

**Agricultural Advisory Committee Meeting Minutes**  
**February 20, 2018**

**Attendees:** Doug Lechluder, Aliza Fishbein, Michele Cropp, Chuck Schuster, Pete Driscoll, Jane Evans, Ben Allnutt, Lori Larson, Patrick Jamison, Eleanor Leak

**Staff:** Jeremy Criss

**Guests:** Grier Melick (Small Business Consultant for Montgomery County), Peter Stokis (Campaign Manager for Lily Qi, Candidate, District 15)

**1. Meeting Called to Order and Introductions.**

**2. Approval of the December 19, 2017 AAC Meeting Minutes.**

Minutes approved as written (Cropp/Larson).

**3. Election of the Chairman and Vice Chairman of the Agricultural Advisory Committee.**

We elected Doug Lechluder to succeed Dave as the Chairman of the AAC.

We elected Patrick Jamison to be the Vice Chairman of the AAC.

We elected Lori Larson to be our conservationist representative.

We elected Patrick Jamison to be our ag economist representative.

(Cropp/Allnutt)

**4. The OAG received good news from the Office of Human Resources to modify the Business Development Specialist-BDS Job Class Grade 18-27 specific for the Office of Agriculture. Previously, the BDS job class was specific to the Department of Economic Development-DED. When the DED was privatized, the BDS job class was supposed to be terminated. This good news means the three remaining OAG staff positions will be reclassified accordingly with upward mobility-Vacant Farmland Preservation Program Manager, James Harne and Shelly Ingram. The OAG has already remitted the waiver from the County hiring freeze so we can fill the Vacant Farmland Preservation Program Manager. Once these three positions are reclassified all the OAG staff will be completed with this reclassification process that began in June 2017.**

Since June of last year, J has been working with OHR as everyone was subject to reclassification during the move to OAG. There was a vacant farmland preservation manager. The Business Development Specialist-BDS position was unique to DED, and was supposed to be terminated with the creation of OAG. However, they are keeping it for the three remaining employees in OAG with this modified BDS classification. J is confident that he will be able to fill Jon Zawitoski's position as business development specialist for farmland preservation. J submitted a waiver from the hiring freeze to fill John's position because it's not funded through the general fund, it's funded through the Capital Improvement program that funds the purchase of easements.

The last two positions are James Harne and Shelly Ingram that will be reclassified as Business Development Specialist for Resource Conservation Planning. There is promotional potential for all positions in OAG.

**5. The County Council approved ZTA 17-06 Agricultural Zone-TDR Requirements. The ZTA reinstates the 1980-2010 policy that TDRs do not need to be retained for dwellings including Farm Labor Housing Units that remain accessory to the farm.**

The ag community got a victory with this ZTA even though some folks were not fond of the term farm labor housing unit. Agricultural Reserve-AR zone property owners do not need a retained TDR for a dwelling as long as the dwelling unit is accessory to your farming operation. All three amendments we requested were accepted by the Council.

**6. Update on the Zion Road Bridge Replacement all agricultural groups have submitted letters to the County DOT recommending a two-lane bridge. The County DOT must now decide how to proceed.**

The Zion Road bridge is due for replacement. The recommendation from Rustic Roads was to go with a one lane bridge. The ag community including the AAC, MCFB and MAP sent letters recommending that it would be a better use of County funds to build a 2-lane bridge which then makes them eligible for federal money and can accommodate wider-modern farm equipment. The County plans to conduct a traffic study count. There seems to be a question as to whether Zion Road may no longer meet the definition of a rustic road because it may have more than 3,000 trips per day (as per the Master Plan that P&P administers, governed by statute (Chapter 49 Article 8)). If it's not a rustic road then it may be easier to get a 2-lane bridge approved. There is similar single lane bridge on White Ground Rd that goes through a park and it is always damaged by larger vehicles that pass over it.

**7. There have been two Agritourism Study Advisory Committee meetings (November 29, 2017 and January 17, 2018). Jane Siegler was chosen to lead the group discussion. The third meeting is scheduled for February 21, 2018. The Maryland Department of Agriculture has submitted an Administration Bill (HB 252 Agritourism) and the Maryland Farm Bureau supports the HB 252.**

The agritourism advisory committee has met twice (Nov 29, Jan 17). The third meeting is tomorrow night. Approximately  $\frac{3}{4}$  of the members of the committee are pro-agritourism. There was a feeling that P&P wasn't getting all perspectives out. Jane Siegler, a former member of AAC, agreed to lead the group. She's also the former President of the Maryland Horse Council. Bob Cissel was selected to lead tomorrow's meeting since Jane is out of town.

