

STAFFORD COUNTY
AGRICULTURAL AND PURCHASE OF DEVELOPMENT
RIGHTS COMMITTEE MINUTES
October 22, 2012

The meeting of the Stafford County Agricultural and Purchase of Development Rights Committee for Monday, October 22, 2012, was called to order at 7:02 p.m. by Vice Chairman Jeff Adams in the County Administration Conference Room of the County Administration Building.

Members Present: Adams, Clark, DeBernard, and O'Hara

Members Absent: McClevey and Hunt

Staff Present: Baker, Magwood, and Harbin

Guests Present: Ron Wisniewski

1. Call to Order

Mr. Adams called the meeting to order and asked Ms. Magwood to call the roll. It was determined a quorum was present and Mr. Adams moved on to the minutes of September 24, 2012

2. Approval of Minutes – September 24, 2012 minutes

Mr. Adams stated the first item was the approval of the minutes and asked if everyone had a chance to read them. He asked if there was a motion to approve.

Mrs. Clark stated there were a couple of little things, but the only thing she would change was on line 44, it should say Marty and I served instead of severed. She stated there were several words left out.

Mrs. Baker asked Mrs. Clark to provide those to her so the minutes could be corrected.

Mrs. Clark stated in line 36, it says until January, but she thought she meant in January, just the way it was worded. In line 68, you have an apostrophe on County and it should be i-e-s. And on line 97, there should be an apostrophe in market's and on line 134, should read allow Westmoreland to come in.

Mr. O'Hara made a motion to approve the minutes with the changes Mrs. Clark mentioned.

Mrs. Clark seconded.

The motion passed 4 to 0.

1. Staff Update

- PDR Funds

Mrs. Baker stated she was hoping to have an answer from VDACS today as to how many applications they received on Friday for the PDR rounds, but she did not get in touch with him. She stated as soon as she found out she would send an email because that will determine how much money we will receive. The County sent the application for \$169,500 although the maximum amount for each locality would likely be \$130,000. With the past year funding plus their match previously, there is \$301,000 rollover

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funds in the coffers currently and there will potentially be a total of \$430,000 depending upon the number that the County gets from the state. She stated she thought that would be pretty good to go forward with a PDR round, and she and John would continue to work up all the changes and hopefully have everything for the next meeting.

2. New Business

- Farm and Ranch Lands Protection Program – Ron Wisniewski, US Department of Agriculture.

Mr. Adams stated that brings us to new business. Last month he asked if it was alright to bring Ron Wisniewski in to explain one of the programs that he has. He introduced Mr. Wisniewski and stated he was District Conservationist with NRCS.

Mr. Wisniewski passed out information to the Committee members and stated Mr. Adams had asked him to come to speak with the Committee to discuss the program that deals with easements with the Department of Agricultural, the Farm and Ranch Land Protection Program. He stated the purpose of this program comes out of the 2008 farm bill, which ended the end of September, but this program was one of three that carried forward so far. He stated the purpose of the program was to protect and preserve farmland. Each day you can read the different statistics of how much farmland was lost. We know we are in the developing area and when the economy is not so good it is temporarily protected until the economy is good again. He stated Stafford does not provide all the food for the world, but locally it was very important. There are small farms operating in this area that are viable parts of the economy here and the purpose of the program is to protect them or make it available for people to have those types of farms, whether it be a small farm or a large farm. One of the ways of doing that is through the easement program. There are several other easement programs that NRCS administers directly with the land owner. What was different about this particular one, NRCS does not hold the easement, there is another partner such as state agencies, counties, cities, and known easement holders like Nature Conservancy or the Civil War Preservation Trust, someone else that has a history and the know-how of dealing with easements. NRCS works through them and through their local program. He stated he knew the Stafford program was relatively new, and prior to that they would not have been able to work with Stafford. NRCS has worked with Spotsylvania County in the same situation, and about three years ago they enacted a program and NRCS was able to work with them. So, there has to be a local program that's going on. Then what NRCSA tries to do is dovetail with that partner in preserving farmland. Your local program may involve open space or land that can be accepted or was eligible could have other categories other than farmland. He stated his would only be farmland, so if you were dealing with a potential applicant and it was just open space and had not been farmed, NRCS would be working with you on that particular project. He showed a map and stated the darker colors were the prime areas in Virginia that they were interested in working in. Most of Northern Virginia falls in that category and the lighter colors are not one of the prime areas they are interested in working in. He stated NRCS works with a partner so they work through their program. They cannot work with other federal agencies for obvious reasons, because they are not allowed to use federal funding for federal lands. He stated he has worked with the neighboring counties and has some hands-on experience with the process. He showed a list of the "how to" and said if Stafford County were interested they would submit an application to the state office, it is not handled at the field office level. He stated the Committee could read the procedures he passed out, and gave a brief example of his experience when he worked with an Ag Committee in another locality. He stated they do look at prime and important farmlands. He stated prime farmland meets certain physical characteristics. An

