

Agricultural Preservation Advisory Board

Regular Meeting Minutes

April 19, 2022

7:00 p.m.

Attendance: John Fendrick, Chuck Gingrich, Nicholas Deluca, Michael Jamison

Staff: Mike Scheffel

Guests: Lee Langstaff, David Langstaff, Minter Farnsworth, Natalia Salazar

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

Guests were introduced to the Board.

1. Approval March meeting minutes

Fendrick made a motion to approve the March meeting minutes as submitted, Jamison seconded, motion passed.

2. AEP Easement Program

- a. Langstaff – FLHU request

In attendance were David Langstaff and his sister Lee Langstaff, they operate Shephard's Hey Farm located at 24020 Old Hundred Rd in Dickerson. The farm is encumbered by a AEP easement and due to the property's size, it was not eligible for a tenant structure. The APAB adopted policy number 2019-1 that would allow smaller farms that were ineligible for tenant structures due to their size to request one and get approval to build one if they met the Board's criteria.

David and Lee described their operation and the need for someone to live immediately next to the sheep herd. Their two main concerns were the lambing season and the increase of unannounced guests coming to the farm. With the Comus Inn reopening and other attractions nearby, more and more people are ending up on the farm. Having a dedicated farm worker at the farm would make handling these issues much easier and safer.

Lee would live in the FLHU as the farm manager and would continue to until which time she cannot manage the herd, then they would look for a new tenant who would be the farm manager.

The Board looked over the materials provided by David and Lee, asked questions about the size of the FLHU, its location, and the operation in general.

After the discussion was over, Fendrick made a motion to approve the Langstaff's request to move forward with the FLHU in the location that was discussed, Jamison seconded, and the motion passed.

Scheffel told the Langstaff's the Board's approval is not a building permit, it just gives them permission to pursue construction of the FLHU, they will still need to follow County regulations to construct it.

b. Board Policy – SANG eligibility criteria

Scheffel asked the Board to create a policy for eligibility criteria for properties to be considered for MARBIDCO's SANG program. Scheffel stated the interest in the program is increasing and it would be beneficial to have a document to use so his recommendations are consistent.

The Board discussed the following as eligibility criteria for properties to be considered: 10-acre minimum, 5 acres minimum open land, 50% class I, II, and III soils, adjacent to currently preserved property, agriculturally assessed, must present a business plan to the Board and the Board must approve sending the application to MARBIDCO.

Scheffel said he would prepare a policy for the Board to review for the May meeting.

3. Maryland Agricultural Land Preservation Foundation

a. FY23 Applicant Discussion

Scheffel went over the general allotment for MALPF, what the County could contribute as matching funds and what the total amount of funding could be for first round applications. Based on the total, Scheffel believed two large farms could receive a full price easement offer from MALPF.

MALPF staff has stated there will most likely be enough funds to make a significant amount of second round offers. The Board thought it would be a good idea if three landowners complete applications, then three applications should be sent to the state for the FY23 cycle.

c. Allnutt – Child lot

Ben Allnutt received the building permit from the DPS for his child lot on the home farm. After receiving the permit, Scheffel worked with Ben and MALPF

staff to complete the final release for the child lot. The final release is to be recorded this week.

4. RLP Easement Program

a. FY22 Grant Agreement

Scheffel received the fully executed FY22 grant agreement from DNR and is working to put the easements together.

5. Legislative activities

a. Updates from the General Assembly

Scheffel highlighted some of the legislation that has been previously discussed and the result of the legislative session.

6. Other business

a. FY23-28 CIP PHED committee discussion

On March 7th, Jeremy Criss and Scheffel met with the PHED committee to discuss the Ag Preservation CIP for FY23-28. The committee supported removing non-ag preservation costs out of the budget beginning in FY24 and recommended an additional \$500,000 in funds to be placed in the FY23 budget. Scheffel said it was encouraging to get support from the Council on these items, but these are just recommendations, the full Council will need to support these and will have to find funds to fulfill the recommendations.

b. OLO meeting update re: TDRs/BLTs

On January 25, 2022, Hans Riemer sent a request to the OLO for a status report on TDRs and BLTs. Jeremy and Scheffel have met with staff from the OLO to begin the discussion on TDRs and BLTs. The Office of Agriculture's hope for this report is to encourage renewed efforts by the County to use TDRs and BLTs in existing and new ways. MNCPPC staff has indicated they believe only 500+/- TDRs remain attached to land in the sending area. Scheffel sent to MNCPPC staff properties totaling 8,094 acres and 4,869 TDRs that are still attached to the land. This number does not include properties that created some but not all TDRs. This will be a challenging discussion with OLO and MNCPPC staff.

c. Rustic Roads Master Plan Update

Scheffel informed the Board of MNCPPC working on updated the RR Master Plan. Jeremy and Scheffel met with MNCPPC staff to discuss the master plan and

share thoughts on what could be improved. The Office of Agriculture shared farmers do not want more roads to be considered rustic and most of the challenges lie not in the master plan, but the Rustic Roads Advisory Committee. Much discussion took place describing the challenges with the rustic roads and the implementation of the master plan.

Scheffel described the PowerPoint presentation made with pictures and testimonials from farmers. He informed the Board due to the sensitive nature of the rustic roads program and it being an election year he does not know when the matter will be brought to the Council's attention.

d. National Ag Day Proclamation – March 22nd

Scheffel shared the Ag Day proclamation event took place in person and was a pleasant event. It is always good to hear the Council praise agriculture.

e. FY23 OAG General Fund Budget

Scheffel informed the Board the CE recommended funding the OAG's budget and adding 2 positions – a BDS for the OAG and an Engineer Position for the SCD. He is thankful for the recommendation but told the Board the Council has to agree to fund them. This will be a challenging budget discussion as the Council and CE are not near agreement on the budget that was recommended by the CE.

f. Open Meeting Act Training for Board Members

Scheffel informed the Board of training for Board members. He will email out the training links.

Meeting adjourned at 8:04 pm.