

**STAFFORD COUNTY**  
**AGRICULTURAL AND PURCHASE OF DEVELOPMENT**  
**RIGHTS COMMITTEE MINUTES**  
**January 28, 2013**

The meeting of the Stafford County Agricultural and Purchase of Development Rights Committee for Monday, January 28, 2013, was called to order at 7:00 p.m. by Chairman Jeff Adams in the County Administration Conference Room of the George L. Gordon, Jr., Government Center.

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

Members Absent: None

Staff Present: Baker, Harbin, and Knighting

Guests Present: Yousra Neberai, Marshall Locklear, and Virginia Adams

1. Call to Order

Mr. Adams called the meeting to order.

Mrs. Baker stated there was a quorum because all members were present.

Mr. Adams stated he would turn the meeting over to Mrs. Baker for the election of officers.

2. Organization of Committee

Mrs. Baker stated this was the annual meeting where the Committee was organized and she would take nominations or volunteers for Chairman of the Committee.

- Election of Officers

Mrs. Clark stated she would nominate Mr. Adams as Chairman.

Mr. McClevey stated he would second the nomination. With no other nominations, the nominations closed, and Mr. Adams nomination was approved unanimously.

Mr. Adams stated, for the record, he would be applying for the PDR program during the next round.

Mrs. Baker turned the meeting over to Mr. Adams. She also stated she would like to note there was a student present this evening and she is involved in the Y.E.S program, which was Youth Engaged in Stafford. She stated the program was with the Stafford County high schools, and that students are trying to engage in the organizations in Stafford County in general. Several students were interested in being a part of our Committees and Commissions. Yousra Neberai was here this evening and she would be attending through the end of the semester. She would be trying to get a handle of how the Ag/PDR Committee works. She asked everyone to introduce themselves and asked Miss Neberai if she had anything to tell about herself.

Miss Neberai stated she was a junior at Brooke Point high school and she was interested in public policy.

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Mrs. Baker welcomed Miss Neberai and stated she was glad she could make it tonight.

Mr. Adams stated the next thing would be to elect a Vice Chair.

Mr. Hunt stated he would nominate Mr. O'Hara.

Mrs. Clark seconded the nomination.

Mr. Adams asked if there were any other nominations. Hearing no other nominations he closed the nomination and stated all in favor say aye.

The nomination for Mr. O'Hara as Vice Chairman passed 6 to 0.

Mrs. Baker stated our staff will continue as secretary of the Committee.

- 2013 Work Plan

Mr. Adams stated the next item on the agenda was the 2013 work plan.

Mrs. Baker stated each year we just discuss upcoming projects for the year. She stated she thought there was enough on the plate this year, as they would be moving forward with the next round of Purchase of Development Rights. She stated since they have seen interest in farmers markets they would also be working towards that. Work would continue on the Chesapeake Bay Total Maximum Daily Load and, as an update, staff did meet with the Department of Conservation and Recreation (DCR) regarding the compliance due in March with regard to the agricultural piece of the Ches Bay compliance. She stated all that needs to be done by March is come up with an outline of what we are proposing to do. She stated they got some concurrence from DCR on the direction that we are taking as far as taking the current data base, focusing on the farms or agricultural properties located particularly within the Resource Protection Areas. She stated that would be the primary focus and we would lay out probably a 5-year plan on how we plan to proceed. Staff will be working on that over the next couple of months to put that together and once we have something we will bring it to the Committee for review.

Mr. Hunt stated he had expressed an interest and asked if he could be the Committee person to work with the county on that project.

Mrs. Clark stated she was talking with a lady who works with the Soil and Water Conservation District in Fauquier and was told all the best management practices that had been put into effect on a farm and had cost sharing should be in a data base in Richmond. She also stated there should be a map that actually has a dot for the farms that have BMPs on them.

Mrs. Baker stated staff was working with the state now. There is a data base and it talks about management practices, and it was not property specific but was general to the location. She stated that will not include all the records Tri-County has, there will still be some missing information, but staff will be working through that.

Mr. Hunt stated about 3 years ago an automated data base was instituted and if you get cost share money there was a record of what that money was for.

