

MONTGOMERY SOIL CONSERVATION DISTRICT
BOARD OF SUPERVISORS MEETING
February 12, 2021

Approved
4-9-21

Due to COVID-19 meeting restrictions, the regular monthly meeting of the Board of Supervisors, Montgomery Soil Conservation District (MSCD) was held remotely. Because of technical difficulties with the GoToMeeting virtual platform, an alternative virtual meeting platform (Microsoft Teams) had to be utilized for this meeting.

People Present:

Robert Butz, Chair
Robert Butts, Vice Chair
Tim McGrath, Board Member
Tom Linthicum, Associate Supervisor
Jeremy Criss, Director OAG
Mike Scheffel, OAG
Adam Lyon, MDA
Kelly Nichols, Extension
Sam Engler, Acting District Conservationist
John Zawitoski, District Manager (MSCD)
Travis Gorleski, Equine Conservation Planner (MSCD)
Karen Walker, Office Service Coordinator (MSCD)

Chairman Butz called the meeting to order at 9:20 am and explained due to a scheduling issue the meeting would need to conclude at 10:30 am. Therefore, in order to address meeting action items, agenda items were taken out of normal sequence to address these items.

Approval of the January 15th Board Meeting Minutes:

The first items addressed involved the approval of the January 15th Board of Supervisors Minutes. The Chair acknowledged that all have received the minutes and asked if there were any changes or corrections. There were no noted changes and a motion was made by Robert Butts and then seconded by Tim McGrath and passed approving the January 15th Board Minutes.

Approval for Filing the MSCD Financial Reports:

The Board then took up the matter of approving the MSCD financials. The December and January financial reports were provided in the Supervisor's packets and the information was also presented on the screen. Karen informed the Board that the check book and bank statement have been reconciled for both months. It was noted that due to the impacts of COVID 19, normal expenditures incurred by the District have been dramatically decreased and as a result, it is very likely there will be State funds remaining at the end of the FY. Normally, the State requests these funds be remitted back to the State; however, Adam Lyon indicated MDA is working on a process that will allow these funds to remain in the District and future allocations may be adjusted accordingly. Karen also reported that MSCD has received the final quarterly payment from MDA and it will be reflected in the February Financial Report. John highlighted the District received a \$30,000 donation from the

Edward Byrd Foundation in support of the Envirothon and other District educational outreach activities. John explained the donation was a result of J. Harne's efforts and the District will follow up and provide a thank you letter to the Byrd Foundation for the generous donation. A motion was made by Robert Butts and then seconded by Tim McGrath and passed approval of the submittal of December MDA and the January 2021 Financials. Before moving forward with the Agency Reports, the Chair requested a motion be made to have the Vice-Chair, Robert Butts run the remaining portion of the Board Meeting as he would be leaving shortly. A motion was made by Tim McGrath and then seconded by Robert Butts and passed having the vice chair run the Board Meeting. The vice chair, Robert Butts, had Adam Lyon present his report.

Agency Reports:

Maryland Department of Agriculture: Adam Lyon, Patuxent Regional Coordinator for MDA, presented his report and he noted the current MDA COVID-19 operating protocols remain in place are unchanged. MDA staff are required to telework to the fullest extent possible. Adam noted that the COVID-19 positivity rate is lower than in previous weeks. He provided a link to the state website or more details:

<https://coronavirus.maryland.gov/>

Adam then informed the Board that MDA has transferred Udeni Leange, Soil Conservation Technician to the District and is now on board and MDA is on the fast track to fill all the other open positions. This includes the new positions slated for Montgomery SCD. MDA expects to be able to conduct interviews in late February and early March. He shared the next round of new hires also includes BMP Verifiers across the state, which includes service for MSCD.

Adam shared the MACS program announced there is adequate available funding to pay for the delayed termination option for the Cover Crop Program for this spring. Originally, this portion of the Cover Crop program was in limbo based upon budget concerns. Acres that were planted after 11/12/2020 are not eligible for the delayed termination incentive. Adam then commented on the Maryland Conservation Buffer Initiative (MCBI). The MCBI application period closed on February 5th and MDA is organizing details this week for instructions on site visits to be conducted by SCD staff. MDA received one application from Montgomery and MDA credits all the SCDs for making this pilot a success. Finally, Adam commented on the Annual Implementation Reports (AIRs) and noted they can be done online via the *Maryland OneStop* portal. Hardcopies were mailed out from MDA-HQ and are due by March 1st, 2021.

Extension: Kelly Nichols, Ag Extension Agent for Montgomery County presented her report. She informed the Board that Frederick County is in the process of hiring an Ag Agent Position. She provided a copy of the full job description and the link for interested persons wishing to apply <https://ejobs.umd.edu/postings/81048>.

