

**Montgomery County Agricultural Advisory Committee**  
**Meeting Minutes**  
**March 21, 2023**

**Attendees:**

Committee: Doug Lechliden, Pete Driscoll, Lori Larson, Jane Evans, Chuck Schuster, Ben Butler, Eleanor Leak, Amanda Cather, Debra Tropp, Patrick Jamison, John Brewer

Staff: Jeremy Criss, Natalia Salazar, Greg Wims

Guests: Tim McGrath, Ellen Gordon, Adam Darkins, Margaret Chasson, Linda Bergofsky

**Note:** All agenda items are in black font and followed by the minutes in blue font.

- 1. Meeting called to order: 7:02 pm**
- 2. Approval of the February 21, 2023 AAC meeting minutes**

Jane Evans moved to approve the minutes, Eleanor Leak seconded, and the motion passed.

- 3. Update on the PFAS article on wells #2 and #3 in Poolesville, which were taken offline because they detected “forever chemicals” (PFAS). These wells are located towards the center of town and in residential and commercial areas.**

Timeline of events surrounding this PFAS issue (events added since the last meeting are highlighted)

January 3, 2023	Community Meeting in the Town of Poolesville
January 9, 2023	Ag Community Leaders and Ag agency staff meeting to develop a proactive strategy
January 26, 2023	Webinar conducted by Bloom representatives on PFAS testing etc.
January 30, 2023	Meeting between PEER, MCA, SCA, OAG, DEP, CEX to review PFAS test results
January 31, 2023	Letter from PEER, MCA, SCA to the CE and Council President on PFAS
February 7, 2023	Follow up meeting for Ag Community Leaders and Bloom representatives
February 8, 2023	DEP Briefing with the CE on the letter from PEER, MCA, SCA
February 16, 2023	The County Executive supports House Bill 319, <i>Environment – Pesticide Registration - PFAS Testing - Requirements</i>
<b>February 21, 2023</b>	The County Attorney reported that MC does not have the authority at this time to ban the application of biosolids on farmland.
<b>February 24, 2023</b>	The OAG has included a new PFAS resource page on our website outlining all of the applicable research on this issue. <a href="https://montgomerycountymd.gov/agservices/faq.html">https://montgomerycountymd.gov/agservices/faq.html</a>
<b>March 3, 2023</b>	HB 319/SB 158 Pesticides Registration-PFAS Testing and Colby Ferguson does not believe it will move forward in 2023.
<b>March 14, 2023</b>	The Federal EPA has proposed new <a href="#">Enforceable Limits</a> for PFAS in drinking water.

March 28, 2023

DC Water will lead a tour of the Blue Plains Advanced Waste Water Treatment Plant for elected officials in collaboration with the MC Farm Bureau

May 22, 2023

There is a PFAS Summit scheduled for elected officials hosted at DC Waters Headquarters.

<https://www.wusa9.com/article/news/investigations/toxins-in-poolesville-drinking-water/65-292eae8d-f798-4203-8b55-496bdf3a28e2>

Here is another article regarding the WSSC Bloom product containing PFAS.

<https://www.freep.com/story/news/local/michigan/2021/05/25/pfas-pfos-forever-chemicals-garden-fertilizers/7418828002/>

#### **4. Bill 40-21 - Individual Water Supply and Sewage Disposal Systems - Amendments (McCartney-Green)**

During the October 24, 2022, Transportation and Environment Committee work session several questions were raised that DEP staff did not have all the information. On March 7, 2023, the County Council passed a Resolution to extend the effective date of Bill 40-21. We will continue monitoring this Bill 40-21 that will be scheduled for a second T&E Committee Work Session.

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230307/20230307\\_3A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230307/20230307_3A.pdf)

#### **5. Bill 18-22 Noise Control – Leaf Removal Equipment – Amendments-**

This Bill 18-22 Noise Control-Leaf Removal Equipment was discussed during the T&E Committee work session on February 13, 2023, Councilmember Marilyn Balcombe presented an amendment to permit the use of gasoline blowers for farming uses on agriculturally assessed properties. The Bill 18-22 was scheduled for final reading on March 7, 2023, however the Council members are recommending additional amendments that apply to the rebate amount for purchasing electric blowers and the language for the prohibition on the sale of gasoline blowers in the Down County.

