

Agricultural Preservation Advisory Board

Regular Meeting Minutes

February 14, 2023

Board: John Fendrick, Nicholas Deluca, Chuck Gingrich, Margaret Giblin

Staff: Mike Scheffel, Natalia Salazar

Guests: Susan and Robert Jamison

The meeting was called to order at 7:00 pm.

1. Introduction of Guests
2. Approval January meeting minutes

Giblin emailed Scheffel with some minor edits to the January minutes just prior to the meeting. Scheffel had reviewed the comments and informed the Board the comments and changes made by Giblin were valid.

Fendrick made motion to accept the minutes as edited by Giblin, Giblin seconded, motion carried.

3. AEP Easement Program
4. Maryland Agricultural Land Preservation Foundation
 - a. Recertification – FY24-FY28

Scheffel informed the Board he attended the January MALPF board meeting and at that meeting, Montgomery County was re-certified for FY24-28. This certification allows the county to retain 75% of the state ag transfer taxes collected.

5. RLP Easement Program
 - a. Susan and Robert Jamison – requests for house location and boundary adjustment

Susan and Robert had previously requested to exercise a reserved right and construct a primary dwelling on parcel P714 of the Leet farm that is encumbered by the RLP easement. They also requested to adjust the internal boundary between parcel P714 and P500 that comprise the easement property.

They provided the board with a site plan showing where the proposed house and driveway will be located and the new adjusted internal boundary.

Scheffel reviewed the easement, stating the Jamison's had reserved the right to construct an additional primary dwelling and the easement had taken account of the future dwelling and had deducted one acre from the payment so no reimbursement was necessary.

Scheffel then shared an aerial map of the property describing where the house and driveway are proposed to be built, then he shared pictures of the farm where the items would be constructed.

Currently the two parcels of the easement are 105 acres, the proposed boundary adjustment would create a 116.698 acre parcel (P500) and a 93.823 acre parcel (P714). As proposed, both parcels contain at least 50% class I, II, and III soils, both parcels could operate as a farm independently, and this does not alter easement acreage or characteristics.

After hearing the proposal, Fendrick motioned to approve both requests, Deluca seconded and the motion carried.

Scheffel informed Susan and Robert he would remit a letter containing the Board's conditions of approval and giving them permission to pursue both requests.

b. FY22 Grant

The request for payment has been remitted to DNR and the request has been scheduled for the March 15th BPW meeting.

6. Legislative activities

a. OLO – TDR/BLT Discussion

OLO presented the report to the PH committee on February 13th. It was not a formal worksession and the committee members did not engage with anyone except staff from the OLO. After the committee meeting was over, Council, council staff, MNCPPC staff talked with the OAG. They all felt positive about the report and believed the recommendations were actionable. We believe a full worksession will be scheduled in June after the County's budget cycle is complete.

b. RRFMP Update

The third and final Planning Board worksession occurred on 2/9 and at this session the Planning Board took up the request from the RRAC to change the characteristics of the RRAC.

After much discussion and debate, the Planning Board voted to recommend the following to the County Council:

- To increase the RRAC membership to 9,
- To increase the farmer members to 4,
- To have the 4th farmer member be recommended by the AAC to the CE, this member does not have to meet the income requirement,
- To keep one member having a background in transportation engineering and one member having a background in rural or historic preservation,
- To have three at-large members with no background requirement.

c. Legislation

Scheffel shared the legislative tracker sheet John Zawitoski produces and asked if the Board had any questions.

7. Other business

- a. Follow up on PEER/MCA/SCA letter to CE and Council President re: PFAS

Scheffel talked to the Board about the 2/7 meeting between Bloom representatives and ag leaders then the 2/8 meeting between OAG, DEP and the CE.

Meeting adjourned at 7:54 pm.