

MONTGOMERY SOIL CONSERVATION DISTRICT
BOARD OF SUPERVISORS MEETING
MINUTES
March 13, 2020

Approved
5-8-20

The regular monthly meeting of the Board of Supervisors, Montgomery Soil Conservation District (MSCD) was held at the Agricultural History Farm Park, Derwood, MD, Friday, March 13, 2020.

People Present:

Robert Butz, Chair
Wade Butler, Vice Chair
Robert Butts, Board Member
Robert Stabler, Board Member
Pam Saul, Treasurer
Tim McGrath, Associate Supervisor
Tom Linthicum, Associate Supervisor
Jeremy Criss, Office of Agriculture (OAG)
Brandy Gibbons, Acting District Conservationist (NRCS)
John Zawitoski, District Manager (MSCD)
Karen Walker, Administrative Assistant (MSCD)

Guests:

Chris Miller, Lone Oak Farm
Adam Lyon, MDA Representative (Conference Call)

The Chair, Robert Butz, called the meeting to order at 9:01 a.m. and had everyone introduce themselves to our guest, Chris Miller of Lone Oak Farm. After all introductions were made, the Chair, Robert Butz noted that under the current circumstances involving the coronavirus the meeting should be kept brief and to only address essential matters. Next, Robert moved onto Agency Reports and had Adam Lyon provide the report for Maryland Department of Agriculture.

AGENCY REPORTS

MDA- Due to the current situation with the Corona-19 virus Adam Lyon, the MDA representative was unable to physically attend the Board of Supervisors Meeting. Karen arranged for conference call so that Adam could provide his Report. Adam noted that currently, the State is re-evaluating its emergency Level Two Operational Plan and conveyed that teleworking is now a mandatory requirement for State employees. Adam stated that this impacts Paul Myer and he must telework or provide off-site construction oversight for the installation of BMPs that are underway and active. Adam thanked John for getting him Paul's necessary paperwork to activate his teleworking agreement. Adam noted that MDA is still awaiting to hear more information in reference to the State moving to a Level 3 status. Robert Stabler asked how long is this situation anticipated? Adam responded that the State is preparing for a minimum of two weeks. Wade asked if the State shuts down, how will it impact the H2A program? Adam responded that he did not know but he will research the matter and report back. Jeremy noted that other farmers rely on H2A and H2B. Both the H2A and H2B fall under the Department of Labor and the programs are for seasonal workers. Under H2A, farmers provide housing for workers and under H2B farmers do not provide housing.

Office of Agriculture (OAG) –Jeremy reported that due to the current situation all park facilities are closed to the public until at least March 27th. Jeremy indicated he has received the necessary paperwork for County employees to telework. Jeremy provided his cell 301-943-9766 if anyone needs to get in contact with him. The Office of Agriculture will be sending out email blast announcing updates and he will continue to monitor the situation. John indicated that MSCD will be providing email blast and will post an announcement on the MSCD website and social media outlets noting how MSCD will be working to provide services during the health emergency. Jeremy then reported on the following items:

- A total of 12 Maryland residents which includes 4 Montgomery County residents have tested positive for Coronavirus known as COVID 19. The Office of Agriculture is working on preparations. There is new signage on all entrance doors with instructions involving building operations. Employees that are sick must stay home until they are better. Hand sanitizers will be in numerous areas of the building where people

gather. Trash containers will be located beside all bathroom doors. We are working with our State and Federal partners to coordinate Telework/Flex scheduling of employees. As we continue to monitor the status of the COVID 19, we may have to implement a schedule that reduces the number of people working in the building or perhaps close the building depending on mandates from the CE.