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example in Stafford County was the old Greenlaw farm along Route 3. Important farmland may not be prime, but the agricultural use is significant for that area. He stated his staff worked with the localities staff to work through the things that were not in their application. He explained a person makes an application to the county. If it meets the NRCS criteria, and the county does apply then he would get a call from the state office asking information concerning the farm. They will then come out and make an initial inspection, to see if it meets their criteria and the county's. If it is a go, the county proceeds with their process. The NRCS office goes to the site and does a visual inspection looking for hazardous materials and there is a form they fill out which is an environmental evaluation which goes in cultural resources and threatened endangered species and a whole gamut of resource considerations. If there are no red flags on some particular endangered species or the largest tire dump on the east coast or something like that, they then do further negotiations with the county. They then get to the point where the entity signs a contribution agreement with the state conservationist, and that is basically obligating the funds. The entity then continues their process of closing on that property. After the property closes there are some forms that are submitted to the state office and they make payment to the county. He explained payment to the county was 50 per cent of the purchase price plus 50 per cent of the locality cost. He gave an example of costs such as surveying or assessments. He stated it was a way for the easement holder to leverage their money. He stated the purpose of this program was to help whoever the easement holder was to preserve farmland. He stated in their continuing roll to help insure the property was continuing in the uses prescribed in the easement, joint inspections would be done.

Mrs. Clark asked if it was in perpetuity.

Mr. Wisniewski stated he could confirm that with the easement people.

Mrs. Clark stated the County's program was definitely in perpetuity.

Mr. Adams stated he thought the USDA could have an agreement with the county for five years, because it says our programs have met their specifications and they give us a five year waiver so if we applied again, we would not have to go through part of the process.

Mr. Wisniewski stated part of the process was because of Spotsylvania, there was some work to get the regulations in line.

Mrs. Clark stated it sounds like a way to stretch our money if some of the pieces of land are agricultural.

Mrs. Baker stated yes, and there had been some talk in the past about using the program once the County had a dedicated funding source. She stated the problem now was getting the state match because the timing was different. Currently the County is bound to actually complete the process at the end of next year because we are using state money from last year. She asked if they County had a property owner by July or August, for the money that we already know we have, if the County would be able to piggy back on the USDA funds.

Mr. Wisniewski stated the case in Spotsylvania had timing issues, and they missed the deadline with the state and had to return money. But then when the next round of funding the money was reallocated back to the county, everything was a go.

Ms. Clark confirmed the Commission had until December 31, 2012 to utilize the first grant money.

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Mrs. Baker confirmed.

Mrs. Clark asked if the Committee had to use the entire \$400,000 by the time right.

Mrs. Baker agreed.

Mrs. Clark stated the Committee would have the second grant money until end of 2014.

Mrs. Baker stated yes.

Mrs. Clark suggested if the Committee could get one piece under contract using the first grant money then maybe we could use Mr. Wisniewski's money and with our second round of grant money then we will have a full second year to work out all the deadlines.

Mrs. Baker stated hopefully the Committee would have additional funding after the end of the fiscal year.

Mr. Wisniewski stated if the Committee was interested a discussion would be needed with their coordinator.

Mrs. Baker stated she has had conversations at the quarterly PDR Managers meetings. Someone from NRCS was usually there and they do talk about it. She stated it has been in the back of our minds, but just waiting until we had enough money to try and double the funds again. It was just having enough in the initial pot to get started.

