

**AGRICULTURAL AND PURCHASE OF DEVELOPMENT  
RIGHTS COMMITTEE MINUTES  
September 26, 2016**

The meeting of the Stafford County Agricultural and Purchase of Development Rights Committee for Monday, September 26, 2016, was called to order at 7:00 p.m. by Chairman Robin Long in the County Administration Conference Room of the George L. Gordon, Jr. Government Center.

Members Present: Robin Long, Benjamin Rudasill, Jeff Adams, John Howe, Marty McClevey, and Thomas Hale

Members Absent: Craig DeBernard

Staff Present: Kathy Baker and Joe Fiorello

Guests Present: Marshall Locklear, Lester Long

1. Call to Order

Ms. Long call the meeting to order and asked Ms. Baker if she would call roll.

Ms. Baker stated there was a quorum present.

2. Welcome New Member

Ms. Long welcomed Mr. Hale to the Committee and asked if he would introduce himself.

Mr. Hale stated he was a beekeeper in Stafford and understands he has a lot of learning ahead.

2. Public Comment

Ms. Long stated she would open the floor for public comment. Anyone who wanted to speak was allowed 3 minutes. It is not a question and answer period, it is to allow them to express any thoughts they may have. She asked if anyone had any comments. With no one coming forward, she moved to the approval of minutes.

4. Approval of Minutes – June 27, 2016

Mr. Adams stated he was not at the last meeting and he would abstain.

Mr. Rudasill made a motion to approve the minutes.

Mr. Howe seconded the motion.

The motion passed 5-0 (Mr. Adams abstained).

5. Staff Update

- PDR Program Update

Ms. Baker stated the latest easement, which was the Harris Farm, closed. She stated it was a 100 acre farm at the intersection of Hartwood Road and Spotted Tavern Road. She stated it was the last one on

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the list of the 2013 applications. She stated that the applicant had applied for tax credits, so the Deed of Easement was a little more detailed and required a little more review.

Mr. Adams stated if the IRS does not approve the conservation easement, tax credits are null and void.

Ms. Baker passed out the latest statistics including the number of farms, when they were obtained, total acreage and the total number of development rights retired. She also passed out an Open Space Lands Map which showed the PDR properties in red. She stated the properties in gold were general conservation easements, which may be held by another entity, and the park properties were in green. She stated most of the funds were expended with the Harris property, except funds from this year's rollback, which was slated for the Sterne 228 acres at the intersection of Mountain View and Poplar Road. She stated they would enter into that agreement with the Federal Government through Marine Corp Base Quantico. Because it was federal funds it was going through the Department of Navy and it was a very slow process.

Mr. Adams asked if the old store was included.

Ms. Baker stated no, the store was not included. She stated it was 3 parcels total that would be included. She stated she had one last update on the \$400,000 that was a developer donation received in May from the Courthouse Manor property, which is now under construction on Courthouse Road next to Stafford Elementary School. She stated that donation was specific to the Aquia District, and there were no remaining PDR properties, however Paul Milde and staff found some properties adjacent to Crow's Nest that are suitable. She stated a grant through the Virginia Land Conservation Foundation was applied for and received through matching funds and they are now working through that process. She stated this falls into the new PDR/Land Conservation where we are trying to branch out and not just save farms but other conservation properties.

Mr. Adams asked if this was an acquisition or an easement.

Ms. Baker said will be a fee simple acquisition of 127 acres, and will be added to the Crow's Nest Natural Area Preserve.

Ms. Baker stated we will need to start looking into another PDR application round after mid-year review of funds. We will need to discuss whether any additional changes are necessary to the ordinance, and discuss the per-development-right cost.

Mr. Adams said that he and Ms. Baker had talked about this, and thought it would be a good idea to go ahead and put out a call for applications and rank them, and then take them in order as money becomes available.

Ms. Baker added that we should take into consideration the cost to purchase the easement, and how long that cost is good.

Mr. Adams asked about someone from Commissioner of Revenue's office coming to a meeting to further discuss the figure.

Ms. Baker stated they would be available to attend a meeting and assist us.

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Mr. Adams asked when we would know the dollar amount from last year's rollback.

Ms. Baker said we already know that figure at \$541,000, which is earmarked for the Sterne property. It will likely be end of next year before we are able to make a new purchase, as we would get new rollback funds in July, and then apply for matching funds in October.

Mr. Adams asked if the \$400,000 donation was eligible for VDACS matching funds.

Ms. Baker said in theory, yes, but the \$400,000 is being spent for a property that didn't quite follow the PDR process. Because it was specifically to be spent in the Aquia District, and we no longer had any application properties within the Aquia District, we applied for Virginia Land Conservation Funds instead. It has a different process.