- The Office of Agriculture has been working on State Legislation including hearings with the Montgomery County Delegation and other Committees. HB 848- proposal to change the County Ag Transfer Tax Law, would direct the collections to be used for Ag Preservation and programs that support agriculture. The County Ag Transfer Tax would go directly into the Agriculture Preservation Program and not the General Fund. Jeremy believes that this Bill will pass. HB 805 will add Montgomery County to the 50 and under club for ag tourism venue capacity. The Montgomery County Delegation approved HB 805 with an amendment that will enable Montgomery County farmers to use agricultural buildings for agritourism for occupancies that do not exceed 100 people for a single level structure. Jeremy noted that there are two delegation members that support HB 805. Montgomery County wanted to explore a level greater than 50 but less than 200 people and the delegation proposed an occupancy of 100 people. John asked how this would impact Rocklands as they operate a structure that operates on multiple levels. Jeremy indicated that Rocklands building was approved as a commercial building and he provided more details. HB 827 proposal to add rifles as acceptable firearms in Montgomery County while hunting with a Deer Management Permit. Please note that several farmers have expressed safety concerns surrounding the use of rifles in the County. The HB 827 has been assigned to summer study.
- The County Council introduced ZTA 20-01 to allow Community Commercial Solar in the Agricultural Reserve. The ZTA proposes a total of 1,800 acres or just 2% of the Agricultural Reserve-AR zone to allow for larger commercial Solar installations. The ZTA 20-01 was introduced on January 21, 2020 and the Public Hearing was held on March 3, 2020. The AAC, MSCD MCFB, MAP, and APAB are all opposed to the Solar ZTA 20-01. Jeremy noted that due to the current situation the Council Work Sessions will not happen until the end of May or the beginning of June. Jeremy shared that only 3 Councilmembers support this ZTA. Robert Butz applauded Jeremy for his efforts in this matter and noted his coordination on this issue is on point.
- County Council introduced ZTA 20-02 Accessory Structures-Agricultural Reserve Standards. The Public Hearing this ZTA was cancelled. The ZTA 20-02 states the footprint of non-agricultural accessory buildings or structures applies to 50% of all buildings and structures combined. The ZTA states that buildings for an agricultural use are exempt from the size restriction. However, Section 59.3.2.6.F limits the size of accessory structures used for Agritourism to 10% of the total footprint of all buildings and structures on the farm. If HB 805 passes for agricultural buildings allowing occupancies of up to 100 people, the restriction for buildings used for agritourism will need to be deleted from the code.
- The County Office of Agriculture was awarded a Rural Legacy Program (RLP) Grant of \$2,704,500 on January 8, 2020. A Supplemental Appropriation has been introduced and the Public Hearing was held on February 25, 2020. Social media has resulted in many farmers interested in farmland preservation. Jeremy noted that Mike and John collaborated on this effort which resulted in the OAG receiving \$2.7 million from DNR for easements. He then reported that the OAG has submitted the FY21 RLP Grant on February 11, 2020. Jeremy also reported that the OAG also received the final payment totaling \$500,000 from the Crown Farm Developers for the final plats and units that have been approved by the City of Gaithersburg. In reference to the FY21 Operating Budget, Jeremy explained that John has been working with him on the budget that included two new positions for MSCD: 1 engineer and 1 technician position. Jeremy reported that unfortunately the County Executive did not include funding for these positions in his budget. Jeremy is not giving up on the opportunity in leveraging funds from DEP and CB Trust Fund to support this initiative. Jeremy is requesting a re-evaluation to have the two positions funded perhaps utilizing County Ag Transfer Taxes as an alternative funding source since there appears to be funding limitations associated with new charges to the WQPC fund.
- Council Member Evan Glass is proposing a Zoning Text Amendment that will increase the 20% rule for amounts of organic material from off site (food scraps) used in the production of compost. We have scheduled

a farmer forum to discuss this proposed ZTA on Friday March 20, 2020 here at the Agricultural History Farm Park, but this meeting may need to be rescheduled due to COVID-19.

