

Frederick County studies \$824,000 option on family farm

Patti S. Borda News-Post Staff | Posted: Sunday, January 30, 2011 12:00 am

Brian Blickenstaff said he wants to keep his family farm. But Frederick County could end up owning it as a result of a five-year easement agreement Blickenstaff agreed to in 2008 that put the 122-acre property at 2828 Sumantown Road into the county's Program for the Preservation of Critical Agricultural Land.

Blickenstaff, who wants to give up his job as a logger to become a farmer full time, had hoped to transfer the easement into Maryland's agricultural land conservation program, which would have paid him the \$824,224 he owes the county. It would have allowed him to farm the land that has belonged to his relatives, and the farm would stay in conservation.

"Oh, yes, that was the whole goal," Blickenstaff said, adding his attorney has advised him not to discuss the situation further until they know more from the county.

Participation in the county program requires the seller to attempt to sell the easement option to the state for inclusion in the State Agricultural Land Preservation Foundation's conservation program, or another governmental conservation program.

But the state isn't buying.

No applications are being accepted for its program now and the state is not likely to accept Blickenstaff's property in time for him to repay the county by 2013, when the five-year term of his easement ends.

And that's too bad, according to Tim Blaser, the county's agricultural preservation program administrator.

As a young man who wants to become a farmer on the family farm, Blickenstaff is the ideal candidate for the program Blaser said, but unfortunately, the state's financial situation is likely not going to permit purchasing the option on the property.

"We're recognizing ... there are tough times here," Blaser said.



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Brian Blickenstaff performs maintenance on a loader on Saturday at his farm on Sumantown Road while his wife, Jennifer, and daughter, Brianna, watch.

If the money is not repaid by the due date, the county can exercise its option to take possession of the land. During the five-year option term, the county easement prohibits any development of the property.

The owner has the option to get out of the contract by paying the option price plus interest.

Predicting that the state might not purchase the easement in time, Blickenstaff has asked to be allowed to prepare a subdivision plan for review, so that some lots could possibly be sold in time to repay what he owes.

The Agricultural Preservation Advisory Board recommended approving the request based on Blickenstaff's financial hardship, but commissioners asked how many other cases might be similar.

"What other applications are out there?" Commissioners President Blaine Young asked.

Last week, commissioners put off making a decision about the easement until the legal department could come back in two weeks with more information about Blickenstaff's situation. Commissioners also wanted to know how this one case could affect the entire Program for the Preservation of Critical Agricultural Land.

Commissioner Paul Smith said the goal was to preserve the land, and if the county does nothing, it takes possession and can preserve it.

"I personally am not trying to be punitive," Smith said. "We really do want to get it right."

Young agreed. "Nobody wants to hurt anybody," he said, noting because \$824,000 of taxpayer money is involved it is not a simple decision.

"This is a huge issue nationally," said Commissioner Billy Shreve.

Blaser said Friday there have been a total of 24 applicants in the county's program, and all but one successfully sold their options to the state. The one who did not repay the county with interest, he said. The funds are used to make future conservation purchases, he said.

Commissioners expect to discuss the matter again Feb. 8.