Ag tourism has become a popular topic in the state and outside the state. Many bills are circulating in the General Assembly to raise awareness, promotion, make agritourism easier, and define ag tourism. There are about 10 bills.

HB 252 is an MDA bill that would create a statewide definition (for the first time) of ag tourism. It's broad, which J likes. So far, all agencies and groups are supportive.

Another bill HB 1120 would have required all jurisdictions to adopt a definition of ag tourism but this HB1120 was withdrawn.

J took a group from DPS to Loudon County, VA to promote ag tourism, as they have a great model. They use ag buildings with minimal permitting. Maryland SB 817 from last year added Cecil County to a list of counties with permission to use ag buildings for agtourism for occupancies of 200 people. At the time Garrett County was the only county that was authorized to use agricultural buildings for occupancies of 200 people. This year MD HB 1116 both Carroll and Howard Counties asked for the 200-person capacity. Again, this year the OAG requested that MoCo be added to HB 1116 at the 50-person occupancy for using agricultural buildings for agritourism. Diane Schwartz Jones, Director of DPS said they will support that Montgomery County be authorized at the 50-person occupancy. There is a proposed statewide HB 1141 to include all counties at the 50-person level. The OAG is supporting both bills to ensure we don't drop support for one while the other bill may not pass.

P&P plans to have a report available sometime this Summer to send to the Council for consideration in the Fall.

Hans Riemer is anxious to do things for ag tourism and farm alcohol production. He probably may not wait for the ag tourism advisory committee to send recommendations. He held two micro alcohol production round tables August 2, 2017 and December 14, 2017 to promote farm breweries, distilleries, and wineries. Hans seems prepared for any push back.

**8. The Office of Agriculture has approved two applicants for deer fencing matching grants. The OAG partnered with the Maryland Agricultural Resource Based Industry Development Corporation MARBIDCO to create a matching grant program for farmers installing deer fencing. There are two more applications pending.**

We have two approved matching grants (\$7k cost share assistance). Two more are pending (they are farm tenant arrangements, not landowners).

**9. The OAG has been working with the County Executive and Council on HB 396 Local Government-Agricultural Land Preservation Fee. This bill was proposed by the Agricultural Land Preservation Advisory Board and not included as part of the MCFB Policy Development recommendations. MFB, the County Executive and the County Council has taken no position on HB 396.**

The ag preservation boards held a retreat on April 7, 2015 and from there they started working with DEP to see if they could get money for ag easements through the water quality protection charge. The APAB finished the discussion because the DEP has decided they don't want to fund farmland preservation unless there's a system in place for nutrient trading. In the past, AAC has been cautious about nutrient trading because we

feel that it just moves the pollution around. There was another APAP retreat on March 21, 2017 that resulted in a new funding proposal: Create an Agricultural Land Preservation Fee that would be added to property tax bills ranging from \$5-\$10/year. Right now, the water quality protection charge \$92.50 per property tax bill is applied to residences based on impervious surfaces, but this new Agricultural Land Preservation fee would be applied to all properties. HB-396, introduced by Delegate Eric Luedtke is state wide and gives every county discretion to create an ag preservation fee with very broad authority. The Ag Preservation Board has been working on it. The County Executive and Council have taken no position on the bill. The bill essentially says that the money collected must be put into the Ag Land Preservation Fund. *Please note the HB396 did not receive a favorable report from the House Environment and Transportation Committee and failed this session.*

#### **10. Appointments for new members to the Agricultural Advisory Committee.**

We need to replace Debbie Benson who did not apply for a second term.

Pete has asked for a second term.

Patrick applied for a second term.

Paula is finishing her second term. Her husband Tom may be interested in replacing her.

We have lost Dave Weitzer and Dennis Kamber.

We need 3 farmers and 1 non-farmer.

J asked Ben Butler who has applied online. The law says you can't have two related people on the same committee, so the question of also adding Susan Butler, Ben's aunt, will need to be reviewed by Executive staff.

