

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

The meeting of the Stafford County Agricultural and Purchase of Development Rights Committee for Monday, November 26, 2018, was called to order at 7:03 p.m. by Chairman John Howe in the Board of Supervisors Chambers of the George L. Gordon, Jr. Government Center.

Members Present: Joshua Pepper, John Howe, Marty McClevey, Robert Broxton, and Chad Young

Members Absent: Benjamin Rudasill and Jeff Adams

Staff Present: Kathy Baker and Lindsey Marr

Guests Present: Everett Lovell, Marshall Locklear, and Vivienne Chiodo

1. Call to Order

Mr. Howe called the meeting to order at 7:03 p.m. and asked Ms. Marr to call role. With 5 members present Mr. Howe stated there was a quorum. Mr. Howe requested Ms. Baker add a member comment section to the agenda underneath the Unfinished Business section.

2. Public Presentations

Mr. Lovell: "Thank you Mr. Chairman, members. My name is Everett Lovell, I've owned the Aquia Pines Campground for a little over 30 years. I came to you tonight to speak to you about the farmer's market. I hope that you don't overregulate the farmer's market and do allow things such as face painting, and serving of coffee and the like of that, and various knick knacks. The public really wants some place fun to go and I think the more people you can attract the better it will be for the farmer's market and not overregulate it. I think if we overregulate it we're gonna wind up with an egg, it'll be a beautiful little car that no one will want to buy. Thank you very much."

Mr. Locklear: "How you all doing tonight, Marshall Locklear, in charge of the Farmer's Market, formerly North Stafford Farmer's Market, now it's M & K Market. I was here last month over the concerns about the bacteria. I was called out and this Committee, Kathy Baker, Robert, Mr. Young, and Joshua, from what I understand, has basically been on my side, to say "Hey, we like what you're doing". The only thing you want to do is come to my market and see it, but you don't. Robert has been there, he's been there with his wife, and he saw, and also one of the other members from the Board was here, he sneaked around like a spy and I walked up to him and I introduced myself to him and he shied away and ran away instead of being a man and speaking up. And it's sad, and you need to change, the bacteria, there has not been a problem. I've got people coming to me at my stand and they're ready to enforce and do what they need to do, they've been in the County, some of them were worked for the County, so they said how many changes have come with this Committee. They were here in the spring of the year, and they asked me the last month or two, have you seen any changes in the Committee. Basically not. Have you seen any other attitudes any different, nope I don't see that. Then when I tell them about what has happened here and they go online and they look at the minutes and they see where bacteria, they say we've been coming here for twenty years we don't know of anybody being sick, and why was I called out. I think I've been discriminated against is what it was, because you didn't mention anybody else, and Mr. McClevey over here said before they ever opened the hospital I will put you out of business. Ben Rudasill was sitting in the corner and said we will put you out of business. But now this is a little too

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much when you call me out and say there's bacteria, from what I understand, okay, maybe I misread it, but we asked last month for it to be changed, but I don't see the changes of it. Somebody needs to have an apology. I mean Kathy's been wonderful, she spoke up and said no, because we gave her the information, where we get our stuff, years ago, what farmers we use, who we use. Matter of fact last time Robert was out there checking, we had fifteen items that came from local farmers, Dinwiddie County and Hanover, I had fifteen items on my table that came from local, and you're talking about local, I had, what if you go to the other markets, you think they have fifteen items from the local. If it was the truth, no it's not, because we know where some of the stuff comes from, and also in your Spotsylvania Market down there, one of your guys down there is buying products from my guy, okay, in Hanover, and it's about to be an 80/20 rule there. There's no way, because I know how many potatoes he buys from the guy, there is no way that he is growing that much. But you come to me and put me down about it, and I've tried my best and worked hard and then when I look in the newspaper, there's the newspaper doing the same thing. We haven't had an article in the newspaper in over 5 years, 7 years. And I think you need to change or make some apologies here, let's figure out what we've done wrong and let's get it right, because we got a lot of people that's looking and they've been talking to me and they said for me to come again and ask y'all to change things and do something different. Thank you."

