

Frederick County SCD Board Meeting

Tuesday, May 21, 2024

Soil Conservation District Office

Supervisors in Attendance: D. Flickinger, B. Sowers, J. Falkenstein, and M. Shafer.

Associates in Attendance: R. Myers and S. Leatherman.

Guests in Attendance: District Manager, H. Hutchinson. Soil Conservation Coordinator, K. McAfee. Office of Agriculture Director, Katie Stevens. Barron Burch III (arrived at 10:54am) District Conservationist, USDA-NRCS, Brent Cammauf (arrived at 11:16am).

Meeting called to order by Chairman, B. Sowers at 9:07am.

Minutes approved from April by motion: D. Flickinger motioned, second by J. Falkenstein. All in agreement.

Minutes approved from April Closed Session by motion: J. Falkenstein motioned, second by M. Shafer. All in agreement.

Frederick County Treasurers Report approved as presented by motion: J. Falkenstein motioned, second by D. Flickinger. All in agreement.

Reconciliation Report approved as presented by motion: M. Shafer motioned, second by D. Flickinger. All in agreement.

Expenses for the month approved by motion: J. Falkenstein motioned, second by M. Shafer. All in agreement.

2024 George A. Nicholson, Sr. Scholarship:

1. H. Hutchinson introduced one scholarship winner, Caroline Clark, to the board. B. Sowers presented Caroline Clark with her scholarship. Tate Ondrik, second scholarship winner, did not attend. Check will be mailed.

Old Business:

1. H. Hutchinson reported that HB1017, Boundary of the Frederick County Soil Conservation District – Alteration, has been signed by the Governor.
2. H. Hutchinson reports that the policies were sent out last meeting and proposing to signing three policies today.
 - a. Supervisor Reimbursement Policy- approved by motion at April meeting, but policy needs signature.
 - b. Envirothon Coordinator- D. Flickinger motioned, second by J. Falkenstein, to approved the Envirothon Coordinator policy. All in agreement.
 - c. Conflict of Interest/Code of Conduct- J. Falkenstein motioned, second by D. Flickinger, to approve the Conflict of Interest/Code of Conduct policy. All in agreement.

3. H. Hutchinson reported that herself and D. Flickinger were registered for Monday, Tuesday, and Wednesday. J. Falkenstein, B. Sowers, and M. Shafer were registered as requested for Monday and Tuesday. Hotel reservations will be made this week. No associates were approved to attend.
4. H. Hutchinson reported that the Johnsville Ruritan judged the MASCD Coloring Contest. Our three winners will be awarded tumblers that have their winning colored picture on them and a certificate of achievement. K. McAfee has mailed the winning pictures to Haley Carter with the coloring contest.
5. H. Hutchinson reported that there have been three people apply for the summer contractual admin assistant position. Brief interviews will be held next week.
6. H. Hutchinson requests a committee for Bylaws.
 - a. S. Leatherman, D. Flickinger, and J. Falkenstein to serve on the Bylaws Committee.

New Business:

1. H. Hutchinson provided all expense reports for approval. Additional request from R. Myers for approval of State Envirothon if Barron Burch asks him to help.
 - a. J. Falkenstein motioned, second by M. Shafer, to approve R. Myers to attend the State Envirothon on behalf of the FCSCD. All in agreement.
 - b. J. Falkenstein motioned, second by D. Flickinger, to approve Barron Burch to attend the State Envirothon on behalf of the FCSCD. All in agreement.
2. H. Hutchinson reported that the FY25 MOU's for the General Fund and Trust Fund have been issued by MDA.
 - a. J. Falkenstein motioned, second by M. Shafer, to approve the FY25 General Fund MOU with the Maryland Department of Agriculture. All in agreement.
 - b. J. Falkenstein motioned, second by M. Shafer, to approve the FY25 Trust Fund MOU with the Maryland Department of Agriculture. All in agreement.
3. H. Hutchinson provided insurance quotes from Blue Ridge Risk Partners for all of the insurance policies consolidated under one carrier.
 - a. J. Falkenstein motioned, second by D. Flickinger, to approve and sign all policies provided except for the auto policy. All in agreement.
 - b. J. Falkenstein motioned, second by M. Shafer, to follow up with Erie insurance for quote on auto insurance, compare with the policy from Blue Risk Ridge Partners, and select the least expensive option.
4. H. Hutchinson reported that K. Stevens held a quarterly ag meeting on May 13th and was attended by Tom Mullinex with the Ag Business Council, Denny Remsburg with Frederick County Farm Bureau, Gary Hessong, and Tolson DeSa.
 - a. The floodplain ordinance was the main topic of discussion in which Heather provided the section of COMAR that documents MDE having delegated authority to do wetland delineations to the SCDs.
 - b. Additional discussions on ultralights flying over farms, damaging corn and scaring livestock. The county has jurisdiction under 500ft and the FAA has jurisdiction over 500ft, but it is difficult to catch them.
5. H. Hutchinson reported that she attended the SSCC meeting on May 16th.

