MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION
OPEN MEETING MINUTES
JULY 28, 2020
This meeting was held via internet and telephone conference call.

Trustees Participating:
William Allen, Chair
Jerome Klasmeier, representing Comptroller Peter Franchot
Joanna Kille, representing Treasurer Nancy Kopp
Deborah Herr Cornwell, representing Secretary Robert McCord, Maryland Department of Planning
Julie Oberg, representing Secretary Joseph Bartenfelder, Maryland Department of Agriculture
Cricket Coodall
Taylor Huffman
Robin Kable
Joseph Wood
J. Bruce Yerkes

Trustees Absent:
Elizabeth Hill
Catherine Cosgrove

Others Participating:
Michelle Cable, MALPF Executive Director
Diane Crasse, MALPF Administrator
Chana Turner, MALPF Administrator
Sarel Cousins, MALPF Administrator
Amanda Massoni, MALPF Fiscal Specialist
Kim Hoxter, MALPF Monitoring, Enforcement and Database Coordinator
Justin Hayes, Assistant Attorney General, Department of Agriculture
Patrick Marty, Assistant Attorney General, Department of General Services
Renee Dyson, Assistant Attorney General, Department of General Services
Mike Steadman, Jr., Assistant Attorney General, Maryland Department of Agriculture
Michael Calkins, Howard County Soil Conservation District
Devyn King, Cecil County Program Administrator
Megan Benjamin, Baltimore County Program Staff
Martin Sokolich, Talbot County Program Administrator
Donna Sasscer, St. Mary's County Program Administrator
Adam Gibson, Somerset County Program Administrator
Bill Beach, DGS Appraiser
Dave Kelleher, DGS Appraiser
Darryl Andrews, DGS Appraiser
Julie Enger, DGS Appraiser
Will Lefort, DGS Appraiser
Fatimah Hasan, Maryland National Capital Park & Planning Commission
Brian Cramer, GreenVest
Raine Archer, Harford County landowner
Greg Pahl, Baltimore County landowner
Pamela Pahl, Baltimore County landowner
Dana Cooper

Mr. Allen, Chair, called the meeting to order at 9:02 a.m. via internet and telephone conference call. Ms. Cable stated the names of the participants on the conference call, for the record, and asked anyone that was not named to identify themselves.
I. APPROVAL OF MINUTES

A. Approval of Open Minutes from June 23, 2020.

Motion #1: To approve minutes from June 23, 2020.

Motion: Klasmeier  
Status: Approved  
Second: Herr-Cornwell

II. ADDITION / DELETION OF AGENDA ITEMS

Ms. Cable referenced the additional item that was added to the agenda via email the previous week. No other additional items added.

III. ANNOUNCEMENTS

Ms. Cable welcomed Mr. Allen as the newly appointed Chair of the Board of Trustees, stepping up from his role as Vice Chair. This change brings the need for a new Vice Chair, preferably one whose terms is longer than Mr. Allen’s as well as having a Board member that is familiar with the Board and has past experience. Ms. Cable asked Board members to email her if they are interested in serving as Vice Chair. In addition, a MALPF Board member is needed to serve on the Rural Legacy Advisory Committee going forward. Ms. Cable asked for a volunteer for that position as well.

Ms. Cable also welcomed Taylor Huffman back as a Board member. She is the new Young Farmer’s representative on the Board. Unfortunately, Jim Weddle decided to step down from the Board.

MALPF accepted 194 applications as of July 1st for the FY2021 easement cycle. MALPF staff is busily reviewing the applications and submitting them to DGS to begin the appraisal process.

Ms. Cable thanked all the attendees for participating in the MALPF teleconference Board meeting. Ms. Cable asked all participants to keep themselves muted, and when unmuted, to clearly state their names before asking a question, or making a motion, etc. Ms. Cable also reminded the Board members that when motions were made, Board members only needed to state their names if they were voting in opposition to the motion, rather than saying “aye” to vote in favor of a motion.

