Howard County Agricultural Land Preservation Program

APPLICATION PROCESSING PROCEDURES

STEPS IN THE APPLICATION PROCESS

1. The Administrator announces the commencement of the open enrollment period and posts information on the Howard County Web page at http://www.howardcountymd.gov.

2. Upon request, the Administrator gives a complete application packet to interested Property Owner(s).

3. The Property Owner(s) should return the completed application to the Administrator with a check or money order for the application fee.

4. The Administrator reviews the application for completeness, processes the fee payment, and identifies any potential problems with the application. If necessary, copies of any relevant deeds are obtained from Land Records by the Administrator.

5. Upon Administrator’s determination that application is complete, application is logged-in as of date of acceptance.

6. The Administrator sends the Request for Soils Evaluation to the Soil Conservation District. Once the Soils Evaluation is returned, the Administrator scores the application.

7. If multiple parcels are involved, the Property Owner is encouraged to merge the parcels into one. Merging typically benefits the owner by yielding a higher score and price valuation; it may also increase the number of lots and tenant houses allowed on the property. It also benefits the County by furthering the ALPP’s goal of acquiring large, contiguous blocks of farmland and reducing the potential fragmentation of farms. If any of the parcels are less than 20 acres, merging will be required.

8. The Administrator and a representative from the Soil Conservation District visit each farm, after scheduling with the Property Owner(s). Members of the Agricultural Preservation Board (APB) may join the farm visits.

9. The Administrator prepares a staff report including the easement price valuation and recommendation for acquisition. The Department of Finance advises the Administrator and the APB of the funds available for each acquisition.

10. The Administrator advertises the APB meeting and posts the staff report on the Howard County web page.

11. The APB holds a public meeting on each applicant property. Applications, staff reports with recommendations, and available funding are reviewed and discussed by the APB. Members of the public and Property Owner(s) may offer comments.

12. The APB determines the price to be offered for each property, according to the pricing formula.

13. The Administrator sends a cover letter and a copy of the application and staff report to the Office of Law explaining the price offer, any special circumstances, unresolved issues and an analysis of certain rights as they apply to each property (unrestricted lots, tenant houses, etc.).
14. The Administrator, with assistance from the Office of Law and the Department of Finance, prepares an offer letter that lists easement conditions, a price offer, and the terms of the payment plan. The Director of Finance must certify the sufficiency of funds prior to the issuance of the offer letter. A deadline for written acceptance (30 days) is also provided.

15. If the Property Owner(s) accepts the easement conditions, the price offer and the payment terms, then the APB Chair recommends purchase via a letter to the County Executive.

16. If the County Executive accepts the Board recommendation, then the Office of Law, with the assistance of the Department of Finance, prepares a formal commitment letter with an amortization payment schedule for the landowner. Attached to the commitment letter are all sample documents including the Deed of Easement and the Installment Purchase Agreement (IPA).

17. When the commitment letter is signed by all Property Owners and other entities holding an interest in the property and returned to the Administrator, Bond Counsel prepares a bond ordinance for County Council action. The Administrator sends deeds and the property survey to the Title Company to prepare the title report.

18. The Administrator notifies the Legislative Coordinator to place the bond ordinance on the County Council agenda.

19. The Administrator notifies the Property Owner(s) of unresolved problems or changes to documents that may need to occur as a result of the title report.

20. The County Council holds a public hearing. If the County Council approves the bond ordinance, it is sent to the County Executive for approval or veto.

21. The Office of Law, the Administrator and Bond Counsel prepare for settlement and finalize all documents. At this time, the Property Owner(s) tells the County who will hold title to the IPA. New deeds, if any are needed, are prepared by the Property Owner.

22. The settlement is held with the following parties in attendance: Office of Law, Administrator, Title Company, all Property Owners and the Property Owner’s attorney (if requested by Property Owner).

23. The Title Company records the Deed of Easement as soon as possible after settlement. The Administrator establishes an official file for the property, assigns a property designation (HO-Year-Number-E) and forwards that designation to the Department of Planning and Zoning Division of Research to update all mapping and parcel status tracking.

24. The Administrator sends a copy of the Deed of Easement with all recordation information to the Property Owner(s) as soon as it is returned by Land Records.

FOR MORE INFORMATION

If you have any questions about the application process, please contact:

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