MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION
OPEN MEETING MINUTES
February 25, 2020

Trustees Present:
Michael Calkins, Chair
Richard Colburn, representing Secretary Joseph Bartenfelder, Maryland Department of Agriculture
Jerome Klasmeier, representing Comptroller Peter Franchot
Joanna Kille, representing Treasurer Nancy Kopp
Deborah Herr Cornwell, representing Secretary Robert McCord, Maryland Department of Planning
Catherine Cosgrove (via phone)
Bernard L. Jones, Sr.
Joe Wood
Taylor Huffman
J. Bruce Yerkes

Trustees Absent:
William Allen, Vice-Chair

Others Present:
Michelle Cable, MALPF Executive Director
Kim Hoxter, MALPF Monitoring, Enforcement & Database Coordinator
Diane Chasse, MALPF Administrator
Chana Turner, MALPF Administrator
Sarel Cousins, MALPF Administrator
Amanda Wilson, MALPF Fiscal Specialist
Robert Cay, MALPF Office Secretary
Justin Hayes, Assistant Attorney General, Department of Agriculture
Patrick Martyn, Assistant Attorney General, Department of General Services
Renee Dyson, Assistant Attorney General, Department of General Services
Mike Steadman, Assistant Attorney General, Maryland Department of Agriculture
Jeanine Nutter, Prince George’s County Administrator
Devyn Kng, Cecil County Program Administrator
Billy Gorski, Anne Arundel County Planner
Megan Eenjamin, Baltimore County Planner
Brandon Huffman, Cecil County Landowner

Others Present By Phone Conferencing:
Beth Beales, Caroline County Program Administrator
Chris Boggs, Washington County Program Administrator
Martin Sokolich, Talbot County Program Administrator
Donna Landis-Smith, Queen Anne’s County Program Administrator

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 January 28, 2020.

Motion #1: To approve minutes from January 28, 2020.

Motion: Wood
Second: Jones
Status: Approved
II. ADDITION / DELETION OF AGENDA ITEMS

N/A

III. ANNOUNCEMENTS
Ms. Cable updated the Board briefly on the status of HB17, the two-year appraisal bill, which is working its way through the legislative session. In hopes and anticipation that the bill will be passed, Ms. Cable asked the Board to form a committee to prepare a policy recommendation for implementing the bill, if it becomes law on July 1, 2020. If the bill is passed, MALPF needs to be ready to implement it immediately with the new FY21 easement applications that will be due on July 1, 2020. Ms. Herr-Cornwell volunteered to be on the committee, with no other Board or County staff volunteers. Ms. Cable will reach out to County Program Administrators to request participation.

Mr. Hayes formally introduced MDA’s newest Assistant Attorney General who will serve as counsel for the MALPF Board, Mr. Michael Steadman.

Ms. Cable reminded the Board that their ethics compliance reports are due in April.

IV. EASEMENT AMENDMENTS

A. FREDERICK COUNTY

1. File #10-87-06A Winterbrooks Farms, LLC ~95 acres
   File #10-92-03 Winterbrooks Farms, LLC ~100 acres
   (Huffman, Taylor & Brandon)

Request:
Landowners request approval for the following agritourism activities:
1. Have a roadside farmstand; and
2. Events: Great Pumpkin Run, Strawberry festival and Sunflower festival and
3. Yearlong agritourism operation (including pumpkin patch, corn maze, farm animals, hay rides, learning barn, selling Christmas trees, cider, and donuts).

Recommendation:
After reviewing the request and considering the criteria set forth in COMAR 15.15.07.03 and considering the historical relationship of the requested activities to farming, Staff recommends approval subject to 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. Chessex introduced the item. Mr. and Ms. Huffman were available to address the Board.

Motion #2: To approve the agritourism activities, as requested.

Motion: Klasmeier Second: Colburn
Abstained: Huffman
Status: Approved

2. File #10-88-02 Freeholdings, LLC ~148.8 acres
   (Free, Joseph & Eleanor)

Request:
Request for a 5-year extension to the validity of the preliminary release for the approved child lot. If approved, this will be the second extension for all this release, which expires on June 30, 2020.

Recommendation:
Under COMAR 15.15.06.05.B.2, Staff recommends approval for the extension.
MALPF Board Open Meeting Minutes January 28, 2020

Ms. Chasse introduced the item.

Motion #3: To approve a 5-year extension to the validity of the preliminary release for the approved child lot.

Motion: Wood  Second: Yerkes
Status: Approved

B. CARROLL COUNTY

1. File #06-81-12e  Bowman, David  ~106.7 acres
   File #06-82-1AS4E  Matthews, Kandi Jo  ~206 acres
   File #06-83-13  Kegel, Darlene  ~153 acres
   File #06-83-13  Kegel, Randolph & Sarah  ~153 acres

Request:
Request for 5-year extensions to the validity of the preliminary releases for the approved family lots.

