

Governor's Intergovernmental Commission for Agriculture
October 23, 2014
DRAFT Minutes

Attendees

Jessica Armacost, Gary Bowman, Cheryl DeBerry, Faith Elliott Rossing, William Gayle, Buddy Hance, Mae Johnson, Joanna Kille, Dena Liebman, Erroll Mattox, George Mayo, Jim McCarron, Steve McHenry, Sarah O'Herron, Vanessa Orlando, Pat McMillan, Mark Powell, Daniel Rosen, Donna Sasscer, Mary Ellen Setting, Stone Slade, John Sullivan, Matt Teffeau, Carlos Turcios, Shelby Watson, Carol West, Merlin Williams

Meeting was called to order at 10:00am. June 16, 2014 minutes were approved. Deputy Secretary Mary Ellen Setting reminded everyone about the upcoming symposium that the Lead MD Class VIII was putting on in January.

Marci Ross – Maryland Office of Tourism, Dept. of Business and Economic Development
Tourism Overview
(http://mda.maryland.gov/about_mda/Documents/GICA_DBED_tourism_overview.pdf)

The Office of Tourism is the official state traveling industry office. It is responsible for making sure there is an increase in tourism spending in the state. They have a very small budget. The Office of Tourism has an online calendar of events, industry partnerships and provides travel information workshops to show the importance of tourism to Maryland. Mindie Burgoyne asked where the information was available. Ms. Ross said that it was on the website. She highlighted the fiscal importance of tourism by saying that the sales tax for hotels was 100 percent related to tourism. Five percent of retail is a result of tourism. People are excited about tourism. The feedback is very positive. Tourism in Maryland is vibrant and competitive.

Faith Elliot-Rossing thanked Marci for coming to Black Water Distillery. This ties back into Queen Anne's County tourism. Matt Teffeau asked if we could link the Harriet Tubman underground railroad with agriculture. Ms. Ross said they were working with Dorchester and Caroline County tourism to get people along the scenic byway.

Merlin Williams – Department of Labor, Licensing and Regulation (DLLR)
Housing Concerns for Temporary Agricultural Workers
(http://mda.maryland.gov/about_mda/Documents/H2A_Workers_DLLR.pdf)

Mr. Williams said that the H2A benefits the wineries, etc and benefits Maryland. Most of the H2A workers are in central Maryland and are mainly from Mexico, Honduras and Guatemala. Lots of people cannot find people to help on their properties. Through the H2A program you have to provide transportation and free housing. DLLR inspects the housing as well as public water availability. The Fire Marshall also has to look at the housing. State health department regulations also require First Aid certification. The types of housing that can be used are an old farm house, a trailer and a concrete slab kind of building. The housing has to be a certain number of square feet. A storm water plan can be very expensive.

Workers cannot bring family members there because if they bring their families they won't return home. Using a trailer can be problematic for county zoning personnel. There is no law on the books but they try to discourage trailers from going up. Examples of issues include a watermelon grower required to have a heating system in the trailer. Also, in certain circumstances, there are limits in the number of unrelated people who can share a house. The H2A process is very comprehensive. There are different rules for different agricultural operations.

Mr. Williams explained that H2A employers cannot charge rent. There are definitional terms related to tenant vs. temporary agricultural worker. There are zoning codes related to tenant housing. Mr. Williams thinks of a tenant as a renter, which is not what the H2A program allows. He wondered if it was something worth looking for in terms of zoning codes and tenant housing. Cheryl DeBerry asked if a farmer could job share. Merlin said you can be a joint employer but you have to apply as a group. There are no exemptions for storm water requirements and there are permit costs with different challenges. H2A employers must have workers compensation as well.

Pat McMillan said that the H2A program works in Maryland because of Mr. Williams. Other states are hostile to the program. Employers are also going the extra step to make sure their employees are legal so it is important to come up with reasonable rules. Sarah O'Herron said it was a crucial program. Mr. Williams said vineyards are there because of the H2A programs. If not for them, no grapes would be picked. GICA members discussed putting together statewide recommendations for H2A workers. Les Knapp offered to do some outreach to planners and would be willing to offer input.

**Cedric Ward, Office of Traffic and Safety, Gary Bowman, Office of Real Estate,
State Hwy Administration
Ag Tourism Signing Program
http://mda.maryland.gov/about_mda/Documents/SHA_AgTourism_Presentation.pdf**

There is a \$250.00 application fee for the Agricultural Signage Program. If you want to fill out an application you would come to Gary Bow office at SHA to fill out an application. The program is still new. Buddy Hance said you cannot put a sign on the Lady Bird Johnson/Scenic Byways roads.

Member and Public Issues

Donna Sasscer brought up the concern about sampling licenses at farmers markets. It would be nice to standardize the program. The sampler's license is required by law. Permit/fee/requirements vary depending on the county. Lisa Staley said the counties set their own fees. She indicated the temporary food service facility fee (found in 10-15-03 of the food safety regulations should be used instead.

Mr. Knapp said that should be more flexibility because health departments are very strict in their interpretation and the state should get more involved with this. A suggestion was made to talk to some of the counties to get more information. Ms. Staley asked for a list of samplers.

The meeting adjourned at 12:17pm.