



Isiah Leggett
County Executive



DEPARTMENT OF ECONOMIC DEVELOPMENT

Steven A. Silverman
Director

MEMORANDUM

September 17, 2010

TO: Agricultural Advisory Committee Members (AAC)

FROM: Jeremy V. Criss, Agricultural Services Manager
Department of Economic Development

SUBJECT: Agricultural Advisory Committee Meeting Tuesday, September 21, 2010

Please be advised that the Agricultural Advisory Committee meeting is scheduled for **Tuesday, September 21, 2010 at the Upcounty Regional Services Center, 12900 Middlebrook Road, Germantown, in Room B at 7:30 p.m.**

The attachments for our meeting are outlined in the PDF file attached to the cover e-mail. Due to the County's paper reduction mandate, please print these attachments out and bring them with you to the meeting.

See you on September 21th.

*Sign language interpreter services will be provided only upon request with notice as far in advance as possible but no less than 72 hours prior to the event. If you need other services or aids to participate in this activity, please call 301-590-2810

e:aacceptmtg(aac10)

Agricultural Advisory Committee (AAC) Meeting
Revised Agenda
September 21, 2010

1. Introductions – If necessary
2. Approval of the July 20, 2010 AAC Minutes. (See Attachment A.) *Please note the AAC did not meet in August due to the County Agricultural Fair Week*
3. Discussion surrounding results of the Primary Election for the County Council.
At Large seats: Marc Elrich, Nancy Floreen, George Leventhal, Hans Riemer lead in Unofficial Results. District seats: Roger Berliner, Craig Rice unofficial winners.
4. Discussion on ZTA 10-12 Child Lot Standards in RDT zone. (See Attachment B.)
July 27, 2010 ZTA was Introduced at the County Council
Public Hearing September 21, 2010 @ 1:30 pm.
PHED Committee Work Session September 27, 2010 @2:00 pm
5. Update on the situation surrounding the future use of septic easements and the proposed MDE changes to the COMAR (See Attachment C).
6. Farmland Preservation Update:
 - .Executive Regulation 3-09AM approved by the County Council Effective August 27
 - .New Farmland Preservation Brochure available in October
 - .DED Contracting with two appraisers to conduct appraisal study to completed in November -Base Value AEP and BLT
 - .Announce Easement Purchase Periods in December 2010.
 - .BLT program Contract and Deed of Easement documents are being finalized
7. Follow up on the August 30, 2010 Public Hearing on Pepco-Investigation into the Reliability and Quality of Electric Distribution and Service (See Attachment D.)
8. Suggestion of conducting a Deer Harvest Challenge for Montgomery County and Deer Vehicle Collisions on the Rise in Montgomery County
(See Attachment E.)
9. Maryland's Statewide Farm Energy Audit Program recognized as one of five "exceptional state-led energy efficiency programs (See Attachment F.)
10. Retirement Celebration for Doug Tregoning Friday October 1, 2010 @6:00 pm at the Ag Center Fair Grounds (See Attachment G.)
11. Next Agricultural Advisory Committee meeting is scheduled for October 19, 2010 at 7:30 p.m. in **Room B** of the Upcounty Regional Services Center.

(Attachment A.)

**Agricultural Advisory Committee (AAC) Meeting
July 20, 2010
Meeting Minutes**

Attendance:

David Weitzer, Randy Stabler, Drew Stabler, Eddie Kuhlman, Jane Evans, Tim McGrath, Jim Clifford, Patrick Brown, Chuck Schuster, George Lechliden, Lois Stoner,

Guests:

Royce Hanson

Staff:

Jeremy Criss, Nancy Aldous, Callum Murray

The meeting came to order at 7:32 p.m.

Introductions:

Everyone introduced themselves. A Moment of Silence for Todd H. Butler.

Approval of AAC minutes from May 18, 2010:

Criss asked if there were any corrections or additions needed to the AAC minutes from May 18, 2010. A question was raised regarding the attendance of Vince Berg and Nancy Aldous at the May meeting. Vince attended and Nancy did not attend this meeting. Hearing no additional changes George Lechliden motioned to approve the AAC minutes as corrected, Eddie Kuhlman seconded and the motion passed. *Please note the AAC did not meet in June since Jeremy was out of town on leave.*

Follow-Up to the Fuel-Energy Tax Rate Increase for FY 2011:

AAC requested a letter be sent to the County Council to raise awareness regarding the increase in fuel-energy tax rates by 30 percent. Criss referenced the letter in the packet. In 2003, the County Council changed the fuel-energy tax rates imposed on farmers. Agricultural businesses are the only businesses in Montgomery County that are charged a reduced fuel-energy tax rate which is equal to the resident fuel-energy tax rate.

