6. Follow up discussion following Heather Bruskin's presentation on the Montgomery County Food Council projects

**Heather discussed the Food Council Food Action Plan and Food Hub Study recommendations. Paula Linthicum questioned why the AAC was partnering with the Moco Food Council since they are supported by the Town Creek Foundation and Fair Farms MD.
Please see the discussion summarized in the October 18, 2016 AAC meeting minutes.**

At the last meeting, Paula raised some questions about why the Office of Ag and AAC is partnering with the Food Council, as they receive support from the Town Creek Foundation and Fair Farms Maryland who seem to be aligned with the Humane Society of the United States (HSUS). Jeremy followed up to phone on the phone with Heather about this, and the summary of that call is #15 in the minutes from last meeting.

Jeremy doesn't believe there is any problem partnering with the Food Council. The money from Town Creek is for expanding composting and food waste diversion. The Food Council used the money to promote the December 3, 2015 On Farm Composting Forum (printing of materials and lunch).

AAC is created by the county government, charged with advising the Executive and Council on all matters affecting ag. The matters studied by the Food Council are of interest to the AAC. The Food Council has a lot to do with promoting the local food movement and helps

promote our annual farm tour. They also write letters in support of matters the AAC supports, especially with bringing products from off farm to compost and then sent off farm as a farm end-product.

There was general agreement by AAC members present that it's beneficial to keep all channels of communication open, even if they are groups we don't agree with. It is important since we are a government entity charged with being a convener of stakeholders.

7. Bill 28-16 Solid Waste (Trash) Strategic Plan to Advance Composting, Compost Use and Food Waste Diversion:

**The T&E Committee work session occurred on October 27, 2016.
Amendments were made to the Bill as recommended by the DEP**

At the T&E work session on the bill DEP suggested amending the deadline for completing the strategic plan, and Berliner compromised with a middle date. DEP also wanted removed from the bill any reference to the contract that DEP has with haulers. The thought had been to revise the contractual terms the County has with haulers. DEP discussed their RFP for companies to accept organic waste. DEP's wanting to remove that from the bill is to give them a chance to see who responds to the RFP. T&E accepted the amendment.

8. Bill 31-16 Taxation-Urban Agricultural Tax Credit

**The GO County Council Work Session occurred on November 3, 2016.
The CE recommended a Grant Program be implemented in place of the Urban Ag Tax Credit.
The GO Committee asked Council staff to make amendments to the Bill 31-16 and schedule another GO Committee work session.**

There was a government operations and fiscal policy committee meeting on Nov 3 to discuss Councilman Hucker's bill on the Urban Ag Tax Credit. Last month, Jeremy reported to the AAC that OMB had determined the bill as proposed could impact as much as 34k tax accounts, potential loss of \$436 million to the County. The bill was broadly written and modeled after Baltimore City's original proposal (not what the city ultimately adopted). The final version was of a much narrower scope.

At the Nov. 3 work session, executive staff expressed a concern that the scope is too broad. Hucker's bill could recognize the difficult standard for properties 3 acres or smaller and give them a tax credit. The bill could be applied on residential properties, if the operation makes \$5,000 annually the property can get the credit. This would make it more in line with Baltimore City and the state (Baltimore City has the \$5,000/10 year cap). In Montgomery County, there has been discussion about whether the credit would be for both the land and the improvement upon the land.

Dennis asked how the "urban" ag term applies. Jeremy answered that properties have to be 0.5 acres to 5 acres located in an urban area defined as "priority funding areas" out of the Glendenning Growth Act that all places that have water and sewer are priority funding areas. This was to discourage jurisdictions from developing out in the sparsely developed areas and to

target improvement in towns where there is public water and sewer. In Montgomery County there are urban areas that are not priority funding.