- The OAG has been working to schedule a follow up meeting to the Farmer Round Table Discussion from December 6, 2019. We identified March 26, 2020 for a date, but we will need to reschedule this meeting due to COVID-19.
- This year marks the 40th Anniversary of the Agricultural Reserve. Jeremy has been participating with the Steering Committee for this proposed event. This event would include all stakeholders to help celebrate this important milestone. Jeremy hopes all the agricultural agencies and organizations would support and participate in this event. It has been suggested that possibly something can be coordinated in July along with the Farm Tour. Jeremy is hopeful that MSCD would be willing to provide a financial donation to support this event.

Upcoming Meetings and Events:

Montgomery Soil Conservation District Board of Supervisors-March 13, 2020
MC Preservation Awards-Historic Grace United Meth. Church March 14, 2020
Montgomery County Agricultural Advisory Committee-March 17, 2020
MCPS-Montgomery College- PAC-Career Pathways for Ag-March 18, 2020
King Barn DairyMOOscum Advisory Board-March 21, 2020
National Agriculture Day with the County Council-March 24, 2020 (*John noted that it is cancelled.*)
Congressional Staff meeting follow up from Farmer Roundtable-March 26, 2020
Damascus High School-FFA Agricultural Education Outreach-March 30, 2020
Envirothon Training-April 1, 2020
Moco Food Council-Moco Made Promotions at Waredaca farm brewery-April 2, 2020
Rocklands Farm-Leadership Montgomery Forum-April 3, 2020
Thrive 2050 (Update of the County's General Plan) April 7, 2020
Montgomery County Farm Bureau Board of Directors- April 7, 2020
Montgomery Soil Conservation District Board of Supervisors-April 10, 2020
Quarterly meetings for CE, Andrew Friedson MAP, MCFB, OAG-April 14, 2020
Montgomery County Agricultural Preservation Advisory Board-April 14, 2020

SECRETARY/ TREASURER'S REPORT

The Minutes for the January 10th meeting were received and reviewed and there were no noted changes. A motion was made by Robert Stabler, seconded by Pam Saul and passed approving the January 10th Board of Supervisors Meeting Minutes.

Karen then presented the Financial Statements for January and February and noted that the checkbook and bank statements have been reconciled for both months. In consideration that the Board did not meet in February, Karen had to move ahead to pay the MSCD's portion of exhibitor's tent rental shared with the OAG for the Montgomery County Fair. This is an annual expense that has been traditionally shared with the Office of Agriculture. This cost was expensed from the WQPC Operating funds and does not impact the MSCD's cash flow. Karen then explained that MSCD has received a donation request from the University of Maryland Soil Judging Team. The MSCD has traditionally supported this effort by providing a \$100 donation to the UMD Soil Judging team. She reported funds are available and recommends the Board support the donation. Karen then explained that the Envirothon training day may occur before the next Board meeting. In preparation for this event, she requested a \$500 approval for the Envirothon Training and Competition Day. She noted that MSCD pays for the lunches for the Envirothon instructors' and snacks for the students. Depending on what happens with the public schools with Covid-19, the schedule may be adjusted. A motion was made by Robert Butts and seconded by Wade Butler and passed approving to file the January and February MDA Financial Reports and to approve the payment for the shared tent rental for the Montgomery County Fair (\$105), a \$100 donation for the UMD Soil Judging Team, and up to a \$500 expenditure for the Envirothon.

APPROVALS, RATIFICATIONS AND REQUESTS FOR ASSISTANCE

The District Conservationist Activities Report was not available for the meeting. However, the Acting District Conservationist, Brandy Gibbons had several items to share with the Board. Brandy shared that the sign-up deadline for EQIP and AMA is March 20th and the sign-up deadline for CSP is May 29th. Applications can be accepted by mail, email, or over the phone, and if further assistance is needed, Brandy will make house calls. Brandy noted that conservation plans will have a different look the next Board meeting. Toolkit is no longer operational, the new planning software all planners have been trained to use, and are currently using, is called Conservation Desktop. Brandy presented several Request for Assistance and Conservation Plans to the Board for their approval. Brandy noted that there are no associated issues with any of the items and recommended the Board's approval. A motion was made by Pam Saul and seconded by Robert Stabler and passed approving all Conservation Plans. John shared that Adam is pleased with MSCD conservation planning efforts.

