

**STAFFORD COUNTY
AGRICULTURAL AND PURCHASE OF DEVELOPMENT
RIGHTS COMMITTEE MINUTES
SEPTEMBER 22, 2014**

The meeting of the Stafford County Agricultural and Purchase of Development Rights Committee for Monday, September 22, 2014, was called to order 6:59 p.m. by Chairman Jeff Adams in the County Administration Conference Room of the George L. Gordon, Jr. Government Center.

Members Present: Jeff Adams, Gail Clark, John Howe, Marty McClevey,
Benjamin Rudasill

Members Absent: Craig DeBenard

Staff Present: Kathy Baker, Sylvia Dyson

1. Call to Order

Mr. Jeff Adams called the meeting to order at 6:59 p.m.

2. Approval of Minutes – July 28, 2014

Mr. Howe moved to approve the July 28, 2014 minutes as written. Mr. Rudasill seconded the motion. The motion passed 5-0.

3. Staff Update

➤ **PDR Funds**

Ms. Baker stated that the County's Finance audit for FY14 had not been completed yet, but unofficially the amount that came in for rollback was \$664,000 minus \$80,000 which was already budgeted to go to general funds which left \$584,009 directly for PDR. She further pointed out that there were also funds left from FY13 which brought the total PDR fund balance to \$730,000. She explained that \$137,500 of that would go to purchasing the easement on the Adams property. Ms. Baker stated that the state hadn't announced their FY15 matching funds application yet, but they indicated that they would probably mid-October. She stated that the state had about 1.5 million for all of the 22 localities, however only 7 or 8 of those would have funds available to apply and that meant that Stafford County could potentially get \$215,000 this

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round.

Mr. Adams pointed out that after the purchase of the Adams easement there would still be a little under \$600,000 available which equaled potentially 24 lots.

Ms. Baker stated that there would have to be discussion on how to match the funds since it would be a whole year before they could apply for VDACS funds again. She explained that there were still other options like ACEP (Agricultural Conservation Easement Program – former FFRP). She pointed out that the program was a little bit more cumbersome since a property would have to be ready to go before applying for the funds. Ms. Baker also reminded that Quantico was also still offering their program, however the program would require the properties to be close to the base since the purpose of the program was to buffer the area around the base from residential development. She stated that the deadline for those applications would be due June of 2015. Ms. Baker pointed out that Quantico would however not take an active role in the process. The counties would have to do the footwork. Mr. Adams asked if the County had somebody to go out for that purpose. Ms. Baker stated that the County did not have staff to do that. She reminded that a memorandum of agreement was signed with the Department of Defense, the other localities, as well as a couple of land trust and that there was a mechanism in place to facilitate the process. Ms. Baker stated that the County held a public information meeting in conjunction with Quantico where a map of about 100 desirable properties was created, 6 of which were ranked as highest priority. She stated that the map would have to be updated and the property owners would have to be contacted. Ms. Baker stated that Northern Virginia Conservation Trust had taken an interest since then and were looking to expand more into Stafford County.

Mr. Adams was concerned that the property owners around the base weren't aware of the program. Ms. Baker stated that they were notified about 6 years ago, however a lot of the properties had been developed or sold since then, which was why the first step would have to be to reassess the properties. Ms. Baker further stated that with the Quantico program would only pay fair market value unlike the PDR program which paid by lot. Ms. Baker pointed out that most localities used the appraisal method for their PDR programs, Stafford County however didn't due to delays, cost of appraisals, and negotiations.

4. New Business

- **PDR Program Assessment**
- **Future PDR Application Round**

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Ms. Baker stated that the PDR committee had established the protocol to evaluate the PDR program at the end of each program period regarding status report on the total number of properties with easements, total acreage, total amount spent, the ranking criteria, and evaluation process. She also stated that the committee would also have to discuss the future application round.

Ms. Clark stated that there were two major agricultural areas left in Stafford, White Oak and Hartwood. She pointed out the fact that there were three properties with easements in White Oak and one at the east end of Hartwood. She expressed her concern regarding all the properties that had fallen in Hartwood and inquired if it was possible to set up target areas. Ms. Clark stated that she would also like to see the Harris property get saved and maybe the committee would have to take another look at the criteria to figure out why the property ranked so low.

Mr. Adams inquired whether the PDR committee was theoretically able to designate target zones. Mr. McClevey didn't believe that that would be an issue.

Ms. Clark stated that there were multiple pieces of land along Hartwood Road that were actively being farmed by families that had been there for generations. She gave a quick oversight of the properties in that area. Mr. Adams pointed out that there wouldn't be enough funds for the large properties out in Hartwood.

Ms. Baker mentioned that Fauquier County had active land trusts on top of the PDR program and they had people going out to property owners to teach about the benefits of conservation easements and that's how they were getting open easements. Mr. McClevey added that he understood that they were only able to get a little bit at a time, but over time it would build up with each round.