Mr. Harbin asked if the Committee used both pots of money, would the rating systems have to align.

Mrs. Baker stated that the County has tailored its program to the State program and they require a working farm or the potential to be a working farm. But the Committee had added things like historic and environmental features to the ranking.

Mr. O'Hara stated the Committee may have to go back and read through the Ordinance.

Mrs. Baker stated if the Committee was to send NRCS our Ordinance, they could look at it and say this may be a problem or everything looks fine.

Mr. Adams stated as it stands right now Stafford County could actually apply even though there was no designated property, just to see if our program fits.

Mrs. Baker stated you have to have a property identified first.

Mr. O'Hara asked if NRCS paid after the closing.

Mr. Wisniewski stated yes, you have to have possession of the property before NRCS will pay and they don't co-hold the easement, the county would be the only holder. NRCS just provides the money and has the inspections.

Mrs. Baker stated the Committee has thought they would eventually try to apply for some money.

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Mr. Wisniewski stated there was residual money from last year, which was rolled over to this year.

Mrs. Baker asked if it had to be a working farm or if suitable agriculture soils were enough.

Mr. Wisniewski stated it had to be farmable, they may not have been farming it or historically there was some farming going on there. That was what may be the issue between open space and actively farming.

Mrs. Baker stated we all know there are properties out there that may be in land use for the Ag purpose but are not really farming.

Mr. DeBernard asked about the Greenlaw farm, what about land that was mined that was put back into agricultural.

Mr. Wisniewski stated this gets into prime farmland and locally important, because if it was brought back into production, we know the mine land does not produce as it did. So it would have a loss of that production but was locally important. Probably in some of the ranking it might rank lower than another property. He stated some of the things they were looking for need to be worked out with the local Ordinance and program.

Mrs. Baker stated currently in our Ordinance we do not have an appraisal process. She asked if the Committee were to continue with our Ordinance, without that appraisal step, would that be an issue.

Mr. Wisniewski stated she would need to talk to the main office and follow up because that was a requirement they have.

Mr. O'Hara stated you would pick up 50 percent of the cost.

Mr. Wisniewski stated that was correct.

Mr. Adams asked Mrs. Baker if the Ordinance would have to be revised to put the appraisal process in.

Mrs. Baker stated the Ordinance did not require an appraisal, and it should be added to the ordinance if the Committee chose to use that process. She stated one of the reasons the Committee did not go with the appraisal was because of the length of time and the negotiation factor. She stated that was why the methodology was designed to come up with all of that in advance.

Mr. Adams asked if the Committee had property chosen internally, whether they could make an appraisal part of it without having to back through the Board of Supervisors.

Mrs. Baker stated she would have to check on that.

Mr. Wisniewski stated if the Committee would like to have the coordinator at a meeting or if there were any questions he could ask her and get the answers for another meeting, he would be happy to do that.

Mrs. Baker asked Mr. Wisniewski if he knew the ratio of applicants verses how many were actually funded.

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Mr. Wisniewski stated he did not know the total number, but he could get that information.

Mrs. Clark stated it sounds like the key is to have some money ahead in order to participate. But, we have more than we did before and maybe this was the time to start looking at this and expand our abilities even more.

Mr. Wisniewski stated if you have the program and you have the money, you can look and see if this program can help meet your needs.

Mr. Adams and Mrs. Clark thanked Mr. Wisniewski for coming to the meeting.

Mr. Wisniewski stated he may have some input on the third item under unfinished business, if the Committee did not mind.

Mr. Adams asked the Committee if there was any objection to moving TMDL up to the first item under unfinished business.

Mrs. Clark stated the Committee needed some input for TMDL.

3. Unfinished Business

- Chesapeake Bay/Total Maximum Daily Loads

Mrs. Baker stated today the Committee did not have anything for discussion because they were still working through staff to figure out how we are going to meet the compliance by next March and have an action plan laid out. She stating being able to get the information was one thing they have not had the ability to do. She stated they did meet with Tri-County.

Mr. Wisniewski stated the new manager started today. He stated his name was Charles Liveley.

Mrs. Baker stated there has been a little trouble getting things going with the turnover in staff and trying to understand what was needed and then trying to coordinate with DCR because some of the questions were not able to be answered.

