

***AGRICULTURAL AND PURCHASE OF DEVELOPMENT  
RIGHTS COMMITTEE MINUTES  
March 26, 2018***

The meeting of the Stafford County Agricultural and Purchase of Development Rights Committee for Monday, March 26, 2017, was called to order at 7:15 p.m. by Chairman John Howe in the ABC Conference Room (change of location due to size of audience) of the George L. Gordon, Jr. Government Center.

Members Present: Jeff Adams, John Howe, Robert Broxton, Marty McClevey, Benjamin Rudasill, Joshua Pepper and Chad Young

Members Absent: None

Staff Present: Kathy Baker, Joe Fiorello, Ben Foster and Denise Knighting

1. Call to Order

Mr. Howe called the meeting to order at 7:15 and welcomed new member Joshua Pepper. He asked Mr. Pepper to tell the Committee a little about himself.

2. Introduction of New Member – Joshua Pepper, Rock Hill District

Mr. Pepper stated he owned a small farm in the southeast portion of Stafford County and looked forward to serving on the Commission.

3. Public Presentations

Elaine Simms stated she has purchased produce from Mr. Marshall Locklear for years and Mr. Locklear brought good food into the county.

Jim Coats stated he had been buying from Mr. Locklear for 15 years and he always had good service, good prices and treats people fairly.

John Rondell stated his wife has been buying produce from Mr. Locklear for 15 years and has always received good prices and service. He stated he was an advocate for small business.

Kathy Rondell stated she has also purchased produce from Mr. Locklear for 15 years and has always been treated fair. She would sometimes purchase extra to share with her neighbors. She stated Mr. Locklear comes to flea markets at her church and there has never been any problem with the food he sells.

Andrew Hawkins stated he has supported Mr. Locklear for 10 years and feels Mr. Locklear sells a good product at good prices.

Fred Swift stated he grew produce in Georgia and felt the community was fortunate to have Mr. Locklear selling fresh produce as farming was diminishing. He stated he hoped Mr. Locklear could keep his business where he was currently located.

Dustin Meecee stated Mr. Locklear pulled him off the streets and gave him a job for about 10 years. He stated it would be a great loss if Mr. Locklear could not continue his business.

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Mr. Lawson stated he did not understand what the issue was and why Mr. Locklear could not keep his business.

Judy Knicely stated she had lived in Stafford County for 30 years and purchased produce from Mr. Locklear. She recently moved to Madonna House and Mr. Locklear delivers produce to her since she has difficulty getting out and he was good about checking on her to see if she needed anything.

Janet Miksch stated she did not understand why Mr. Locklear would be removed from his current location. She stated he had great produce and treats people like family. She stated he gives jobs to young people and was a great asset to the community.

Dock Hoilman stated he felt Mr. Locklear's location on Route 610 was convenient and he was friendly and provided quality produce with good prices. He stated Mr. Locklear was an asset to Stafford County.

Steve Giannopoulos stated he did not understand why Mr. Locklear could not get his permit because he was not a farmer. He stated Mr. Locklear was selling in the County before farmers markets were established and was open every Saturday and Sunday all year long. He stated Mr. Locklear provides a service to the community.

Danette White stated she felt losing Mr. Locklear would be a big mistake.

Carlos Herring stated his first job was working with Mr. Locklear and was grateful for that opportunity.

Wayne Jordon stated he had been buying produce from Mr. Locklear for 15 years and felt moving him from his location was wrong.

David Hazlett stated he would like to echo the statement about Mr. Locklear and would also like clarification on the issue.

Craig Miller stated he liked to pick up produce from the farmers markets. He stated Mr. Locklear was there every weekend and now others want to get him out.

Mr. Howe asked if anyone else wanted to speak.

Marshall Locklear stated he came to this area 50 years ago to build houses then went into the produce business. He stated some of his suppliers were out of state or other counties. He asked the Commission to do the right thing.

Lester Long stated he was with North Stafford Farmers Market. He stated he liked Mr. Locklear but felt Mr. Locklear was a produce stand not a farmers market.