Mr. Rudasill felt that the Northern Virginia Conservation Trust should be able to help financially with the program. Ms. Baker explained they had not had a lot of funds in the past, but they were trying to be more proactive in acquiring funds now. Mr. Adams added that Northern Virginia Conservation Trust was however extremely strong on education with workshops, educational seminars, education on tax credits, etc. Mr. Rudasill did not feel that tax credits were a big draw for Stafford County farmers. Mr. Howe didn't necessarily agree since the tax credits could be sold.

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Ms. Clark went back to talking about the Hartwood properties and suggested that she would like to see at least one property along Hartwood Road saved and that could jumpstart something in Hartwood. She did however not want to take away money from other sensitive areas. Mr. McClevey felt that that wasn't taking money away, it was simply reassessing the direction the committee was going in.

Ms. Baker stated that there was more than one option. The committee could ask the Board of Supervisors if they could just continue down the list of the 2013 properties and look to get the federal matching funds. She further stated that the Adams property had already been approved by the Board of Supervisors. Ms. Baker stated that the bottom line was, the committee had to make a decision on whether to continue with the 2013 properties or starting a new round and setting target areas. The committee had a brief discussion about the advantages of continuing with last round's properties versus starting a new round taking into consideration leveraging the available money with matching funds, working with different funding programs, time lines, and encouraging more farmers to get farm plans and such for better agriculture in Stafford County. Mr. McClevey suggested for the committee to take some more time to consider all the options. The committee agreed to bring the matter back the following month.

➤ **Chesapeake Bay Ordinance Amendments**

Ms. Clark stated that she had started looking into the ordinance amendments once the Board of Supervisors advertised a hearing on the new Chesapeake Bay regulations. She pointed out that the 40 percent reduction set for agriculture had not changed from the 1991 ordinance and she did not know where the number came from and that she believed that it was a non-measurable numbers and she was not aware of any type of ongoing testing anywhere.

Ms. Baker stated that Ms. Forestier (Environmental Planner) had reached out to the liaison at DEQ who did not yet get back with her. She further stated that the Committee had the option to make a recommendation for this issue to be put on the Boards legislative agenda so it could be looked at. Ms. Clark presented a newspaper article that indicated that agriculture had already cut the amount of pollution.

Ms. Baker stated that the hearing was tabled by the Board without a deadline and that staff would pursuit getting answers from the state before it goes back to the Board. She further pointed out that the Committee would have to take action now if they wanted to be considered for the legislative agenda.

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Ms. Clark pointed another issue she found in the Ordinance which was the requirement of a 100 foot buffer on each side of a stream which would be overseen by Soil and Water. Ms. Clark did not feel that Soil and Water had the staff to do so. Ms. Baker stated that the compliance issue was put on hold since it was deemed that none of the soil and water conservation services were able to do it.

Mr. McClevey reminded that in DEQ's 2011 assessment there had been some issues with the numbers, which was reported back to them according to Ms. Baker.

Ms. Clark made a motion to make the recommendation to have this issue put on the Board's legislative agenda. Mr. McClevey seconded the motion. The motion passed 5-0. Ms. Baker stated that staff would come up with the language.

Ms. Clark requested to take a look at some of the other agricultural implications at the next meeting. Ms. Baker affirmed and stated that she would try to have somebody from the state come to the next meeting.

Mr. McClevey inquired whether the Stafford County agriculture would have to reduce pollution to meet DEQ numbers since the validity of their numbers was in question. He further stated that a priority should be to look at where the actual pollution was coming from, since there was a strong possibility that it did not come from farms. Ms. Baker explained that step one was an assessment to determine how many properties had conservation plans or were using any kinds of BMP measures.

Ms. Baker explained that the County wasn't really changing any requirements of the Chesapeake Bay ordinance and they were still driven by the state code. The reason for the revision was to take it out of the Zoning Ordinance and out of the Board of Zoning Appeal's hands and turning it into a standalone ordinance. She further explained that there will be a Chesapeake Bay Board.

➤ **Farmers Market**

Mr. Adams inquired whether there was an end-date for the market. Ms. Baker explained that it was up to the market manager to set times and dates and that the market wasn't approved date specific. She reminded that the market manager had indicated that the market would run from April through October, however she would now like to extend through December. She further explained that they would only have to extend their zoning permit.

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Mr. Howe inquired about the Woodstream Farmers Market. Ms. Baker stated that Woodstream did not have the proper zoning to allow a farmers market. She further stated that Mr. Figueroa would still pursue the farmers market by trying to make a change to the zoning ordinance to allow farmers markets in other zoning districts, under such parameters that there is open space or a community center available.

5. Next Meeting

October 27, 2014 Regular Meeting

6. Adjournment

Mr. McClevey made a motion to adjourn which was seconded by Mr. Rudasill. The motion passed 5-0.

The meeting adjourned at 8:57 p.m.