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Mrs. Clark stated the Ag Census was due February 4<sup>th</sup> and that was done every 5 years. She stated that asked if an applicant was receiving CRP payments. As soon as those statistics were compiled, that might be a place to obtain information.

Mr. Hunt stated the Soil and Water Conservation District had all of that but it may not be in a data base.

Mrs. Baker stated there were some BMPs that were not part of the cost share.

Mr. Hunt stated it did not identify tax maps.

Mr. McClevey asked how properties were identified.

Mr. Hunt stated if you know the location you can get the GPS and everything.

Mr. Adams stated at the federal level, if you go back 50 or 70 years, they went through and every farm was given a farm number.

Mrs. Baker stated they were not allowed to share the farm number with us because it is associated with a Federal ID number.

Mr. Adams stated to keep in mind concerning BMPs, just like on his property, he met with Wisniewski and he said the fence would have to be here. He stated it did not meet the criteria of the BMP but it was there. The fact that it was fenced out was better than nothing at all.

Mrs. Baker stated if it technically did not meet the BMP requirement, it does not count as a BMP as far as Ches Bay is concerned, because it does not meet their minimum 35 feet. She stated those were the kinds of things they will be looking at over the next 5 years.

Mr. Adams stated if Scott Mayausky could just somehow verify all the land use, that would tell us a lot about how many animals might be out there and the conditions they were in.

Mrs. Baker asked if there was anything else anybody wanted to add on to the plan this year.

Mr. McClevey asked if there were any education items.

Mrs. Clark stated just the normal stuff. They will be reading during Ag Literacy Week in March and a stock show in May, but she did not know of anything out of the ordinary.

Mr. Adams stated the new teacher at North Stafford High School dropped the FFA program but he was trying to do a garden at one of the sports fields and put some of that food in the cafeteria.

3. Approval of Minutes – October 22, 2012 minutes

Mr. Adams stated evidently we had a meeting back in October with some minutes.

Mrs. Baker stated we did not get the minutes out to you, so we will defer to the next meeting.

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4. Staff Update

- Farmers Market Citizens Group

Mr. Adams asked Mrs. Baker if she was going to tell them about the farmers market.

Mrs. Baker stated she did not have a lot to report, but a citizen approached staff and was interested in getting a farmers market established in the county. She reminded the Committee that Anne Kadis came to a meeting last year and talked about that as well, because she had an interest from the Stafford County Innovation Group. She stated Ms. Kadis was an employee with Stafford County Social Services and was interested in establishing one here at the county. She stated Vanessa Griffin had contacted her and she has joined forces with Ms. Kadis and they are trying to form a core group of people that might be interested in getting a farmers market up and running. She stated she also provided Mr. Locklear's name to them. This Wednesday at 6 o'clock in the ABC Conference Room, they are looking for individuals that are interested in forming a core farmer's market group that will look at perhaps spearheading this and getting some funding to get a market started. She stated the Wednesday meeting was for interested people so Ms. Griffin could get an idea if there were farmers who may be interested in joining. She stated they are putting the feelers out and have been looking around at places. She stated staff did meet with Guy Mussey at the Extension Office and John Howell with the Spotsylvania Extension Office and talked a little bit more in detail. She stated they gave Ms. Griffin more information concerning the startup and how the Spotsylvania Farmer's Market started.

Mr. Adams stated he has also talked with Ms. Griffin and told her he would attend the Wednesday meeting.

Mrs. Clark stated she did also.

Mr. Adams stated Ms. Griffin was looking at a weekday market at the commuter lot but found that would not work. She has also touched base with Target on Rt. 610 and that whole complex has been ruled out by their management company because of lease agreements.

Mr. Locklear stated Shoppers Food would not let you go in there because it was in their contract.

Mr. Adams stated Ms. Griffin was also looking at a Saturday market and he told her Saturday would be hard to do because it would be difficult to get vendors there, because they are established already at other markets. He suggested something other than Saturday might be what she needs to look at.

Mr. Hunt stated not to be contradictory, but he was looking at it from a producer's standpoint. He stated if you look at it from a consumer standpoint in north Stafford, it almost has to be Saturday or Sunday if you are going to have much participation.