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230307/20230307\\_2A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230307/20230307_2A.pdf)

#### **6. The County Government and Sugarloaf Citizens Association Agreement-Amendment #7**

The Office of Agriculture has completed the process to amend the Sugarloaf Citizens Association Agreement-Amendment # 7 to permit a 20 cubic yard truck to pick up and deliver Leafgro to smaller scale food producers where their properties cannot accommodate a 40 cubic yard truck.

- a. Tim McGrath asked if electricity is generated from burning solid waste at the incinerator. Jeremy responded yes.
- b. Tim asked if coal is burned there as well. Jeremy responded saying no and his understanding is the Dickerson Power Plant uses LP Gas to generate electricity during periods of high demand for electricity. Jeremy said the County Executive wants to close down the incinerator when the current agreement with Northeast Waste Disposal Authority expires in

April 2026 and replace the incinerator with a Bio-Digester which would generate methane gas for producing electricity and provided to farmers to dry their grain.

**7. Kevin Atticks-New Secretary of the Maryland Department of Agriculture visit to the County**

On March 13, 2023, Kevin Atticks, Secretary of MDA visited Montgomery County and met with the Leaders of the Agricultural groups. One of the reasons for this visit is for Kevin to learn more about the traditional agricultural sector for grain production. Doug Lechliden, Pete Driscroll, and Lori Larson attended the event, and they did an excellent job of representing their specific sectors of the agricultural industry.

Jeremy said that he was encouraged by the exchange of ideas and discussion with the new Secretary of Agriculture and Jeremy said that Kevin Atticks is a good listener and a critical thinking individual that will do a good job of helping and representing farmers across the state.

**8. Introduction – March 14, 2023 Rustic Roads Functional Master Plan Update - Planning Board Draft (Orlin)**

Public Hearing is scheduled for 4/18/23 at 1:30 p.m.  
TE Committee work session will be scheduled at a later date.

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230314/20230314\\_5D.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230314/20230314_5D.pdf)

Found in this link: [https://montgomeryplanning.org/wp-content/uploads/2023/02/Rustic-Roads-Functional-Master-Plan-Update-Volume-I\\_-The-Plan-Planning-Board-Draft.pdf](https://montgomeryplanning.org/wp-content/uploads/2023/02/Rustic-Roads-Functional-Master-Plan-Update-Volume-I_-The-Plan-Planning-Board-Draft.pdf)

Recommendations:

28. To add diversity to the Committee while continuing to give commodity farmers a strong voice, the County Council should revise the membership criteria in Section 49-80 as follows:

*Membership. The County Executive must appoint, subject to confirmation by the County Council, a Rustic Roads Advisory Committee. In making appointments, the Executive should strive to achieve diversity on the Committee in support of racial equity and social justice. The Committee has nine voting members. Each member must be a resident of the County. The Executive should appoint:*

- (1) three members who operate commercial farmland earning 50 percent or more of their income from farming;*
  - (2) one member who is a representative of the Agricultural Advisory Committee and has been recommended to the Executive by the AAC;*
  - (3) one member who knows rural preservation techniques through practical experience and training;*
  - (4) one member who knows roadway engineering through practical experience and training; and*
  - (5) three at-large members to be drawn from other users of rustic roads. Examples of the at-large members include, but are not limited to: a table crop farmer who does not earn more than 50 percent of their income from farming; an expert in tourism or historic sites along the roads; a member of a religious institution on a rustic road; an operator of an agritourism business, such as a winery, brewery, farm stand, or recreation or entertainment venue on a rustic road; or a person who regularly uses the roads to engage in or reach places for outdoor recreation, such as to bike, boat, kayak, hike, fish, ride horses, or go birding.*
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- a. Jeremy Criss asked the committee if they support these Planning Board recommendations on the future structure of the Rustic Roads Advisory Committee-RRAC.
- b. Amanda Cather asked for background information surrounding the three farmer representatives including who they were and what is their farming experience etc.
- c. Jeremy responded that the three existing farmer members are Lauren Van Etten-small livestock operation, Anne Davies-equestrian operation, and Dr. Charles Mess-equestrian operation.
- d. Lori Larson said that the number of members doesn't matter; what matters is the percentage made up by farmers, but since they already don't enforce the 50% income requirement, she doesn't think the recommendations will change much.
- e. Patrick Jamison agreed that the income requirement is not enforced and that's what matters.
- f. Doug Lechluder said that we have two options to consider. Either oppose the Planning Boards recommendation on the future structure of the RRAC or change the process of appointments by the CE so they adhere to the rules of the RRAC.
- g. Jeremy said that the CE is responsible for proposing members and the Council accepts or rejects them. In the past, Jeremy tried recommending some farmers to the CE and the response was that they didn't need any more farmers since enough had applied. Jeremy thinks the committee should have at least one commodity farmer. The recommendations increase the number of rustic roads by 19. The roads already designated as rustic are not maintained properly, so adding more rustic roads could present a problem to farmers.

