

Approved  
9/18/20

MONTGOMERY SOIL CONSERVATION DISTRICT  
BOARD OF SUPERVISORS MEETING  
MINUTES  
August 14, 2020

Due to COVID-19 meeting restrictions, the regular monthly meeting of the Board of Supervisors, Montgomery Soil Conservation District (MSCD) was held remotely through GoToMeeting. The meeting officially started at 9:02 a.m. and the Chairman, Robert Butz called the meeting to order. The following persons were present for the meeting: Robert Butz, Chair, Pam Saul, Treasurer, Tim McGrath, Member, Associate Supervisors, Tom Linthicum, Joe Lehman and Chris Miller, Adam Lyon, MDA, Kelly Nichols, Extension, Jeremy Criss, Office of Agriculture, Mike Scheffel, Office of Agriculture, Karen Walker, MSCD, Travis Gorleski, MSCD, Chris Zawitoski, R&D-NRCS/MSCD, Brandy Gibbons, NRCS/MSCD, and MSCD District Manager, John Zawitoski. The chair, Robert Butz, asked Adam Lyon to provide his report.

**AGENCY REPORTS**

**MDA**-Adam Lyon provided the report for MDA and noted that there are no changes to the State's COVID-19 protocols. MDA staff are continuing to telework, and approval is required before employees can make on-site visits. Adam noted that the Governor has released a travel notice that can require testing and self-quarantine for certain out of State travel. He then addressed the State's budget outlook and noted that there is still about \$200 million in cuts that have been deferred. The comptroller has projected a \$4 billion deficit for 2021 and that will likely impact MDA. Adam then reported that 50 positions believed to have been subject to a budget reduction exercise, appear to be saved and MDA is looking to move forward with filling those positions. He also indicated that Montgomery SCD is due a new vehicle and hopes to be able to deliver it to the District over the next few weeks. Adam then reported on the State's cover crop program and informed the Board that the MACs program has extended the due date for Nutrient Management Certification form from the original date of August 14<sup>th</sup> to until August 28<sup>th</sup>. In nutrient management news, a joint meeting with Nutrient Management and PMT is planned for August 21<sup>st</sup>. If any supervisor is interested in attending this virtual meeting, they should contact Dwight Dotterer for the meeting access information. Adam then explained how COVID-19 is taking its toll on individuals mental health and to help, MDA-State is offering stress response training for State workers (Paul). Adam then reported on an item of interest widely publicized in the news related to the China Seed Scam. He indicated that if we get calls about this, we should refer those calls to MDA immediately. It should be stressed that anyone receiving these seeds should not attempt to plant them. John shared that MSCD has been contacted by individuals in the County that had received seeds from China. He referred to the information in the agenda packet where MDA's Plant Protection contact information is provided so anyone receiving the seeds can report to MDA.

**Office of Agriculture** –Jeremy Criss then provided his report for the Office of Agriculture:

- Follow up from the July 28, 2020 meeting with Representative David Trone. Jeremy reported that there are Youth and Development Grants available for 4-H Children and FFA Students. Marty Svrcek participated in this meeting and explained the MC Ag Fair lost \$950,000 in revenue this year and would be looking into participating in this program.
- Follow up with meeting on July 31, 2020 with Senator Ben Cardin. This virtual meeting was set up for all the agricultural agencies and organizations, including smaller scale farming operations and special interest groups, like Montgomery Countryside Alliance. Jeremy indicated that all the groups did a great job and thanked Robert Butz and John Z. for the great job they did with talking with the Senator on funding for conservation. Topics for this meeting included: Pros and Cons involving unemployment enhancement benefits of \$600 per week, how COVID-19 is impacting livestock producers and processing animals and the Bay WIP Goals regarding staffing resources and funding, how High Speed

Internet should be classified as a utility by US Government-Public Service Commission and the Heroes/Heals Acts and the Grant Funding for farmers.

