

Agricultural Advisory Committee Meeting May 19, 2015

Attendees: David Weitzer, Chuck Shuster, Drew Stabler, Jane Evans, Ben Allnutt, Linda Lewis, Michele Cropp, Doug Lechluder, Tim McGrath, Aliza Fishbein

Staff: Jeremy Criss, Josh Penn

1. Introductions

Everyone went around the room and stated their name.

2. Approval of the AAC Minutes from April 21, 2015.

The minutes from the April 21, 2015 meeting were approved as written (with one small typographical alteration). (*Cropp/Lechluder*)

3. Follow up on the Pesticide Legislation Bill 52-14. (AAC Letter regarding Noxious Weeds in Front of the Up-County Regional Services Center will be handed out at the meeting) and Recent developments surrounding the Montgomery County Farm Bureau-MCFB. (Attachments B). The T&E Committee will conduct the third Work Session on Bill 52-14 on June 15, 2015 @ 9:00 am.

There was a motion in the last AAC meeting to prepare a letter for the County Council to support what the Farm Bureau was doing, that the exemption for agriculture be in perpetuity. Jeremy had prepared the wording and sent it around; the Farm Bureau attorney responded that the amended language wouldn't have a material impact on the legislation because one legislative body can't tie the hands of another future one – it can always be amended in the future.

Meanwhile, there is precedent (Attorney General Letter ruling) that makes it possible for County legislation to be challenged in court on the grounds that it is preempting state authority. An article with more information was included in the AAC packet. The president of the County delegation has requested an Attorney General opinion (different from a letter ruling) about the matter, which is now pending. If the opinion is consistent with the precedent, then it provides more ammunition for the matter to be litigated.

The budget for the County was approved last week; the Council will be taking up a lot of legislative matters that have been on the backburner while they were working on the budget.

There is a third T&E work session scheduled for June 15. The Council may say that the legislation doesn't impact ag, so we may not get a seat at that table.

The letter Jeremy was asked to prepare about the thistle in front of the Upcounty Regional Center (where the AAC meets) was provided in the AAC meeting packet. We will send the letter to the Executive and copy others who are relevant and could be helpful. A motion was made to send the letter. (*Drew Stabler /Lewis*)

4. **Ag Services Navigator-Solicitation for contractor closed on 4-23-15 and one proposal was submitted. The Position was recommended in the FAME report. Discussion on the status of the Contract for the Contractor.**

As a reminder, after extensive interviewing and a waiver process there was a hiring freeze. Jeremy got an exemption from the hiring freeze just as the Executive announced he wanted to get rid of the DED. Jeremy wants to fill the position with a contractor but the CAO wants to keep position open to see if there may be applicants from within the DED as the structure is changing.

5. **The first meeting of the AAC Subcommittee is scheduled for May 27, 2015 at 7:00 pm. Proposed amendments to the Zoning Regulations to allow production of Beer, Hard-Cider, and Distilled Spirits and associated tasting rooms, private events like birthday parties, Bar mitzvahs, and weddings on farms in the AR zone as limited use accessory to farming. The Subcommittee of the AAC will be represented by the following individuals: Jessica Butts, Phil Muth, Steven Fistere, Susan Butler, Washington White, Greg Glen, Jr., Robert Butz, Tim McGrath, Paul Poto, Caroline Taylor, Beth Daley, Sophia Watkins, and County agency representatives from the DPS, DHHS, UCCAB, and DED (Attachment C).**

Scheduled for next week, will be in Room B.

6. **MAEF Mobile Science Lab (MAEF-Trailer) built for Montgomery County and rotated to 30 Montgomery County Elementary Schools each year. The County Council approved this FY16 Budget item totaling \$61,000 per year to build, haul, and staff the lab and make it available in time for the County Agricultural Fair in August (Attachment D).**

Good news! MAEF funding has been approved – cost to build, staff, and bring it to 30 elementary schools annually (rotated every week). The funding will be parked in Ag Services, not to be allocated to MCPS because of maintenance of effort. The Ag Services and the MCPS will need to develop schedule for payments to implement the program.

Doug Tregoning, Chuck Schuster, and Jeremy will develop the schedule and make sure it's done properly. Jeanne Mueller-MAEF is in charge of the content, since it's a MAEF copyright, but we will need to provide additional materials on the Ag Reserve. It will be supportive of the crops grown in the County.

They want the mobile lab available for the Fair and for Carver Day (big school event to kick off the Fall Semester) – Aug 29th. Ag Fair is Aug 14-22.

7. **AAC Letter of support for ZTA 15-06 Rural Cluster Zone-Land Use and Setbacks- Patricia Dunn of Pat's Outdoor Equipment (Attachment E; the AAC letter of support was handed out at the meeting).**
<http://www.montgomerycountymd.gov/COUNCIL/Resources/Files/zta/2015/ZTA%2015-06.pdf>

Unfortunate things have happened in the past that infringed on the company's property (creation of the ICC, etc.). The family is in a bind with permitting services. AAC has been asked send a letter of support for legislation that will create flexibility in land uses and

setbacks in the rural cluster zone for the business to continue in its present location. Jeremy's draft letter of support for the ZTA is in the AAC packet. Motion to support the letter passed.
(Drew Stabler, Lewis)

8. **New Appointments to the AAC – Patrick Jamison to replace Tim McGrath, Jim Frazer to replace Charlotte Ruppert McGhee??, Debbie Benson to request reappointment?**
Jim Frazer has agreed. Debbie Benson has not requested reappointment to the AAC.

9. **Future of Department of Economic Development – Agricultural Services – Review of the May 14, 2015 Press Release from the County Executive and the legislation remitted to the Council.**

http://www6.montgomerycountymd.gov/apps/News/press/PR_details.asp?PrID=14850.
Follow up discussion from the May 18, 2015 meeting with the County Executive (Attachment F).

The Executive is moving forward with legislation to replace DED with a private 501(c)(3) economic development corporation. The Press release was included in the meeting packet. Yesterday at 4:30 leaders of the ag community met with Ike and did well presenting their points. The legislation has been remitted to the Council. Legally, there are parts of ag (ag preservation, soil conservation, etc.) that cannot be privatized since they are a subset of the state (extension of the Smith-Lever Act and Soil Conservation-MDA). Jeremy was told he would be moved to the Office of Agriculture. We will continue to participate and testify before the Council.

Jeremy is working with partners to communicate that we need all parts of ag to stay together.

The legislation will probably be introduced on Thursday. The legislation says the following about AAC:

1. You must confer w the board of directors of the economic development corporation before you advise the County Executive and County Council.
2. Jeremy conveyed to the Executive and his staff that that's a concern and our understanding of confer is "inform" so we can inform them and they can see our agendas and minutes on our email list. But they said that that's not what they intended. The legislation is supposed to say that AAC confers with office of agriculture that they advise the Executive or Council.
3. So this gives us an opportunity to amend 1) this fix. 2) the enhancing of the ag economy and the board of directors of economic development corporation will support the efforts of the office of ag services. Getting ag promotion pulled out of the authority and put into the office of ag is what we need to do. 3) amend to make sure that we can declare an emergency (like drought) for the 25% rule (which says that no farmer with on-farm market can sell more than 25% of things they didn't produce themselves on-site – that's for the whole season of April through November).

10. **Next Agricultural Advisory Committee Meeting June 16, 2015 @ 7:00 pm Room A.**

Motion to adjourn passes. (Allnutt/Cropp)