

***AGRICULTURAL AND PURCHASE OF DEVELOPMENT
RIGHTS COMMITTEE MINUTES
November 27, 2017***

The meeting of the Stafford County Agricultural and Purchase of Development Rights Committee for Monday, November 27, 2017, was called to order at 7:01 p.m. by Chairman John Howe in the County Administration Conference Room of the George L. Gordon, Jr. Government Center.

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

Members Absent: None

Staff Present: Kathy Baker and Melannie Egan

Guests Present: Cindy Shelton, David Secrest, Irene Secrest, Janet Littlejohn, and John Harris

- Call to Order

Mr. Howe called the meeting to order at 7:01 pm and asked Ms. Egan to call roll.

Ms. Egan called roll and stated that there was a quorum present.

- Public Presentations

Mr. Howe stated that he wanted to skip public presentations and go straight into the PDR review as all of the guests present were PDR applicants and those properties would be discussed first.

Mr. Howe introduced Cindy Shelton, newly elected Board Member for the Aquia District.

Ms. Shelton stated that she wanted to attend the meeting because she loved the PDR and TDR process and was interested in learning more about the programs and how they are applied in Stafford County.

- Approval of Minutes – October 23, 2017

Mr. Howe asked if there were any comments or corrections of the minutes of October 23th meeting.

Mr. Adams asked if it were possible to defer the approval of minutes as he and others had not had time to read them.

Mr. Howe agreed to defer the approval to the next meeting.

- Staff Update

- PDR Program and PDR Funds

Ms. Baker started off the discussion by announcing that Virginia Department of Agriculture and Consumer Services notified us unofficially and had been granted 61K in funding from them. She stated

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that one of the localities from last year would be turning back 300K in unused funds and would be available after the next fiscal year and Stafford County would be granted another 60K after being split between a total of 5 localities.

Ms. Baker also stated that there were a few applications that were waiting on information from the Historical Commission at next week's meeting that would finalize the score in the Section E-1 Proximity to historic or cultural features.

Section A – Quality of the Parcel, with 5 subcategories consisting of 1) Size of Property, 2) Soils Identified as Prime Farmland, 3) Parcel Containing Active Farmland, 4) Parcel Contains Active Timber land, 5) Soil and Water Quality. A possible maximum score of 90 could be earned in this section.

Section B – Likelihood of Parcel Being Threatened, with 5 subcategories consisting of 1) Urgency of Circumstances Favoring Conversions, 2) Acreage Suitability for Residential Conversion- Percentage of well or moderately well-drained soils of the parcel, 3) Fund Leveraging- Additional development rights received through funding sources provided by the applicant or through a donation, 4) Amount of Public Road Contiguous to the Parcel, 5) Landowners had agreed to one of the following restrictions, timber buffers along streams, no new dwellings located on the property or the parcel shall not be further divided. A possible maximum score of 90 could be earned in this section.

Section C – Circumstances Supporting Agriculture with 4 subcategories consisting of 1) Number of non-farm rural residences with one-half mile of the property boundary, 2) Proximity of parcel to other properties with PDR or other perpetual easement's, 3) Proximity to another existing farm of 20 acres or greater, 4) Batch application with contiguous parcels. A possible maximum score of 40 could be earned in this section.

Section D – Environmental and Aesthetic Quality with 5 subcategories consisting of 1) Virginia Division of Conservation and Recreation Ranking, 2) Percentage of parcel in forest, 3) Proximity to areas identified high environmental value, 4) Proximity of parcel to perennial stream or waterway, 5) Contiguous to a wildlife corridor as identified in the VCLNA model or Stafford County Comprehensive Plan 2. A possible maximum score of 30 could be earned in this section.

Section E – Cultural Resources with 2 subcategories consisting of 1) Proximity to historic or cultural features, 2) Property is designated as or is associated with a Century Farm. A possible maximum score of 20 could be earned in this section.

Secrest- Ms. Baker acknowledged that Mr. and Mrs. Secrest were present and began to go over the scores in the PDR Ranking Criteria Point System by sections. Secrest scored 47 out of 90 in Section A, 44 out of 90 in Section B, 12 out of 40 in Section C, 4 out of 30 in Section D, and 10 out of 20 in Section E. The overall preliminary total score of 117. This property is awaiting information from the Historical Commission regarding the "Stevens House" which could add an additional 5 point to the overall score.

