

**Agricultural Advisory Committee Meeting
January 15, 2019 Minutes**

Attendance: Jane Evans, Leonard Yourman, Ben Butler, Chuck Schuster, Doug Lechliden, Ben Allnutt, Pete Driscoll, Patrick Jamison, Aliza Silver, Lori Larson, Michele Cropp, Linda Lewis, Eleanor Leak

Staff: Jeremy Criss

Agenda items are in bold and minutes are not bolded.

- 1. Call the Meeting to Order and Introductions: 7:10 pm**
- 2. Approval of the AAC meeting minutes from December 18, 2018.**

Accepted as corrected. (Cropp/Driscoll)

- 3. The APAB met with County Executive Marc Elrich on Monday January 7, 2019 to discuss farmland preservation funding. The meeting was very productive as the CE asked many good questions and demonstrated he understands how the County Government has not fulfilled its commitment to the farmers from the 1980 Down Zone, which created the Agricultural Reserve. There was a very informative discussion surrounding how the Planning Board no longer promotes the use of Transferable Development Rights TDRs due to other competing types of affordable housing and work forces housing that are more popular today. Several funding options for farmland preservation were discussed and the APAB was encouraged by the sincere remarks made by the CE.**

The County Executive is interested in finding ways to fund farmland preservation and was interested in the details and weeds of the TDR program. Many laws and regulations of the last number of years have created conditions that have made it more difficult for developers to use TDR Receiving Areas which also means farmer are finding it difficult to sell their TDRs. For example, the Public Benefit Plan, workforce housing, affordable housing, etc. Elrich knows a lot about those programs and understood that conditions of the past, while he was on the Council, don't apply the same way today.

Elrich and the APAB discussed different ways to fund the preservation program. Elrich said that the county charter requires him to balance the budget, but also expressed that ag preservation is important to him. They then discussed the rustic roads and how they are not safe for farmers and their equipment.

- 4. The MCFB President Michele Cropp has a meeting scheduled with the County Executive Marc Elrich on January 22, 2019 at 3:00pm. The OAG provided CE briefing documents to help Michele prepare for the meeting. The APAB recommends collections**

of County Agricultural Transfer Taxes and Water Quality Protection Charge funding should be allocated for farmland preservation easements.

Michelle will raise the rustic roads issue with Elrich during her meeting. She may choose to discuss the application of pesticides.

- 5. We now have the proposed statewide House Bill 20 from Delegate Eric Luedtke, which proposes to remove the State Section 13-305 that allows developers to avoid paying the Agricultural Transfer Taxes. The hearing will be in Annapolis with the House Ways and Means Committee on January 17, 2019.**

OAG and the APAB are working with the County Executive staff on several bills including this HB 20. Elrich has indicated that he is supportive of the bill, which eliminates the loophole in the state code that allows developers to avoid paying the ag transfer tax. The hearing on the bill is this week. Jeremy and Mike Jamison will testify on behalf of OAG and APAB respectively.

The next step will be to take the bill to the county council. We will probably encounter proposals like extending the five year look back period to ten years. Developers will have to decide if paying property taxes will save them money or cost them when they evaluate the cost of the Ag Transfer tax. The MDFB supports the bill.

Doug pointed out that this is not going to change too quickly, because there are already funds being invested, and so the bill cannot have an effect on properties that are residentially assessed today. Jeremy drafted a letter on behalf of AAC, which Doug approved; it was submitted for today's public hearing. APAB also submitted a letter, as well as MCFB, the soil conversation district, and MAP.

- 6. Update on Farm Alcohol Production Facilities. The Council introduced a new ZTA 18-14 on December 11, 2018 that will allow Farm Alcohol Production in the RE-1 and RE-2 Residential zones as an accessory use to farming. The ZTA requires that all types of farm alcohol production in these residential zones must be located a minimum of 25 acres and the property must not be located in a planned sewer service category. The Public Hearing is scheduled for January 15, 2019 and the AAC letter has been forwarded to the County Council.**

<https://www.montgomerycountymd.gov/COUNCIL/Resources/Files/zta/2018/ZTA%2018-14.pdf>

Jeremy said the Planning Housing and Economic Development work session is scheduled for February 4, 2019.

- 7. The Agricultural members of the Agritourism Study Advisory Committee-ASAC met on December 7, 2018 to prepare responses to recommendations from the consultant. The group forwarded their responses to the consultant's recommendations on Friday January 4, 2019. There is a tentative date for another meeting of the ASAC on January 23, 2019.**

Jane Siegler finalized the comments from the farmer members of the ag tourism advisory committee that met on December 7. Those comments were due to P&P on December 14, which was missed. The comments were the responses back to the consultant's recommendations. Jane remitted the comments to Josh Penn. Jeremy has not heard any updates since. There is a tentative meeting scheduled for January 23 for the next meeting of the committee?

