

***AGRICULTURAL AND PURCHASE OF DEVELOPMENT
RIGHTS COMMITTEE MINUTES
October 25, 2021***

The meeting of the Stafford County Agricultural and Purchase of Development Rights Committee for Monday, October 25, 2021, was called to order at 7:14 p.m. in the County Administration Conference Room in the George L. Gordon Government Center by John Howe, Chairman.

Members Present: Chad Young, Carlos Bratton, Jeff Adams, and John Howe

Members Absent: Alandra Simmons, Robert Broxton, and Benjamin Rudasill

Staff Present: Kathy Baker and Vicki Sowers

1. Call to Order

Mr. Howe called the meeting to order and asked Ms. Sowers to call roll. After roll-call, Mr. Howe confirmed there was a quorum.

2. Public Presentations

None

3. Staff Update

Ms. Baker updated the committee regarding the Virginia Land Conservation Foundation meeting being held on Thursday to make recommendations for the latest application rounds for matching funds. We have Jones Farm Part 2 since they were only partially funded in the Spring. We hope to get this one but if not, Ms. Baker said the Virginia Department of Agriculture and Consumer Services will also have their round coming up soon. She said historically, it has been in October. Ms. Baker said she will keep everyone posted regarding the results of the meeting.

Ms. Baker advised that she has not gotten a PDR fund total yet. The budget department is in the midst of a transition to a new budget system and the departments are in the midst of submitting the FY23 budgets. She said she would let everyone know when she receives the PDR amount to work with next year.

Ms. Baker referenced that the Littlejohn and the Moore properties are both in progress with the US Department of Agriculture – various stages. The Littlejohns need to re-submit their draft deed for the county attorney’s review.

4. New Business

- Farmers Market Regulations – Update – Copy of Regulations for Establishing Farmers Market in Stafford County as of October 22, 2019 distributed

Ms. Baker explained that we usually get our Farmer’s Market applications annually starting in January and February. Most that applied last year will be running out about March-April time period. She said we typically just look at the regulations in the fall, just before our next round of applications come in and after the first of the year to see if there are any changes or updates that you want to entertain. She

advised that these were last updated in 2018 and she is not aware of any issues that have come up. Current total of two farmers markets right now.

Mr. Adams named Locklear and Long as the two current markets. Ms. Baker then asked if there were any thoughts on anything that needs changing before they start coming in with new applications after the first of the year.

Mr. Adams commented about his observance of the sale of items like dolls, bird houses and things being sold in Dale City (as example) that should not be allowed according to the regulations.

Mr. Howe questioned the name on the review form/process. The committee's name changed from AG-PDR. Ms. Baker said it still has to go to the BOS with other items so it has not officially been changed yet. Therefore, the form/application is good as it is.

Mr. Adams asked if anyone else on the committee will be affected with the upcoming BOS election besides himself. Mr. Howe said he could be affected pending outcome of his district. Ms. Baker explained typical attributes of those chosen to serve on the AG-PDR committee and said that all currently on the committee would continue to serve until at least the first BOS meeting in January where the Board appoints new members. She also said that sometimes they don't appoint them at that meeting because they don't have somebody they want to appoint so you would continue to serve until you are officially replaced. You would continue to serve until you are told not to.

Mr. Adams made a motion to leave the Farmer's Market rules and regulations as is, without changes. Mr. Young seconded the motion. Mr. Howe asked for further discussion. With none, the committee voted 4-0 to approve the motion.

5. Unfinished Business

- Electronic Meeting Participation Policy – Copy of policy draft distributed

Mr. Howe explained that this is on the agenda per his request. He said the Planning Commission has a similar policy. He explained that it would be appropriate to offer the possibility of participating electronically, if someone is unable to attend for a legitimate reason.

Ms. Baker explained the Planning Commission's policy and timing. She said that the state law allows electronic participation, after the Covid-19 emergency orders ended, as long as it is spelled out under guidelines. This policy applies specifically when not under state of emergency.

Mr. Adams summarized last meeting with regards to this being unfinished business for Mr. Bratton whom was not present at that meeting. He explained that a motion to second was not received and therefore the item was tabled until this meeting.

Discussion ensued regarding the concerns brought forth at the previous meeting. It was confirmed that a quorum must be at the table but the electronic participant can participate and vote.

Ms. Baker also addressed Mr. Young's question regarding number of meetings allowed. She explained that it is 2 meetings a year or 25% of total meetings.

Mr. Bratton motioned to approve the Electronic Meeting Participation Policy. Mr. Young seconded. Without further discussion, motion passed 3-1. No vote from Mr. Adams with explanation that he does not have internet and does not participate remotely. Short discussion ensued regarding ability to change the policy if it is not working out; as long as there is a majority vote to change it.

- Board of Supervisors FY2022 Recommendations

Distributed copies of: Ranking Criteria application with notes in red
Conserve Virginia – Agricultural Model
Definitions
Copies of maps (4)
Agricultural Model
Natural Lands Network
Development Vulnerability Model
Ecological Cores

Ms. Baker advised that she and Mr. Howe met and discussed changes as per last meeting.

- PDR Ranking Criteria

Right column – Red was left there from last meeting- recommendations based on the Virginia Land Conservation Foundation criteria for reference. Under that, notes in black are from Ms. Baker and Mr. Howe’s discussion that need to be discussed here. Also see changes in blue on the left (strike-outs and updates).

Section A: Acreage more distinct and more weight for larger properties.

Section 1: Size of Property: Discussion ensued regarding points and appraisals that will come out from the Commissioner of the Revenue after first of the year (details from previous sales/values).