The Secrest property was in an active purchase agreement, Mr. Secrest stated that he did not know about the PDR Program before he signed the purchase agreement and was within days of selling, but once he heard about the PDR Program he wanted to explore the potential of saving the land from development. His brother whom property was adjacent had already sold his land to the developer and he had several other developers wanting to purchase the land. Ms. Baker stated that no points had been given for Section B-1 because a discussion and vote was needed to award points in this subcategory because the active purchase agreement did not exactly fit into to the written criteria. The committee agreed that 25 points

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should be awarded to the property due to the urgency of circumstances that the parcel was subject to a forced sale.

Mr. Young motioned that 25 points be awarded with a footnote to the BOS as to the justification of the awarded points.

Mr. Adams seconded the motion. The motion passed 7-0.

Littlejohn- Ms. Baker acknowledged that Janet Littlejohn was present and began to go over the scores in the PDR Ranking Criteria Point System by sections. Littlejohn scored 32 out of 90 in Section A, 62 out of 90 in Section B, 27 out of 40 in Section C, 4 out of 30 in Section D, and 2 out of 20 in Section E. The overall preliminary total score of 138.

Ms. Baker stated that the Littlejohn property was taken to the Historical Commission and they awarded the property 10 points for the historical history that was associated with the property.

Mr. Howe asked Mrs. Littlejohn if she had any questions and she stated that she did not, but was grateful to be part of the process and she had learned so much about her property and the history because of it.

Harris- Ms. Baker acknowledged that Mr. Harris was present and began to go over the scores in the PDR Ranking Criteria Point System by sections. Harris scored 74 out of 90 in Section A, 62 out of 90 in Section B, 22 out of 40 in Section C, 22 out of 30 in Section D and 15 out of 20 in Section E. The overall preliminary total score of 195.

Ms. Baker stated that the Harris property was the highest scoring property.

Mr. Howe asked Mr. Harris if he had any questions and he stated that he did not, but he did want to make it clear that he was flexible with time, and if needs be, would be open to negotiations and arrangements.

Beach- Ms. Baker started by going over the scores in the PDR Ranking Criteria Point System by sections. Beach scored 47 out of 90 in Section A, 59 out of 90 in Section B, 16 out of 40 in Section C, 10 out of 30 in Section D, and 10 out of 20 in Section E. The overall preliminary total score of 142.

Ms. Baker stated that the Beach property was 1 of only 2 properties that was within a REPI area. And because of this, the property would be eligible to receive up to 50% in funds from the REPI program and another 25% of funds from other agencies, which meant that Stafford County would potentially only have to put up 25% of the total funds for this property.

Mr. Adams stated that he believed that this property should be very desirable to the PDR Program and the Board, due to the potential of receiving 9 property rights for the price of 2. He felt that the property should be at the top of the list because of the purchasing power. The conversation continued in regards to subsection 3 in section B and fund leveraging points. The committee agreed but chose to leave the ranking where it was, but presenting the BOS with the information and special circumstances regarding the funding potential of this property.

Mr. Adams motioned to leave the points in section B at zero, but notifying the BOS of the special funding circumstances of the Beach property.

Mr. Young seconded the motion. The motion passed 7-0.

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Caton- Ms. Baker started by going over the scores in the PDR Ranking Criteria Point System by sections. Caton scored 25 out of 90 in Section A, 34 out of 90 in Section B, 17 out of 40 in Section C, 16 out of 30 in Section D, and 10 out of 20 in Section E. The overall preliminary total score of 102.

Ms. Baker stated that the Caton property was the 2nd property that was within a REPI area. The conversation was the same as the Beach property regarding the REPI funding. The committee agreed that the Caton property should be treated like the Beach property by leaving the ranking where it was, and presenting the BOS with the information and special circumstances regarding the funding potential of this property.

Mr. Adams motioned to leave the points in section B at zero, but notifying the BOS of the special funding circumstances of the Beach property.

Mr. Young seconded the motion. The motion passed 7-0

Snyder- Ms. Baker started by going over the scores in the PDR Ranking Criteria Point System by sections. Snyder scored 26 out of 90 in Section A, 53 out of 90 in Section B, 25 out of 40 in Section C, 4 out of 30 in Section D, and 15 out of 20 in Section E. The overall preliminary total score of 123.

Moore- Ms. Baker started by going over the scores in the PDR Ranking Criteria Point System by sections. Moore scored 52 out of 90 in Section A, 62 out of 90 in Section B, 27 out of 40 in Section C, 28 out of 30 in Section D, and 10 out of 20 in Section E. The overall preliminary total score of 179.

Ms. Baker explained that because of the close proximity to other subdivisions that the property could be developed in the future, however not likely due to easement issues. No further questions or clarifications were needed.