Recommendation:
Under COMAR 15.15.06.05.B.2, Staff recommends approval for the extensions.

Ms. Chasse introduced the item.

Motion #4: To approve 5-year extensions to the validity of the preliminary releases for the approved family lots for David Bowman, Kandi Jo Matthews, Darlene Kegel, & Randolph Kegel.

Motion: Jones  Second: Colburn
Status: Approved

C. CECIL COUNTY

1. File #07-91-20  Estate of Aline D. Carrion  ~253 acres

Request:
Request approval for a child’s lot for son, Richard Peter Carrion.

Recommendation:
Staff recommends approval the child lot, located as shown on map as Option A and Option B in the event that Option A cannot meet perc and septic reserve requirements.

Ms. Cousins introduced the item.

Motion #5: To approve a child’s lot for Richard Peter Carrion.

Motion: Yerkes  Second: Colburn
Status: Approved

D. WASHINGTON COUNTY

1. File #21-90-10  Wiles, Charles & Martha  ~188 acres

Request – Washington County:
Request for a 5-year extension to the validity of the preliminary release for the approved child’s lot for Bradley Wiles (Lot #2), through June 30, 2025.

Recommendation:
Under COMAR 15.15.06.05.B.2., Staff recommends approval for a 5 year extension.

Ms. Cousins introduced the item.

Motion #6: To approve a 5-year extension to the validity of the preliminary release for the approved child’s lot for Bradley Wiles (Lot #2), through June 30, 2025.
MALPF Board Open Meeting Minutes January 28, 2020

2. File #21-90-10  Wiles, Charles & Martha  ~188 acres

Request
Request for a 5-year extension to the validity of the preliminary release for the approved child's lot for Melissa Wiles (Lot #3), through June 30, 2025.

Recommendation:
Under COMAR 15.15.06.05.B.2., Staff recommends approval for a 5 year extension.

Ms. Cousins introduced the item.

Motion #7: To approve a 5-year extension to the validity of the preliminary release for the approved child's lot for Melissa Wiles (Lot #3), through June 30, 2025.

Motion: Huffman  Second: Jones
Status: Approved

V. NEW AGRICULTURAL PRESERVATION EASEMENT PETITIONS:

VI. PROGRAM POLICY

A. Re-Certification Request from Prince George's County.

Recommendation:
Prince George's County's land preservation program complies with the requirements under COMAR 34.03.03 and has proven to be consistently effective; therefore, MALPF staff recommend, and MDP has approved, recertification for Fiscal Years 2021, 2022, 2023 (July 1, 2020 – June 30, 2023), with a possible extension for Fiscal Years 2024 and 2025 (July 1, 2023 – June 30, 2025) once new regulations are in place to implement HB620 (2018 legislative session).

Ms. Chasse presented the item. Ms. Herr-Cornwell provided the Department of Planning's agreement and recommended approval. Ms. Nutter was available to address the Board.

Motion #8: To approve Re-Certification Request from Prince George's County land preservation program under COMAR 34.03.03.

Motion: Jones  Second: Colburn
Status: Approved

B. Baltimore County – Revisions to Ranking

Request
Baltimore County requests approval of its Ranking System.

Recommendation
Staff recommends approval.

Ms. Turner presented the item. Ms. Benjamin addressed the Board explaining the changes of the ranking system.

Motion #9: To approve the revisions to the Baltimore County Ranking System.

Motion: Wood  Second: Jones
Status: Approved
C. FY2020 Allocation of Funds Report
   Ms. Cable presented the report.

VII. INFORMATION AND DISCUSSION

A. Legislative Update – handout at meeting
   Ms. Turner provided the Board with the status of 2020 legislation which may affect the MALPF.

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 #10: To adjourn the regular session at 10:20 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: Colburn
Status: Approved
Second: Jones

The Closed Meeting of the Board was held from 10:35 a.m. to 11:41 a.m. on February 25, 2020 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, Joanna Kille, representing Treasurer Nancy Kopp, Deborah Herr Cornwell, representing Secretary Robert McCord, Maryland Department of Planning, Richard Colburn, representing Secretary Joseph Bartenfelder, Maryland Department of Agriculture, Taylor Huffman, Bernard Jones, Joe Wood, and J. Bruce Yerkes.

The following Board members were absent: William Allen and Catherine Cosgrove

The following legal representatives were also present during the closed session meeting: Justin Hayes, Assistant Attorney General, Maryland Department of Agriculture, Michael Steadman, 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 January 28, 2020 Closed Session Minutes
B. Status Report of Pending Legal Issues
C. FY 2020 Round One Offers

Respectfully Submitted:

[Signature]
Michelle Cable, MALPF Executive Director