Mr. Adams stated that there is interest out there for a new round.

Mr. McClevey asked if a property comes into an easement, if it is taxed differently.

Ms. Baker stated that the properties are typically in land use already, so the taxes are much lower than if it isn't in land use. So there isn't a big difference in the taxes after an easement is placed on it.

Mr. Adams stated that his property value did drop, which in effect lowered his tax bill.

6. New Business

- Agricultural Support of Microbreweries

Ms. Long stated the Board of Supervisors asked the Committee to look into the issue of support in agricultural areas of microbreweries. They didn't have any specific direction, but asked if we have any recommendations. She asked if anyone had any information. She stated that Culpeper has a program through the cooperative extension, and read an article on-line. She said she could reach out to the person who wrote the article.

Mr. Howe said he could contact that person. Mr. Adams said it was probably Carl Stafford, and Mr. Howe agreed.

Ms. Long said she would get the article to Mr. Howe.

Mr. Howe said what people think about is the grains for brewing the product. There is potential for growing that, but not sure there is enough land in the area to grow that.

Mr. Adams said that breweries are located on farms in some areas, so the brewery is considered an agricultural use.

Mr. Howe said there was an article in the paper about the increase of microbreweries in the Fredericksburg area.

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Ms. Baker indicated that the County had adopted a new ordinance not long ago that created a definition and specified zoning districts for microbreweries, so she could send that information out to the Committee.

Ms. Long asked if there was a way to make it easier for people to have a microbrewery in the agricultural areas.

Mr. McClevey asked if they are allowed in agricultural areas.

Ms. Baker said she would check.

Ms. Long asked if anyone had any other new business.

Mr. McClevey said Culpeper would be having its farm tour this weekend.

7. Unfinished Business

Ms. Long said she had one additional item for unfinished business, and that was to talk about recognizing Gail Clark for her contribution to the agricultural community.

Mr. McClevey said he had brought it up in the past, and would like to see her formally recognized.

Ms. Baker said she would be happy to take a recommendation to the Board of Supervisors. Ms. Long, as Chair, could submit a request for the Board to present a proclamation. It would be up to the Committee to submit the information to the County Administration office. Ms. Long said she would go ahead and submit a request.

- Farmers Market Rules and Regulations – Review

Ms. Long said at the last meeting we discussed the recommended changes to the regulations. She had asked Ms. Baker to send to the County Attorney for one last look, and the Attorney had concurred that the changes were appropriate. Ms. Long asked if the Committee would take one more look at the issue of dogs in farmers markets, and specifically the language “discouraged” vs. “banned”.

Mr. Adams said he wouldn’t reconsider, and would vote “no” to any change.

Mr. Rudasill said he wouldn’t support it.

Mr. McClevey said he thinks it would be too difficult for managers to separate out dogs from the food areas.

Ms. Long said she received more information from the attorney’s office about the distinction between banning and discouraging dogs, and read the email she received. She stated regulations for farmers markets run by localities are different from private markets. She said the County could ban dogs if it was a County-run market, but for a private market, it would be up to the market manager to detail a plan for how it would ban dogs.

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Discussion ensued about the state food law, the enforceability by managers, and the desires of market vendors.

Mr. McClevey made a motion to approve the regulations as written at the last meeting.

Mr. Howe seconded for discussion, but said he would like to see the final version before voting on. There was concern about language for service dogs. After discussion, it was decided that the language would be included to permit “certified service dogs” in farmers markets.

Mr. Adams asked if the County Attorney said the Committee couldn’t inspect markets and farms.

Ms. Long said yes.

Mr. Adams said he had three additional concerns. He said that the County was not going to go out of the County to inspect to ensure the produce was locally grown. He said he had examples of farms outside the allowed radius, or receiving produce outside the radius. He also mentioned co-packing, and said there was a difference between labels that said “distributed by” vs. “manufactured by”. He said there was another example where one of his vendors had peaches, but his farm didn’t have enough trees to produce many peaches, so he likely supplemented the peaches.

Mr. McClevey stated he thought it should be up to the manager to enforce “locally grown” produce instead of the Committee or the County. He didn’t think anything more should be put in the rules.

Ms. Baker noted that this is not something that the County can enforce as it is not within its purview.

Ms. Long asked for any additional comments.

Mr. McClevey restated his motion to adopt the regulations as written, with the additional language to allow “certified service dogs”. Mr. Howe seconded. The motion passed 5-1 (Mr. Adams opposed.)

- Annual Work Plan

Ms. Long asked if there were any additional changes to the work plan. There were no additional changes.

8. Next Meeting

- October 24, 2016

9. Adjournment

With no further business to discuss the meeting adjourned at 7:51p.m.