She then reported that the Maryland Department of Agriculture is partnering with the National Agriculture Statistics Service (NASS) to do a pesticide use survey for the state of Maryland. Surveys will come from NASS and will be mailed out. The results will better assist MDA in knowing what pesticides and in what quantities are being used across the state. MDA is also offering pesticide credits for those who complete the survey. Kelly indicated that she is looking for input on challenges in vegetable weed control and ideas for potential research projects. This could be problem weeds, herbicide efficacy, using cover crops, etc. She gave a reminder to renew your pesticide license if it expired at the end of December. Renewals can be done [online](#) or by requesting a paper copy of the form by calling MDA at 410-841-5710. Also, [annual implementation reports](#) are due March 1st.

Office of Agriculture: Jeremy Criss, Director of Montgomery County's Office of Agriculture provided his report. Jeremy reported on the items listed below:

- The County Council conducted a straw vote on the Solar ZTA 20-01 on January 26, 2021. They voted 6 to 3 for conditional use of approval and 5 to 4 to protect both Class 1 and 2 prime soils from locating solar fields. The ZTA is supposed to be scheduled on the County Council agenda for ACTION February 23, 2021. We are trying to better understand language concerning amendments discussed during the straw Vote. The DEP is reevaluating the soils GIS layer to better understand why parcels greater than 15 acres in size was chosen when we are aware of several pending solar fields in both Howard and Baltimore counties that range in size from 4-13 acres.
- Council Member Andrew Friedson proposed Bill 5-21 Agricultural Land Preservation-Solar Collection Systems-Dedication of Business Personal Property Tax Revenue. The Public Hearing scheduled for February 9, 2021 was postponed because the Solar ZTA 20-01 has not been adopted by the County Council.
https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20210119/20210119_11B.pdf
- The County Council Approved the Composting ZTA 20-04 on February 9, 2021. This ZTA will increase the amount of off-site materials (wood chips, horse manure-bedding materials, food scraps) used in the compost process from 20% to 50%.
https://www.montgomerycountymd.gov/council/Resources/Files/agenda/co1/2021/2021_0209/2021020912A.pdf
- The County Council introduced the Subdivision Regulations Amendment SRA 21-01 to exempt farm facilities from the subdivision process Chapter 50 for commercial buildings used for Agritourism, On-Site Farm Markets and Farm Alcohol Production. The public hearing is scheduled for March 2, 2021. We learned that the MDE regulations require subdivision of lots that were recorded after November 18, 1985 and this regulation may negatively impact the SRA 21-01. There will be opposition on this SRA by the Planning Board and other civic groups. Jeremy requested time on Robert Butz's schedule to discuss his experiences and provide input on the proposed changes to the SRA 21-01.
- The Montgomery County Department of Environmental Protection-DEP is proposing legislation that will require all residents with septic systems to have them pumped out every 5 years and there will be a rebate. The purpose of legislation is to protect ground water and extend the life of the septic systems. Representatives from the DEP would like to attend your March 12, 2021 MSCD meeting to discuss this further.

Upcoming Meetings and Events:

Montgomery County Ag Advisory Committee-February 16, 2021 7:00 pm.
Full Council ACTION on Solar ZTA 20-01 February 23, 2021
Montgomery County Farm Bureau Board of Directors- March 2, 2021 7:00 pm
Council Public Hearing on SRA 21-1 March 2, 2021
Agricultural Preservation Advisory Board-March 9, 2021 7:00 pm
Montgomery Soil Conservation District-March 12, 2021 9:00 am

District Activities Report and Program Updates

The Acting District Conservationist, Sam Engler presented the District Activities Report. Sam shared the report is straight forward and he would be happy to address any questions the Supervisors may have. Having no questions, a motion was made by Robert Butts and then seconded by Tim McGrath and passed approving the District Activities Report.

Sam then shared some NRCS program updates and explained the first EQIP deadline is fast approaching and this effort has impacted conservation planning efforts as staff has been focused on making sure cooperators meet all program eligibility requirements. Today was the last day for cooperators to meet EQIP eligibility requirements and the next step in the process involves assessments that must be conducted. John informed the Board of just how appreciative he was of the MSCD staff for pulling together to get things done during the pandemic and noted that several conservation plans, while not yet ready for Board action, are in progress as listed in the activities report. Tom Linthicum, Associate Supervisor, shared some concerns over correspondence he received concerning cooperators deadlines for EQIP. The tone of the letters can be negative to farmers and Tom explained it would have been nice if someone just picked up the phone to discuss program issues with the producer. Sam provided some input into the process and explained the Farm Service Agency is responsible for generating these letters. John explained that the District doesn't always know when FSA will be sending letters out and believes better communication between NRCS, FSA and the District may help to better understand the timing of letters and being able to discuss with cooperators what these letters mean or require.