Mr. Locklear stated that was what he was running into with his market. Vendors can get \$3 a pound for tomatoes in Fairfax. So sometimes they show and sometimes they don't but when markets are not open on Sunday then they will come back to Stafford because that is a better market.

Mr. Adams stated he told her a new market cannot guarantee an income.

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Mrs. Baker stated John Howell explained that to her as well, it took Spotsylvania however many years to get established and now they have 3 markets that operate but it has taken time to get there.

Mr. Hunt stated King George holds theirs in a school parking lot.

Mrs. Baker stated she gave Ms. Griffin all that information when she met with her. She stated Ms. Griffin would encourage anybody to attend that meeting if you want to throw those ideas out to her because the more she can hear the better.

Mr. Adams stated the market in Warrenton has little directional Farmers Markets signs throughout the town. He asked if that could be done once a market was established.

Mr. Locklear stated Prince William also had a sign.

Mrs. Baker stated there were sign regulations that would have to be complied with.

Mr. Hunt stated if a plan came forward for a reasonable farmers market, it was his opinion the Board of Supervisors might find a little money to support that and put up sign and that sort of thing.

Mrs. Baker stated it would depend on if it was a citizen run organization or a county run organization.

Mr. Adams stated in Warrenton, the Town of Warrenton is the official holder and runs the farmers market.

Mr. Hunt stated that was his preferred solution for Stafford.

Mrs. Baker stated Stafford County did not have the interest in running a market currently. That is why they are welcoming the citizen groups.

Mr. Hunt asked if the Supervisors have been lobbied about that.

Mr. Adams stated he was at the meeting and spoke the night Kathy presented and the consensus of the Board rather emphatically was they have absolutely no desire in running a farmers market.

Mr. Hunt asked Mr. McClevey if he had spoken to Jack Cavalier about that.

Mr. McClevey stated no.

Mrs. Baker stated it was not that they had no interest, it's that they don't have funding for a staff person designated to oversee it at this point in time and down the road that might change.

Mr. Hunt stated in his opinion he did not think they had to give up. He stated he represented Aquia and he thought he could convince Mr. Milde to vote for it.

Mr. McClevey asked if a market could be at a location on a rotational basis, like Carl Lewis field one Saturday and another location.

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Mrs. Baker stated there was nothing to preclude that.

Mr. Hunt stated the Committee should look at all the options but he would still prefer the County run market.

Mr. McClevey asked if Vanessa was going to be the market manager.

Mrs. Baker stated no, not permanently, but she was trying to get the ball rolling and get interested parties.

5. New Business

- None

Mr. Adams stated under new business it says none and asked if anybody had any new business. He stated hearing none they would move on to unfinished business to process and regulations of the farmers market.

6. Unfinished Business

- Farmers Markets
  - Process and Regulations

Mr. Adams stated Mrs. Baker must have sent that out in September or October.

Mrs. Baker stated she did and she heard from all most everybody, but she still didn't get a hundred per cent response that this draft document was in its final format. She stated the Committee voted to approve it subject to changes that were discussed back at that meeting. She stated she just wanted a final okay from everybody on the document that was sent out.

Mr. Adams stated he thought he sent a reply back that it was okay.

Mr. O'Hara stated he thought he did the same.

Mr. Hunt stated he would make a motion to accept the proposal that was sent out to the Committee.

Mr. O'Hara stated he would second.

Mr. Adams asked if there was any discussion.

Mr. Locklear stated when it was discussed in the beginning it was a 250 mile radius, now it is 125 mile radius. He stated he talked to some of the customers and people in the business. Winchester was 150 miles and you would be losing all of the southern part of Virginia and if you want to do Christmas trees they have to come out of the mountains, as well as pumpkins. At the beginning he was asked if he could live with the 250 miles, because that would allow people that we deal with in North Carolina. Then it changed to 125 miles. The Petersburg market went through the same thing and now they turn their back and they do as they please.

Mr. McClevey stated he thought 125 miles was a good stretch, it could reach to West Virginia.

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Mr. Locklear stated Winchester is apple country. He asked the Committee if they knew how far it was.

Mr. Adams stated it was less than 125 miles.

Mr. DeBernard stated it was only 90 miles from here to Martinsburg, West Virginia.