- The County has provided a total of \$264,058 in COVID-19 financial assistance to 25 agricultural producers in the County. Average Grant Payment – \$10,000. This financial assistance was helpful to the farmers that have applied.
- The Department of Health and Human Services (HHS) has been inspecting restaurants, bars, and farm operations due to complaints of large gatherings of people above the 50-person limit. Lone Oak Farm Brewery was visited, and although they submitted a waiver based on providing 400 feet per person on the 29-acre farm, they were shut down until they obtained Moderate Level food license for food being provided to customers at the brewery.
- Jeremy then provided an update on MC 6-20 Deer Hunting-Rifles used with Deer Management Permits. Delegate Eric Luedtke's office scheduled summer committee meetings on June 10<sup>th</sup> and July 20<sup>th</sup>. The Montgomery County Delegation developed an online Deer Management Survey that you should have received an invitation to complete via emails sent from the various ag agencies to their farmers email lists. A link to this survey has been incorporated into the minutes as outlined below:  
[https://docs.google.com/forms/d/e/1FAIpQLSdtK529rOH6iiw8O49oSBqCb9Q7tCgTIC3VR3jXEHLf6HY\\_VQ/viewform](https://docs.google.com/forms/d/e/1FAIpQLSdtK529rOH6iiw8O49oSBqCb9Q7tCgTIC3VR3jXEHLf6HY_VQ/viewform). This is a confidential-anonymous survey with no personal information. Jeremy then reported some good news related to deer management. The Department of Natural Resources (DNR) has released the Hunting Regulations for 2020-2021 season that includes a new straight walled-cartridge for all counties that allow rifles, and this will include Montgomery and Frederick Counties. This cartridge has a range of 250 yards, and it is more accurate than a shot gun and cheaper than shot gun shells. Jeremy then encouraged everyone to please fill out the survey and noted that there is a proposal to extend the hunting season to the end of March. Currently, the season ends in January.
- On July 31, 2020, eight Montgomery County farmers signed Memorandums of Understanding to produce local food for the Manna Food Center as part of an expanded Farm to Food Bank Program. This program will provide higher prices to farmers that grow food for Food Assistance Providers. This is another example of the Office of Agriculture continuing to partner with the Montgomery County Food Council, the Food Security Task Force and Manna Food Center to expand local food production due to the COVID-19 Pandemic.
- Jeremy then reported on the news that the County Council conducted joint PHED/ T&E Committee Work Sessions on July 9, 16, and 22, 2020 to discuss the Solar ZTA 20-01. Jeremy provided a link to the Council Staff packet for the July 22, 2020 Work Session which is incorporated into the minutes as outlined below:  
[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2020-20200722/20200722\\_PHEDTE1.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2020-20200722/20200722_PHEDTE1.pdf)  
Jeremy explained to the Board, that all the agricultural groups reaffirmed their opposition to the Solar ZTA as introduced and no amendments will change their position. Jeremy indicated that there were amendments proposed to the ZTA that are pending. These include the prohibition of solar on Class I prime and soils, minimizing the removal of topsoil, and encouraging Agri-voltaic farming.
- Jeremy reported that the County-OAG has executed the Ag and Hort contract with Chuck Schuster and Chuck is back on-board helping County farmers. He went on to state that the UM-Extension is moving forward to fill Chuck's previous UME full time faculty tenured position. There were two candidates who have applied for this position and they provided presentations on August 5, 2020. Kelly Nichols

was one of the candidates and she did an excellent job demonstrating her understanding of Montgomery County Agriculture and the needs of the farmers.