IV. EASEMENT AMENDMENTS

A. BALTIMORE COUNTY

1. 03-86-10  
   Estate of Leslie Pahl, Sr. and Mary Jane  
   ~130 acres

Request:
Request approval for a land exchange that will add 1.90 acres of land to the easement property in exchange for release of a 1.96 acre area from the easement.

Recommendation:
Staff recommends approval subject to:

1. the provisions of COMAR 15.15.11.03 (b) which require a determination that the value of the easement will not be diminished as a result of the land exchange, as further explained below;

2. the landowner signing a letter acknowledging the conditions of approval as provided herein, and of any other conditions of approval as determined by the Foundation’s Board;
3. Satisfaction of all applicable requirements/conditions set forth below under the header “15.15.11.03 Criteria”;

4. Recording of a corrective easement in the land records of Baltimore County to memorialize the land exchange as well as the following provisions to which the landowner has agreed:
   a. waiver of the request for termination clause;
   b. the pre-existing dwelling on the property will be non-subdividable from the farm.

Ms. Turner introduced the item. Ms. Benjamin, Ms. Pamela Pahl and her son, Gregory Pahl were available to address any questions.

Motion #2: To approve the land exchange of a 1.96 acre lot to be added to the easement property and an equal acreage lot to be released, as presented.

Motion: Klasmeier  
Second: Kille  
Status: Approved

2. C3-15-14 White, Dorothy ~304 acres

Request: Request waiver of requirement for a long-term stewardship and management endowment for a previously approved stream restoration easement.

Recommendation: Staff recommends approval pursuant to the Foundation’s Water Resources Easement Overlay Policy, as amended in April, 2020.

Ms. Turner introduced the item. Ms. Benjamin and Brian Cramer from GreenVest were available to address any questions.

Motion #3: To approve the waiver of the previously required long-term stewardship endowment, as presented.

Motion: Wood  
Second: Klasmeier  
Status: Approved

B. HARFORD COUNTY

1. 12-98-08A Archer, Raine and Steven ~ 48.347 acres

Request: Request approval for a summer-long agritourism operation for children to educate them about farming (day camp).

Recommendation: After reviewing the request and considering the criteria set forth in COMAR 15.15.07.03 and the MALPF Permitted Uses Policy and considering the historical relationship of the requested activities to farming, Staff recommends approval subject to 1) approval by the Health Department and 2) notice to the landowners that any approvals by the Foundation for the requested activities shall not be construed as to override any local planning, zoning, or other statutes and regulations affecting the property.

Ms. Chasse introduced the item. Ms. Archer provided the Board additional information about the day camp and was available to address any questions the Board had.

Motion #4: To approve the request for a summer-long agritourism operation for children to educate them about farming (day camp), as presented, incorporating Staff recommended conditions.

Motion: Yerkes  
Second: Goodall
V. NEW AGRICULTURAL PRESERVATION EASEMENT PETITIONS:

N/A

VI. PROGRAM POLICY

A. Request to Close FY2020 Easement Acquisition Cycle Round One

Ms. Cable introduced the item, stating that no additional Round One offers may be extended, beyond what the Board had previously approved.

Motion #5: To approve closing FY2020 Easement Acquisition Cycle, Round One, as presented.

Motion: Wood  
Second: Klasmeier

Status: Approved

B. Extend of recertification term to full 5-years under COMAR 34.03.03

Request:
MALPF and MDP Staff are requesting an extension of the recertification terms for an additional two years for the below listed counties, as they are now eligible under the newly effective regulations (COMAR 34.03.03, effective May 2020).