Mr. Locklear stated that should be checked again.

Mr. McClevey stated it reaches to the North Carolina line.

Virginia Adams stated you are going airline not road miles.

Mr. Hunt stated yes.

Mrs. Adams stated that was a pretty good reach.

Mr. Adams stated the Committee agreed upon 125 miles.

Mr. Hunt stated that was a radius that was not road miles.

Mr. Locklear stated you were eliminating the southern part of Virginia.

Mrs. Clark stated it has to be local.

Mr. Locklear stated Mr. Adams said product, so you change the product to a 300 mile radius. That would include his beef.

Mr. Adams stated the bottom line was the Committee agreed and voted on 125 miles. He stated that was what they had before them and unless someone on the Committee wanted to change the 125 miles or discuss it...

Mr. Locklear stated he had citizens asking him and he was here to ask why you would eliminate...

Mrs. Clark stated if this did not work, the Committee can go back and change it. But in their discussions it was decided that a farmers market would represent very locally grown produce. She stated she thought the Committee would rather err on the side of being too small to start with than being too big.

Mr. Locklear stated there were 2 people in here that said to him outside of the meeting that it would not work and they would not voice their opinion in here.

Mr. Adams stated the bottom line was they were voting on this as a Committee and there is a motion and a second to accept what was written in front of them.

Mr. Hunt stated it was 138 miles to Skippers, Virginia.

Mrs. Adams stated the customers she deals with at the Fredericksburg Farmers Market don't want anything from that far away.

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Mr. Locklear stated there was a guy in the Spotsylvania market who has 2 rows of sweet potatoes at his house. Do you know how many potatoes he bought from a vendor in 2 weeks' time? The two rows would have to be from here to Fredericksburg and back again to get that many potatoes if he is farming, but he meets the criteria there. So that is how people are getting round the market.

Mr. Adams stated this Committee is to establish a guideline for somebody to start a market and come up with their own rules and enforce their rules. It is not the purpose of this Committee to approve the rules other than within these guidelines. The Committee won't be the ones out there inspecting. That would be up to that market. He asked if there was any other discussion.

Mr. O'Hara stated he would call the question.

Mr. Adams stated all in favor of the draft regulations as written, say aye.

The motion passed 6 to 0.

Mr. Adams stated the next item was the Farmers Market at Garrisonville Road and Barrett Heights Road.

- o Farmers Market at Garrisonville Road and Barrett Heights Road

Mrs. Baker stated what she was waiting on the regulations to be completed before the application was finalized. She stated the application was drafted and ready to go subject to the approval of the regulations. She stated that was ready to go out for anybody who is ready to submit the actual application and see if they are in compliance with the regulations.

Mr. Adams asked if Mr. Locklear had an application.

Mr. Locklear stated there was no application.

Mrs. Baker stated they were waiting for the Committee to approve the regulations. Now the regulations are established, which was required by Ordinance. There is a draft application that is ready to be put out to the public now with the regulations attached so an applicant will know what they have to comply with. She stated Mr. Locklear is not able to get that application and move forward with his request based in the regulations and the Ordinance.

Mr. Locklear stated his question was the radius. When you put a 125 mile radius on it may put producers out of the radius. He stated in order to pay the rent on Rt. 610 you have to be out there 8 months. He stated there were 53 winter markets in the State of Virginia and Dale City was one of them. He stated Mr. Adams has been there and they are selling tomatoes in the winter and you know they are not grown in a hot house.

Mrs. Clark asked Mr. Locklear if he had thought about running his place as a farm stand, not as a farmers market. Because if you run it as a farm stand, you can buy it anywhere you wanted to and sell it on Rt. 610.

Mr. Locklear asked Mr. DeBernard how he ran his stand on Rt. 218. He stated when he applied for a state approved entrance, they sent his check back to him, because they did not know.

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Mr. DeBernard stated he owned the land where his produce stand is located. He stated he raises his own vegetables and he sells them there and he was allowed to do that in Stafford County.

Mr. Locklear stated he was told C&T had a produce stand and their entrance way was too close to Rt. 218, they don't have an approved driveway. He asked how that happened.

