

# **Agricultural Preservation Advisory Board**

Regular Meeting Agenda

April 24, 2023

7:00 p.m.

Board: John Fendrick, Margaret Giblin, Michael Jamison,

Staff: Mike Scheffel

Guests:

The meeting was called to order at 7:02 p.m.

1. Introduction of guests
2. Approval of March meeting minutes

Fendrick made a motion to accept the minutes as edited, Giblin seconded, and the motion carried.

3. AEP Easement Program

- a. Inspections – Connelly/Hawse, Baker, Lewis

Scheffel and Salazar inspected these farms, all look good, no issues to report.

- b. Barbara Weitzer – request for owner lot

Ms. Weitzer contacted Jeremy and Mike about the potential for an owner's lot on her farm. The sole grantor of the easement is Ms. Weitzer's late husband, Mr. David Weitzer, Barbara is not a grantor. However, through various communications with the Office of Agriculture, APAB, and Mr. Weitzer's Last Will and Testament, it was shown that the grantor intended for the owner's lot to be realized and for Ms. Weitzer to reside in the house. The MALPF has policy which allows for spouses not named as grantors of the easement, to realize an owners lot if that intent can be shown through documentation. Scheffel explained this to Ms. Weitzer.

- c. Complaint – Willard-Watkins Farm

The OAG received a complaint from DPS regarding this farm, the complaint alleged illegal clearing of trees and chipping of the trees. Scheffel contacted the owners and set a time to visit the farm. After the April 14<sup>th</sup> site visit, Scheffel put the owners in contact with the SCD to get them into compliance with E&S as well as the terms and conditions of the easement.

4. Maryland Agricultural Land Preservation Foundation

a. FY24 Applicants

Before discussion began, Fendrick recused himself from this agenda item. Scheffel discussed with the Board the requirements of applicants to the Foundation, particularly, to apply, the person must be the landowner, not a contract purchaser. As of the date of the meeting, only one landowner has shown interest – John Fendrick. The Fendrick’s purchased the 113-acre farm immediately to the north of Rockhill Orchard. The farm meets the eligibility requirements for MALPF. After discussing with Jamison and Giblin, they concur with Scheffel’s assessment.

b. Driscoll update

Pete Driscoll, FY22 MALPF applicant went to settlement on 4/12/2023.

c. Inspections – Stanley, Lewis Legacy, Lechluder, Doody/Leatherman

Scheffel and Salazar inspected the above farms and found no issues.

5. RLP Easement Program

a. FY22 Grant

Settlement is schedule for May 31, all items are in order.

b. FY23 Grant

Scheffel has ordered a title report and insurance, he will be working with a new County attorney on this easement, Neal Anker, as Vickie Gaul will be retiring in June or July of this year.

6. Legislative activities

a. RRFMP Public Hearing 4/18

Scheffel informed the Board on the hearing, he thought it was a positive showing from the Ag community, all shared a similar message of asking for more maintenance of the roads. The update will be scheduled for a T&E committee work session after the budgets are passed.

b. MD General Assembly Update

With the assembly session ending in March, Scheffel shared with the Board the pertinent bills on ag with the Board. Of note the PFAS testing/labing bill SB158 went to a summer study.

## 7. Other business

### a. FY24 OAG budget

OAG staff attended a 4/20 budget hearing before the PHP committee. It went well and the office will be fully staffed and budgeted.

### b. Jeremy's replacement

MAP, MCFB, and OAG had a quarterly meeting with the CE to discuss the process to replace soon to be retiring Director, Jeremy Criss. The ask from the ag community recommended the position remain merit and the community have input on who is selected. The CE agrees on both counts, the OAG is working with OHR and OMB to post the position and fill it while Jeremy remains in County service.

### c. Board Membership

Scheffel informed the Board that four of the members need to be replaced, Jamison, Fendrick, Deluca, and Gingrich (he can sit for a second term). The process to announce these vacancies has been very slow and the OAG is working with the appropriate staff to get the announcements on the street.

### d. Presentation at Rural Summit in Middleburg, VA

Scheffel and Salazar attended a Rural Virginia Summit in Middleburg. Scheffel gave a presentation on Montgomery County's TDR program. Loudon County is proposing a TDR program related to FAR for data centers.

The meeting was adjourned at 8:02 p.m.