

**MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION
OPEN MEETING MINUTES
February 26, 2019**

Trustees Present:

Michael Calkins, Chair
Jerome Klasmeier, representing Comptroller Peter Franchot
Deborah Herr Cornwell, representing Secretary Robert McCord, Maryland
Department of Planning
Richard Colburn, representing Secretary Joseph Bartenfelder, Maryland Department of
Agriculture
Catherine Cosgrove
Taylor Huffman
Bernard L. Jones, Sr.
Joseph Wood

Trustees Absent:

Nancy Kopp, Treasurer
William Allen, Vice-Chair
J. Bruce Yerkes

Others Present:

Michelle Cable, MALPF Executive Director
Diane Chasse, MALPF Administrator
Chana Turner, MALPF Administrator
Amanda Wilson, MALPF Fiscal Specialist
Jonathan Gott, MALPF Office Secretary III
Kim Hoxter, MALPF Monitoring, Enforcement and Database Coordinator
Justin Hayes, Assistant Attorney General, Department of Agriculture
Patrick Martyn, Assistant Attorney General, Department of General Services
Joanna Kille, staff to Treasurer Nancy Kopp
Billy Gorski, Anne Arundel County Planner
Joy Levy, Howard County Administrator
Greg Szoka, Harford County, Attorney for Howard Family
Jeanine Nutter, Prince George's County Administrator
Mike Scheffel, Montgomery County Administrator

Others Present By Phone Conferencing:

***Conference Phone was experiencing technical difficulties during the Open Session so there are no attendees by phone.**

Mr. Calkins, Chair, called the meeting to order at 9:05 a.m. at the Maryland Department of Agriculture building, Annapolis, Maryland. The guests and then the Board and staff introduced themselves.

I. APPROVAL OF MINUTES

A. Approval of Open Minutes from November 27, 2018.

Motion #1: To approve minutes from November 27, 2018.

Motion: Jones, Sr. Second: Cosgrove
Status: Approved

II. ADDITION / DELETION OF AGENDA ITEMS

N/A

MALPF Board Open Meeting Minutes February 26, 2019

III. ANNOUNCEMENTS

Ms. Cable provided a copy of the FY 2018 Annual Report to the Board members as this was the first meeting of the year. Mr. Hayes reminded the Board of the minimum 50% attendance requirement for all members. If a Board member does not attend at least 50% of the meetings held within a calendar year, they are no longer eligible to remain on the Board.

IV. EASEMENT AMENDMENTS

A. CHARLES COUNTY

1. 08-00-16e Helwig, William & Tommie ~441.05 acres
Request re-approval of a child lot for son, William Helwig, Jr.

Ms. Cable introduced the item.

Motion #2 : To approve the request to re-approve a child lot for son, William Helwig, Jr.

Motion: Jones, Sr. Second: Cosgrove

Status: Approved

2. 08-81-01C Serenity Farm, Inc. (Robinson family) ~222.755 acres
Request approval of 5-year extensions for child lots for Franklin Robinson, Jr. and Adina Robinson.

Ms. Cable introduced the item.

Motion #3 : To approve the request for a 5-year extension for two (2) child lots for Franklin Robinson, Jr. and Adina Theresa Robinson.

Motion: Jones, Sr. Second: Huffman

Status: Approved

3. 08-15-05 Bowling, Catherine T. ~184.1321 acres
Request to exclude a 2-acre owner's lot surrounding pre-existing dwelling.

Ms. Cable introduced the item.

Motion #4 : To approve the request to exclude a 2-acre owner's lot surrounding pre-existing dwelling.

Motion: Cosgrove Second: Wood

Status: Approved

B. FREDERICK COUNTY

1. 10-82-10 Gordon, Walter and Kathy ~295 acres
Request approval of 5-year extensions for child lots for Walter Gordon and Kathy Gordon.

Ms. Chasse introduced the item.

Motion #5 : To approve the request for a 5-year extension for two (2) child lots for Walter Gordon and Kathy Gordon.

Motion: Jones, Sr. Second: Wood

Status: Approved

MALPF Board Open Meeting Minutes February 26, 2019

2. 10-81-09 Anthony, Barbara ~106 acres
Request to establish a one acre non-subdividable building envelope surrounding a pre-existing dwelling and a mobile home.

Ms. Chasse introduced the item.

Motion #6 : To approve the request establish a one acre non-subdividable building envelope surrounding a pre-existing dwelling and a mobile home.

Motion: Jones, Sr. Second: Wood
Status: Approved

C. WASHINGTON COUNTY

1. 22-89-03 Corcoran, Howard and Ann ~135 acres
Request to approve up to 2.0 acres for an owner's lot.

Ms. Turner introduced the item.

Motion #7 : To approve the request to approve up to 2.0 acres for an owner's lot.