Mrs. Baker stated they have been in place for...

Mr. Locklear stated somebody told him they were grandfathered, but if you checked, it was not put in like it should have been.

Mr. DeBernard asked what was too close to Rt. 218.

Mr. Locklear stated the entrance.

Mr. DeBernard stated the entrance was not on Rt. 218 it was on Ringgold Road.

Mr. Locklear stated they were concerned about his being too close to Rt. 610 because there were utilities on one side and state utilities on the other and road drainage on the front.

Mr. Adams stated the bottom line was if he wanted the farmers market at Garrisonville Road and Barrett Heights Road, the regulations have passed tonight and will be available at the Planning Office.

Mr. Locklear asked if he has complied with the County. He stated VDOT would not give them an entrance. He stated he had the letter where he applied in August and they were not sure what kind of entrance to put in. He stated there was no ditch line there and water was draining into this property. He stated it was now opened up so it was not a pond anymore.

Mrs. Clark asked if the entrance had to be off of Rt. 610 or if it could be off of Barrett Heights Road.

Mr. Locklear stated they talked with the Post Office and they wanted another entrance off of Rt. 610. The Post Office does not have the money and they want him to put the entrance in. He stated they had discussed a one way circular and that would give an additional 5 to 8 parking spaces and everybody could use the same parking.

Mr. Adams told Mr. Locklear to work that out with VDOT and the County and they will let the Committee know. He stated the next agenda item was the PDR Program, which was scheduled for February 20, 2013.

- PDR Program – 2013 Application Round
  - Public Informational Meeting

Mrs. Baker stated the round was officially opened and notices were sent out to approximately 600 A-1 and A-2 property owners, with property over 20 acres. She stated information concerning the webpage, application and notification of the public meeting was included. She stated the meeting was scheduled for February 20, 2013 at 7 o'clock in the evening. She stated it would be similar to the pilot round. Staff

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would be present to make a PowerPoint presentation to give an overview of the program and open it up for questions and answers. She stated the deadline was set for April 12, 2013 which should give staff time to get the applications and complete within the year timeframe. She stated she wanted to make sure nobody had any additional questions or anything to add.

Mr. McClevey asked the total amount of funds available.

Mrs. Baker stated it was around \$460,000, and \$25,000 per development right. She stated the formula was the same, just the cost per development right changed from \$30,000 to \$25,000 and there were already several interested parties asking for more information. She stated after she sent out the agenda, the financial department called her and told her after the mid-year review there would be additional funding available for next year. She was not sure if that would tie into this program round and provide extra money. After the applications were received and evaluated she could talk with County Administration and the Budget and Financing Office and see if that money could be added.

Mr. Adams stated he planned on being at the meeting.

Mrs. Clark stated she would try.

Mr. McClevey asked the date again.

Mrs. Baker stated February 20, 2013, it was a Wednesday and the meeting would be in the Board Chambers. She stated she would love to have as many of the Committee members there as possible to listen to the questions and concerns from the public and help us if there was something staff could not answer.

Mr. Adams asked the dollar amount again.

Mrs. Baker stated \$462,000 was the total available with the matching funds from the state for two fiscal years.

Mr. Adams stated that would be 18 development rights.

Mrs. Baker stated again the new application was now on the web site for people to take a look at it. If for any reason they cannot access they can call our department and we will mail and application and any additional information.

Mr. Adams asked if there were any other questions.

- Chesapeake Bay/Total Maximum Daily Loads

7. Next Meeting

- February 25, 2013 Regular Meeting

Mrs. Baker stated the next meeting was scheduled for February 25, 2013.

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Mr. Hunt stated he would be out of town.

Mrs. Baker stated she would entertain any agenda items for the next meeting if the Committee members wanted to let her know in the next few weeks.

Mrs. Clark stated she was sure there would be an update on Vanessa's project.

Mrs. Baker stated yes and Ms. Griffin may want to attend the next meeting as well to give us an update.

8. Adjournment

Mr. Adams asked for a motion to adjourn.

Mr. O'Hara made a motion to adjourn

Mr. Hunt seconded.

The motion to adjourn passed 6 to 0.

With no further business to discuss the meeting was adjourned at 7:49 p.m.