

***AGRICULTURAL AND PURCHASE OF DEVELOPMENT
RIGHTS COMMITTEE MINUTES
August 27, 2018***

The meeting of the Stafford County Agricultural and Purchase of Development Rights Committee for Monday, August 27th, 2018, was called to order at 7:06 p.m. by Chairman John Howe in the County Administration Conference Room of the George L. Gordon, Jr. Government Center.

Members Present: John Howe, Jeff Adams, Marty McClevey, Joshua Pepper and Benjamin Rudasill

Members Absent: Chad Young, Robert Broxton

Staff Present: Kathy Baker and Lindsey Marr

Guests Present: Lester and Robin Long

1. Call to Order

Roll was called by Ms. Marr. A quorum was determined with five members present.

2. Public Presentations

Mr. Howe stated there were no public presentations.

3. Approval of Minutes

February 26, 2018

Mr. Rudasill made a motion to approve the minutes as presented.

Mr. Pepper seconded the motion.

The motion passed 5-0 (Mr. Young and Mr. Broxton were absent).

March 26, 2018

Mr. McClevey made a motion to approve the minutes as presented.

Mr. Rudasill seconded the motion.

The motion passed 5-0 (Mr. Young and Mr. Broxton were absent).

June 25, 2018

Mr. Pepper made a motion to approve the minutes as presented.

Mr. McClevey seconded the motion.

The motion passed 5-0 (Mr. Young and Mr. Broxton were absent).

*Agricultural and Purchase of Development
Rights Committee Minutes
August 27, 2018*

4. Staff Update

- Purchase of Development Rights Program Applications

Ms. Baker stated the Board of Supervisors had authorized the acquisition of the four easements, the Beach property, the Harris property, the Secrest property, and the Moore property. The application for the Beach property had been submitted to the Marine Corps Base in Quantico in July, they will find out about that property in November.

Mr. Young entered the meeting.

Ms. Baker discussed the details of the Secrest property. She stated the owner did not feel they would receive the USDA funds quickly enough, so they didn't want to go through the process of applying, and last week they sold the property to Dennis Harding who is interested in continuing with the PDR program. She stated the applications for the three properties are due the USDA this Friday. She discussed two new issues regarding these applications that have happened since the last meeting. She stated the Moore property is 82 acres and primarily forested and the owners had decided they wanted to reserve future subdivision lots. She stated she told them she would have to re-score them to see if it dropped their ranking, so she did that and their ranking did not drop so they're now reserving four lots for family members, which reduces the property to 70 acres. She stated the amount of money they will receive has dropped from \$475,000 to \$400,000. She stated the owner of the Secrest/Harding property also wanted to reserve two lots, he lost one development right, and the amount of money he will receive dropped from \$375,000 to \$350,000. She stated there's now an extra \$50,000 in County funds. Ms. Baker stated they would find out in October whether or not they qualified for the USDA grant. One of the USDA's caveats is that you can't have more than two-thirds of the property in forest land and the Moore property is more than two-thirds.

Mr. Young asked if the Secrest property had already reserved a 3 acre parcel like they talked about in the beginning of the process.

Ms. Baker replied they had, and they were originally scored with one less right. She stated they have until closing to decide where they want the subdivided lots to be. She stated she will let the Committee know if they are successful with their applications.

Mr. McClevey asked if they would be short on funds for the Harris property.

Ms. Baker replied they shouldn't be. They have \$992,000 total funds and they only need \$875,000 now. She updated the Committee on the projects in process. They are near closing on the Sterne property; the Navy needs them to close by the end of September so staff is hoping they can get it done by then.

Mr. Adams asked if Ms. Baker foresaw any hang ups on the Sterne property.

Ms. Baker replied no specific hang ups; it's just proven to be a very slow and arduous process. She stated the McClevey property was in the process of being surveyed and having a plat prepared. They have a draft deed and the next step will be the appraisal.

Mr. McClevey asked if the Board may not be in favor of funding the PDR program in the future.

*Agricultural and Purchase of Development
Rights Committee Minutes
August 27, 2018*

Ms. Baker replied there was always a chance the Board might change their mind on what to do with the PDR program, especially when they have a new member or members.

Mr. Adams asked if the Board had turned 4-3 when it came to the issue of PDR.

Ms. Baker replied yes, the vote was 4-3 in support of the program this year.

Mr. Adams asked if it would be helpful to put together a tour of all the properties in the PDR program for the Board members, so they can see the benefit in person.

Ms. Baker stated they tried to do that very thing with this round of applications and there was little interest in it, based on the amount of time needed.

- Chesapeake Bay Agricultural Compliance

Ms. Baker stated the environmental staff worked with Tri-County to put together a plan to get their agricultural properties into compliance with DEQ 5-year review. She stated they officially submitted all their responses regarding the conditions that weren't in compliance. She stated Tri-County has to go out and physically inspect every agricultural property to make sure they are implementing the farm plan they've presented. She stated there are about 500 properties and it will be very difficult for Tri-County to visit them all in the time span they've been given of three years. She suggested they would most likely need monetary assistance from the state so another person could be hired to help with these inspections.

Mr. Adams stated there is only one person at Tri-County qualified to make these inspections and it will be impossible for that person to do all 500 inspections in one year. He stated this one person also covers a couple other counties.