We still need another farmer – Michele has an idea and will contact that person.

Sewall Lee has said he is interested.

**Promotion of Gleaning food to be donated to people in need with the benefits of the Tax Credit for donating food. <http://news.maryland.gov/mda/press-release/2017/09/11/food-donation-tax-credit-pilot-program-now-in-effect-southern-maryland-farmers-eligible-for-up-to-5000-state-tax-credit/>**

Jeremy said that Community Food Rescue is working to remind farmers of their efforts to help farmers that want to donate food/gleaning and better understand the tax credit incentives that are now available. If anyone has any questions please contact Jeremy.

#### **11. The OAG was required to propose reductions in General Funding to address the revenue short fall of the County. The Office of Agriculture has been in existence for 18 months and on the attached chart summarizes of the reductions and the sources of funding for the OAG.**

DNR proposed changes to their hunting regulations; the comment period is through March 13<sup>th</sup>. The real problem is the bag limits which would be significantly reduced. J already alerted the Executive about this. J suggests we write a letter that this is taking deer management in the opposite direction from where it needs to be going. DNR is a

non-tax supported agency – dock/hunting/crabbing/fishing licenses support it. Deer is one of its largest revenue generators.

In Maryland there were 65k deer vehicle collisions and \$100 million in property damage/year. The average accident is \$3,100, which is no fault so insurance premiums go up when we all pay for that.

Agreement by the AAC that no one agrees with the assessment about deer populations going down (Carroll and Frederick counties reported that).

We will send a letter in opposition to DNR's changing of their bag limits. (Larson/Cropp)

**12. The next meeting of the Agricultural Advisory Committee is March 20, 2018 at 7:00 pm. We will be meeting at the Germantown Library 19840 Century Blvd. Germantown, MD 20874 in room A.**

**13. Additional Item #1**

J works with the Food Council, preparing an email to table food producers in the county reminding them of the gleaning opportunities that exist. There have been improvements in the tax credit that create more incentives for farmers to glean food. Community Food Rescue, an organization in the County, is one phone call away and a network of volunteers will go gather food and before they even leave your farm they know where it's going to go. They understand the spoilage factor, and have refrigerated trucks. Cheryl Collins is in charge. If it's still usable after they distribute it to the hungry, they make it available to farmers to compost.

**14. Additional Item #2**

When OAG was created on July 1, 2016, it started out with general funds of \$1.9 million, including \$114k to OAG to function independently. When the economic development corporation was created they originally planned for this funding to be allocated to the Corporation. OAG rejected this plan and then the funding was allocated to the OAG. The OAG has since upgraded to Comcast business service, lost the motor pool line item and J was troubled because he couldn't understand how we'd go from a Division to an Office of Ag without any additional resources. Now, through budget reductions, and savings plans the OAG Operating budget has lost \$77k from his \$114k.

If ag tourism is going to grow they are going to need people to promote it, like Loudon County does.

**15. Additional Item #3**

The SCA is not suing the County over the incinerator. The SCA provided a proposal to the County DEP to implement a two-year composting pilot program at the leaf composting facility in Dickerson including food waste. The two-year proposal contained conditions

requiring all materials be hauled by train and not trucks. The power plant is still generating power although not at full capacity. The Pepco sold the power plant to GenOn and then GenOn sold the power plant to NRG. The NRG is in bankruptcy and the power plants are still up for sale and they have been generating power during the winter months although not at full capacity.

The SCA may possibly revisit the restriction of the leaf composting facility to allow more types of materials there if the county closes the incinerator. There is a lot of change in leadership at DEP.

Aliza and J were on the Farm Composting Working Group for the Strategic Plan to Increase Composting in the County. Eileen Kao said the full report will be made public at the end of February and open for comment.

All these things come together and may determine the future of the incinerator and the leaf composting facility. The vendor/operator of the incinerator is Covanta and their lease is up in 2021.

#### **16. Additional Item #4**

Chuck had troubling conversations with DEP that thinks MoCo shouldn't have to follow state laws for turf management (organic perspective). They are looking for a less restrictive direction. J said he would discuss this with Chuck one on one.

#### **17. Motion to Adjourn** (Cropp/Allnutt)