NEW BUSINESS

Follow up to Winter MASCD Meeting - The District followed up with emails and letters to the entire delegation. We sent thank you letters to every legislator/staff member we met and expressed our appreciation for meeting with us and recapped our legislative and budget priorities. We also sent letters to all the legislators that we missed meeting with, provided them with the MASCD folders that contain the District's program highlights and MASCD Legislative Priorities. Over the course of two days we met with 20 Senators/Delegates or their Chiefs of Staff. In every case we had effective exchanges. Also, in advance of the Summer Meeting, we have been asked to confirm Supervisor Pins for years of service. Pam Saul will receive a 15-year pin and Wade Butler a 25-year pin. John encouraged Wade to attend the MASCD Summer Meeting.

MASCD Board of Directors Meeting - This meeting was originally scheduled for March 24th, as detailed in MASCD's Partnership Press newsletter, and is now scheduled for March 26th and represents a conflict with other meetings scheduled on March 26th. In accordance with MDA, NRCS and FSA protocols for COR-19 and a policy for limiting "social interaction" whenever possible, meetings should be cancelled or remotely accessed if a gathering would of fifty or more people. Therefore, the March 26th MASCD Board meeting to be a **conference call** with an online video option for those who can access that technology. Lindsay will send all the materials (updated agenda, financials, etc.) ahead of time.

Staff Feedback from Cons. Desktop Training- The MSCD staff participated in the new Conservation Desktop Training February 25, 26, and 27 in Annapolis. Following the training, we asked our staff for an unbiased report and observations from the training. John shared details on the frustration and challenges the new software presents. Robert Butz understands the challenges expressed by staff and remembers when Toolkit was first introduced similar expressions of concern were discussed. We should be patient and see how NRCS intends to address the operational issues.

Budget, Staffing Training Update - The County Budget process is proceeding, and the two positions identified were ultimately included in the CE's budget. John has taken every opportunity to talk about the importance of these positions, especially the engineer as it represents a critical need for the District. Jeremy had shared details under his Report concerning the next steps for this item.

USDA, RC&D interviewed candidates for a technician position to be shared with Montgomery and Howard Districts. This is a grant funded position but provides an opportunity to help further increase technical staff capacity.

Aside from Conservation Desktop Training, staff participating in Economics of Conservation training session and the District sponsored a GPS total station session for select technicians and engineering staff from the western shore Districts. This specialized training was 5-hour (hands on) session for 6 participants that have GPS survey equipment. We received expressions of gratitude from those in attendance on the quality of this training session.

Environmental Educational Outreach – Travis Gorleski coordinated his first equine conservation outreach event that was held on February 28th at Blue Moon Farm (Dave and Ellen Quirks). This event was very well attended with more than 30 equine producers and enthusiasts that participated in this half day event. We received numerous

positive feedback responses from participants concerning the value of the event for their own operations. A copy of the flyer has been provided in the packet. We are already planning on a second workshop to occur later this summer.

Our County Envirothon training session is scheduled to be held here at the AHFP on April 1 and the local competition will be held on April 29th. We may need to cancel in light of corona virus, we are waiting on additional guidance from the public schools and State Envirothon Board.

The Envirothon and Close Encounters are two of our larger educational outreach efforts each year and we continue to support these events. One area we are looking to expand, educational outreach, involves reenergizing outreach to the County's pony clubs. The goal is to develop a program to help further educate school aged equine enthusiasts about land stewardship and conservation approaches. Travis will be spearheading this initiative.