Section 2: Soils: Unique Farmland added. USDA uses this category. See definitions hand-out with regard to soil types.

Section 3: Active Farmland: Kept as is. Actively farmed during the preceding year or in three of the five previous years. Mr. Adams clarified that the land can be leased – as long as someone is actively farming it.

Section 4: Active Timber: Keep as is. No discussion.

Section 5: Soil and Water Quality: Changed a bit with 3 separate categories to go in-line with Virginia Land Conservation Foundation handles now. Category points increased. Ms. Baker explained that details and notes will be added in the actual criteria part of the application so applicants will know and understand the meanings.

Section B: Development Pressure: Likelihood of land being threatened.

See map handout regarding vulnerability model from Virginia Department of Land Conservation. Ms. Baker noted that for Stafford, the land we want to preserve is typically not in the highest risk category. Therefore, this map does not align with Stafford as well.

Section 1: Urgency of circumstances: Discussion regarding availability of funds. Ms. Baker recommends removing the first two bullet points which are hard to confirm and more subjective.

Section 2: Suitability for residential conversion: Keep as is.

Section 3: Fund Leveraging – Took that out. Ms. Baker explained that the donation information and amount is typically unknown at the time of application.

Section 4: Public Road Frontage: No change

Section 5: Landowners/Restrictions: Only changed Points to round numbers and timber buffers moved to environmental section.

Section C: Circumstances supporting Agriculture

Section 1: Nonfarm rural within ½ mile of property boundary: Ms. Baker explained the reason for this point section and change in point values. Residential proximity can put more pressure on the agricultural usage.

Section 2: Proximity to PDR or other easements (relates to above): No changes

Section 3: Proximity to other farms: (relates to above): Explanation and point changes.

Section 4: Batch application: Removed this section. It's all about acreage.

Section D: Environmental Quality: Added Wildlife – other agencies use habitat as a qualifier.

Section 1: Conservation and Recreation Ranking: No changes. Reviewed Ecological Core map handout along with the detailed description from the DCR website. ✓

Section 2: Percentage of parcel in forest: Point changes to round the numbers.

Section 3: Proximity to areas of high environmental value: Moved wetlands from this section and added to section 4 – Water Value. Added wildlife corridor as found in the Department of Wildlife Resources. Points changed as previously to round the numbers.

Section 4: Water Quality Value: Includes perennial waterway, wetlands, intermittent streams, and vegetative buffer allowing up to 20 points.

Section 5 was combined with section D (3).

Section E: PDR Ranking: Cultural Resources: Keep all as is due to these being the determining factors as created by the Historical Commission when the ordinance was first created.

Mr. Young thanked everyone for their work on this project. Ms. Baker said she will clean this up and send out the updated version. Links will be created to look up information to assist and explain more information to the applicants.

Discussion ensued regarding vote now or wait to review a bit more. Mr. Adams requested to have another sit to the table discussion with more voices. Ms. Baker said she will send out the ConserveVirginia information for additional incite and opportunity for questions. She said we can go into more explanation next meeting.

Mr. Bratton asked about existing rankings. Ms. Baker explained this is for new applications which won't be accepted (new round) until perhaps summer. This information will be brought back to the Board of Supervisors after the first of the year, after Board member changeovers, along with other recommendations that this committee was asked to work on. These include the appraisal piece, and the Commissioner of the Revenue evaluation of the PDR. Staff will plan to take all to the Board around February or March to get a consensus of opening a new application round – depending on the money we have and the amount of money that we'll need to have a viable application round.

Mr. Bratton agreed that we should wait on the vote for additional review and allow others who have not had a chance to look at it and has time to offer feedback – vote to likely occur December or January meeting.

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Ms. Baker advised that she would email everything out and asked that if anyone has questions or comments to please reply to the whole committee so everyone can be thinking about it, offer changes, and understand. She is looking for feedback from others.

Mr. Howe wants the record to show that after discussion, action was deferred by consensus until the next PDR meeting.

6. Approval of Minutes

- August 23, 2021

Mr. Adams motioned to approve. Mr. Bratton seconded. Minutes approved with vote 2 yes and 2 abstentions (not present at the August meeting). Minutes approved.

7. Member Comments

Mr. Bratton mentioned that Virginia State is having their annual small farm conference in Roanoke sometime in November. Mr. Adams said the small farm conference is \$50 to attend but you have to prove vaccination status or have negative test to attend. He said it is at the Hotel Roanoke the first Friday and Saturday in November.

Mr. Adams spoke about the Tri-County, the Virginia Extension Office employees, and wells that have been an issue for last 10 years. He is working with Tri-County for a solution to the well problem. He also discussed Stafford County's lack of focus on Agriculture programs in the school system, especially compared to Culpeper, King George, Spotsylvania, and Fauquier.

Mr. Bratton made a few suggestions and asked how the committee could be more proactive to advocate for more agricultural school programs. Ms. Baker recommended reaching out to the independent schools. Mr. Young said he was a part of the Ag in the Classroom program through Farm Bureau until SOLs. After that, they said they don't have time for it anymore.

Ms. Baker said that the partnership they are working to get with the Northern Virginia Conservation Trust would have a dedicated staff person that would go out to the public and work on potential educational programs. Mr. Adams discussed elementary schools building agricultural boxes outside of the school to offer education and appreciation for AG. Mr. Young explained that in the past, these have been done but not kept up with and then they have to cut them down and clean them up. There is usually one teacher and if that teacher leaves, no one else takes interest.

8. Next Meeting

- November 22, 2021

9. Adjournment

With no further business to discuss Mr. Howe adjourned the meeting at 8:30pm.