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Agricultural Advisory Board

FINAL Minutes

Agricultural Advisory Board

March 12, 2019 7:00 PM CCACC (Chatham County Agriculture Conference Center)

Called to order, 7:00 pm

Present: Tandy Jones (Chair), Cathy Jones (Vice-Chair), Bobby Tucker (Secretary), Esta Cohen, Sharon Day, Dr. John Dykers, Terrill Ellington, Ginger Cunningham (NCCES County Director), Susannah Goldston (CSWCD Director), Emily Moose (Planning Board liaison) **GUESTS:** Diana Hales (BOC), Jep Rose (Chatham County Attorney)

Absent: Tenita Solanto, Walter Petty (BOC liaison)

1. Introduction of Guests

Tandy introduced Jep Rose, Chatham County Attorney, to discuss the VAD Ordinance.

2. Agenda Review and Approval

Tandy introduced the meeting and solicited input on the proposed agenda. No edits were suggested.

3. Planning Board Update

Emily Moose provide an update from the Planning Board. She mentioned that the Board recently voted on two rezoning applications. A Moncure site, located within an agricultural area, will likely be approved as a residential development. A second site, located off Hillside Dairy Rd, applied to be refined from R-1 Residential to CD-RB Conditional District Regional Business. Esta asked if any of the developments want to use groundwater, and Emily responded that the one in Moncure will most likely be on public water and sewer. Tandy asked if the property's PUV status is considered during the Board approvals, and Emily replied that she has not seen PUV status mentioned in the process. Bobby asked what questions the Board is required to

consider during the re-zoning application. Emily mentioned that five findings must be evaluated and voted upon by the Planning Board, which is sent as a recommendation to the BOC. The Board of Commissioners generally (but not always) follows the recommendation of the Planning Board.

4. Discussion of Draft Ordinance with Jep Rose (County Attorney)

Jep Rose reviewed the history of the VAD revision process. He confirmed that the General Statutes required that each VAD District must have a representative on the Ag Board, and that VAD designation at the parcel level would make this impractical. The revised VAD Ordinance splits the County into four (4) separate districts, similar to how Board representation is currently stipulated. He reviewed several addendums incorporated into the revised Ordinance, including:

- A condition for “Qualifying Farm” or “Qualifying Farmland”, in addition to the designated District regions.
- Jep recommended that information should be added to the legal property plats stating that qualifying farms are located within a certain proximity. He also stressed the importance of legal protections for agriculture given the large verdicts throughout the state targeting agriculture producers (e.g., industrial swine operations).
- He also stressed the importance of not requiring VAD farms to tie into central water/sewer, if provided.

Several members questioned the language regarding the “VAD” geographic determinations. This was followed by a group discussion on semantics and definition of language within the Ordinance. Jep was asked if he had any concerns about designating the entire County as a VAD with Qualifying Farms. Jep mentioned that several more drafts of the Ordinance will be submitted. Tandy proposed a motion to vote on establishing a subcommittee to focus on finishing the Ordinance with Jep and County staff. The Board voted unanimously in favor. Esta Cohen and Dr. John Dykers volunteered to serve on the subcommittee.

Jep also asked the Board about a recommended minimum size for a Qualifying Farm. The Caldwell County Ordinance requires a minimum of 20 contiguous acres of “qualifying farmland” to create a VAD. Susannah mentioned that designating a minimum acreage is more restrictive than the State’s definition of agriculture, which is based on function, not size. The State statute mentions that the county ordinance can determine the size of a VAD, including collective representation from adjacent properties.

Diana Hales mentioned that Alamance County is leading the way with farm protections and would be a good model ordinance to review.

5. Discussion/Approval of Minutes

Tandy overviewed the edits he made to the minutes after receiving from Bobby, including the ones that Emily provided via email. Diana Hales mentioned that the name should be corrected to the “NC Oil and Gas Commission.” The minutes with suggested edits were approved unanimously.

6. Update on Hall of Fame

Terrill did not have any updates to provide regarding the Agriculture Hall of Fame.

7. New Business

The next meeting is scheduled for May 14th.

Tandy congratulated Susannah on her new appointment as the Chatham Soil and Water Conservation District Director.

Ginger mentioned that the County hired a new PUV technician to help perform the upcoming audits. Ginger requested on behalf of the County that the Board include notifications about the new PUV audit when the Ag Board mails information to current VAD members about the new Ordinance and Conservation Agreement that needs to be signed. The County has approximately \$7,000 to help with the mailings that must be spent by June. The Ag Board proposed to have the VAD notification included in the PUV mailings to reach more residents/farms.

Diana mentioned that a significant number of farms are likely to be disqualified from the PUV program with the upcoming audit program. Bobby asked Diana about the discussion regarding roll-back taxes and if there had been discussion with the Commissioners about a potential Farmland Preservation Program. The Board asked what they can do to help expedite the process for developing a program. The Board proposed the following draft resolution to be submitted via Dan LaMontagne:

We recommend to the Commissioners that they begin using the PUV rollback taxes to support a Farmland Preservation Program within the County. The Board offers to provide examples of other counties who have enacted farmland preservation protections using PUV rollback taxes (e.g., Alamance, Cabarrus, Orange).

The Board voted unanimously to approve the resolution for submission.

Meeting adjourned at 9:03: pm.