



HOWARD COUNTY OFFICE OF COMMUNITY SUSTAINABILITY
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**HOWARD COUNTY AGRICULTURAL PRESERVATION BOARD (APB)
AND STATE AGRICULTURAL PRESERVATION ADVISORY BOARD (APAB)**

March 25, 2019

Attendance:

Board Members: Mickey Day (Chair)
Ann Jones (Vice Chair)
Abby Gibbon
Jamie Brown
Savannah Kaiss
Cathy Hudson

Staff: James Zoller, Executive Secretary / Agricultural Coordinator (OCS)
Joy Levy, Administrator (ALPP)
Matthew Hoover, Administrative Aide (OCS)

Mr. Day called the meeting to order at 7:02 PM.

Action Items

1) Request for Approval, Meeting Minutes February 25, 2019

Mr. Day asked if there were any comments or corrections for the February 2019 minutes. There were no comments or corrections. Ms. Jones motioned to approve and Ms. Kaiss seconded the motion. All members in attendance approved the minutes.

Discussion Items

1) Program Updates

a. Robb Property – Ms. Levy advised that the Robb property was made an offer by the Maryland Agricultural Land Preservation Foundation (MALPF). The MALPF Easement Acquisition was brought to the board in June 2018. MALPF did their first round of offers in February. It was asked if they use the Howard County scoring sheet and Ms. Levy stated, no. She said they use an appraisal system.

b. Inquiries about MALPF and whether the Howard County program is going to reactivate – Ms. Levy advised that MALPF is going to continue. She stated they were funded last year and should be funded this year. Applicants must put in their request by the end of June to be considered for the next round.

Ms. Levy advised that the Howard County program is still up in the air. It will flesh out as the budget moves forward and after the County Executive looks at the cash flow analysis.

c. Solar – The APB has looked at four of them. The first two put in their Conditional Use Petitions a couple months ago. The second two just recently put in their Conditional Use Petitions. None of them have been put on the Hearing Examiner’s calendar and Ms. Levy will advise the Board when they are.

d. Council Work Session – Ms. Levy and Mr. Zoller attended a Council work session about scenic roads. One of the topics reviewed was increasing the set-back from thirty-five feet to one hundred feet. Mr. Zoller and Ms. Levy thought the discussion was aimed toward large sub-divisions and both had the feeling that Agricultural Preservation would be exempt from the policy.

e. Roving Radish – Mr. Zoller advised, the new season starts in May. He hopes to be able to purchase more local produce this coming season. They recently had a meat and dried apple sale that sold over \$2500.

f. Agendas – Mr. Zoller said the April agenda looks like it will be full and the June meeting not as full. He stated he is going to have two set of agendas where he can change topics between them if requests fall off the agenda. He also wants the board to think about topics they would like to include on the agendas.

2) Meeting Update: Contingent plan for reduction of Agricultural Land Preservation Funds from transfer tax.
***Percentage of transfer tax to Agricultural Land Preservation fund. This meeting was to discuss and create a plan if funding of Agriculture Land Preservation was reduced. ***

The Farm Bureau held a meeting to talk about a contingency plan for the possibility of a reduction in the transfer tax. The Agricultural Transfer tax is when someone sells a parcel of land there is a recordation fee and a transfer fee. The portion that goes to the Agricultural Preservation Fund also funds Soil Conservation. It also covers some salaries and grants too.

Mr. Brown asked for a list of the agricultural innovation grants. Mr. Zoller and Ms. Levy need to check to see if it is okay to release that information, because they are not sure if they can release the farm names. Mr. Brown stated he just wants to know what the projects are.

The transfer tax isn’t as high as projected and they need more money for schools, so they are thinking about raising the tax or changing the allocation. If they increase the tax it won’t affect it, but if they change the allocation it could affect the Agricultural Preservation Program. Based off the cash flow analysis the next five years are in the red or barely in the black. After that, it is supposed to take off. It was suggested that maybe they could refloat some more bonds to cover the lax years. They are not sure how good that revenue stream is because it is based off the real estate market.

There are about 4,000 acres left that meet the criteria for agricultural preservation. The average acres per owner is 40 acres which means there are about 100 owners. It is important for them to let the Council know the time is now to get these 4000 acres into the program before the owners sell their land for something else. It was stated they should figure out how much money they need to hold onto to preserve the land. Mr. Brown thinks they should figure out the amount they are going to need over the next thirty years and to make sure they secure these funds for that purpose. Ms. Levy thinks it is a good idea to come up with a list of ideas for ways that the money could be put into the Agricultural Community.

Ms. Levy scored 52 properties and 17 went through settlement. What she heard from those that applied and didn’t accept was that the money wasn’t enough. Ms. Levy stated, the last MALPF acquisition that was in 2015 the applicants applied for both programs and the amount was close for both. They ended up going with the state program because they wanted to get paid immediately and not over twenty years.

Mr. Day asked if they can send out a survey to the remaining owners to gain their interest or to find out what number would make them accept? They could find out if it is the money holding them back or if it is something else. Mr. Zoller and Ms. Levy are going to find out if they would be allowed to complete a survey. Ms. Jones suggested creating a focus group, because in the past they used a focus group to figure out what the issues were and after that they came up with a program that met the needs of the applicants.

Ms. Levy states that the real estate market drives the program. During the crash, there was a high demand and during the boom they only received three applicants. She also thinks they should reevaluate the scoring system, because some of the points are not relevant anymore.

3) Unrestricted Lots for Agricultural Preservation

The wording was changed from “one-acre lot per fifty acres or a portion there of” to “one-acre lot per fifty acres.” An inquiry was made to find out if this occurred by a vote or just simply a language change. The bill was introduced by the request of the County Executive James Roby and it was changed in 2003. It reduced the size criteria for Agricultural Land Preservation parcels and added to the type of land contiguous to such parcels to make other parcels eligible for the program. When doing this they made additional changes and took out the wording “or a portion there of.” The changes were voted on.

The discussion was brought up to see if the board wanted to make any recommendation to the County Council or the County Executive to change the wording back. For some properties, it took away an unrestricted lot, because of the wording change. If they had 51 acres they would be able to have two lots but with the updated wording they need another full fifty acres to be allowed another one-acre lot.

Nineteen easements would be affected by gaining an additional one-acre lot if the wording was changed back. It was asked by Ms. Gibbon if there was an inquiry from one of the nineteen lots that would be affected and she was advised there was. They also used an example of 122 acres, which would get two lots currently how the legislation is worded. If the wording was changed back they would get three. In the same example, if the person had two child lots that person would not be able to get any unrestricted lots, because of the way it is worded now.

Mr. Day asked the board what they wanted to do. It was decided that the discussion will continue next month. Ms. Levy is going to provide list of properties that still have rights to exchange and a synopsis of the easement language. She will provide the number of how many exchanged when it was “a portion there of” and how many exchanged when it was a full fifty. She is also going to send them the valuation of the farms when they were sold for the other issue.

4) Meeting with Howard County Forest Conservancy Board

Mr. Zoller advised that this is a Maryland Department of Agriculture state mandate for MALPF. The Agricultural Preservation Land Board must meet with the Forest Conservancy Board at least once a year. Mr. Zoller proposed meeting in June. He states that it doesn’t specify what the meeting should be about. Mr. Zoller wants to know how the board wants to structure the meeting with them? The board decided that they would do a presentation of what they do and have the Forest Conservancy Board do a presentation of what they do.

Mr. Day asked if there were any other items and there were none. Ms. Jones moved to adjourn and it was seconded by Ms. Hudson. All members, in attendance, were in favor. The meeting concluded at 9:04 PM.