New and Old Business Information Updates:

NRCS Memorandum Concerning SWM - Currently, NRCS MD has MOUs with several SCDs that issue small pond approvals. Under Maryland Law, certain *small ponds* may be exempt from the permit requirements if small pond approval is issued by the appropriate Soil Conservation District (SCD). It appears that NRCS wants to get out of the Stormwater Management Pond review process. John explained details outlined in this memorandum and said that while this policy change will impact how the District and NRCS plays a role in small pond approvals for SWM ponds, it would not impact assistance farmers needed for on farm pond construction and maintenance assistance. Tim shared information on how Howard SCD is involved with SWM issues. John explained the Howard SCD has their own engineer on staff to handle these matters. Montgomery SCD is a bit more complicated as the MSCD delegated much of the authority for SWM ponds to the County and several municipalities. The issue at hand is starting on **January 1, 2022**, NRCS will no longer provide technical reviews of stormwater management (SWM) pond designs for compliance with the Maryland conservation practice standard for Ponds, MD-378. If the District does not have its own engineer on staff to fill the gap left by NRCS, the District may have to give up its small pond approval authority and shift the responsibility back to MDE Dam Safety. John noted that each County Budget Cycle over the past 3 years, that he has requested an engineer to help address some of the gaps in assistance from NRCS but as, yet the County has been unwilling to fund this position.

Recap MASCD Meeting/Legislation/Visits – John thanked each supervisor for attending the winter MASCD virtual meeting. All-day virtual meetings are challenging, and he was a bit disappointed in how the legislative sessions went during the meeting. John had reviewed in advance of the meeting, better than 30 pieces of legislation that would impact ag but only 3 or 4 bills were discussed during the winter meeting. He explained that during the meeting we learned that MASCD had already formulated positions and reached out to legislators. This process did not provide the Districts the opportunity to weigh in with their concerns about bills. John believes this concern should be raised during the March MASCD BOD meeting.

Legislation and Visits- John has been tracking legislation and sending out weekly updates to Supervisors. Since the conclusion of the Winter Meeting, John has been scheduling virtual meetings with Legislators. To prepare for these discussions, John has assembled the top 4 pieces of legislation to use as talking points. Given how quickly Legislators schedules change, John is working on getting time on their schedules and he will meet with them in the event Supervisors are not available. John has started with legislators who are sitting on committees concerning legislation we have issues with or specific comments to convey.

Preregistration COVID-19 – Ag Workers - Montgomery County is taking pre-registrations for COVID-19 vaccinations for Food and Agricultural workers that are eligible for vaccinations under Tier 1B. John wanted to get this information out to Supervisors in the event any in the ag community may have questions as to when they can register for a COVID 19 vaccine.

Other New Business Information Items and Dates:

Provided in the Supervisor’s packet was John’s new business information item report and these items are incorporated into the minutes below:

Upcoming 2021 classes sponsored by University of Maryland Extension

<https://extension.umd.edu/montgomery-county>

Beginning Farmer Success Course Registration Deadline February 5th

<https://extension.umd.edu/montgomery-county/agriculture/small-farm-program>

Virtual Fruit Grower Meeting February 10th

<https://extension.umd.edu/events/wed-2021-02-10-0800-virtual-fruit-grower-meeting>

Office Closed: Federal President’s Day -Holiday Feb 15

CFAP 2 application for producers who need to modify an existing app can do so between Jan. 19 and Feb. 26

Nutrient Management winter nutrient application prohibited period ends February 28

Nutrient Management Annual Implementation Reports Due March 1

Kill down/suppression for Cover Crops takes place March 1 thru June 3. Farmers who terminate cover crops after May 1, 2021 may be eligible for an Extended Season incentive payment.

How to Write a Nutrient Management Plan Webinar. U of MD Extension: March 8th—12th Registration is required <https://go.umd.edu/March2021-HTWNMP> Virtual Maryland Envirothon Competition Begins April 26th

Webinars Anytime Offered by the University of Maryland - Learn and Earn CEU’s

https://mda.maryland.gov/resource_conservation/Pages/asynchronous.aspx

Old Business Information Items

John gave a quick update that the Water Quality Protection Charge report is near final and noted that Melissa Steed provided some assistance to help finalize this report. We hope to finalize the report before the end of February and transmit to DEP. John also highlighted that the Sandy Spring Signature Authorizations have been updated and Karen now has access to the electronic viewing and printing of our Monthly statement.

Chairman Correspondence: None Noted

ADJOURNMENT AND NEXT MEETING

The meeting officially adjourned at 10:14 and the next scheduled Board of Supervisors is March 12, 2012.

Respectfully submitted,



Karen Walker, Administrative Assistant

<u>MEETINGS ATTENDED</u>	<u>PERCENTAGE</u>
Butz	100%
Butts	100%
McGrath	100%
*Linthicum	75%
*Joe Lehman	50%
*Chris Miller	60%
*Associate Members	