MASCD Endowment Grant-MASCD have received notification from MASCD concerning their Environmental Education Endowment Grant Program. This will be the first offering of Grants to Maryland's Soil Conservation Districts from the Environmental Education Endowment Fund. The Grants are limited to \$1,500 per District or MASCD program. To assist Districts and programs during 2020, the MASCD Board of Directors agreed to allow the Endowment Committee to accept Grant applications this year beginning in February-March and again beginning July 1, 2020 for 2021. MASCD has drafted grant application and intend to submit to MASCD before the COB today. The amount we are requesting is \$1,500 that would be matched with local funds to offset expenses associated with our existing Envirothon program, as well as funding for the new Equine Conservation Educational Outreach Program discussed earlier. A copy of the Grant application is in the handout packet.

Meeting with MHC Stewardship Committee on WIP – John has been contacted by Jane Thery, of the Maryland Horse Council Stewardship Committee about getting together so that she can better understand the County's Ag WIP Plan and goals and see how some of the goals would be important for the equine community. This represents an excellent opportunity to have a dialog about the WIP and equine operations with the Chair of the MHC Stewardship Committee. Due to the current situation with Covid-19, we will need to reschedule this meeting until the health emergency has passed.

Maryland Horse Council Meeting at AHFP - The Maryland Horse Council reached out to the District about holding their March meeting here at the Ag History Farm Park on March 31st at 7 pm. Due to the current situation with Covid-19, we will need to cancel this meeting location and coordinate with the MHC on a future date for meeting at the AHFP.

EQIP AMA, RCPP signup deadlines (3/20) Included in your packets are copies of information concerning EQIP, AMA, and RCPP signup deadlines. This item had been addressed under the District Conservationist Report.

Proposed Meeting for Congressional Senators - As a follow up from the December Farmer Roundtable, Jeremy has been trying to schedule a meeting in Rockville for farm leaders/staff to talk with staff representatives of Senator Cardin, Senator Van Hollen and Congressman Raskin who handle farm related issues. The meeting has been scheduled for March 26th at 10:00 a.m. in one of the Congressional offices in Rockville. Due to the current situation with Covid-19, we will need to reschedule this meeting until the health emergency has passed.

County COOP Plan- The County Continuity of Operation Plans (COOP) were widely discussed during the meeting. In short, these plans are designed to address work protocols during an emergency situation. CVOVID 19 has necessitated activating the County's COOP Plan. Teleworking options for employees; staggered work schedules, requirements sick employees are to stay home etc. and chain of command are all issues in the Plan. A copy of an early COOP plan draft is included in the supervisor's packets as well as a copy of a **Coronavirus Fact Sheet**.

OLD BUSINESS

Election of Officers- John shared that this item was deferred from the last meeting and he noted that Tim McGrath has taken the Oath of Office and is now an official Board Supervisor, replacing Wade Butler on the Board. The Board was very appreciative of Wade's 25 years of Service on the Board and indicated he would be truly missed. John then shared that Tim's new status as a full Board has created an opportunity to bring on another Associate Supervisor to the Board. With this opportunity, John invited Chris Miller of Lone Oak Farm to the Board meeting and to express his interest, to the Board, in becoming an Associate Member. Chris explained that he grew up on a family farm right here in Derwood, that he attended Virginia Tech and is an arborist by trade with a deep desire to get back into farming. He explained that while he intends to grow ingredients for his new Lone Oak Farm Brewery, another goal is to locally source ingredients for the brewery as much as possible. Chris detailed his involvement with the District and the Office of Agriculture and is thankful for the assistance provided. Robert Butz thanked Chris for coming to the meeting and encouraged him to become and Associate Supervisors.

With the business of Associate Supervisors being concluded, the Board was now ready to hold the annual election of officers. John explained that Under Subtitle 3: State Soil Conservation Districts 8:303 *"the supervisors shall designate annually a Chairman and such other officers as may be necessary and shall have authority to change these designations"*. Robert Stabler made the following nominations: Robert Butz, Chair; Robert Butts, Vice Chair and Pam Saul, Treasurer. Tim McGrath seconded the slate of nominations. Hearing no objection, the Board unanimously approved the Annual Election of Officers. Everyone then welcomed Chris as an Associate Supervisors.