Ms. Chiodo: "My name is Vivienne Chiodo. And I would like to elaborate much more. This has just been passed over about this bacteria. This should never have been said, we want it retracted, we want a public apology, because that is slander and libel. When it's written on paper, you think it's funny? I'm glad you think it's funny, you're smirking. When it's written it's libel and when it's said it's slander and you do this all the time. This has to be a public apology and it has to be elaborated that you didn't mean him and he's right, you do always choose him as an example. It says Locklear's market, you don't know where Locklear gets his stuff, why don't you worry about the empanadas at Robin's market. Why don't you worry about popcorn, what stuff they have there. Nobody ever elaborates on that, it's always him, it's always constant him, and we're fed up with it. We really are waiting for public apology in detail on the website or we're gonna get a lawyer. Thank you."

### 3. Approval of Minutes

October 22<sup>nd</sup>, 2018

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

Mr. Young seconded the motion.

The motion passed 3-0 (Mr. Rudasill & Mr. Adams were absent; Mr. Pepper & Mr. Broxton abstained).

### 4. Staff Update

- Purchase of Development Rights Program Applications

Ms. Baker stated four properties in the USDA grant application process are in a holding pattern. She stated the USDA is waiting on the Farm Bill adoption or re-adoption before they will release any funds for the grant program. Ms. Baker stated the County was not aware of this and she's not sure if the USDA was aware of the possibility of delay when they received the applications. She stated they could hear something by the end of December but it could be as late as February before they hear anything. She stated she had informed all the applicants of this update. She stated she was also waiting to hear from

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VDACS on that application, and they usually hear about how much money they'll receive from them by December. She stated she wanted to reiterate the Snyders have withdrawn their application because they're selling their property, so they'll be taken out of consideration.

- Chesapeake Bay Compliance

Ms. Baker stated she did not have much of an update, because they have conference call scheduled with Tri-County on Thursday, November 29<sup>th</sup>, 2018. She stated the MOU with Tri-County has now been signed and approved and the conference call should lead to the next steps for what they need to do to get these conservation assessments done on the properties within the land use program.

5. New Business

- Board of Supervisors Strategic Plan

Ms. Baker stated the Board of Supervisors has put in place a 2040 Strategic Plan and have put in place their three year priorities and she has printed out for the PDR Committee the portion of their priorities related to agriculture and land conservation. She stated these priorities were: (1) to develop a sustained education program and communication plan to encourage voluntary land conservation, (2) to identify funding source options and stewardship opportunities to assist with the Purchase of Development Rights, (3) to evaluate additional opportunities for the protection of open space, and (4) to evaluate agribusiness opportunities including the potential for a farm to table program with grant funding. Ms. Baker asked the Committee members how they wanted to approach this plan.

Mr. Broxton asked if the BOS had picked out any specific areas for land conservation.

Ms. Baker stated they hadn't necessarily given any specific areas. She stated there can be various categories for money to be split between, and the BOS is looking towards the PDR Committee for recommendations to help them. She stated it's being tied into the "healthy growth" aspect of the plan, which is allowing to development to occur while looking for areas of conservation.

Mr. Broxton asked if they were planning on expanding the Urban Services Area.

Ms. Baker replied there was no discussion of that.

Mr. Howe stated it looked like this was an opportunity for education. He stated there were groups who will enter in easements for tax credits and we don't delve into that, but that could be an area of interest for some people.

Ms. Baker stated she didn't feel they were authorized to go out and talk about tax credits to the public, but they could refer them to someone more knowledgeable. She stated they could maybe create a more user-friendly database of these organizations that offer assistance.

Mr. Pepper asked if they should constrain their view to just the PDR Committee or if they should look at things more broadly.

Ms. Baker stated that was the thought, and knowing they have limitations on funding sources, how does the Committee want to get people interested in what they're trying to accomplish. She stated half of

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Fauquier's easements are actually voluntary, and that was a concept they could start trying to figure out how to achieve.

Mr. Pepper asked if things like a Transfer of Developments Rights (TDR) program were on the table.

Ms. Baker stated yes they were. She stated Stafford County has a TDR program that's in a limited pilot area. She stated expanding the TDR areas could be an idea they bring before the BOS.

Mr. Howe asked if the grant funding information Ms. Baker had given them from the Governor's Agriculture and Forestry Industry Development Fund could be applied to the scope of the BOS Strategic Plan priorities.