Mr. Wisniewski stated there has been that back and forth type thing. He stated he did know they have different formats of the conservation plans that may be required to meet the TMDL requirement. He stated if you remember from the original Chesapeake Bay, the County worked with Tri-County to write "X" amount of plans to meet the requirements. At that time the State provided funding for that plan and the County kicked in money and the State pulled its money and the planning did not happen. He stated many of the conservation plans that they already have on file, with a little bit of tweaking would probably meet the requirement. The problem with counties would be from a staffing standpoint, whether they have an agricultural background and if you have staff that could write those plans. The different counties around the state and DCR are looking to the districts to maybe fill that void of having that technical know-how to do that type thing. The problem with local districts will be staffing also.

Mrs. Baker agreed.

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Mr. Wisniewski stated when they were doing the plans, that was all the person was hired to do. Now the technical person has the cost share programs and other technical type things. He stated it was a few more key strokes on the computer writing the plan to make it compliant with what may be required. He stated the old Bay play dealt with erosion control, nutrient management, and pest management or chemical management and buffering. He stated he was working with any of the farmers here and he was doing a program with them to develop a plan to take care of some elements and when he wrote the plan it would hopefully meet the same requirements of the districts. He stated when people determine what was actually needed, then the district would be willing to sit down and say this is what we can do this is what we can't do. If you are expecting 1,200 plans by the end of the year, it probably is not going to happen. Maybe prioritizing or blowing the dust off some of the old plans, whatever it takes to upgrade the plan to meet the new requirements.

Mrs. Clark stated that would be the fastest way.

Mr. Wisniewski stated this is a point like usually the Fredericksburg area people do not perceive it to be an agricultural area. Through his agency, he held the most contracts in the state for agricultural programs. Farms are there and they may not be huge, but they are out there. Again it would be something that if counties were coming to the district to do some of the planning work then he would be working with the district on how to help meet those plans.

Mrs. Clark stated one of the things we have asked about was how we could find out what farms were in Stafford and what information you could give.

Mr. Wisniewski stated you already have this information, because if people are applying for land use, they are saying they are a farm.

Mrs. Clark stated the Committee had thought about putting a questionnaire in the land use stuff, but that did not happen because all the land use forms came out already.

Mrs. Baker stated part of that was because the County has been waiting on direction from DCR.

Mr. Wisniewski stated prioritizing what was in land use could be a point to start with.

Mrs. Baker stated that was where they were having trouble with the district, in trying to get that information from them and they were not able to share it. The County does not know who has management plans.

Mr. Wisniewski stated that the county could get information from the land use rolls. The district can give the information if they have written the plan. You would have to go through the files, but all those lists were provided quarterly.

Mr. Adams stated last spring or last fall there was a sheet that gave numbers for Fauquier and Stafford. It told us how many dairy cows, for example.

Mrs. Clark and they were totally bogus, they were horrible.

Mr. Adams stated they showed something like 7,000 dairy cows in Stafford County and none in Fauquier.

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Mr. Wisniewski stated several years ago at the University of Mary Washington, there was a TMDL meeting for the developing data for the middle Rappahannock Region. He stated he attended and sat in the back of the auditorium and they listed these things and the coordinator happened to notice his body language concerning the data. He stated afterwards they stated he seemed to disagree and he told them he did not recognize one thing that was true. He stated they brought their contractor and they sat down in his office and he did it the old fashion way. He took out the topo maps and said he could go up and down the road and tell them if it was a dairy or a beef cow and he could pretty much guess how many cows were on the farms from working with them. He stated it was the same thing, they had hog operations in Stafford County and he was not talking about one or two in the back yard, they had hog factories out here and dairies in King George. He said he has to spot check other offices on their plans, so he has done west of here. They only showed half of the Ag waste and from the standpoint of the TMDL they are saying that 50 percent more of the confined livestock need a system. He advised they were already there in place. But what that meant was the requirements would be much stiffer because the data had not been picked up.

Mrs. Clark stated that was what they were concerned about, they were going to use that data to be fussing at Stafford County and it just did not seem to be fair because it was so incorrect.