- Jeremy provided an update on the preliminary Draft Report Thrive 2050. A link to this report is incorporated into the minutes as outlined below:  
<https://montgomeryplanningboard.org/wp-content/uploads/2020/05/Final-staff-report-vision-goals-policies-and-actions-for-6-11-20-PB-.pdf> The agricultural groups OAG, APAB, MAP provided comments back to the CE and MNCPPC last week and anticipates the draft report being providing to the planning board sometime in September.
- Jeremy then reported on the Status of the OAG's FY21 Operating Budget. The County Council approved a 3.45% savings plan for FY21 Office of Agriculture budget. This equates to \$34,200 reduction for the OAG. The proposed savings will come from a reduction in the MAEF Food Fiber and You Mobile Science Lab. This was a logical reduction given County schools will be operating in a virtual environment at least until the start of the new year and the lab travels between schools.
- Jeremy reported that the County Executive has formally requested the County Attorney to amend Chapter 50 Subdivisions that will exempt commercial buildings used for agritourism, farm alcohol production and on-site farm markets. The County Executive has also formally requested amendments to Chapter 52 Taxation to exempt these uses from the Development Impact taxes like how Biotechnology businesses are treated.
- The OAG has partnered with the Montgomery Food Council, The US Compost Council, the Compost Crew, and the County Department of Environment Protection on a USDA-NRCS Grant for \$95,000 covering two years for a food scrap-on-farm composting pilot operation. We hope to learn in mid-September whether our application will be approved and funded.
- Jeremy informed the Board on a new initiative aimed at expanding the County's economy. He detailed that the Office of Agriculture has been included in a Commerce Cabinet that conducted the first meeting on July 31, 2020. The Cabinet is supposed to meet quarterly, and they are charged with recommending how to expand the County's economy.
- In other news, Jeremy reported that on August 4, 2020 (The last day before the summer recess) the County Council scheduled Introduction/Action on Resolutions-Proposed Charter Amendments Regarding Composition of the County Council. The proposed amendments and links are incorporated into the minutes as outlined below:

**Proposed Amendment to County Charter – County Council – Alter Council Composition to 9 District Members and No At-Large Members:**

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200804/20200804\\_2.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200804/20200804_2.pdf)

**THIS RESOLUTION DID NOT PASS**

**Expand Council to 7 District Members and 4 At-Large Members, Sponsor-Evan Glass**

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200804/20200804\\_3.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200804/20200804_3.pdf)

**THIS RESOLUTION DID PASS** - Jeremy is concerned that resolutions like these will only serve to make farmers voices smaller at the table of government.

- Lastly, Jeremy reported the Chief Administrative Officer Andrew Kleine resigned this week due to the comments from the County Council on the Ethics Report and Investigation. Richard Madaleno will become Acting CAO until he can be appointed by the County Council. Jennifer Bryant will become the Acting Director of the Office of Management and Budget.

**Upcoming Meetings and Events:**

Montgomery Soil Conservation District-August 14, 2020

Montgomery County Agricultural Advisory Committee-August 18, 2020

Montgomery County Farm Bureau Board of Directors- September 1, 2020

Agricultural Preservation Advisory Board-September 8, 2020

**Extension** -Kelly Nichols of the UMD in Frederick County provided the Extension report.

- Kelly reported on the Corn Earworm Moth captures over the last month and noted that the trappings were good until last week. She presented on the screen, a graph chart showing data involving the trappings. The traps are checked every 3-5 days and the numbers across the state are increasing.
- Kelly then provided information regarding the Nutrient Management and Pesticide Credits & Exams and other trainings. The Maryland Department of Agriculture (MDA) has begun offering private applicator exams again in Annapolis. Those interested should contact Kelly Love at [kelly.love@maryland.gov](mailto:kelly.love@maryland.gov). Nutrient management exams (including the Professional Fertilizer Applicator exams) will be offered soon. The Fundamentals of Nutrient Management class (training for the exam) was recently offered as a webinar. Extension is working with MDA to offer recertification and voucher classes for credits. Produce Safety Classes will be held virtually. Classes include Good Agricultural Practices (GAP) and the Produce Safety Rule Training. For more information about the GAP class, contact Carol Allen at [callen12@umd.edu](mailto:callen12@umd.edu). The Produce Safety Rule Training Class will be held virtually November 4-5 (two half days). Stay tuned for registration information.
- Kelly outlined assistance available to farmers through the Coronavirus Food Assistance Program (CFAP). The U.S. Department of Agriculture has expanded the list of commodities eligible for CFAP, as well as extended the deadline to apply to September 11. Additional commodities include specialty crops, nurse crops, some eggs, all sheep, and aquaculture. Kelly provided links to additional information and are incorporated into the minutes as outlined below: For more information, visit <https://www.farmers.gov/cfap>. USDA is also hosting a webinar on Wednesday, August 19, at 3:00pm. The link for registering and information is incorporated into the minutes with the following information. To register, visit <http://ow.ly/ZnHT50AYLTc>.
- Kelly reported on a Soil Health Grant opportunity that is available to farmers. The Maryland Department of Agriculture (MDA) is accepting applications for the Farming for Healthy Soil Program. This three-year program begins this fall and provides financial assistance to farmers for implementing soil health practices on their farm. All livestock and crop (including grain, forage, fruit, and vegetables) farms are eligible for this program. Approved soil health practices include conservation tillage/residue management, multi-species cover crop mixtures, extended season cover crops, prescribed grazing, and precision nutrient management. Practices must be new to the farm; for example, adopting a practice never used on site before or changing from a one species cover crop to a two species cover crop. Rates range from \$10 to \$55 per acre (Table 1). Fields eligible for the Maryland Agricultural Water Quality Cost Share (MACS) Cover Crop

