



FREDERICK COUNTY GOVERNMENT

DIVISION OF PLANNING & PERMITTING

Department of Planning

Jan H. Gardner
County Executive

Steven C. Horn, Division Director
Jim Gugel, Director

Agricultural Preservation Advisory Board

Minutes of Monday, April 29th, 2019
Approved 5/20/2019

Members Present: Richard Grossnickle, Chair; Samuel Tressler III, Vice Chair; Dick Bittner, Paul Spurrier, Eric Troxell

Staff Present: Anne Bradley, Program Administrator; Shannon O'Neil, Planner I

The meeting was called to order by Chair Grossnickle at 7:02 p.m.

I. Minutes

A. Open Session Minutes from March 25, 2019

Staff presented the open session minutes from the March 25, 2019 meeting for approval. Mr. Spurrier made a motion to approve the minutes. Vice Chair Tressler seconded the motion. The motion was approved unanimously.

Vote: **Yea 5** **Nay 0** **Abstain 0**

B. Closed Session Minutes from March 25, 2019

Staff presented the closed session minutes from the March 25, 2019 meeting for approval. Mr. Spurrier made a motion to approve the minutes. Mr. Troxell seconded the motion. The motion was approved unanimously.

Vote: **Yea 5** **Nay 0** **Abstain 0**

II. IPP

A. Worthy View (#17-08) Lot Request

Shannon O'Neil presented a request from Worthy View Farm LLC to execute their one permitted unrestricted lot on their 144.9-acre farm. The proposed lot is 1.49898-acres in size. Staff recommended approval of the request.

Vice Chair Tressler made a motion to approve the Worthy View Farm LLC 1.49898-acre unrestricted lot request. Mr. Bittner seconded the motion. The motion was approved unanimously.

Vote: **Yea 5** **Nay 0** **Abstain 0**

B. Green (#09-01) Stream Easement Overlay Request

Anne Bradley presented a request from Hope Green to place a stream overlay easement on her 179-acre IPP easement. Staff recapped the first discussion of this item at the 2/25/2019 Ag Board meeting and shared photos from a staff and Board site visit made on 4/24/2019. The proposed overlay easement is 30.71-acres.

The Board discussed how their decision on this item may set a precedent for future requests of this kind and expressed interest in having representatives from JMT make a presentation so that they may become more educated on this complicated process. One hesitation expressed by members of the Board is the issue of “double-dipping” (receiving payment for the overlay easement after receiving payment for the IPP easement). However, Board members confirmed that they are in agreement with the proposed scope of the work and believe it will benefit the farm.

Mr. Bittner made a motion to approve the request to allow Mrs. Green to place a stream overlay easement on her IPP easement property, subject to County Attorney review of the easement. Mr. Spurrier seconded the decision. The motion was approved unanimously.

Vote: Yea 5 Nay 0 Abstain 0

III. MALPF

A. FY-2020 Applications Review

Staff presented the 46 applications for FY2020 MALPF funding. This is a new record number of applications. There is significantly more interest than there is funding in this program. Only one of the 46 applications is a Critical Farms or MARBIDCO Next Generation application. These applicants have a limited amount of time (7 years) to get an offer from the state. Staff and Board thanked all of the applicants for their interest and dedication to agricultural preservation and encouraged all applicants to keep applying.

MALPF is limiting the number of applications the County can send for further review and appraisal to twelve. So, staff recommended sending twelve applications, including one MARBIDCO Next Generation application, on to the state for further review and appraisal.

Mr. Spurrier made a motion to approve the recommendation to send twelve applications, including one MARBIDCO Next Generation application, on to the state for further review and appraisal. Mr. Bittner seconded the motion. The motion was approved unanimously.

Vote: Yea 5 Nay 0 Abstain 0

B. Ruby/Zimmerman (MALPF #10-15-01-04) Bridge Repair ROW Expansion

Shannon O'Neil presented a request from the Frederick County Office of Transportation Engineering to increase the size of a previously approved ROW easement. They are requesting to increase the size of the revertible construction easement by 0.06-acres. The size of the permanent ROW easement will stay the same.

Mr. Troxell made a motion to approve the request for a 0.06-acre size increase on the Ruby/Zimmerman revertible construction easement. Vice Chair Tressler seconded the motion. The motion was approved unanimously.

Vote: Yea 5 Nay 0 Abstain 0

IV. Ag Board

A. Board Appointments/Reappointments

The Board reviewed an application for reappointment to the Agricultural Preservation Advisory Board from Mr. Dick Bittner. The Board agreed that Mr. Bittner's contributions to the Board were significant and that they would be happy to have him serve a second term.

Mr. Spurrier made a motion to recommend that Mr. Dick Bittner be reappointed to the Agricultural Preservation Advisory Board for a second term. Mr. Troxell seconded the motion. The motion was approved unanimously, with Mr. Bittner abstaining.

Vote: Yea 4 Nay 0 Abstain 1

The Board reviewed an application for appointment to the Agricultural Preservation Advisory Board from Mr. Andrew Toms. Chair Richard Grossnickle's term is expired as of July 2018 and until now there have been no new applications.

The Board reviewed Mr. Toms' letter and allowed him to provide an overview of his history with farming and agricultural preservation. The Board agreed that his extensive knowledge of farming and hands-on experience with multiple agricultural preservation programs make him a good candidate for the Board.

Vice Chair Tressler made a motion to recommend that Mr. Andrew Toms be appointed to the Agricultural Preservation Advisory Board. Mr. Spurrier seconded the motion. The motion was approved unanimously.

Vote: Yea 5 Nay 0 Abstain 0

V. Program Status Reports

A. May Ag Board Meeting Date

Staff noted that due to the Memorial Day holiday the Board's May 2019 meeting date has been changed to Monday, May 20th.

B. Thank you, Chair Grossnickle!

The staff and Board made a special thank you to Chair Richard Grossnickle for his years of service and dedication to the Agricultural Preservation Advisory Board.

Chair Grossnickle adjourned the meeting at 8:00 p.m.