ZTA 20-01 Solar in AR Zone (MSCD Testimony) – This item was discussed in detail under the OAG report, the Minutes reflect that a copy of the MSCD testimony was provided in the Supervisors Packet.

Update on NRCS Vehicle Issue - Our insurance agent indicated that he had no good news to report on the vehicle insurance coverage using the Federal vehicle. He indicated that he has checked with 6 different insurance carriers and they do not provide this type of policy. He explained that if the District purchases a vehicle, then we can get coverage. He also said this would be the case if we leased a vehicle. John is going to research the option and process of leasing a vehicle and will provide a recommendation to the Board.

Feedback from Equine Workshop (2/20) -This item was addressed under the Education Outreach and it was well received. A copy of the flyer and responses is in the handout packet.

Winter Agronomy Meeting - The Winter Agronomy Meeting was held at the Urbana Fire House on February 20th and it was a really good meeting. Andy Kness, Agricultural Agent in Harford County provided an agronomic disease update, Amanda Grev, Forage & Pasture Specialist discussed maintaining forage stand persistence, Kurt Vollmer, Weed Specialist University of Maryland Extension presented on herbicide resistance and Integrated Pest Management. Paul Goeringer, Legal Specialist University of Maryland Extension discussed the legal aspects of hemp, solar issues, as well as providing a Farm Bill Update. The best presenter of the day was Dr. Donna Farmer a toxicologist with Bayer. She presented on the science supporting the long, safe, usage history of Roundup herbicide. It was a really interesting presentation and learned that the lawsuits that were successful so far was based off of one un-substantiated study and the presiding Judge would not allow the volumes of other scientific research to be entered into the record. As result the jury did not hear or have any of the scientific information to consider in rendering a verdict. Doug Tregoning suggested if she were willing to come, she might make a good speaker for the Cooperators Dinner. John recorded a video of this presentation and would try to airdrop it from his phone so that Supervisors could view the presentation.

Cooperators Dinner/75th Anniversary (9/9)- John detailed that the District is in the beginning stages for planning the Cooperators Dinner which will also be our 75th anniversary. The Dinner will be held at Butlers Orchard and we are pulling together some historical information of the District for the event as well as figuring out a nice 75th anniversary give away for those attending the event.

MACs TAC meeting 3/26 @1 pm at MDA - The meeting will be held on 3/26 at 1 PM at MDA. J Harne and John will be participating via conference call on the 26th. *Following the meeting we learned that this meeting had been cancelled due to COVID-19*

Hunt Impervious Surface Violation Resolved – John provided in the supervisor's packets, a notice from MNCPPC that indicates the Impervious Surface Violation for Richard E. Hunt has been resolved and they thanked the District for helping Mr. Hunt. This now resolves the violation and notifies the landowner and District that it is no longer in effect and is closed.

BMP Verification (2/5-2/6) - Bill Tharpe completed his second visit to the District for the BMP Verification on February 5th and 6th wrapping up farm visits from his January dates in the District Office. He continues to find opportunities to give our producers credit for Resource Improvements Found. He will be sending us guidance on whatever follow up actions will be required by the District in the Conservation Tracker.

ADJOURNMENT AND NEXT MEETING

The meeting adjourned at 11:00 a.m. The next scheduled meeting is April 10, 2020, at the Agricultural History Farm Park.

Respectfully submitted,



Karen Walker, Administrative Assistant

<u>MEETINGS ATTENDED</u>	<u>PERCENTAGE</u>
Butz	90%
Butler	100%
Saul	100%
Stabler	90%
Butts	100%
*McGrath	100%
*Linthicum	30%
*Joe Lehman	70%

*Associate Members