<table>
<thead>
<tr>
<th>County</th>
<th>Certification Period</th>
</tr>
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<tbody>
<tr>
<td>Anne Arundel</td>
<td>July 1, 2018 – June 30, 2021</td>
</tr>
<tr>
<td>Baltimore</td>
<td>July 1, 2018 – June 30, 2021</td>
</tr>
<tr>
<td>Carroll</td>
<td>July 1, 2018 – June 30, 2021</td>
</tr>
<tr>
<td>Cecil</td>
<td>July 1, 2018 – June 30, 2021</td>
</tr>
<tr>
<td>Frederick</td>
<td>July 1, 2018 – June 30, 2021</td>
</tr>
<tr>
<td>Harford</td>
<td>July 1, 2020 – June 30, 2023</td>
</tr>
<tr>
<td>Kent</td>
<td>July 1, 2018 – June 30, 2021</td>
</tr>
<tr>
<td>Montgomery</td>
<td>July 1, 2018 – June 30, 2021</td>
</tr>
<tr>
<td>Prince George’s</td>
<td>July 1, 2020 – June 30, 2023</td>
</tr>
<tr>
<td>Queen Anne’s</td>
<td>July 1, 2018 – June 30, 2021</td>
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<tr>
<td>St. Mary’s</td>
<td>July 1, 2018 – June 30, 2021</td>
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<tr>
<td>Talbot</td>
<td>July 1, 2020 – June 30, 2023</td>
</tr>
<tr>
<td>Worcester</td>
<td>July 1, 2018 – June 30, 2021</td>
</tr>
</tbody>
</table>

Motion #6: To approve the extension of the recertification period for the above listed counties, as presented.

Motion: Wood  
Second: Oberg

Status: Approved

VII. INFORMATION AND DISCUSSION

N/A

VIII. CLOSED SESSION

Mr. Allen asked for a motion for adjournment of the meeting to move into a closed session, pursuant to the applicable provisions of General Provisions Article Section 3-305 (b); (3) to consider the acquisition of real property for a public purpose and matters directly related to the acquisition; (7) to consult with counsel to obtain legal advice; and (8) to consult with staff, consultants, or other
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individuals about pending or potential litigation.

Motion #7: To adjourn the regular session at 9:42 a.m. to move into a closed session to consider the acquisition of real property for a public purpose and matters directly related to the acquisition; to consult with counsel to obtain legal advice; and to consult with staff, consultants, or other individuals about pending or potential litigation.

Motion: Kille
Status: Approved
Second: Herr-Cornwell

The Closed Meeting of the Board was held from 9:53 a.m. to 10:51 a.m. on July 28, 2020, via internet and telephone conference call, pursuant to the provisions of the General Provisions Article Section 3-305 (b); Annotated Code of Maryland:

General Provisions Article Section 3-305(b):

(3) to consider the acquisition of real property for a public purpose and matters directly related to the acquisition;

(7) to consult with counsel to obtain legal advice; and

(8) to consult with staff, consultants, or other individuals about pending or potential litigation.

During the Closed Meeting, the following Board members were present: William Allen, Chair, Jerome Klasmeier, representing Comptroller Peter Franchot, Joanna Kille, representing Treasurer Nancy Kopp, Deborah Herr Cornwell, representing Secretary Robert Mc Cord, Maryland Department of Planning, Julie Oberg, representing Secretary Joseph Bartenfelder, Maryland Department of Agriculture, Cricket Goodall, Taylor Huffman, Robin Kable, Joe Wood, Elizabeth Hill and J. Bruce Yerkes.

The following Board members were absent: Cathy Cosgrove

The following MALPF staff and legal representatives were also present during the closed session meeting: Michelle Cable, Diane Chasse, Chana Turner, Sarel Cousins, Kim Hoxter, Amanda Massoni, Justin Hayes, Assistant Attorney General, Maryland Department of Agriculture, Michael Steadman, Jr., Assistant Attorney General, Maryland Department of Agriculture, Patrick Martyn, Assistant Attorney General, Maryland Department of General Services and Renee Dyson, Assistant Attorney General, Maryland Department of General Services.

TOPICS DISCUSSED:

A. Approval of July 7, 2020, and July 28, 2020, Closed Session Minutes

B. Status Report of Pending Legal Issues

C. Pending FY2020 offer

D. Round Two FY 2020 Offers

Respectfully Submitted:

Michelle Cable, MALPF Executive Director