- h. Lori Larson said she thinks they shouldn't reject these recommendations but request that one of the farmers be a commodity farmer.
- i. Patrick Jamison said the recommended quarterly meeting between the AAC and RRAC should also include representatives from MAP and MCFB. Patrick said the quarterly meetings may be positive.
- j. Lori Larson said she has heard from Linda Lewis that many farmers don't want to serve on the committee because their voice has been ignored in the past and the other members are very difficult at times. Lori said that during meetings surrounding Moore Road between MCDOT staff representatives and the RRAC, she has seen the MCDOT staff rolling their eyes at comments from the RRAC members.
- k. Ben Butler said the CE appoints and the Council confirms the members to the RRAC. The farmer members need to look inward and follow the rules as outlined in the code.
- l. Amanda Cather asked what the downside is for opposing of Planning Boards recommendations.
- m. Doug Lechluder responded that RRAC had backed down from their recommendation to increase the number of RRAC members from 7 to 9 members, but now they Planning Boards recommendation puts the future structure of the RRAC back on the table for consideration.
- n. Lori Larson asked if the Planning Boards recommendation improves what the RRAC had originally asked for.
- o. Jeremy Criss said that he believes the recommendation from the Planning Board is better than the original recommendation for the RRAC to go from 7 to 9 members and eliminate the income requirements for the three farmer members.
- p. Patrick Jamison said that he believes the Planning Board recommendations are like putting lipstick on a pig and he is aware of how the other farmer members to sick and tired of attending the RRAC meetings and gave up.
- q. Patrick introduced a motion to reject the recommendations and Pete Driscoll seconded the motion saying that they must follow the rules because he does not believe the three existing farmer members meet in income requirements to serve on the RRAC.
- r. Lori Larson disagreed because she thinks the specific knowledge and experience requirements for three of the members and the larger committee size will reduce the say of the three members who oppose farmers.
- s. Doug Lechluder asked the Committee for a vote by voice and the motion did not pass.
- t. Lori asked if the AAC can think about this and decide later. Jeremy responded saying they have until April 18 to decide and we can schedule another AAC meeting before that to decide.

**9. Agricultural Representatives are needed on the following Boards and Committees:**

Rustic Roads Advisory Committee-DOT Staff [Darcy.Buckley@montgomerycountymd.gov](mailto:Darcy.Buckley@montgomerycountymd.gov)

Water Quality Advisory Work Group-DEP Staff [Amy.Stevens@montgomerycountymd.gov](mailto:Amy.Stevens@montgomerycountymd.gov)

Agricultural Preservation Advisory Board-OAG Staff

[Mike.Scheffel@montgomerycountymd.gov](mailto:Mike.Scheffel@montgomerycountymd.gov)

*Non-Farmer Member-Nick Deluca*

*Farmer Member-John Fendrick*

*Farmer Member-Michael Jamison*

Agricultural Advisory Committee-OAG Staff [Jeremy.Criss@montgomerycountymd.gov](mailto:Jeremy.Criss@montgomerycountymd.gov)

*Farmer Member-Doug Lechluder- 12-2022*

*Farmer Member-Michele Cropp-*

*Farmer Member-Susan Butler-*  
*Farmer Member-Angie McNally-*

Jeremy said that there are several agricultural boards and committees (outlined above) that will need to recruit agricultural representatives.