Program can receive financial assistance from this grant in addition to the MACS funding; however, MACS enrolled fields must be extended season (planted before October 1 and terminated after May 1) or multi-species cover crops. The maximum funding per participating producer is \$5,000 annually. Farmers must be in compliance with MDA programs (i.e. nutrient management) in order to participate. Farmers are expected to commit up to three years of practice implementation on the same field(s). Soil samples will be taken this fall and again in the fall of 2022 to compare before and after practice implementation. Soil samples will also be taken in adjacent or nearby fields which have not had soil health practices to serve as control fields. University of Maryland Extension Agriculture Agents will be collecting the soil samples for farms in Western and Central Maryland. The application form should be submitted to Kevin Antoszewski, MDA Healthy Soils Program Coordinator, at [kevin.antoszewski@maryland.gov](mailto:kevin.antoszewski@maryland.gov). For questions, contact Kevin (email is preferred, but a voicemail can be left at 410-841-5866) or Kelly Nichols, University of Maryland Extension Ag Agent, at 301-600-3577 or [kellyn@umd.edu](mailto:kellyn@umd.edu).

### **SECRETARY/ TREASURER'S REPORT**

The Minutes for the July 10<sup>th</sup> meeting were received and reviewed. Karen shared that she had made a change in the minutes that were previously sent out. The change noted was to correct the spelling of the last name of the Montgomery County Executive's, Special Assistant. A motion was made by Pam Saul, and then seconded by Tim McGrath approving the amended minutes with the correct spelling of Dale Tibbitts for the July 10<sup>th</sup> Board of Supervisors Board Meeting Minutes.

Karen then presented the Financial Statements and noted that the checkbook and bank statement have been reconciled. She noted that the MDA lump sum payment (\$9,081) for FY21 and the FY20 carryover are reflected on the report. Karen reported that she has begun assembling the information needed for preparing for the annual audit that is due to MDA in October. With regard to expenditures requiring approval, she informed the Board we had been invoiced by MASCD for the annual donation of \$625 to support the Maryland Farm and Harvest program on MPT. She also explained between now and the next Board meeting we are anticipating the invoice for the renewal for the D&O Insurance coverage for District Supervisors and Executive Staff. Karen recommended the Board of Supervisors to approve the MPT donation, the anticipated invoice for the D&O Insurance and the filing of the July MDA Financial Report. A motion was made by Pam Saul and seconded by Tim McGrath and passed approving the payment to MASCD for MPT production for the Maryland Farm & Harvest program, the anticipated invoice for D&O Insurance and for the filing of the July MDA Financial Report.

### **APPROVALS, RATIFICATIONS AND REQUESTS FOR ASSISTANCE**

Brandy Gibbons, the acting District Conservationist presented the activities report. Brandy and John Z reviewed all of the request for assistance with the Board. One of the requests involved an extensive on-site visit by Jeremy Criss (OAG), Charlotte Brewster, District Conservationist and John Zawitoski, District Manager. John shared details on this visit and explained that one of the issues involves runoff/drainage that has exacerbated an already poorly drained soil situation resulting from a culvert installed under the rural road. Tom asked if DOT has been notified or contacted? John indicated that he believes the landowner contacted the County but so far has not received a response. Robert Butz shared his experience with a similar same situation, and he noted that DOT did nothing to correct the matter. After presenting all the RFA's, Brandy and John reviewed with the Board those conservation plans ready to be approved by the Board. John reminded the Board of the electronic approval process put in place for Conservation Plans in a virtual meeting environment. Specifically, a process of affixing the electronic signature of the chair, Robert Butz, following Board approval of conservation plans. A motion was made by Pam Saul and seconded by Tim McGrath and passed approving to affix the electronic signature on all the conservation plans that were submitted. John presented the Activities Report on the screen to allow the Supervisors to see activities over the past month and provide an opportunity to address any questions Supervisors may have had.

