

AGRICULTURAL PRESERVATION WORK GROUP MEETING MINUTES

August 8, 2007

1. **Attendance:** Tom Dernoga, Boyd Campbell, Daniel Filippelli, Debra Naylor, William Moore, Richard Krueger, Mike Martin, Stephanie DeVille-Eugene, Charles Renninger

2. **Meeting Agenda:**

I. **Approval of Minutes (July 25)**

Minutes with corrections as noted by Stephanie Eugene were approved.

II. **Announcements**

Chair Dernoga reminded the Work Group members about an email that he had sent regarding the Annual Field Crops Research Twilight Barbeque and Ice Cream Social being hosted by the Maryland Cooperative Extension on August 9, 2007, at the University of Maryland Upper Marlboro Research Farm from 4:30 p.m. to 8:30 p.m.

On behalf of Council Member Marilyn Bland, Dr. David Billings, thanked the Work Group members for attending the District 9 Rural Tier "Agricultural" Tour on July 28, 2007. Dr. Billings provided a recap of the tour. Boyd Campbell commented on the tour standouts and complimented Daniel Filippelli on his assistance as tour guide.

Debra Naylor informed the members that based on information she received from a friend who attended the Whole Foods Open House, Whole Foods is anxious to find more local producers to purchase from for sale in their local stores.

III. **July 28 Tour Recap/Concerns Raised by Farmers During the Tour**

- Prohibition on equestrian access in Cedarville State Park (and similar State properties)
- Emergency farm money

- Fishing ponds – Department of Environmental Resources (DER) has indicated that farmers are not allowed to have ponds
- Communication – Farmers need a contact person

Chair Dernoga indicated that he would follow up on the equestrian access issue with the Department of Natural Resources. He also informed the members that based on his conversation with Charlie Wilson, DER Director, a representative of DER will be attending future Work Group meetings to address issues that arise concerning DER interpretation of certain uses and enforcement.

Bill Moore raised a concern that he has been told by County police officers that it is illegal to ride horses in a County right-of-way, while the Department of Natural Resources sponsors bicycle rides on the same roads without prior notification to the area residents. Chair Dernoga is also requesting follow-up on what the law is concerning equestrian access on County/State rights-of-way.

Chair Dernoga suggested an “agricultural zone” for the purpose of allowing quasi-commercial uses which may be more appropriate in certain locations. Boyd Campbell responded to the suggestion indicating that it would not be fair to a property owner in Lanham with 2.5 acres who wants to grow peaches, and make and sell preserves to not be allowed the same opportunity because the property is not in the Rural Tier. He cautioned the group to be careful not to discriminate against those living west of US 301.

Debra Naylor suggested that some type of zoning could be proposed that encourages agricultural pursuits, but should not limit those individuals in other areas from similar opportunities. Chair Dernoga followed up to Ms. Naylor’s comment indicating that the desire would be to modify current rules to the extent that it facilitates what we want to see.

IV. Farm Bureau – follow up to May 29, 2007 letter discussed at June 6th Work Group meeting

Mr. Harry Ketts provided handouts and reported to the Work Group on issues facing local farmers and where they need assistance as indicated in his discussions and follow-up with the Farm Bureau.

The farmers cannot survive on traditional crops so they are going into specialty farming, but there are more farmers than there are specialty crops. There are problems with the County Code that hinder specialty farming such as aquaculture. The way the Code is written requires a greenhouse in a suburban area to meet warehouse standards. Another example that was mentioned is grapes and the inability to refine or physically sell on their property per the County Code. In addition, it takes three years to see a profit from grape growing and start up funding is necessary for distilling equipment, small store, etc.

Mr. Ketts indicated that the farmers are in need of two things:

- Relief from liability (State and County backing)
- Make the Code work for the farmers

Chair Dernoga indicated that Code issues could be addressed as early as the spring through legislation to amend provisions that are hindrances to the farmers.

Charles Renninger questioned the need for farmers to receive any additional liability protection than that provided for other industries. In response, it was suggested that individuals in other industries may have background or education that allows them to give up their professions and do something else for a living and farmers may not have that option.

It was suggested that the Work Group could make a recommendation to the Council's committee concerning the legal liabilities issue and if appropriate, the Council could seek appropriate legislation through the State delegation.

Bill Moore expressed the need to provide farmers with the tools and information to help them sell and where they can sell as well as any support that can be provided to those who are left. This information is necessary sooner than later or they will have difficulty in continuing to farm. There should also be more options for smaller farmers.

Herman Windsor was present in the audience and informed the Work Group that he is a small farmer and the County system is putting him out of farming. He is trying to subdivide his property for one

additional lot for his daughter and the County wants to take over his ponds.

Chair Dernoga suggested that the Work Group should issue a report indicating where the group is on land preservation issues; noting that the Farm Bureau/Ketts report with the noted problems and recommendations is a good start, but the Work Group could expand further. As was discussed in prior meetings, an agricultural marketing staff person is necessary. This should include a recommendation on the appropriate agency for this position assignment, as well as cost and functions of the position. In addition, the report might suggest a proposal for some of the funding for farmers who are transitioning into other crops (grants for acquisition), i.e. low interest/no cost loans. Other recommendations that have been discussed include TDR/PDR land preservation initiatives and law changes associated with property and amusement taxes, and liability issues.

IV. Intergovernmental Commission on Agriculture:

Chair Dernoga distributed material on the Intergovernmental Commission on Agriculture, their charge and status to date and encouraged members to attend the next meeting scheduled in September. He indicated that this is the time and opportunity to tell the State what the agricultural community needs.

The Chair commented that most of the undeveloped land area is in the Rural Tier and that is why the focus has been in that part of the County, however, that is not to say that we should not preserve in other areas. There is a need to keep a community/industry going, but not to exclude others from similar opportunities.

3. **Next Meeting:** August 22, 2007 at 3:00 p.m.
4. **Adjourn:** The meeting was adjourned at 5:35 p.m.