## **10. FY 24 Operating Budget for the Office of Agriculture**

<https://www.montgomerycountymd.gov/OMB/Resources/Files/omb/pdfs/FY24/psprec/65-Agriculture-FY2024-REC-Publication-Report.pdf>

Jeremy said this is the first time he can recall a County Executive actually supported what the OAG submitted for an operating budget. Jeremy said that when the County Council approved the FY23 OAG Ag Land CIP project, this laid the foundation for the CE to migrate unrelated Planning Design and Supervision expenses to the FY24 OAG Operating budget.

## **11. National Agriculture Day - March 21, 2023**

Breakfast with County Council at 8:00 am

9:00 am Proclamation recognizing National Agriculture Day, by Councilmember Friedson

Doug Lechluder said this was a nice event to meet the County Council members to discuss several agricultural initiatives and show case Montgomery County agriculture.

## **12. Update on the October 2023 Retirement of Jeremy Criss, Director of the Office of Agriculture**

The Montgomery County Food Growers Association remitted the attached letter to the County Executive, CE staff and County Council recommending the process to replace Jeremy Criss.

- a. Jane Evans motioned to accept the draft AAC letter regarding the process to replace Jeremy Criss and Ben Butler seconded. Doug called for a vote by voice and the motion passed.
- b. Debra Tropp recommended a few corrections in the AAC letter.

## **13. Office of Legislative Oversight on the Status of TDRs and BLTs**

The Office of Legislative Oversight-OLO report was scheduled before the County Council Planning Housing and Parks Committee work session February 13, 2023. Please see the attached briefing document. There will be another Planning Housing and Parks Committee work session once the FY 24 Budgets are approved. The MNCPPC and the OAG staff met to discuss the attached timeline for this project including amendments to the Public Benefits Point System to encourage the use of both TDRs and BLTs.

- a. Jeremy asked the committee to draft a letter to MNCPPC reiterating the farm community's position regarding the TDR and BLT programs and said the OAG will ask the other ag groups (APAB, MCFB, MAP, MSCD) to do the same. **Please note this issue will need to be addressed in May 2023.**

#### **14. New Engineering Position in the MSCD**

The MSCD Engineering Position will be filled, and the new staff Charley Chen will start on April 10, 2023.

#### **15. Farm Tire Recycling Program for Montgomery County**

The County DEP and DOT are scheduling a farm tire recycling program on Earth Day weekend for both Saturday and Sunday 9:00 am to 2:00 pm. The Saturday April 22, 2023, location will be the Crabbs Branch Road-MCDOT Depot-Salt Storage facility and the Sunday April 23, 2023, location will be the Poolesville Depot on Jerusalem Road.

- a. Off-the-road solid tires and wheel loader tires will not be accepted

#### **16. Next Agricultural Advisory Committee Meeting-April 18, 2023**

- a. Ben asked if the next AAC meeting could be held on April 11 so that they can discuss their position on the RRMP recommendations without having to meet twice in April.
- b. Jeremy asked the committee if they would like to do that.
- c. Eleanor moved to change the next AAC meeting date to April 11, Lori seconded, and the motion carried.

#### **17. Upcoming Meetings and Events:**

Montgomery County Farm Bureau Board of Directors-April 4, 2023  
New and Beginning Farmers Training-February 2- April 6, 2023  
Agricultural Preservation Advisory Board-April 11, 2023  
Montgomery Soil Conservation District Board of Supervisors-April 14, 2023  
Agricultural Advisory Committee-April 18, 2023

#### **18. Other items**

- a. John Brewer asked Jeremy if he attended Senator Van Hollen's meeting with the Farm Bureau or knew if anything of importance was discussed. Jeremy said he could not attend because of the National Ag Day celebration but will reach out to Colby Ferguson and his understanding is that the meeting was to discuss the upcoming Farm Bill.
- b. Greg Wims said congratulations on the OAG getting the support from the CE on the FY24 Operating Budget.

#### **19. Meeting was adjourned: 8:52 pm**

- a. Lori Larson moved to adjourn, Debra Tropp seconded, and the motion passed.