Motion: Huffman Second: Cosgrove
Status: Approved

D. HOWARD COUNTY

1. 13-79-05Ces1 Reuwer Family Resource Trust ~213 acres
13-79-05Ces2 FAL Properties, LLC ~81 acres
Request approval of an agricultural subdivision of the Easement property creating an approximately 194 acre parcel and an approximately 100 acre parcel. The ~100 acre parcel includes the addition of a previously released 1-acre owner's lot as a non-subdividable dwelling.

Ms. Michelle Cable introduced the item. Ms. Joy Levy was available to address the Board.

Motion #8 : To approve the request, with staff recommended conditions, for approval of an agricultural subdivision of the Easement property creating an approximately 194 acre parcel and an approximately 100 acre parcel. The ~100 acre parcel includes the addition of a previously released 1-acre owner's lot as a non-subdividable dwelling.

Motion: Wood Second: Huffman
Status: Approved

E. WICOMICO COUNTY

1. 22-11-03 Martin Ruark, LLC ~123 acres
Request approval of an overlay easement to provide a water main extension to the Wicomico Regional Airport.

Ms. Turner introduced the item.

Motion #9 : To approve the request of an overlay easement to provide a water main extension to the Wicomico Regional Airport.

Motion: Jones, Sr. Second: Wood
Status: Approved

MALPF Board Open Meeting Minutes February 26, 2019

F. HARFORD COUNTY

1. 12-88-02 Howard, Amabel ~155 acres
Request for additional time to complete pre-existing dwelling release and transfer of 13 acres back to farm, in order to resolve a subdivision violation.

Ms. Chasse introduced the item. Mr. Szoka, the landowner's attorney, addressed the Board. He described that the septic system needed to be uncovered for the Health Department to inspect it but weather conditions had not allowed for it.

Motion #10 : To approve a deadline of August 15th, 2019 to complete pre-existing dwelling release and transfer of 13 acres back to farm, in order to resolve a subdivision violation.

Motion: Colburn Second: Jones, Sr.
Status: Approved

V. NEW AGRICULTURAL PRESERVATION EASEMENT PETITIONS: None.

VI. PROGRAM POLICY:

- A. County Requests for participation in FY 2019 Matching Funds Program (Michelle)

Motion #11 : To approve the County Requests for participation in FY 2019 Matching Funds Program

Motion: Jones, Sr. Second: Cosgrove
Status: Approved

- B. FY 2019 Allocation of Funds Report

- C. Water Resource Overlay Policy – revised draft

Ms. Cable reviewed the history and the current version #5 of the policy before the Board. The Board had questions remaining associated with the minimum/maximum size included in the policy, but were comfortable with the other changes. The Board asked staff to present revised language regarding the size of the overlay easements as well as any format changes needed once the attorneys have reviewed.

Status: Tabled until March 2019 Board Meeting (Pending Revisions)

- D. Legislative Update (Chana)

VII. INFORMATION AND DISCUSSION:

- A. FY 2019 Quarterly Inspection Report
B. News Articles (via e-mail only)

VIII. CLOSED SESSION

Mr. Calkins 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 individuals about pending or potential litigation.

Motion #12 : To adjourn the regular session at 10:39 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,

MALPF Board Open Meeting Minutes February 26, 2019

consultants, or other individuals about pending or potential litigation.

Motion: Jones, Sr. Second: Cosgrove
Status: Approved

The Closed Meeting of the Board was held from 10:51 a.m. to 12:22 p.m. on February 26, 2019 at the Maryland Department of Agriculture building, Annapolis, Maryland, 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: Michael Calkins, Chair, Jerome Klasmeier, representing Comptroller Peter Franchot, Deborah Herr Cornwell, representing Secretary Robert McCord, Maryland Department of Planning, Richard Colburn, representing Secretary Joseph Bartenfelder, Maryland Department of Agriculture, Catherine Cosgrove, Taylor Huffman, Bernard L. Jones, Sr., and Joseph Wood. Treasurer Nancy Kopp was present via conference phone.

The following Board members were absent: William Allen, Vice-Chair, and J. Bruce Yerkes.

The staff and following legal representatives were also present during the closed session meeting: Michelle Cable, Diane Chasse, Kim Hoxter, Amanda Wilson, Jon Gott, Joanna Kille, staff to Treasurer Nancy Kopp, Justin Hayes, Assistant Attorney General, Maryland Department of Agriculture, and Patrick Martyn, Assistant Attorney General, Maryland Department of General Services.

TOPICS DISCUSSED:

- A. Approval of November 27, 2018 Closed Session Minutes
- B. WITHDRAWN
- C. Status Report of Pending Legal Issues
- D. Assignment of offer contract to purchase easement in Charles County
- E. Assignment and extension of offer contract to purchase easement in Charles County
- F. WITHDRAWN
- G. Withdrawal of offer to purchase easement in St. Mary's County
- H. FY 2019 Round One Offers
- I.

Respectfully Submitted:

Jonathan Gott, MALPF Office Secretary