Donald Dais stated he had been dealing with Mr. Locklear for 4 or 5 years. He stated Mr. Locklear has very good customer service and did not understand why he was asked to leave. He stated he did not want that to happen and did not want him to go.

Elaine Simms asked if she could speak again. Mr. Howe indicated he would allow it.

Jim Coats asked who would like to get fired for not doing their job. He stated the Committee would be taking Mr. Locklear's livelihood away from him and he was too old to go back into carpentry.

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Elaine Simms stated she wanted to mention that Mr. Locklear gives away produce and give teenagers jobs. She stated she has worked with Mr. Locklear and he was a hard worker.

Donald Dais stated everyone wanted Mr. Locklear to maintain his business.

Fred Swift stated he would like to see the produce people stay in business.

David Hazlett stated he knew the rules and regulations were there to protect people and he hoped the Committee would take that into account.

Mr. Howe closed the public presentations and moved on to the Farmers Market applications.

4. Approval of Minutes – January 22, 2018 and February 26, 2018

*Discussed after New Business*

5. Staff Update

- PDR Program Applications
- Cluster Ordinance Amendment

*Discussed after New Business*

6. New Business

Mr. Howe stated the Committee meets the fourth Monday of every month. Local is considered 125 mile radius within the State of Virginia and service dogs were permitted.

- Farmers Market Applications

Ms. Baker stated there were three applications submitted and each applicant included their regulations. She stated the zoning permit would be obtained through the Zoning Department. All permits were good for one year.

- M & K Market

Ms. Baker stated Mr. Locklear's market was held in the Staffordboro VDOT parking lot. She stated the County was applying for the permit through VDOT and would pay the application fees. She handed out a map showing Mr. Locklear's location in red. She stated each applicant had to show parking and vendor areas. She noted that because of construction at the hospital, the North Stafford Farmers Market could not use that location so had applied to also use the VDOT lot. Ms. Baker stated Mr. Locklear's hours would be 7:00 am to 4:30 pm Saturday and Sunday, and North Stafford Farmers Market would be Sunday 8:00 am to 1:00 pm. She state M & K Market rules originally has last year's date but have since been updated to April 2018 through April 2019.

A brief discussion ensued concerning the requirement for produce being within the 125 mile radius and the possibility of an exemption. It was decided an exemption would not be necessary.

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Ms. Baker stated the Zoning Department had to approve the application and they look for things like sufficient parking and Fire Department access, etcetera.

Mr. McClevey asked if the North Stafford Farmer's Market had considered another location.

Ms. Long stated they have contacted Stafford Parks and Recreation concerning the parking lot at the Government Center/Courthouse, but that had to go before the Board for approval. She stated they have plans to move to the new commuter lot once it was finished.

Ms. Baker explained use of the Government Center/Courthouse parking lot would have to go to public hearing because it was a County facility.

Mr. Broxton made a motion for approval of the application.

Mr. Rudasill seconded the motion.

The motion passed 5-1-0 (Mr. McClevey voted no, Mr. Adams abstained).

- o North Stafford Farmers Market

Ms. Baker stated the North Stafford Farmers Market application included the rules and regulations.

Mr. Adams handed out information to the Committee members regarding the vendors at North Stafford Farmers Market, and whether they met the regulations for farmers markets. He then left the meeting.

When the audience members asked for copies, Ms. Baker stated she would make some.

Mr. McClevey stated the market managers need to read the market rules as he felt some to the markets were moving in the direction of flea markets not farmers markets as intended.

A brief discussion ensued concerning inspection of the markets for compliance with the County's market regulations, and the possibility of going back to the Board of Supervisors asking for permission to do so.

Ms. Baker stated the Zoning Department requires a permit for farmers markets, and if any aspects of the permit were being violated, the Zoning officials could inspect markets for enforcement. She suggested the applicant may want to respond since the information provided was seen for the first time tonight.

Mr. Broxton said the rules referred to anything grown or produced, and asked if that was just food items. He asked what the definition of items produced was.

A brief discussion ensued concerning the rules and items sold at the markets.

Mr. Howe asked Ms. Long if she wanted to respond to some of the items questioned by Mr. Adams information, and the Committee's concerns.

