

Agricultural Preservation Advisory Board

Regular Meeting Agenda

June 13, 2023

7:00 p.m.

Board: John Fendrick, Margaret Giblin, Michael Jamison, Nick DeLuca, Chuck Gingrich, Sherri Gingrich

Staff: Mike Scheffel, Natalia Salazar

Guests: Drew Baker, Steven Fistere

The meeting was called to order at 7:01 pm.

1. Introduction of Guests
2. Approval of April meeting minutes

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

3. AEP/BLT Easement Program

- a. Steven Fistere – FLHU request

Mr. Fistere is producing vegetables and fruits, among other products, and needs farm labor. The property has approximately 60 acres and encumbered by a AEP easement. The County attorney confirmed that the regulations do not allow a FLHU because the property has less than 100 acres. The regulations could be changed to allow FLHUs on properties with less than 100 acres through an Executive Order, which the OAG will pursue with support from the County attorney.

- b. Ed Boyce and Sarah O’Herron, Live Edge Winery – FAPF request

Mr. Boyce and Ms. O’Herron are requesting permission to build a tasting room on a flat area in the center of the property. It will be a commercial building approved through DPS. There will be gravel and grass parking. For now, there will only be a tasting room but in the future they intend to produce wine on-site. There is no residence on the property.

- c. Complaint – John Hughes, Twin Pond Farm

The property is encumbered by a BLT easement. A neighbor complained because there is a pile of earth material. Mike Scheffel and James Harne from the Soil Conservation District visited recently and talked to Mr. Hughes, who said that he will use the earth material to build a berm and plant trees to block the view from the neighbor’s property. He said he will obtain a Soil Conservation and Water Quality plan and a nutrient management plan.

d. Drew Baker, Burnt Hill Winery – ag building request

Mr. Baker is requesting permission to build a new storage facility for grapes on the top of the hill. He has planted vines in the last few years that will start producing in the near future and will require additional storage. He has reached out to the Montgomery Soil Conservation District and has been a good cooperater in the past. The total area of disturbance will be less than 5,000 ft².

Jamison made a motion to approve the request, Fendrick seconded, and the motion carried.

4. Maryland Agricultural Land Preservation Foundation

a. Lonnie Luther and Andrew Keller – request for on-site farm market

The property had a farm stand that was destroyed by an intoxicated driver. Mr. Luther and Mr. Keller are requesting permission to build a 2,500 ft² market. The request will come before the board when Mr. Keller can be present.

b. FY23 Applicants

Nellie Hanagan and Sharon Burdette have both received offers from the foundation. Ms. Hanagan will be signing the paperwork in the near future. Ms. Burdette's application is further behind.

c. FY24 Applicants

Billy Willard's application will be processed in the near future.

5. RLP Easement Program

- a. FY22 Grant
- b. FY23 Grant
- c. IWLA – lead reclamation project

The IWLA recently received a formal agricultural exemption for the project.

6. Legislative activities

- a. RRFMP update, Bill 30-23- Rustic Roads Advisory Committee, public hearing 7/11/2023

Bill 30-23 proposes to increase the RRAC from 7 to 9 members, with three farmer members and one member appointed by the Agricultural Advisory Committee. The bill will be introduced by the Council on June 20, 2023, the public hearing will take place on July 11, 2023, the Transportation and Environment Committee work session will take place on July 17, 2023, and action by the full Council will take place on July 25, 2023.

7. Other business

a. Jeremy's replacement

The Office of the County Executive stated in writing that the position of Director of the Office of Agriculture will continue to be merit-based and the agricultural groups will be invited to participate in the interview process. The position search was announced on May 30 and will be open until the end of June. The County approved the request for overage, which means that the OAG can hire the replacement before Jeremy retires on October 1, 2023.

b. MDA privatization of the Nutrient Management Program

On June 1, 2023, MDA sent out a news release announcing that starting on August 31, 2023 it will no longer partner with the University of Maryland to fund a Nutrient Management Advisor in each county. Instead, MDA will establish a cost-share program that will provide partial funding to farmers for private sector nutrient management plan services. MDA will continue to fund Nutrient Management Specialists at College Park, who will 1) continue to train farmers to write their own nutrient management plans and 2) write plans for some farms with less than 50 acres.

The full details of this transition will be released this month in MDA's Nutrient Management Summer Newsletter. MDA will host a forum on July 17, 2023 for farmers to meet and discuss this transition. MDA has stated that if individual farm operations have questions and believe they will not be served by the mentioned options, they should contact Dwight Dotterer at 410-841-5877 or Bryan Harris at 410-841-5951 for assistance.

The meeting was adjourned at 7:57 pm.