Ms. Baker stated that was a possibility if they had ideas for how they wanted to use the funding.

Mr. McClevey stated he looked over the information and felt they met all the criteria so they just needed to create a proposal. He suggested they should meet outside of their PDR meetings to kick around different ideas, because it was too much information to discuss during the regular meetings when there are other items on the agenda to get to.

Mr. Howe asked if Mr. McClevey meant creating a sub-committee to look over these four BOS Strategic Plan priorities and then bring the discussion back to the full PDR Committee.

Mr. McClevey replied they could create a sub-committee to discuss the first two items and the third item could be as simple as meeting with some Planning staff to discuss clustering and other things of that nature. He stated the last one was in a category of its own.

Ms. Baker stated the third item would begin at the Planning Commission level, so the discussion regarding that could be pushed to a later date. She suggested they focus on the first, second, and fourth items for the time being.

Mr. McClevey asked the Committee members to choose which items they were most interested in.

Mr. Broxton stated he was interested in the fourth item and that he liked the farm to table concept.

Mr. Pepper stated he was interested in any of them.

Mr. Young stated he was interested in the first item.

Mr. McClevey stated he was interested in the first item.

Mr. Howe stated Mr. McClevey, Mr. Pepper, and Mr. Young would form a sub-committee to discuss the first and second items and Mr. Broxton, Mr. Howe, and Mr. Adams would form a sub-committee to discuss the fourth item. He stated Mr. Rudasill could choose whichever sub-committee he wanted to join.

Ms. Baker stated they would need to make sure the public was aware of their sub-committee meetings.

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Mr. McClevey asked if they could do that by letting Ms. Baker know the dates of the sub-committee meetings.

Ms. Baker stated yes, and that they would need to assign a chairman to each sub-committee.

Mr. Howe assigned Mr. Broxton as the chairman of his sub-committee and Mr. Pepper as the chairman of his sub-committee.

Ms. Baker stated she would add a standing committee report section to the agenda.

Mr. McClevey asked if the target timelines where when the BOS would like to have the PDR Committee's comments by.

Ms. Baker replied yes, and also that these timelines can be flexible.

6. Unfinished Business

- Purchase of Development Rights Program Policies

Ms. Baker stated she compiled a list of general thoughts on the PDR program policies based on their previous discussions of this topic. She stated if anyone felt she missed something important to please let her know. She went over the list of policies they had previously discussed and she had typed up for them.

Mr. McClevey asked if it would affect the consideration of the application round period if the Navy REPI program had a different window.

Ms. Baker stated it had to be a property that an application has been submitted during a PDR application round. She stated REPI, for example, has annual funds and a set application date each year so they have money every year. She stated the BOS would have to authorize that kind of change to the PDR application round policy. She continued to go over the list of policies. She stated most of these policies were already being done, this is just giving them an official format.

Mr. Howe asked if formatting these policies was the time to reserve the right to have a scoring threshold.

Ms. Baker stated they had not yet come to a consensus as to what would be an appropriate cut off scoring number.

Mr. Howe stated he had a couple ideas for modifying the scoring system and he suspected they would take a look at the scoring method during the next application round and modify it.

Ms. Baker stated they might go through another Comprehensive Plan change and there might be some more strategies laid out in the Comp Plan to look at.

Mr. Howe stated it would be a good idea for the Committee members to look over the list of policies and come back to the next meeting in Janaury ready to vote and adopt them as formal policies.

Ms. Baker stated she would email the list of policies out so the two absent members could have it.

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7. Member Comments

Mr. McClevey stated Virginia State University has a Small Farm Outreach Program and that it covers everything you need to start up a farm.

Ms. Baker stated she could put these types of programs and events on the Stafford County website to raise awareness.

8. Next Meeting

- December 24, 2018 (Holiday – reschedule)

Mr. Young made a motion to forgo the December meeting and have the next meeting be January 28, 2019.

Mr. Broxton seconded the motion.

The motion passed 5-0 (Mr. Rudasill & Mr. Adams were absent).

9. Adjournment

With no further business to discuss, Mr. Howe declared the meeting adjourned at 8:01 pm.