- a. Suzie Daubert of NRCS reviewed a number of agreements that they have with partners.
 - b. Terry Nuwer discussed the MD Climate Smart Ag Project. Findings show that we are gaining 2.5-5.5 growing degree days every ten years and the impacts of heat stress on animal production. A virtual listening session for this study will be held on June 17th from 8:30-10:30am. The legislative report on the project will be available mid-June.
 - c. MDA has hired Nadya Chehab to lead the environmental justice initiatives, establish relationships, and identify opportunities to expand efforts.
 - d. Jim George of MDE noted that they are working on updating their water appropriations rules and the land management group is working on the CAFO regulations.
 - e. Darren Jarboe of UMD Extension noted that 1,250 nutrient management plans have been received by planners. 50% of them are new to extension. 78% of requests have provided complete information and 90% of these plans have been written.
6. H. Hutchinson and MDA Staff attended the MDA Employees meeting at Sandy Point State Park on May 14th.
- a. Changes to the telework policy have been made where MDA employees must telework two days a week.
 - b. There is a push for equine outreach. Over 100 site visits have been conducted and most have under eight animal units.
 - c. MDE has been sending notices of deficiencies to CAFO operations. A copy of this goes to the District Conservationist. The operator must contact the SCD if they need assistance. The SCDs may need to provide information to the technical service provider, but should not respond to questions from MDE. MDE should be referred to the operator or the MDA Area Coordinator for any questions.
 - d. MDA is working on an MOU with MDE.
 - e. MDA will begin issuing permits for food waste residuals starting July 1st. Applications will be limited to once per season with one trip across the field. There will be a tonnage fee of \$50/load. MDA is committed to being onsite during application. Some counties are banning storage facilities for food processing residuals.
7. H. Hutchinson reported that she and B. Cammauf met with Tolson DeSa, Justin Horman, and Matt Smith and Dave Guignet from MDE on May 15th.
- a. Floodplain Ordinances are being revised across the State. In the past, MDE was able to issue approval to work in the floodplain due to the margin of error in the floodplain maps. New maps are available that are more specific. MDE will no longer review floodplains and the new maps must be adhered to.
 - b. MDE recognized that we get a joint permit or Regional Letter of Authorization for projects involving streams or wetlands, however MDE will not review for floodplains.
 - c. MDE confirmed, per COMAR, that the SCDs were delegated the authority to do wetland determinations by MDE. MDE said that a Regional Letter of Authorization to work in wetlands is acceptable.
 - d. When discussing several projects in the floodplain, one is a reception tank in which the county would prohibit, but MDE explained that there are no walls and roof, so therefore it is not a structure.
 - e. Proposed projects located in the floodplain will need to go to the Board of Appeals. As part of the submission they need pre-evaluations, MDE authorization, plans showing buffers, and justifications. Later they will need post evaluation certifications sealed by a

licensed surveyor or engineer. The appeal process is \$700-800 which mainly covers the public notice that must be posted 30 days before the meeting.

- f. Invasive removal can be done via mulching and is not considered grading.
8. H. Hutchinson reported that HB1465, SCD, Small Pond Plan Review Fees, was passed and signed by the governor and goes into effect on October 1st, 2024. This will be included in the Urban Fee Structure request to the County.
 - a. MDE charges \$750 per pond for small pond reviews. Anne Arundel SCD outsources to a third party that charges between \$500-1000 per review.
 - b. J. Falkenstein motioned, second by M. Shafer, to charge \$800 per pond for small pond reviews, \$300 for each subsequent review, and \$300 for an as-built. All in agreement.
 - c. M. Shafer motioned, second by D. Flickinger, to raise fees based on Frederick County Ordinance 06-17-413. All in agreement.

Communications: No Report.

Cooperating Agencies:

1. Mark Townsend, University of MD Extension Ag Agent, provided a handout. If anyone is interested in participating in on farm research trials, please reach out to Mark at mtownsen@umd.edu . The Central MD Ag and Food Systems teams will be offering agronomic crop scouting services again- contact Mark.
2. Katie Stevens, Office of Agriculture, noted that there will be Ag Strategic Plan Focus Group sessions for farmers and ag business owners to participate in. This will help guide future resource allocation and program efforts by the Office of Agriculture.
 - a. Wednesday, May 29, at 10AM- Fox Haven Farm, 3630 Poffenberger Road, Jefferson.
 - b. Thursday, May 30, at 6PM- Great Frederick Fair Grounds, Building 12, 797 E. Patrick Street, Frederick.

Next Meeting: Scheduled for Tuesday, June 18, 2024 at 9:00AM at the Soil Conservation District Office.

Adjournment: J. Falkenstein motioned, seconded by M. Shafer, to adjourn the regular meeting at 11:22pm and that the board meet in special closed session to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter as authorized by General Provisions Article Section 3-305(b)(13). The motion carried unanimously.