- 8. The Sugarland Broadband Pilot construction along Partnership Road is completed and service hook ups are underway. Comcast is waiving the installation costs to the residents including the long runs up their driveways for hooking up the service. Comcast is working to schedule construction along the Sugarland Road after the holidays. We have made progress in obtaining signed easements from some of the holdouts along the pilot. Several residents have expressed interest to assist in replicating the success of the Sugarland Pilot into other areas of the Agricultural Reserve.**

<https://montgomerycountymd.gov/cable/Sugarland/sugarland-comcast.html>

Jeremy had a conference call yesterday with the team that's working on the broadband project. They are scheduling a ribbon cutting ceremony. The first leg of the project is complete, and some houses are already hooked up. During the call yesterday, they were coming up with strategies to persuade some residents to get on board with more expansion and sign the easement. When Jeremy has the date of the ribbon cutting, he will reach out to Barbara Weitzer and Sherry Kamber to coordinate so that we can have a public proclamation in honor of Dave and Dennis.

- 9. The OAG is working on a Family Farms promotion for Montgomery County. If Kira Tregoning (Doug Tregoning's daughter) contacts you, please respond back as this will help us to promote Montgomery County Agriculture and the wonderful farming families that we have.**

Jeremy said the Kira is working with the Lewis family and she has also contacted several additional farmers that were recommended to her. Jeremy asked if anyone was interested in talking to Kira about their farming families. Ben Allnutt, Eleanor Leak and Patrick Jamison conveyed they were interested.

- 10. The Agricultural Legislative Luncheon on December 18, 2018 was a real successful event and the Linthicum family did an excellent job of hosting the event. MANY THANKS TO TOM and PAULA! We had a total of 14 elected officials represented directly including some staff representatives.**
- 11. The Linthicum family will receive the Governor's Agricultural Hall of Fame Award for this year and they will be honored during the February 7, 2019 Taste of Maryland Dinner.**

Congratulations!

Anybody who has any ties to Montgomery County legislators, please reach out to them to attend, especially since the honorees are Montgomery County residents.

12. Update on the FY19 1.5% Savings Plan for the OAG totals \$14,583. The Savings Plan will negatively impact the number of matching grants the OAG will be able to provide through June 30, 2019 in addition to reducing our marketing outreach for farmers markets and the farm tour. Update on the FY20 Budget Reduction for the OAG totals \$38,888. The Budget Reduction was submitted on January 7, 2019 and the OAG is recommending the contract for Maryland Agricultural Education Foundation-MAEF and Montgomery County Public Schools-MCPS be reduced by \$38,000. This reduction will reduce the number of schools the Mobile Science Lab-Food Fiber and you can visit each year from 27 schools down to 13 schools.

Jeremy was thinking of splitting the cut between OAG and Ag Extension. OAG's job is to provide technical assistance, encourage farmland preservation, to provide farms with access to markets, aid them for permitting and master plan guidance, navigate regulatory/legislative environment, and to ensure the health and viability of farming in the county.

Food, Fiber, and You has a total cost to OAG \$70,000 as an add on. Since we need to reduce the budget by 4% = \$38,000 for FY20, Jeremy recommended the 50% reduction of the MAEF Food, Fiber, and You. Currently the Mobile Science labs visit 27 elementary schools from September to June and the budget impact will result in only 13 schools visited in the future. The OAG is looking for private foundations to back bill the reduced general funds. The education programs are not part of the OAG's core mission.

13. The MNCPPC submitted letters to farmers that lease park land announcing a pesticide prohibition for using Glyphosate-Round Up as part of their farming operation. The OAG contacted the Director of Parks, Mike Riley requesting the specific authority that MNCPPC is using to enforce this pesticide prohibition. The MNCPPC responded that all farmers that received the letter should discard the instructions at this time. The OAG will follow up with each of the farmers that received the letters.

There was a letter sent out to farmers that lease farmland from Montgomery Parks which said that you can't use pesticides after March 9 and that there would be further information forthcoming. Jeremy sent an email to the Director of Parks, Mike Riley, asking under what authority they're using for announcing this prohibition. The response was a phone call from Michelle Grace, who works under Mike and John, saying to ignore the instructions in the letter and that the director was unaware of the letter. Jeremy has a list of all farmers who lease Park properties, which is 5,000 acres that is currently being farmed. It would be better for individual farmers to reach out to Montgomery Parks. MAP has already reached out to them.

14. Update on the Appointments needed for the AAC. January 23, 2019 Deadline.

Jeremy sent out an email on Friday to those who need to renew their appointments.

15. Additional Business

- a. Luedtke has introduced a bill for farm alcohol production that allows for unlimited alcohol production. MC 11-18. *Please note this bill was not drafted correctly and it removed reference to Class 8 farm breweries and only references wholesale beer production.*
- b. Chuck: The 90-day session has now started. The Kirwan Commission report is going to come up and Chuck recommends we oppose it. He said it will take away from vocational ag programs. The report says that by the 9th and 10th grade you're either career or college bound. MDFB is opposed to this as it will also decimate public funding. Chuck recommends we oppose policy area #3 in the Commission, which takes ag ed out of home high schools and will only offer it in the tech/trade centers. Laurie Mayhew, Montgomery County's only FFA program at a home high school, would lose her program. Some have heard that the report came too late and they won't act on it this session. Others have heard they it may move through anyway. AAC doesn't have the authority to provide comments or testify before the state government, unless we get permission from the Officer of Intergovernmental Relations. Though, as individuals we *can*.
- c. Jeremy hasn't heard anything more on River Rd, but he will circle back with County DOT staff and ask them for an update. Also, Jeremy recommended the River Road project should be included on the list of items the MCFB discusses with the County Executive on January 22, 2019.

16. Adjournment. (Cropp/Larson) 8:42 pm