Petley- Ms. Baker started by going over the scores in the PDR Ranking Criteria Point System by sections. Petley scored 17 out of 90 in Section A, 52 out of 90 in Section B, 12 out of 40 in Section C, 20 out of 30 in Section D, and 0 out of 20 in Section E. The overall preliminary total score of 101.

The question for the committee to discuss was could this property get points because the land was leased by a Century Farm. The committee agreed that it could not as the lease was yearly and could be leased by someone who was not a Century Farm the next time.

Mr. Adams motioned to not award additional points as the property itself was not a Century Farm.

Mr. Young second the motion. The motion passed 7-0.

Jones- Ms. Baker started by going over the scores in the PDR Ranking Criteria Point System by sections. Jones scored 45 out of 90 in Section A, 36 out of 90 in Section B, 27 out of 40 in Section C, 14 out of 30 in Section D, and 15 out of 20 in Section E. The overall preliminary total score of 137. No further questions or clarifications were needed.

Johnson- Ms. Baker started by going over the scores in the PDR Ranking Criteria Point System by sections. Jones scored 20 out of 90 in Section A, 52 out of 90 in Section B, 20 out of 40 in Section C, 12 out of 30 in Section D, and 0 out of 20 in Section E. The overall preliminary total score of 104.

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Ms. Baker asked the committee for a recommendation for future reference on the issue of what to do when a past PDR applicant had a determined number of development rights established, then because technology improved and computer calculations changed that set number of development rights. In the case of the Johnson property, the new updated calculations reduced the amount of development rights from 6 (2009) to 5 (2017). The committee discussed the issue and felt that the number of development rights should remain at the original 6, and the reasoning was, if the property had been chosen in 2009, the county would have paid for the original 6 development rights and so it should remain 6 so long as that property remained the same and continued as a present or future PDR applicant.

Mr. Adams motioned to continue the Johnson property as 6 development rights, as the computer calculations changed, but the property had not.

Mr. Young seconded the motion. The motion passed 6-0.

Ms. Baker stated that the Brent Point property had formally withdrawn their application.

Ms. Baker stated that once she heard from the Historical Commission regarding the few scoring questions left, she would adjust any scores and send them to the property owners and open the 10 day window for any property owner to add or bring information that could possibly change their score. It would be necessary to have one more meeting to finalize all scores officially before presenting the properties to the Board of Supervisors. Most likely that would be the January 22, 2018 meeting (because of the Christmas Holidays) and then the Board of Supervisors in March. The committee stated that they should motion to cancel the December 2017 meeting as it fell on Christmas Day.

Mr. Adams motioned to cancel the December 2017 meeting.

Mr. Young seconded the motion. The motion passed 7-0.

- Unfinished Business
 - Chesapeake Bay Technical Assistance Report

Ms. Baker stated that she had sent out the report, Boots on the Ground, about providing assistance to farmers, to help them through the processes such as the conservation plan and farm management plans. She asked Mr. Adams to discuss the details.

Mr. Adams started off by giving a personnel breakdown of Tri-County and other soil and water conservation districts. The report basically states that farmers are not going to work with just anyone; they want to work with people who come from a farming background to some degree. They have talked about more private people stepping up but what one has to go through to be recognized and certified by NRCS is slim to none. The second problem with the cooperating agencies is matching funds. The report also talked about that on average it takes roughly two years for someone to come up to speed with regulations and with it being 4 jurisdictions, one county should not be responsible for hiring everybody. Stafford County was level funded for the last 10 years. He suggested as a board, we let the Board of Supervisors know that they need to come up with some more money, contribute more to Tri-County or try and hire somebody that the farmers may want to work with. Bottom line is that the 25k that Stafford County is giving just isn't enough.

Mr. Howe stated that he would pull the numbers that each county is paying.

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Ms. Baker stated that a letter from this committee as a whole could go to the Board of Supervisors with a recommendation, or a representative from the committee could speak at the Board of Supervisor meeting and present the information directly to them for consideration of more money. They would expect some background, such as how much would be requested, how much they had given previously vs. other counties, what is the percentage of farms in the other localities that are giving, and specifically how much more would Stafford County get out of it.

Mr. McClevey suggested to reach out to find out the needs of Tri- County, get the numbers, information and proposal that they had put together first. Get the answers rather than be vague, before presenting to the Board of Supervisors.

The committee agreed to defer the conversation until January 2018 meeting after more information could be gathered by Mr. Adams and/or Mr. Howe.

- Next Meeting

January 22, 2018

- Adjournment

With no further business to discuss, declared the meeting adjourned at 8:56 p.m.