Mr. Wisniewski stated it was not. He stated it was his understanding through the George Washington Planning District that recently they tried to do something on getting Ag data refined as best they could.

Mrs. Baker stated the staff sent them their take on it and what the County's numbers were last year.

Mr. Wisniewski stated he would not know until it comes out and that was the problem because some of the data was not totally correct and it skews the numbers the wrong way.

Mr. Adams stated the PEC sent him a link to something and asked Mr. Wisniewski if he had heard about phosphorus being excluded from fertilizers for home homeowners.

Mr. Wisniewski stated for homeowners, yes. He stated he thought there was some legislation next year or the year after that for homeowners it would not be available in the products sold.

Mrs. Baker stated 2014.

Mr. Wisniewski stated this whole thing was not just the farming community. Recent history showed Fairfax County was still the number one fertilizer sales county in the state. He stated he did not know of too many farms up there. It has to be public education to reach the homeowners.

Mrs. Clark stated this whole plan is starting to require counties to be responsible. She sees no details, she sees no good data, she sees no guidance from the state and yet they are going to penalize counties. So counties like Stafford that have so much urban influence, they are still going to be pointing toward the agricultural community and we are having a hard time tracking down data.

Mr. Wisniewski stated the farming community controls larger acres so that is why it's in the headlights. He stated he knows from the farmers he works with most of them have implemented what was reasonable to implement for the farming operation.

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Mrs. Clark stated there are a lot of farms that have best management practices in place on their farm that the County could get credit for, but there was no way to get that data.

Mr. Wisniewski stated there were a couple things going on with faulty data. The state was only looking at the BMP program, what practices were put into that database, but it did not include the federal stuff. He stated there are a lot of farmers he did not work with, but knew they were doing a good job. So the state has now allowed for the voluntary collection of that data.

Mr. Adams stated he was in the middle of a project and he called Ron out to look. He said Ron told him yes, that is what you need to do. Call Etta because she has more money than what Ron has got. A lot of times one agency refers you back to the other just because of available funding or how the practices work. He stated that was how Ron knows about a lot of things that he has not written practices on because he has looked at it.

Mr. Wisniewski stated he works on the problem, he does not worry about the funding because depending on the timing was whether you can participate or not. If someone comes to him September 1st and his year ends September 30th, they will get no funding. The state fiscal year is different. They start July 1st they are in their first round of funding. Some of his job, besides conservation planning, is like financial management. He will figure out what program or combination of programs will work.

Mrs. Baker stated staff was supposed to be meeting within the next week to figure out the next step or at least trying to get DCR to hear some of the concerns.

Mr. Wisniewski stated whatever is worked out there he will work with the district to see how he can help.

Mr. Adams asked if anyone else had anything for Ron. Hearing no responses he thanked Mr. Wisniewski for coming.

Mr. Wisniewski thanked the Committee for inviting him and stated he would follow up with a few of the questions.

Mr. Adams they would move on to farmers markets, the process and regulations.

- Farmers Markets
 - Process and Regulations

Mr. Adams asked if everyone got the email concerning the general guidelines discussed last month.

Mrs. Clark asked if there was any dollar figure that goes with submitting an application.

Mr. Adams asked if the Board said \$25.

Mrs. Baker stated that was what the Planning Commission recommended. Currently the only application fee established was for the zoning permit. She stated there was no fee associated with coming through this Committee for a permit, but the Committee could decide if there should be one.

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Mrs. Clark stated she just did not know.

Mrs. Baker stated currently it was just the set fee with the zoning department to get their zoning permit and they still have not authorized the flat fee yet, so it would be close to \$200 to get a zoning permit.

Mrs. Clark asked if something should be in there about that, she did not see anything that says you have to get a zoning permit.

Mrs. Baker stated that was what the first item was.

Mrs. Clark stated it did not say that you have to get a zoning permit.

Mrs. Baker stated that was why there were actual submission requirements on the second page.

Mrs. Clark stated that was for a zoning permit. She stated she thought something should be added to the first thing because it says shall abide by the regulations set forth but it does not say you have to get a zoning permit.

Mrs. Baker stated okay.

Mrs. Clark stated it should say you have to get a zoning permit and see the submission requirements on the attachment.