Discussion surrounding the 2nd District Seat on the County Council:

The AAC discussed the news that Council member Mike Knapp announced that he would not be seeking re-election. The Agricultural Reserve encompasses the 2nd District and it is important to the agricultural community that this council member is understanding to the needs of farmers. Nancy Aldous announced that the Clarksburg Civic Association and the Goshen Civic Association will be holding a candidate forum on August 24, 2010.

Update on the Proposed ZTA for Child Lot Standards:

Criss reviewed the events surrounding the proposed ZTA on Child Lot Standards and RDT lot Area Limitations and Cluster Provisions that the Planning Board approved in March. Criss said that he has heard from council staff that the ZTA on Child Lot Standards may be introduced at the County Council next Tuesday July 27, 2010 which is the last day the full-Council meets before the summer recess. Randy questioned if the AAC had sent a letter to the County Council and Criss said the AAC wrote a letter dated March 18, 2010 to the Planning Board which was copied to the County Council. Royce Hanson said he believes the ZTA will be introduced with the date of the Public hearing for sometime likely in September. Jim Clifford said that Royce and Callum have worked very hard to address the concerns from the agricultural community on the Child Lot ZTA. Jim said that he is still concerned regarding the maximum child lot size of 1 acre or the maximum size required for well and septic regulations may not work if we are prohibited from continued use of septic easements.

Update on the Situation Surrounding the future use of Septic Easements and the Proposed Changes to COMAR by MDE:

Criss referenced in the packet the proposed changes to the COMAR regulations that govern the review and approval of septic absorption systems under the authority of the Maryland Department of the Environment MDE. Jim Clifford said that the future use of septic easements is still an outstanding issue and it looks like the future direction from the MDE is to prohibit septic easements. The AAC discussed drafting a letter sent to the County Executive and the Council President encouraging them to write to the MDE and Attorney General requesting assistance on the future use of septic easements. After additional discussion, Randy Stabler motioned to support this AAC letter, and Jim Clifford seconded and the motion passed to write an AAC letter encouraging the County Executive and the President of the County Council to provide written comments to MDE by August 18, 2010 opposing the changes to COMAR and to ask the AG for a legal opinion on continued use of septic easements in the rural and agricultural zones of Montgomery County. Depending on the response we receive, we may need to explore the adoption of a local bill in the 2011 General Session and we need to discuss who the sponsor should be. Royce Hanson said the rural and agricultural zones are not residential zones and he supports an exemption that would allow the continued use of septic easements in agricultural zones.

Farmland Preservation Up-date:

The County Council approved the Agricultural Land Preservation Easements CIP for FY 2011-16. The approved the allocation of \$4.0 million in General Obligation Bond funding for the first two years 2011-\$2.0 million and 2012-\$2.0 million. Criss said the County Council also approved the level of investment income totaling \$486,000 for the agricultural initiatives listed in the attached CIP program description. Jim Clifford asked for the status of using the savings from Kristin Fisher's position for a contract that will

allow Doug Tregoning to continue the Grain Marketing program and some other initiatives. Criss said the DED recommended alternative funding for Doug's contract and we are moving forward on this initiative. Criss said the County Council PHED committee recommended approval of Executive Regulation 3-09AM that govern all of the farmland preservation programs including the new BLT program. The full Council is scheduled to approve the Executive Regulation next week July 27, 2010 and once approved, the regulations will be effective in 30 days or August 27, 2010.

Proposed Conference on the Agricultural Reserve in the Fall of 2011:

Criss said that he attended a meeting with folks that are planning to conduct a conference in the fall of 2011 on the Agricultural Reserve which is 30 years old. In 1991 a similar conference was held at Stronghold Mansion on the top of Sugarloaf Mountain. The proposed title of the conference is Greenprint for the Future: What's Next for Montgomery County's Ag Reserve. Jim suggested that we need to really educate people on the benefits of no-till farming in Montgomery County. Criss said there are a number of subjects that we need to consider for the future like the use of solar systems, wind systems, and other land use designations that will help to promote more local food production.

Follow-up to the Complaints for Clearing and Grubbing in the Ag Reserve

Criss said that he attended a meeting with folks from DPS, DOT, to make sure the left hands know what the right hands are doing on future requests for clearing and grubbing along rural and rustic roads. Some complaints surrounding activities on West Offutt and Mt. Nebo roads resulted in the internal meeting of county agencies. The agencies agreed to make sure everyone was in the loop with future requests and activities. There was a discussion surrounding the need for additional work on these shoulders due to the closing of Whites Ferry Road for the summer of 2013 and the detours that will be needed. Eddie Kuhlman said that he heard from several people that were pleased by the clearing and grubbing on these roads.

The meeting was adjourned at 9:20 pm. e:aacjulyminutes