## **NEW BUSINESS**

**FY21 CB Trust- Update-**John summarized the MDA FY21 Atlantic & Coastal Bays 2010 Trust Fund Agreement funding and explained that funding provided by MDA will be the same level as was provided under the FY20 Trust Fund Agreement. John asked Adam how the approval of the new 51 positions, will be impacted as the funding for these positions utilize the same fund source being tapped under the existing CB Trust Agreements. John was curious as to how MDA was going to juggle the funding since the fund essentially was being used to fund existing agreements and new positions. Adam explained that was a good question and that he would need to defer to MDA's Director of Operations, Byron Petrauskas, who could more adequately address this matter. John explained, that while this would not impact our District directly, there are Districts with contractual positions being funded under CB Trust Agreements and these same funds will be needed to fund new positions. John then explained to the Board, that MDA will allow an electronic signature in lieu of original signatures to expedite the execution of these agreements. A motion was made by Tim McGrath and seconded by Pam Saul and passed approving to affix the chair's electronic signature to FY21 CB Trust Agreement.

**MASCD BOD Meeting-** John reported that the MASCD Board of Directors (BOD) Meeting that was originally scheduled for August 4<sup>th</sup>, was rescheduled to August 6<sup>th</sup> due to Tropical Storm Isaias that impacted our region. The main points of discussion involved the process for replacing Lindsay Thompson and to approve the MASCD Budget. The Board voted to give the transition committee the ability to begin the search for replacing Lindsay. The Budget was approved, and the BOD agreed that it was better to have a budget approved now and come back later to amend the Budget once the new executive director's salary needs have been determined.

In other matters:

- Lindsey suggested that the Districts continue to contribute to the MPT Maryland Farm and Harvest Program. There was consensus by the Districts with willingness to support this program.
- The deposit made for the 2020 summer meeting will be applied to next year's summer meeting.
- Regarding the winter 2021 meeting, there are many unknowns as to if we will be able to meet with legislators like we have in the past. The BOD wants to move forward and continue partnering with MD Rural Council.
- There was a discussion resulting from our letter to MDA to support ways to streamline the process for updating conservation plans to help achieve WIP goals. The proposal is taking a similar approach that lead to the BMP verification process that keeps BMPs whose "practice life" has expired but are still providing benefits and meets practice standards. John made it clear that our District's proposal was not intended to circumvent the Conservation Desktop planning process for revised plans but rather provide an interim measure that would keep plan acres from falling out of Conservation Tracker while the plans can be updated on Conservation Desktop.

**MASCD District Awards** – John indicated that as part of the BOD meeting, MASCD awards committee decided that even though a decision was made to postpone the summer meeting, the Association should not delay with announcing MASCD's annual award recognitions. John informed the Board, that the District was eligible for recognitions in 5 award categories and was both humbled and pleased to report that the Montgomery District received recognitions in 4 of the Top Association Award categories. The recognitions received were as follows:

**Outstanding Employee** – James "J." Harn Montgomery Soil Conservation  
**Outstanding Newsletter** – Montgomery Soil Conservation and Howard SCD

**Conservation Education District of Year – Montgomery Soil Conservation**  
**Mid Atlantic Farm Credit – Outstanding Soil Conservation District – Montgomery Soil Conservation**  
District.

John conveyed to the Board, just how proud he was of our team and he would like to have an opportunity when we return to some normalcy, to have a small recognition lunch for staff and supervisors. There was general discussion among Supervisors about how proud they were as well and believe a recognition luncheon would be a good way to celebrate the achievements of our conservation team.