Mrs. Baker stated that could be done.

Mrs. Clark stated she wanted it to be clear.

Mrs. Baker stated it could be spelled out right there or added as an attachment.

Mrs. Clark stated she thought if what you were meaning on number 1, that you have to get a zoning permit, then please say that in clear English.

Mrs. Baker agreed.

Mr. O'Hara asked if the goal was to pass this tonight or defer for another month.

Mrs. Clark stated she did not think it needed a lot of tweaking, and asked Mr. Adams his thought.

Mr. DeBernard stated he read it over and did not see where it needed anything.

Mr. Adams stated his concern about deferring it was because typically the organizational meetings for farmers market happen in January and February.

Mr. O'Hara stated so we would want to get this done tonight before we walk out the door.

Mrs. Clark agreed.

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Mr. O'Hara stated concrete comments and changes need to be made now. He stated he wanted to make sure that was the intent.

Mrs. Baker stated with November and December being holidays, the Committee can always set a separate meeting date.

Mr. O'Hara stated his preference was to craft the words tonight and take the rest of the year off.

Mrs. Clark stated that was fine.

Mr. Adams asked about item 4 on the submission form concerning entrances from public streets. He asked if, as an example, someone wanted to start a farmers market at the hospital, whether number 4 would go away. It would only be if a new entrance did not exist currently.

Mr. DeBernard stated that was his understanding. If you physically had to make an entrance into the market it had to be approved by VDOT

Mrs. Baker stated if a property was already developed with some kind of an entrance, staff would look at that entrance and see if it was substandard, and that might entail a site visit. If there was no access to the property now, they would be required to get an entrance permit through VDOT, which has varying levels depending on the traffic generation from the property.

Mrs. Clark stated Planning insisted we put that in when we did the Ordinance.

Mrs. Baker stated the Planning Commission. She stated that was because there are so many roads with high speeds, when people slow down and turn into a road with gravel or ruts or whatever it would cause backups or potential rear end accidents.

Mr. O'Hara asked if number 1 on the first page needed to be changed and if the language could be agreed upon tonight.

Mrs. Baker said yes.

Detailed discussion ensued between Mrs. Baker and the Committee concerning the requirements to apply for a zoning permit, how the steps were written out, the review process by the Committee and Zoning. It was decided the applicant would provide a sketch drawing showing the designated parking spaces and vendor spaces that are available based on the land area. And once the applicant knows he can have the farmers market he would come before the Committee and present his draft market rules and regulations. They would have to provide a list of producers/vendors to the Committee before they open so the Committee will know the vendors are producer only.

Mrs. Clark stated there was a process for review and it does say you have to go to the Ag Committee first and then subsequent you have to obtain a zoning permit. She asked about switching 1 and 2, so you would first tell everybody the process and the second thing you would do is say the location you choose needs to meet our zoning regs.

Mrs. Baker stated it could be arranged however.

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Mr. Adams stated he liked that better because the Committee has to approve it before it goes to zoning. He stated these things are required to insure the lot meets the criteria to be reviewed by the Committee.

Mr. O'Hara suggested the Zoning Administrator review the lot prior to application.

Everyone agreed.

Mr. Adams asked if they had a timeline to review an application.

Mrs. Baker stated that was up to the Committee. She stated she did not know how long it would take to get a market organized. Hopefully someone would come early enough in the process.

Mr. DeBernard stated it would not be that long to get it organized. He though the zoning approval would be the longer process.

Mrs. Clark stated she thought a commitment should be made to review it at the next meeting after it was submitted. She stated she felt the Committee should go much faster than zoning.

Mrs. Baker stated zoning permits could typically turn around in 5-7 days.

Mr. Adams asked if it had to submit at a certain time of the day. He stated you could not apply at 2 o'clock today and expect the Committee to review tonight.

Mrs. Baker said it could be set two weeks in advance of the meeting. That was done for certain applications.

Mr. DeBernard asked if they would have to call a special meeting for the review of applications.

Mrs. Baker stated no, there could be an application deadline. She stated again that was going to part of the actual application. She stated the application that would go through this Committee would have the owner, and the zoning and size of the property. Then there would be a checklist that says you will need to know the number of vendors and would basically set out everything that is needed

Mrs. Clark stated she felt so much better knowing that.