Ms. Baker stated Tri-County is estimating they can only complete 10 inspections per year. She stated they will definitely need some kind of assistance if they're going to be able to comply with the 3 year time period.

The Committee members discussed where the Tri-County inspections would take place and the different violations they might find on these properties that have never had to deal with Tri-County before.

Ms. Baker stated all properties in agricultural land use would receive a notice in the mail requesting information regarding best management practices; the first properties to respond to these notices would be the ones who get inspected first.

Mr. Adams discussed other counties that have many more people on their Tri-County staff than Stafford does.

Ms. Baker she would keep the Committee informed of the response she gets from DEQ.

Mr. Adams asked if the County had agreed to the MOU.

Ms. Baker replied the updated MOU went before the Board of Supervisors on August 21, 2018, but they didn't take action. She stated it will go before them again on September 4, 2018.

Mr. McClevey asked if DCR assessments in the past were irrelevant to this issue.

*Agricultural and Purchase of Development
Rights Committee Minutes
August 27, 2018*

Ms. Baker replied they were, these assessments are based on the Chesapeake Bay and all the localities that are supposed to be doing this. She stated that DEQ, which is the same as DCR now, does their inspections every five years.

Mr. Howe stated Tri-County does get cost share money from the state government.

Ms. Baker replied yes, but that money doesn't go towards assessments and fieldwork. She stated GWRC needs to have this issue on their radar.

The Committee discussed how other counties were handling their compliance.

Mr. McClevey asked what would constitute a plan for a person in land use other than a nutrient management plan or a forest management plan.

Ms. Baker replied using different BMP methods to reduce pollution/run-off.

Mr. Howe stated there's no standard plan, nutrient management is central but there are many other factors involved.

Ms. Baker stated it's an ongoing process but they have to get over the first hurdle.

5. New Business

- Purchase of Development Rights Program Policies

Ms. Baker stated she was supposed to bring some policies for the Committee to discuss and she wasn't able to do that yet. She stated she would mention a few of her ideas and a few ideas brought up by the Board of Supervisors. She stated the Board felt the most important policy was the 50% match and that they want to see it as a written policy. She stated a few other policy ideas: redoing the ranking criteria to put more weight on the REPI properties, incorporating infrastructure into the ranking, for example, getting development away from properties on small roads with traffic concerns.

Mr. Adams asked if that would be considered targeting.

Mr. Pepper replied there was a written standard that roads are supposed to meet and there are a lot of roads that don't meet that standard.

Ms. Baker discussed whether in the future the PDR program wants to focus on certain areas (targeting) or keep taking random applications from interested property owners. She stated it would be helpful to compare their ranking to the USDA ranking. She discussed whether they want to continue to allow applicants to subdivide new lots on their property after it's been approved and scored. She stated that they follow the Ordinance, but there is no written policy dictating how the PDR program should operate.

Mr. Adams stated he heard an idea that he liked, you needed to score a certain amount of points in order to receive funding. He stated he did not have a number as to what the minimum should be.

Ms. Baker replied the hard part would be choosing that minimum number.

*Agricultural and Purchase of Development
Rights Committee Minutes
August 27, 2018*

Mr. McClevey stated they would have to discuss and prioritize the rankings from most important to least important.

Ms. Baker told the Committee to think about all the policies they had just discussed and be ready to start figuring out which ones they want to commit to in writing. She stated she would send the USDA rankings to each member for comparison.

Mr. McClevey brought up that in Virginia the National Park Service oversees certain targeted areas and that he would look further into that because he was more in favor of targeting than random applicants.

Mr. Rudasill asked if it was the Board's idea to not let applicants make changes.

Ms. Baker replied no, she just used that as an example for a policy.

6. Unfinished Business

- A-1, Agricultural Zoning District Uses

Mr. Howe listed the recommendations they had for the A-1 zoning district uses: to add an agri-tourism category, to add farm wineries, to move feed lots from "permitted by right" to "special exception" with no animal restrictions, and that slaughter facilities that required inspections must be a minimum parcel size of 10 acres.

Mr. Adams asked about the slaughter houses that don't require inspections.

Mr. Howe replied that he chose not to focus on those. He stated that for a forestry plan they would require a minimum of 20 acres. He stated that saw mills would be permitted by right but would need 5 minimum acres instead of the current 3. He stated all these changes and additions are going to go before the Planning Commission.

- Farmers Market Regulations Regarding Vendors

Mr. Howe and Ms. Baker stated there was a considerable discussion about food trucks at the last PDR Committee meeting but that no decision was made.

Ms. Baker asked the Committee members to come to the next meeting with any proposed changes for these regulations in writing.

Mr. Howe suggested the Committee members send their proposed changes to the rest of the Committee before the meeting so everyone can familiarize themselves and be ready to discuss.

Mr. Howe asked if there were any other topics to discuss, because there was nothing left on the agenda.

Mr. Adams told the Committee about a workshop he and Mr. McClevey attended at Virginia State University.

Ms. Baker introduced Ms. Marr to the Committee.

*Agricultural and Purchase of Development
Rights Committee Minutes
August 27, 2018*

7. Next Meeting

- September 24, 2018

8. Adjournment

With no further business to discuss, the meeting was adjourned at 8:12 p.m.