Ms. Long stated yes. She explained the beer tasting at one vendor was locally brewed using locally grown products. She stated she did get an ABC license for the tasting. Some of the baked goods were baked with alcohol which was baked out, and a sign was posted advising the use of alcohol. One vendor is the author of the book that is on display, but is not marketing them. During the holiday market in

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December, there was a craft item, which was an ink pen that was hand carved from wood. She stated they did have face painting every week, this helped occupy the children as the parents shopped. She explained the New York maple syrup fell under the 80/20 rule. She asked for additional guidance from the Committee.

Mr. Broxton asked about the military vendor.

Ms. Long stated A and R Veterans set up once a quarter in the community spot, not a vendor spot. She stated the community spot rotates every week with things such as community awareness, VFW, SERVE and American Legion.

Mr. Rudasill stated he had visited this market and felt it was within the spirit of the rules.

Mr. Broxton stated he frequently visited and did not see any issues.

Ms. Long invited all the Committee members to visit. She stated she wanted the market to be the best it could be and welcomed feedback and input from the Committee.

Mr. Broxton asked if the wine was just for tasting, and Ms. Long replied yes.

Mr. McClevey stated he did not want one vendor to conflict with other vendors.

Ms. Long stated the other market had a separate entrance.

Mr. Howe asked Ms. Long if she would move her market this year, if the Board of Supervisors acted favorably.

Ms. Long stated yes, she could move within a week.

Mr. Rudasill made a motion to approve to market as proposed.

Mr. Broxton seconded the motion.

The motion passed 6-0 (Mr. Adams was absent).

Ms. Baker stated as a note of clarification, VDOT would decide on alcohol sales.

- o Long Farmers Market

Mr. Howe stated the Long Farmers Market was on Route 17.

Mr. McClevey stated it was held on Wednesdays.

Ms. Baker stated this market was just a renewal; they were in the same location as last year which was behind the University of Mary Washington satellite campus, and proposed to have 30 vendors.

Mr. Howe asked the Committee members if they had any questions or comments.

Mr. Rudasill made a motion to approve.

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Mr. Broxton seconded the motion.

The motion passed 6-0 (Mr. Adams was absent).

The Committee members had a lengthy discussion concerning visiting markets, and what type of vendors may not be appropriate for a market. Mr. McClevey recommended a disclaimer be posted when the produce isn't local. Mr. Howe inquired about special exemptions for Mr. Locklear since he was in operation prior to the establishment of the farmers market ordinance.

Ms. Baker stated the Committee had the authority to give exemptions, and had asked each market manager for a vendors list once all the vendors were confirmed.

7. Unfinished Business

- A-1, Agricultural Zoning District Uses

Ms. Baker stated the Planning Commission's A-1 uses committee would meet again on April 9 to continue discussions. Mr. Howe was a member of that committee.

4. *Approval of Minutes – January 22, 2018 and February 26, 2018*

Ms. Baker stated currently there were no minutes to approve. Staff was trying to get everything caught up after the loss of an administrative staff member.

5. *Staff Update*

- *PDR Program Applications*

Ms. Baker gave an update concerning the Board of Supervisors discussion of PDR funds and stated the Board would have another discussion on April 3, 2018. She stated currently there was \$285,000 in rollback funds.

Mr. Adams asked when Parks and Recreations would go before the Board concerning the Farmers Market in the parking lot.

Ms. Baker stated she thought it would be sometime in May.

- *Cluster Ordinance Amendment*

Ms. Baker explained the original intent was to repeal the existing ordinance and replace with a new one. At the meeting the Board of Supervisors adopted a map, which was Option 3 in the handout, which showed specific locations cluster subdivisions would be allowed. She stated the Planning Commission would have a chance to make modifications to the ordinance, but not that map that was adopted.

The Committee had a brief discussion concerning the Cluster Ordinance and specific parcels and properties.

8. Next Meeting

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- April 23, 2018

Mr. Howe stated the next meeting would be April 23, 2018.

9. Adjournment

With no further business to discuss, Mr. Howe adjourned the meeting at 9:31 p.m.