Mrs. Baker stated she was focused on what the Committee would be reviewing and setting the procedures. The zoning items will not change because that is required by Ordinance. She stated some items this Committee may be looking at changing are things like the producer only requirement. The Committee may decide next year that will change.

Mr. Adams stated 3 and 4 was what we would be actually looking at because the County Attorney would come up with the draft language for hold harmless and 5 is just having the right to inspect someone on the sheet if the Committee decides to inspect them. Then the only thing might be to add some language about just dropping in or making an appointment.

Mrs. Clark stated in addition the Committee reserves the right to inspect producer farms and parenthetically you could say at an agreed upon time.

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Mr. Adams stated he like the vendor map because in a lot of markets you have to give them directions from the market to your farm.

Mr. DeBernard stated the market manager should be the one to enforce it.

Mrs. Clark stated the only wording that will be different is number 5, inspections and she read, in addition the Committee reserves the right to inspect producer's farms (with prior appointment).

Mrs. Baker asked if the Committee wanted it on an appointment basis or anytime.

Mr. Adams stated anytime.

Mrs. Clark stated she thought it should be left open.

Mr. DeBernard stated he thought it would be good if the Committee could verify these producers were actually growing the product. He stated he knows there are people that sell in markets that don't even own a tractor.

Mr. Adams stated what oftentimes happens is the market manager will have 50 plus vendors so they will randomly inspect three to five vendors per year. They have the right to inspect, but they do not try to inspect all of them. When the complaints start coming in that's when they start doing inspections.

Mr. O'Hara stated we need to fill in a date and asked what the beginning of the market season was.

Mrs. Baker stated she suggested a certain date each year because if it was a year round market, there would be a question on the beginning date.

Mr. O'Hara suggested January 1.

Mr. DeBernard asked if it would be a 12 month permit, and if you would have to renew January 1 of each year.

Mrs. Baker stated the zoning permit would be good for a year and the only reason was because if things change, staff doesn't have a way for them to come back.

Mrs. Clark asked if they had to pay a big zoning permit fee every year.

Mrs. Baker stated she did not think so. She stated she would check on that. The purpose was if things change, such as adding 5 or 10 vendors, staff could re-review.

Mr. DeBernard asked if they would be told how many vendors would be allowed because of the space allotment.

Mrs. Baker stated it would be based on what they submit.

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Mr. Adams asked if the Committee could have an update of the vendors monthly or quarterly, not week to week under 4B for vendors. He stated he has been involved in first year markets and after the markets start you may add 6 or 7 people and lose 5 or 6 others.

Mrs. Clark said it does state any increase in the number of vendors shall be submitted to the Agricultural/PDR Committee. You could say any change in in vendors instead of increase in the number of vendors.

Mr. O'Hara stated the Committee is trying to guard against them going over the number of vendors required.

Mr. DeBernard stated you could say you could have 10 vendors and if 10 sign up you would be full. If you were to lose two you could add two but you can't go over 10.

Mrs. Baker stated that each time they get a new vendor, you are going to want to see that it is a producer only.

Mr. DeBernard stated right, but you can't add more if you are already full. If one were to drop out another comes in you want to make sure they are producer only.

Mr. O'Hara asked which was more important, producer only or not getting a report every time they change vendors.

Mr. Adams stated it was more important that they are producer only.

Mrs. Baker stated the zoning permit would manage the number.

Mr. O'Hara stated we want a report every time they add a vendor.

Mrs. Baker stated that the market managers could be responsible for coordination. A vendor list including the names shall be maintained, but it should be submitted to ensure it is producer only.

Mrs. Clark state the vendor map should show the location of each producer farm and the distance. But could precede that by a phrase that says by the opening day of the market they will have submitted it to us.

Mr. Adams stated if this was done correctly the market managers would be doing 95 per cent and we are just reviewing the last 5 per cent.

Mrs. Baker read, The Committee will maintain guidelines for the location management and operation of farmers markets and review any request to determine the conformity with such guidelines.

Mrs. Clark stated she would like an updated set of their rules and regulations and an updated list of their vendors every year.