**NEW Electronic Small Pond Approval Submission** – John informed the Board, that the Sediment, Stormwater, and Dam Safety Program trying to adapt to the new realities brought on by the COVID-19 epidemic. To this end, they have announced a new electronic submission process for small pond and “As Built” approvals. This electronic submission process will allow SCDs to email pond approval letters and MD-14 pond summary sheets, as well as the as-built certifications/MD-14 sheets in lieu of paper submittals. The change is the result of COVID-19 and it makes things more efficient. John indicated that this is an excellent change and will help make the pond approval submission process much more efficient. John explained that the District and the County implemented a similar approach for District approvals for small ponds and that we need to take every opportunity to look at ways to help streamline processes to improve efficiency. John, in your text to me today regarding the predesign consultation for Song Dog Distillery you stated- Mike said it's not existing...so it would be new construction would have to meet 378 standard if DPS will accept it as part of stormwater management. Please let me know if the NEW small pond approval mentioned above is still approved in meeting 378 standard???

**Summary of meeting with Senator Ben Cardin** – Since this item was discussed extensively under the office of Agriculture's report, there was no new information to report under this new business item.

**Seed Packets from China** – Since this item was discussed extensively under the MDA Area Coordinator, Adam Lyon report, there was no new information to provide other than the contact information for MDA's Plant Protection Division. John directed Supervisors to this contact information that was provided in their meeting materials packet.

**September Board of Supervisors Meeting** - John explained to the Board, that the next Board meeting was scheduled for September 11<sup>th</sup>. He asked the Board if they would consider moving the September meeting to the third Friday of September (September 18<sup>th</sup>) as he has the opportunity to get away on a much-needed vacation. After everyone reviewed their calendars a motion was made by Pam Saul and second by Tim McGrath and passed approved the monthly Board of Supervisors to be held on September 18<sup>th</sup>. Pam shared that she will provide the necessary GoToMeeting information for September to Karen to set up the September Board of Supervisors Meeting.

#### **OLD BUSINESS**

**Follow up Discussion on WIP/Conservation Plan Letter sent to MDA-** Since this item was discussed extensively in the MASCD BOD information under new business, there was no additional information provided under Old Business.

**FY21-22 Cover Crop Update** – John provided the Board with the results of the Traditional MDA Cover Crop Program application period that closed on July 17<sup>th</sup>. The District received 33 applications which is in an increase over last year by two applicants. These applications project a total of 16,256.6 acres enrolled for this year's program. With regard to the District's WQPC Commodity Cover Crop Program, we received applications that enrolled about 8,045 acres. This is our largest sign up since we started this

program. The total value is \$120,675. J. estimates that he believes 75% or less of these acres will be planted. This would equate to 6,033 acres or less with a value of \$90,506 or less. We do have carry over funding that we have on hand to offset the increased acreage but will have to monitor this closely. Between the two programs, there is over 24,000 acres enrolled.

**Deer Management Survey for Mont County**-John thanked Karen for providing the link to the MSCD Newsletter email database. This item was also extensively addressed under the Office of Agriculture's report and there was no additional information conveyed for this item under Old Business.

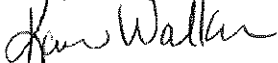
**CBF/STEM Teacher Program/Training (8/6)** – John reported that on August 6<sup>th</sup>, the District participated in a virtual STEM Teacher Program sponsored by the Chesapeake Bay Foundation. Jeremy, Doug, Chuck, Mike, John and Travis all participated in the training. While last year the program involved site visits, presentations, and tours, COVID-19 forced a change in how we could delivery this program/training this year. The agricultural team came together and provided an excellent program, all conducted in series of virtual presentations. The District provided presentations topics on the role of the district and conservation programs while Travis' presentation focused on the County's equine industry and how the District provides technical assistance to this sector of the Ag Community. Over the two- and half-hour period, the teachers got a very good overview of County Agriculture, its history and challenges and the role of the District in providing conservation assistance to farmers and equestrian operations.

**CHAIRMAN CORRESPONDENCE** -The chair, Robert Butz had no correspondence to share.

**ADJOURNMENT AND NEXT MEETING**

The meeting officially adjourned at 10:43 am and the next Board of Supervisors Meeting is scheduled for September 18, 2020.

Respectfully submitted,



Karen Walker, Administrative Assistant

<b><u>MEETINGS ATTENDED</u></b>	<b><u>PERCENTAGE</u></b>
Butz	90%
Butts	90%
Saul	100%
Stabler	60%
McGrath	100%
*Tom Linthicum	60%
*Joe Lehman	60%
*Chris Miller	70%
*Associate Members	