9. Bill 37-16 Taxation-Development Impact Tax-Transportation and Public Schools:

**The County Council scheduled Bill 37-16 for final reading on November 8, 2016.
 The Council took a straw vote on the Bill where the tax rates were removed.
 The Council recommended a Resolution be adopted that contain the new tax rates.
 The Council did not support the recommendations from the Planning Board on the Green Policy Area=Agricultural Reserve
 To access the Council staff packet please click on the link below.**

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&clip_id=12423&meta_id=128045

<u>School Impact Taxes</u>	<u>Current</u>	<u>New</u>		
Single Family Detached	\$26,827	\$22,654		
<u>Transportation Impact Taxes</u>		<u>Current</u>	<u>Green Policy Area</u>	<u>+25% TPAR</u>
<u>Residential (per dwelling Unit or Per square foot of Gross Floor Area</u>				
Single Family Detached		\$13,966	\$17,458	\$21,822

AAC drafted a letter and submitted to the Council on the development impact tax. During the work session, Councilwoman Floreen suggested farm tenant dwellings be exempt from the development impact tax, but the Council staff didn't go for that. Today, the Council reviewed the amended bill and farm tenant dwellings have been exempted from the transportation component of the development impact tax. They removed any reference to rates from the bill, so that they can be established by resolutions separate from the bill.

Transportation Component: lowered existing transportation component to \$21,822. If someone is building a farm tenant dwelling, they don't have to pay the \$21k for this part of the development tax.

School Improvement Component: This part increased from \$18k to \$22,654, so everyone will pay the \$22k for schools even if you're building a farm tenant dwelling. Since the roads upcounty are for the most part rural and rustic they felt that charging the fee for the transportation part didn't make sense when the transportation money would be sent downcounty, however everyone's kids go to school.

Jeremy did research about what is being done in other jurisdictions. In Frederick County they waive the impact development tax if you're the child or grandchild of the owner and you're building a farm tenant dwelling. Jeremy wants to write a letter to the Council thanking them for what they did, and that they may also want to emulate what Frederick does with regard to child lots. AAC Consensus that we want to write a letter to that effect. (Fishbein/Kamber). Motion Carries.

There have been 60 tenant dwellings built in the last 10 years; 6 houses a year is not big at all for the County, but is huge for the farmer building the house. We want to see the child lot included as it's an estate planning tool for the farm.

10. Follow up on the Request from Aliza Fishbein, Non Farmer Member and Secretary of the AAC regarding the January, February, March and April 2017 AAC meetings being moved to the third Wednesday of each month to eliminate conflict with GW Food Law Class.

Room reserved: upstairs on 3rd floor, for Wednesdays in January, February, March, and April. Aliza is very grateful for everyone's understanding and flexibility! *(Please note the AAC will meet in room A for January and Room D for February, March and April. The AAC will meet in Room A for the rest of the year 2017 on the Third Tuesday of the Month.)*

11. Special Appropriation and CIP amendment-DOT-\$8,000,000for Resurfacing Residential and Rural Roads.

The County Council approved a supplemental appropriation of \$8 million for resurfacing of rural roads. We're seeing roads on the east side of the County being repaved with these funds. Sundown Rd. is one of them.

12. Next AAC meeting December 19, 2016 @ 7:00pm

The AAC did not meet on the following months in calendar year 2016.
February 16, 2016 due to the Ag Tire Collection Event and ice storm
August 16, 2016 due to the County Agricultural Fair

Will skip the December meeting because we will not have a quorum. The next meeting will be January 18 – 3rd Floor – Room D. *(Please note we will be meeting in room A.)*

Motion to adjourn (Lechliden/Lewis)

Upcoming Meetings and Events:

Montgomery Agricultural Advisory Committee-November 15, 2016 @ 7:00pm
Roger Berliner-Sugarland Rd Pilot Meeting-Comcast and Verizon-November 21 or 22
Montgomery County Farm Bureau Board of Directors-December 6, 2016 7:00pm
Montgomery Soil Conservation Board of Supervisors-December 9, 2016 @ 9:00am
Food Security Plan Meeting-December 13, 2016
Agricultural Preservation Advisory Board-December 13, 2016 @ 7:00pm