Mrs. Baker asked if we should leave it at the beginning of each market season.

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Mr. Adams stated he liked that idea because one market may start in April and someone else may start in the middle of May.

Mrs. Baker asked if there were any changes under the vendors.

Mr. Harbin stated it was not just market season it was just the market.

Mrs. Baker stated for each year in case they decide to do it differently the next year.

Mr. Adams stated season may not be bad. He stated Dale City had a summer market and there was a separate set of rules for the winter market. Because the hours of operation change for winter, the fact that unassigned spaces verses assigned spaces.

Mrs. Baker stated she was not taking it that far as distinguishing between the seasons.

Mr. O'Hara asked why it was not just set at calendar year to keep it simple.

Mrs. Clark stated she was fine with that but did not think it should be January 1.

Mrs. Baker stated she thought it would depend on each application. She stated if they come in and want to start in May, then by May 1 they would have to submit.

Mr. O'Hara stated they would determine the market season, which shall be no more than 12 months.

Mrs. Baker stated the Committee did not have to be date specific at all. It can be done on a case by case basis. And that would not restrict anyone to date specific.

Mr. Adams stated if they were not going to open the market until the first of May they want their vendors locked down by the first of March. They want to know who will be there.

Mrs. Clark stated she agreed.

Mr. O'Hara asked if number 6 could be struck off.

Mrs. Baker stated someone asked to have it put in.

Mr. O'Hara stated he would remove it. He stated he would strike D and renumber. He made a motion to adopt this with the edits as noted.

Mrs. Clark seconded.

Mrs. Baker said, for clarification, she could make the changes and send it to everyone.

Mr. O'Hara stated it can be changed the next time we meet.

Mrs. Baker stated yes. She asked for further clarification concerning number 1 and 2, whether it should specify to contact the Department of Planning and Zoning for information on process requirements.

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Mrs. Clark stated that would be fine with her.

Mr. DeBernard stated maybe you could have a guideline.

Mrs. Baker stated she would, that will be an attachment to the application.

Mrs. Clark stated it was okay as long as you have got those other documents included.

Mrs. Baker stated that was the intent.

Mr. Adams stated he would call for the vote because there was a motion by Pete and a second by Gail.

The motion passed 4 to 0

- Farmers Market at Garrisonville Road and Barrett Heights Road

Mrs. Clark asked if there was an application for Garrisonville Road.

Mrs. Baker stated no, this was just unfinished business.

Mrs. Clark asked if he had come back to Planning and Zoning, was there another type of permit he could get.

Mrs. Baker stated he had not come back to talk to staff.

Mr. O'Hara asked if there was a permit before the Committee.

Mrs. Baker stated no. It could be left on the agenda until the applicant comes back with more information. She stated she would send what the Committee had approved to him.

Mr. Adams asked the status of PDR Program.

- PDR Program – Future Application Round
 - Timeline
 - Public Information
 - Revised Application

Mrs. Baker stated January would be the roll out and staff will set a public information meeting. She stated staff would present more information closer to that date.

4. Next Meeting

- November 26, 2012 Regular Meeting

Mr. Adams asked if the Committee had to meet in November or December to meet the January deadline for PDR.

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Mrs. Baker stated there was nothing that the Committee really needed to vote on.

Mr. Adams asked the Committee if they wanted a November and December meeting or just wait until the first of the year and fall back to the fourth Monday.

Mr. O'Hara asked if there was other business.

Mrs. Baker stated only if Mr. Locklear comes back in.

Mrs. Clark asked if they could do a called meeting if an application was submitted that needed consideration before January.

Mrs. Baker stated the Chairman can call it, yes.

Mrs. Clark stated secondly we usually meet the 4th Monday. She asked if it was likely we would have an information meeting before that 4th Monday in January and asked if the Committee needed to do anything about that.

Mrs. Baker stated that was something that could be done through email. She stated she would send all the information out, it was not something the Committee had to vote on.

Mr. Adams stated that puts us at January 28, 2013 for the next meeting.

7. Adjournment

Mr. O'Hara made a motion to adjourn.

Mr. DeBernard seconded.

With no further business to discuss, the meeting was adjourned at 9:00 p.m.