

***AGRICULTURAL AND PURCHASE OF DEVELOPMENT
RIGHTS COMMITTEE MINUTES
August 23, 2021***

The meeting of the Stafford County Agricultural and Purchase of Development Rights Committee for Monday, August 23, 2021, was called to order at 7:03 p.m. in the ABC Conference Room in the George L. Gordon Government Center by John Howe, Chairman.

Members Present: Robert Broxton, Jeff Adams, Benjamin Rudasill, and John Howe

Members Absent: Alandra Simmons, Chad Young, and Carlos Bratton

Staff Present: Kathy Baker and Vicki Sowers

1. Call to Order

Mr. Howe called the meeting to order and asked Ms. Sowers to call roll. Ms. Sowers called roll and Mr. Howe confirmed there was a quorum.

2. Public Presentations

None

3. Staff Update

Ms. Baker advised there was not much to report. Nothing changed since last month's information. Ms. Baker did state that the Northern Virginia Conservation Trust (NVCT) recently acquired 70 acres off of Brooke Road that abuts Crow's Nest preserve. This acquisition would eventually convey to DCR, and gives Crow's Nest over 3000 acres. Ms. Baker said NVCT has been very active with easements and land acquisitions this year.

4. New Business

- Electronic Meeting Participation Policy

Mr. Howe explained and summarized the policy to be taken into consideration. Ms. Baker shared the Planning Commission's Electronic Meeting policy. Mr. Howe said this can be used as a tool if a member is sick or on travel, and would be limited to 2 meetings per year per member. He said it can help to facilitate participation but not included as part of quorum. Mr. Broxton asked if electronic participant would be able to vote. Ms. Baker explained that the participant would not count toward quorum requirement but would be able to vote. A discussion ensued including reasonable notice of virtual attendance. Mr. Howe asked for a motion to accept the policy. Mr. Broxton made a motion to accept. Mr. Adams said he did not agree with the policy and Mr. Rudasill requested more time. There was no second, so the motion died. Mr. Howe then requested a motion to defer consideration until next meeting. Mr. Rudasill made the motion, Mr. Adams seconded. Ms. Baker explained that the County Attorney said to reach out if there are any questions or modifications that the committee would like to make to the policy. More discussion ensued before Mr. Howe called for a vote. Unanimous vote (4) in favor of deferring action on the Electronic Meeting Participation policy. Mr. Howe confirmed that the motion to defer passed.

5. Unfinished Business

- Board of Supervisors FY2022 Recommendations
 - Northern Virginia Conservation Trust Partnership
 - Appraisal Process

Mr. Howe said this has been discussed and asked where we are with this. Ms. Baker advised that the NVCT partnership as well as the Appraisal Process is currently being worked on by staff. She said they are waiting on NVCT to come back in the next couple of months with their recommendations. Ms. Baker explained the purpose of the partnership and what the position/partnership would entail – education, community outreach, and meeting with the public. She said these items are on the agenda as unfinished business but won't be addressed further until more information has been obtained.

Ms. Baker said same applies to the Appraisal Process – working with the Commissioner of Revenue regarding needs for this. She said tonight will be focused on the PDR Ranking Criteria.

Mr. Adams asked who approves the MOU. Ms. Baker confirmed that the Board of Supervisors would approve but the committee can make recommendations. She said the Board has final approval because they authorize the funds for it and determine the County and NVCT responsibilities.

- PDR Ranking Criteria

Ms. Baker referenced the screenshots she had sent to members, and pulled up the Virginia Department of Conservation and Recreation (VDNR) website to go over during the meeting. Ms. Baker showed properties throughout the area with designated colors showing types of easements and preserved land according to the PDR criteria rankings. There was a consensus that overall, there is not a lot of land marked in the county within the agricultural/forest category, although there is quite a bit of agricultural/forested lands. Ms. Baker said she will reach out to the DCR for additional questions regarding the map tool on the site. Discussion ensued regarding primary categories, how points are assigned, for example most vulnerable areas/areas most likely at risk to be developed, and environmental resources. Ms. Baker pointed out that in the past, Stafford has mostly focused on agriculture and farming. Ms. Baker explained that this map is a general GIS based overview of what is being considered with regard to application rankings and said it is the state's way of prioritizing and justifying land preservation. Ms. Baker also pointed out that overall, this ranking process is indirectly already being followed with regard to larger acres, productivity, and soils. She said that most applications received at this time have been associated with parks, open space land, natural habitat eco-system diversity categories. She said she would forward a copy of the applications submitted to DCR this past round for all to look at. Ms. Baker asked for thoughts or recommendations.

Mr. Adams commented that it would be beneficial to align the county's preservation recommendations with the DCR Ranking Criteria. Due to matching funds and its importance, it enhances what we are trying to do. Mr. Howe also acknowledged that since we are requesting state money, it can only help to use their criteria system and how they look at the evaluation points. Mr. Adams said that it is important to make sure that a situation does not arise where the committee's highest ranked property fails to make it to the state list. Ms. Baker demonstrated on the map how a property could qualify for state funds by utilizing the ranked criteria as opposed to just using the county's existing process. She pointed out that this is just for the state, and that federal funds are a little different but similar with regard to farms and agriculture.

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Mr. Adams asked Ms. Baker about the USDA funding and how difficult the process is. Ms. Baker responded that the length of time, including their review time, is the hardest part. She said they have more money for funding but it takes a lot longer. She also added that the USDA does not show or share any ranking criteria but the process has gotten a little easier now that we are already in the system as an eligible entity from past applications and awarded funds. They are trying to improve the process.

Mr. Howe went through the PDR Ranking Criteria Pont System chart and offered comments, thoughts and recommendations.

At end of this review, Ms. Baker asked for any other observations or comments. She said she and Mr. Howe would work to update and refine the discussed changes and bring back to the next meeting. Mr. Adams said he would like to see the funding as more continuous.

6. Approval of Minutes

- June 28, 2021 and July 26, 2021

Mr. Adams motioned to approve. Discussion regarding who was present ensued. Mr. Adams requested to break them into two motions/approvals. Mr. Howe agreed.

Mr. Broxton made motion to pass the June 28, 2021 minutes. Mr. Rudasill seconded. Mr. Howe and Mr. Rudasill voted to approve. (2 – 0). Mr. Broxton and Mr. Adams did not vote as they were not present for the meeting. June 28, 2021 minutes approved.

Mr. Adams motioned to pass the July 26, 2021 minutes. Mr. Rudasill seconded. Mr. Broxton, Mr. Adams, and Mr. Howe voted to approve. (3 – 0). Mr. Rudasill did not vote as he was not present for the meeting. July 26, 2021 minutes approved.

7. Member Comments

Mr. Adams asked about property zoned as A-1, can an HOA regulate what is allowed on the property and what is not, for example chickens, pigs, etc.

Ms. Baker advised that the county does not regulate HOAs.

Mr. Adams wonders what we can do since the property is zoned as A-1 and the developer creates the HOA which then restricts uses. Discussion ensued. Ms. Baker reiterated that the county cannot regulate an HOA. Mr. Adams asked if the Board could pass an ordinance that would keep an HOA from implementing such restrictions? Ms. Baker advised she did not think so but said she would consult the county attorney.

8. Next Meeting

- September 27, 2021

9. Adjournment

With no further business to discuss Mr. Howe thanked everyone for the work being done on this commission and adjourned the meeting at 8:14pm.