



## FREDERICK COUNTY GOVERNMENT

### DIVISION OF PLANNING & PERMITTING

Jan H. Gardner  
County Executive

Steven C. Horn, Division Director

## Agricultural Preservation Advisory Board

Minutes of Monday, November 23<sup>rd</sup>, 2020

Approved 3/22/2021  
WebEx Meeting

**Members Present:** Samuel Tressler, III, Chair; Dick Bittner, Vice Chair (joined at 7:15p.m.); Paul Spurrier, Andrew Toms, Eric Troxell

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

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The meeting was called to order by Chair Tressler at 7:00 p.m.

### I. Minutes

- A. Minutes from October 28, 2019
- B. Open Session Minutes from December 23, 2019
- C. Closed Session Minutes from December 23, 2019
- D. Minutes from January 27, 2020

Staff presented minutes from 10/28/2019, 12/23/2019, and 1/27/2020 for review and approval. The Board took one vote for all of the presented minutes.

Mr. Troxell made a motion to approve the minutes of October 28, 2019, the open session minutes of December 23, 2019, the closed session minutes of December 23, 2019, and the minutes of January 27, 2020. Mr. Toms seconded the motion. Mr. Spurrier abstained because he was absent on 10/28/2019. The motion was approved.

**Vote:**      **Yea 3**      **Abstain 1**      **Absent 1**

### II. Consensus Approvals

- A. Toms (MALPF #10-13-02) Unrestricted Lot Request
- B. Manahan (MALPF #10-02-08) Dwelling Relocation Request
- C. Michael (IPP#16-07) Tenant House Request
- D. FY2021 MALPF Applications
- E. Jenerations Family Farm LLC (IPP#05-02) Family Cemetery Request
- F. Water Resources Overlay Easement Policy for IPP
- G. CONFIDENTIAL – MALPF Offers
- H. Request for County Participation in MARBIDCO's SANG Program

- I. Player (MALPF #10-15-06)
- J. Cap Stine LLC (MALPF #10-20-01) Unrestricted Lot Request
- K. Moser (IPP#07-09) Childs Lot Request

Staff presented the above items for consensus approval. The above items were all reviewed by the Board via email during the course of the COVID-19 pandemic.

Mr. Spurrier made a motion to recommend consensus approval of all of the requests (Toms MALPF #10-13-02, Manahan MALPFF #10-02-08, Michael IPP#16-07, FY2021 MALPF Applications, Jenerations IPP#05-02, IPP Water Resources Overlay Policy, MALPF offers, SANG program, Player #10-15-06, Cap Stine LLC MALPF #10-20-01, and Moser IPP#07-09). Mr. Troxell seconded the motion. Mr. Toms abstained because of a conflict of interest. The motion was approved.

**Vote:                    Yea 3                    Abstain 1                    Absent 1**

### **III. CREP**

- A. CREP Easement Candidates

Staff presented five properties for CREP easement candidates; Dorothy Valentine Life Estate, Elizabeth Stottlemeyer Life Estate, Pamela and David Brunell, Frey Agricultural Products, and Brian Reaver Sr. and Brian Reaver Jr. Staff requested the Board's approval to pursue CREP easements on these properties and to co-hold those easements with the MD-DNR.

Mr. Spurrier made a motion to approve the request to co-hold five (5) easements with the MD-DNR. Mr. Toms seconded the motion. The motion was approved unanimously.

**Vote:                    Yea 4                    Nay 0                    Absent 1**

### **IV. Program Status Reports**

- A. MALPF

Staff reported that MALPF had an application deadline in April 2020. 12 Critical Farms / MARBIDCO Next Generation are down at the state being evaluated.

- B. IPP

Staff reported that no settlements have taken place in the IPP since the pandemic started. Staff have alerted pending settlements that interest rates have dropped and this will affect their annual payments. Staff hope to get these outstanding applicants to settlement in early 2021. Staff received two FY21 applications, but do not if we will process the applications yet.

**C. Critical Farms**

Staff reported that 2 of the 8 FY19 cycle offers are still pending, but will settle in December. All 8 are also FY21 MALPF applicants and could receive offers in that program. Staff expect to have a Critical Farms cycle in early to mid 2021, but do not have more details yet.

**D. MARBIDCO Next Generation**

Staff reported that the Next Gen program is accepting applications on a monthly basis at this time and that we have a lot of interest in it. There are several pending applicants in this program. Additionally, staff added that MARBIDCO has created the Small Acreage Next Generation (SANG) program. This program focuses on smaller properties that don't qualify for MALPF. Staff have received 1 application for this program, though have a lot of interest in it.

**E. Rural Legacy**

Staff reported that Frederick County was awarded \$1.7 million for the FY21 Rural Legacy grant. For the previous grant, there has been one settlement and two more pending which should settle soon.

**F. CREP**

Staff reported that DNR audited and updated the easement valuation system for CREP. The max price per acre in the CREP program went down a bit as a result. Staff have 30+ applicants pending at various stages in this program.

**G. Other Violation Updates**

Staff reported that a previously mentioned violation on a MALPF easement is working to resolve the issues.

Chair Tressler adjourned the meeting at 7:40 p.m.