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**HOWARD COUNTY AGRICULTURAL PRESERVATION BOARD (APB)  
AND STATE AGRICULTURAL PRESERVATION ADVISORY BOARD (APAB)**

**November 22, 2021**

**Attendance:**

Board Members: Mickey Day (Chair)

Cathy Hudson

Ann Jones (Vice Chair)

Abby Gibbon

Savannah Kaiss

Jamie Brown

Staff:

James Zoller, Executive Secretary/Agricultural Coordinator (OCS)

Joy Levy, Program Administrator, (ALPP)

Morenike Oyenusi, Senior Assistant County Solicitor

Beth Burgess, Chief, Resource Conservation Division

Matthew Hoover, Administrative Aide, (OCS)

Mary Kendall, Deputy Director, (DPZ)

Lauren McDonald, Planner One, Resource Conservation Division

Kathy Johnson, Director of Agriculture Business Development

Guest:

Jeremy Koser

Rob Moxley

Steve Fleming

**Action Items**

**1. Minutes from the meeting of October 25, 2021**

An addition was to add a suggestion that Ms. Jones mentioned during the Agriculture in the East discussion, which was building the park and the agricultural easement together. Ms. Jones motioned to approve the Minutes with the addition, and Ms. Hudson seconded the motion. All board members in attendance approved the minutes with the addition.

**2. Request for Approval, Donation of Easement on One Acre Around Pre-Existing Dwelling, Fleming property, 125.41 acres (APAB) ([Staff Report](#))**

Ms. Levy reviewed the Staff Report with the Board. The Fleming Revocable Trusts are the current owners of the property and the property was placed in the MALPF Program on May 20, 1985. The farm is located on the south side of West Watersville Road and the property is 125.41 acres. When the property came into the program, they excluded a one-acre lot around their house. The request is to merge one acre around a pre-existing dwelling into the farm and to donate an easement on the acre to the Maryland Agricultural Land Preservation Foundation Program (MALPF).

There is currently one dwelling on the farm and it is resided by Steve Fleming. If the request is approved, Shirley Fleming's house would be designated as the principal dwelling and Steve Fleming's house would become a tenant house. Per 104.C.2 on parcels greater than 50 acres, farm tenant houses are considered accessory agricultural uses when occupied by at least one person who is engaged in the farm on a full or part-time basis. Steve is employed part-time on the farm, so his house would be designated as the tenant house. Both homes would remain on the farm and remain unsub dividable in the future.

The Staff's recommendation to the APAB is for them to recommend approval to the MALPF board.

Mr. Brown motioned for approval and Ms. Jones seconded it. All APAB members in attendance approved the request.

## **Discussion Items**

### **1. EDA Agricultural Economic Program & Agricultural Innovation Grants**

Ms. Johnson, the Director of Agricultural Business Development, provided background information of what her position entails. Some of the things she is involved with are business development programs for farms, educational programs for farms, women in agriculture programs, and tax planning programs. She provides educational programs for schools, the public and Howard County employees. She assists with the Farm Academy at the Howard County Fair and on farms. She also does marketing and promotion which includes the Farm and Flavor magazine, creating farmer market brochures, doing press releases and provides updates on the agricultural website. In addition, she assists with the Agricultural Innovation Grants in Howard County.

She provided an overview of the Agricultural Innovation Grants. They started the Agricultural Innovation grants in 2012 and have given out 74 grants totaling \$267,000. They award the Innovation Grants in January and July. A committee of three, that doesn't include her, judge the submissions using a point system to determine which projects are awarded the funds and how much is awarded. They recently updated the grant application and one of the new requirements is a strong business plan. She refers the grant applicants to the <https://agplan.umn.edu/> website to help them set up a business plan.

### **2. Continue discussion of future use of Howard Agricultural Land Preservation Funds and Agriculture in the East**

It was asked if the Agricultural Preservation funds could be used to help mitigate the cost of labor. There is legislation, [CB82-2021](#), in front of the County Council to raise the minimum wage above the state requirement and they don't know if agriculture would be exempt.

There is a demolition by neglect legislation, [CB88-2021](#), that is currently in front of the County Council. This was brought up because it could have an impact on farms.

The Board requested to have a running list of their suggestions. A request was made to have an update on HoCo By Design. They want to know how they will be addressing agriculture in the upcoming general plan and if they want the APB to provide feedback.

### **3. Program Updates**

The Sharp's property settlement is next Tuesday, and they are anticipating there will be three more settlements by the end of January. There are two properties in the process of being scored.

There is a discrepancy of the Howard County Public Service Area (PSA) and the State Priority Funding Area (PFA) lines for a request that the APAB reviewed and recommended for approval for Idiot's Delight on November 25, 2019. MALPF's concern is that their policy to allow conservation overlays states that the credits that come off their easement properties need to be placed down on developments that are within the PFA line and it is not currently showing within the PFA line. DPZ has researched it and believe the map needs to be updated. They are in the process of confirming the lines and fixing it. It has been brought to the APAB to determine if it is in the right area. A question was brought up on whether it is in the Boards purview to make that determination.

### **Public Testimony**

Rob Moxley – His company, Security Development, is working with the Church to develop the Chapel Gate property. For the project they must build a road across a stream which would disturb less than a ¼ acre of wetlands and they are buying the credits from Idiot's Delight to be able do this. Last week it came to their attention that the state PFA line was an issue. MALPF is willing to look at it during their January meeting, but wants the county board to make a recommendation before that meeting. He is there to encourage the board to review the request, so they can be put on MALPF's January agenda.

### **Meeting Adjourned**

Ms. Jones motioned for adjournment and Mr. Brown seconded it. All board members approved. The meeting adjourned at 8:29 PM.